

# The City Record

Official Publication of the Council of the City of Cleveland



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May the Second, Two Thousand and Seven

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**Frank G. Jackson**  
Mayor

**Martin J. Sweeney**  
President of Council

**Emily Lipovan**  
City Clerk, Clerk of Council

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

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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	Martin J. Keane.....	15907 Colletta Lane	44111

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

### MAYOR – Frank G. Jackson

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

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

**DEPT. OF FINANCE** – Sharon Dumas, Director, Room 104;  
Frank Badalamenti, Manager, Internal Audit

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

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

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

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

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

**DEPT. OF PUBLIC SERVICE** – Jomarie Wasik, Director, Room 113

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

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

**DIVISIONS:** Air Quality – Richard L. Nemeth, Commissioner  
Environment – Willie Bess, Commissioner, Mural Building, 1925 St. Clair Ave.  
Health – Anjou Parekh, Commissioner, Mural Building, 1925 St. Clair Ave.

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

**DIVISIONS:** Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street  
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.  
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive  
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue  
Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

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

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

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

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

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

**DEPT. OF ECONOMIC DEVELOPMENT** – 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 Jomarie Wasik, Law Director Robert J. Triozzi; Councilman \_\_\_\_\_.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

# The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 94

WEDNESDAY, MAY 2, 2007

No. 4873

## CITY COUNCIL

MONDAY, APRIL 30, 2007

The City Record  
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Address all communications to  
**EMILY LIPOVAN**  
City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2006-2009

#### MONDAY—Alternating

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

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

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

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

#### MONDAY

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

#### TUESDAY

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

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

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio  
Monday, April 30, 2007

The meeting of the Council was called to order, The President, Martin J. Sweeney, in the Chair.

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

Also present were Mayor Frank G. Jackson; Ken Silliman, Chief of Staff; Darnell Brown, Chief Operating Officer; Tracy Y. Martin, Chief of Education; Maureen Harper, Chief of Communications; Andrea V. Taylor, Press Secretary; Debra Linn Talley, Director of Equal Opportunity and Directors Triozzi, Ciaccia, Smith, Wasik, Carroll, Cox, Rush, Rybka, Hutchinson, Reilly, Griffin, Brown and Teresa Stevenson, Special Assistant to the Mayor for Legislative Affairs.

Pursuant to Ordinance No. 2926-76 prayer was offered by Council Member Robert White, Ward 2. Pledge of Allegiance.

#### MOTION

On the motion of Council Member Coats, the reading of the minutes of the last meeting were dis-

pensated with and the journal approved. Seconded by Council Member Keane.

#### COMMUNICATIONS

##### File No. 712-07.

From the Department of Parks, Recreation and Properties — acceptance of a \$10,000 grant from Elfun Community Foundation. Received.

##### File No. 713-07.

From the City of Westlake — Resolution No. 2007-67 regarding opposition to the quarterly customer service charge imposed by the City of Cleveland on water bills. Received.

#### FROM DEPARTMENT OF LIQUOR CONTROL

##### File No. 714-07.

Re: New Application — 70111610005 — Poni, Inc., d.b.a. The Outlet Store, 12029 Lorain Avenue. (Ward 19). Received.

##### File No. 715-07.

Re: Transfer of Ownership Application — 2596014 — Sam Express Beverage, LLC, 3224 West 73rd Street, first floor and basement only. (Ward 17). Received.

##### File No. 716-07.

Re: Transfer of Ownership Application — 2850468 — 478 Pearl Road Down Rear, Inc., d.b.a. Ice Box Lounge, 3085-89 West 25th Street, first floor and basement. (Ward 14). Received.

##### File No. 717-07.

Re: Transfer of Ownership Application — 2932986 — Marjorie E. Frierson, d.b.a. Bosworth Tavern, 3655-57 Bosworth Road, first floor. (Ward 19). Received.

#### STATEMENT OF WORK ACCEPTED

##### File No. 718-07.

From the Department of Public Safety — Contract No. 66456, Cleveland Fire Stations — Emergency Generators Replacement. Received.

##### File No. 719-07.

From the Department of Public Service — Contract No. 65242, Division of Purchases and Supplies Carpeting Replacement. Received.

##### File No. 720-07.

From the Department of Public Utilities — Contract No. PI 63697 A, Fabrizi Trucking & Paving Co., completed and accepted April 30, 2005. Received.

**CONDOLENCE RESOLUTIONS**

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

- Res. No. 721-07** — Lance Corporal Daniel Rocco Scherry.  
**Res. No. 722-07**—Frank Wright, Jr.  
**Res. No. 723-07**—Mary Kaser.

**CONGRATULATION RESOLUTIONS**

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

- Res. No. 724-07** — Charlesetta Matthews.  
**Res. No. 725-07**—Robert Bauer.

**RECOGNITION RESOLUTIONS**

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

- Res. No. 726-07**—Anci Mihelich.  
**Res. No. 727-07** — Applewood Centers, Inc.  
**Res. No. 728-07** — "Take Our Daughters and Sons To Work" Day.  
**Res. No. 729-07**—Peter A. Pudner.

**COMMEMORATION RESOLUTION**

The rules were suspended and the following Resolution was adopted without objection:

- Res. No. 730-07**—32nd Anniversary of the Fall of Saigon.

**FIRST READING EMERGENCY ORDINANCES REFERRED****Ord. No. 681-07.**

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

**An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to maintain, repair, replace, or enhance heating, ventilation, and air conditioning systems or components, including installation if necessary, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities.**

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 one or two years of the necessary items of labor and materials necessary to maintain, repair, replace, or enhance heating, ventilation, and air conditioning systems or components, including installation if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Divisions of Water, Water Pollution Control, and Cleve-

land 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 the specified term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Utilities is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Utilities by comparing the bids received for both terms.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 158107)

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

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

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

**Ord. No. 682-07.**

**By Council Members Brady and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to make alterations and modifications in Contract No. 65960 with Perk Company, Inc. for the resurfacing of Denison Avenue, for the Department of Public Service.**

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 Service is authorized to make the following alterations and modifications in Contract No. 65960 with Perk Company, Inc. for the resurfacing of Denison Avenue, for the Department of Public Service:

**Subsidiary Additions**

Traffic Signal Ground Rods	\$ 2,337.50
Trenching in Paved Areas	\$39,357.50
Curb Ramp Replacement	+28,086.17
Total Subsidiary Additions	\$69,781.17

Original Contract	\$1,364,763.15
Subsidiary Addition	+ 69,781.17
<b>REVISED CONTRACT</b>	
<b>AMOUNT</b>	<b>\$1,434,544.32</b>

which alteration has been recommended in writing by the Director of Public Service, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed on in writing and signed by the Director of Public Service and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$69,781.17, to be paid from Fund Nos. 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, and 20 SF 506, Request No. 173226.

**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 Public Service, Finance, Law; Committees on Public Service, Finance.

**Ord. No. 683-07.**

**By Council Members Britt and Sweeney (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more requirement contracts of burials or cremation services for indigent dead, for the Division of Health, Department of Public Health.**

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 Health is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of one or two years of the necessary items of burials or cremation services for indigent dead, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Health, Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Health is authorized to enter into one or more contracts with a term of two years instead of one year when

there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Health by comparing the bids received for both terms.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 157169)

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

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

Referred to Directors of Public Health, Finance, Law; Committees on Health and Human Services, Finance.

**Ord. No. 684-07.**

**By Council Members Britt and Sweeney (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more requirement contracts of animal trapping services, for the Division of Environment, Department of Public Health.**

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 Health is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years of the necessary items of animal trapping services, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Environment, Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the

requirements for the entire term. The Director of Public Health is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Health by comparing the bids received for both terms.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 138727)

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

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

Referred to Directors of Public Health, Finance, Law; Committees on Health and Human Services, Finance.

**Ord. No. 685-07.**

**By Council Members Brady and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to employ one or more professional consultants to enter into one or more professional services contracts for a Citywide facilities conditions assessment for the Division of Architecture, Department of Public Service.**

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 Service 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 provide a Citywide facilities conditions assessment, including but not limited to, evaluating and assessing existing mechanical, electrical, structural, and civil systems in City-owned and City-leased facilities.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Service from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Service 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 Public Service, and certified by the Director of Finance.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund Nos. 20 SF 362, 20 SF 371, 20 SF 381, 20 SF 391, and 20 SF 503, Request No. 156220.

**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 Service, Finance, Law; Committees on Public Service, Finance.

**Ord. No. 686-07.**

**By Council Members Brady, Cleveland and Sweeney (by departmental request).**

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 131.17, 131.18 and 131.19 relating to the purchase of motor vehicle maintenance equipment and supplies, fuel and fuel related purchases, and software and hardware upgrades, maintenance, and technical support, and repair agreements for the Fleet Management Information and the Automated Fuel Dispensing Systems for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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 Cleveland, Ohio, 1976, are supplemented by enacting new Sections 131.17, 131.18, and 131.19 to read as follows:

**Section 131.17 Purchase of Shop Supplies and Equipment, Vehicle Maintenance Materials, Equipment, Services, and Supplies for the Division of Motor Vehicle Maintenance**

(a) The Director of Public Service is authorized to enter into one or more standard purchase or requirement contracts duly let to the lowest and best bidder after competitive bidding for vehicle maintenance materials, equipment, services, and supplies for the Division of Motor Vehicle Maintenance and deemed by the Director of Public Service necessary to the operation of the Division, including but not limited to: shop supplies and shop equipment,

vehicle parts and equipment, lubricants, fluids, tires, tubes, tire recapping, vehicle and equipment batteries, remanufactured power trains or sections, generators, generator parts, and labor, materials, and installation, if necessary, to repair or maintain existing equipment for a period of one year. Any purchase made under this section shall be made by the Commissioner of Purchases and Supplies and paid from the annual appropriations made for this purpose.

(b) As to requirement contracts, alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this section, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

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

**Section 131.18 Purchase of Fuel, Fuel Dispensing Equipment, and Storage Tank Removal for the Division of Motor Vehicle Maintenance**

(a) The Director of Public Service is authorized to enter into one or more standard purchase or requirement contracts duly let to the lowest and best bidder after competitive bidding for fuel and fuel dispensing and storage equipment, for the Division of Motor Vehicle Maintenance as deemed by the Director of Public Service necessary to the operation of the Division, including but not limited to: fuel, fuel dispensing equipment, fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, stationary air compressors, and for emergency clean-up and replacement of leaking underground and above-ground storage tanks and systems, and labor, materials, and installation, if necessary, to repair or maintain existing equipment for a period of one year. Any purchase made under this section shall be made by the Commissioner of Purchases and Supplies and paid from the annual appropriations made for this purpose.

(b) As to requirement contracts, alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is

authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this section, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

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

**Section 131.19 Acquisition of Software and Hardware, including Upgrades, Technical Support, and Maintenance, and Repair Agreements for the Fleet Management Information System and the Automated Fuel Dispensing System for the Division of Motor Vehicle Maintenance**

(a) The Director of Public Service is authorized to enter into one or more standard purchase or requirement contracts duly let to the lowest and best bidder after competitive bidding for software and hardware, including upgrades, technical support, and maintenance and repair for the Fleet Management Information System and the Automated Fuel Dispensing System for a period of one year for the Division of Motor Vehicle Maintenance as deemed necessary by the Director of Public Service for the operation of the Division.

As to requirement contracts, alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this section, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

(b) The Director of Public Service is authorized to enter into contract or contracts with one or more computer software developers or vendors or one or more firms of computer software developers or vendors to supplement the regularly employed staff of the several departments of the City of Cleveland for the purpose of acquiring one or more software licenses, and for upgrades, technical support, and maintenance, for the Fleet Management Information System and the Automated Fuel Dispensing System.

The selection of the computer software developers or vendors shall be made by the Board of Control on the nomination of the Director of Public Service from a list of qualified persons or firms available for employment as may be determined after a full and complete canvass by the

Director of Public Service for the purpose of compiling a list. The compensation to be paid for the licenses and shall be fixed by the Board of Control. Each contract shall be prepared by the Director of Law, approved by the Director of Public Service, and certified by the Director of Finance.

(c) The Director of Public Service is authorized to execute as part of, or in conjunction with a purchase of computer hardware under division (a) or (b) of this section, one or more software license agreements for software required for use of that hardware, directly with a firm or firms other than the hardware vendor of and when that party is not the manufacturer or an authorized licensor of the software.

(d) Any purchase made under this section shall be made by the Commissioner of Purchases and Supplies and paid from the annual appropriations made for this purpose.

(e) Under Section 108(b) of the Charter, the acquisitions authorized by this section may be made through cooperative agreements using state procedures. The Director of Public Service may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 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 Public Service, Finance, Law; Committees on Public Service, Legislation, Finance.

**Ord. No. 687-07.**

**By Council Members Conwell and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to enter into one or more contracts without competitive bidding with AT&T for the purchase of upgrade kits for the City of Cleveland emergency call processing equipment, for the Division of Police, Department of Public Safety.**

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 determines that the within commodities are non-competitive and cannot be secured from any source other than AT&T. Therefore the Director of Public Safety is authorized to make one or more written contracts with AT&T, on the basis of their proposal dated April 25, 2007 for the purchase of upgrade kits for the City of Cleveland emergency call processing equipment, to be purchased by the Commissioner of Purchases

and Supplies, for the Division of Police, Department of Public Safety.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund No. 10 SF 049, Request No. 173942.

**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 Safety, Finance, Law; Committees on Public Safety, Finance.

**Ord. No. 688-07.**

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

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to employ one or more professional consultants to design the Phase II improvements of the Cleveland Memorial Gardens.**

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 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 design the Phase II improvements of the Cleveland Memorial Gardens.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director 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 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 Parks, Recreation and Properties, and certified by the Director of Finance.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund Nos. 20 SF 350 and 20 SF 511, Request No. 132932.

**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. 689-07.**

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

**An emergency ordinance determining the method of making the public improvement of renovating the parking lot at the Mall Park Maintenance Station at 1155 East 40th Street; and authorizing the Director of Parks, Recreation and Properties to enter into one or more public improvement contracts 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, this Council determines to make the public improvement of renovating the parking lot at the Mall Park Maintenance Station at 1155 East 40th Street, for the Department of Parks, Recreation and Properties, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

**Section 2.** That the Director of Parks, Recreation and Properties is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on 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 the trades or components may be the subject of a separate contract on a unit basis.

**Section 3.** That the cost of the improvement authorized shall be paid from Fund Nos. 20 SF 362, 20 SF 371, 20 SF 381, 20 SF 391, 20 SF 503, and 20 SF 509, Request No. 132933.

**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 Parks, Recreation and Properties, City Planning Commission, Finance, Law; Committees on Public Parks, Property and Recreation, City Planning, Finance.

**Ord. No. 690-07.**

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

**An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving parks and playgrounds on City-owned and City-leased park property, including site improvements and appurtenances; authorizing the Director of Parks, Recreation and Properties to enter into one or more contracts to implement the improvement; to employ**

**one or more consultants to provide professional services relating to the improvement; authorizing the purchase or rental of materials, equipment, supplies and services for the improvement; and determining the method of making the improvement and to proceed with the improvement by the direct employment of the necessary labor and the purchase or rental of necessary materials, equipment, supplies, and services, for the Department of Parks, Recreation and Properties.**

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

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

**Section 1.** That under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving parks and playgrounds on City-owned and City-leased park property, including all site improvements and appurtenances necessary and incidental (the "Improvement"), for the Department of Parks, Recreation and Properties, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

**Section 2.** That the Director of Parks, Recreation and Properties is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder after competitive bidding on 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 the trades or components may be the subject of a separate contract on a unit basis.

**Section 3.** 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 the necessary materials, equipment, supplies, and services necessary to implement the Improvement, including the rental of necessary equipment to be purchased or procured by the Commissioner of Purchases and Supplies on a unit basis for the Department of Parks, Recreation and Properties.

**Section 4.** That the Director of Parks, Recreation and Properties is authorized to employ by contract one or more architects, landscape architects, and engineers, or one or more firms of architects, landscape architects, and engineers necessary to implement the Improvement authorized in this ordinance. The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Parks, Recreation and Properties from a list of qualified consultants available for the employment 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 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 Parks, Recreation and Properties, and certified by the Director of Finance.

**Section 5.** That under Section 167 of the Charter of the City of Cleveland, it is determined to make the Improvement described above which are not covered under Section 2 of this ordinance by the direct employment of the necessary labor, and the purchase or rental of the necessary materials, equipment, supplies, and services for the making of the Improvement, which items are not covered by the contract or contracts authorized by Section 3 of this ordinance, with a separate accounting as to each improvement made.

**Section 6.** That the cost of the contract or contracts shall be paid from Fund Nos. 11 SF 006, 20 SF 361, 20 SF 370, 20 SF 377, 20 SF 382, 20 SF 392, 20 SF 501, 20 SF 504, and 20 SF 508, Request No. 132931.

**Section 7.** 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, City Planning Commission, Finance, Law; Committees on Public Parks, Property and Recreation, City Planning, Finance.

**Ord. No. 691-07.**

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

**An emergency ordinance appropriating Community Development Block Grant funds and Federal HOME funds for the operation of the Low Interest Loan and Grant Programs; and to enter into one or more contracts with various agencies to implement these programs.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 33 and 2007 Federal HOME grant funds, from the United States Government; 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 Community Development is authorized to expend funds appropriated from Fund No. 14 SF 033 in the amount of \$2,475,000, and Federal HOME Program funds appropriated from Fund 19 SF 610 in the amount of \$655,785, for the operation of the Low Interest Loan and Grant Programs, including all related services. The Low Interest Loan and Grant Programs include Repair-A-Home (RAH), Corrective Action Grant, Afford-A-Home (AAH), Senior Home Owners Assistance Program (SHAP), Paint Refund Program, Housewarming, Furnace Repair, Home Maintenance Assis-

tance Program (HMAP), and American Dream Downpayment Assistance Program.

**Section 2.** That the Director of Community Development is authorized to enter into one or more contracts with various non-profit agencies, rehabilitation service providers, tenants, homeowners, and entities providing services necessary to process loans and grants to implement the Low Interest Loan and Grant Programs in the City of Cleveland.

**Section 3.** That the Director of Community Development is authorized to accept monies in repayment under the programs and to utilize the repayments, and other program income in a revolving fund for additional expenditures under these programs and administrative expenses, which repayments and program income are appropriated for those purposes.

**Section 4.** That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.

**Section 5.** That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited into Fund No. 14 and are hereby appropriated for the purposes of the Low Interest Loan and Grant Program.

**Section 6.** 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, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 692-07.**

**By Council Members Brancatelli, Pierce Scott, Cimperman and Sweeney (by departmental request).**

**An emergency ordinance to amend the title and Sections 1 and 2 of Ordinance No. 908-05, passed May 23, 2005, relating to authorizing the Director of Community Development to apply for and accept a Clean Ohio grant from the State of Ohio Department of Development for the environmental remediation and demolition of certain properties located in Slavic Village; and authorizing the director to enter into one or more contracts with Slavic Village Development to implement the project.**

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 Sections 1 and 2 of Ordinance No. 908-05, passed May 23, 2005, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Community Development to apply for and accept a Clean Ohio grant from the State of Ohio Department of Development for the environmental remediation and demolition of certain properties located in the vicinity of East 72nd Street and East 71st Street, located in Slavic Village; and authorizing the Director to enter into one or more contracts with Slavic Village Development to implement the project.

**Section 1.** That the Director of Community Development is authorized to apply for and accept a Clean Ohio grant in an amount up to \$3,000,000, from the State of Ohio Department of Development for the environmental remediation and demolition of certain properties located in the vicinity of East 72nd Street and East 71st Street, which are Permanent Parcel Nos. 132-03-017, 133-02-072, and 133-02-079, located in Slavic Village, to be used to implement the project as described in the executive summary below; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the executive summary for the grant contained in the file described below.

**Section 2.** That the executive summary for the grant, File No. 908-05-B, fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority, is approved in all respects.

**Section 2.** That the existing title and Sections 1 and 2 of Ordinance No. 908-05, passed May 23, 2005, are repealed.

**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 Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

**Ord. No. 693-07.**

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

**An emergency ordinance appropriating Community Development Block Grant funds for anti-predatory lending and foreclosure prevention assistance; and authorizing the Director of Consumer Affairs to enter into one or more contracts with various entities to provide assistance to City residents.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 33 from the United States Government; 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 CDBG and Federal Home Grant funds in the amount of \$300,000 are appropriated for anti-predatory lending and foreclosure prevention assistance programs.

**Section 2.** That the Director of Consumer Affairs is authorized to enter into one or more contracts with various organizations to provide counseling, training, marketing, program evaluation and other services required for anti-predatory lending and foreclosure prevention assistance.

**Section 3.** That the aggregate cost of the contracts shall not exceed \$300,000 and shall be paid from Fund Nos. 19 SF 610 and Fund 14 SF 033, Request No. 178606.

**Section 4.** That prior to expending funds under this ordinance, the Directors of Consumer Affairs and Community Development shall enter into a memorandum of understanding for this program.

**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 Consumer Affairs, Community Development, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 694-07.**

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

**An emergency ordinance appropriating Community Development Block Grant funds for strategic acquisition, redevelopment, and rehabilitation of land and vacant, abandoned, boarded structures within the City for redevelopment opportunities; and authorizing the Director of Community Development to enter into one or more contracts with various agencies, entities, or individuals to implement the program.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 33 from the United States Government; 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 CDBG Year 33 grant funds in the amount of \$400,000 are appropriated for the strategic acquisition, redevelopment, and rehabilitation of land and vacant, abandoned, and boarded structures within the City for redevelopment opportunities.

**Section 2.** That the Director of Community Development is authorized to enter into one or more contracts with various agencies, enti-

ties, or individuals, to implement the redevelopment or rehabilitation opportunities through the acquisition, redevelopment, and rehabilitation of land and vacant, abandoned, and boarded structures within the City.

**Section 3.** That the contract or contracts shall be prepared by the Director of Law.

**Section 4.** That the aggregate cost of the contracts shall not exceed \$400,000 and shall be paid from Fund No. 14 SF 033, Request No. 178607.

**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 Community Development, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 695-07.**

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

**An emergency ordinance appropriating CDBG and Federal HOME Program funds for the administration of the Housing Rehabilitation Programs; and authorizing the Director of Community Development to employ one or more professional consultants to provide property inspections in compliance with Section 8 Housing Quality Standards.**

Whereas, the City of Cleveland has received a Community Development Block Grant Year 33 and Year 2007 Federal HOME Program grant funds from the United States Government; 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 CDBG and Federal HOME Program funds are appropriated for the administration of the Housing Rehabilitation Programs.

**Section 2.** That the Director of Community Development 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 property inspections to comply with Section 8 Housing Quality Standards.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Community Development from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Community Development 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 pre-

pared by the Director of Law, approved by the Director of Community Development, and certified by the Director of Finance.

**Section 3.** That CDBG and HOME Administrative funds in the amount of \$1,161,200 shall be paid from Fund Nos. 14 SF 033 and 19 SF 610.

**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, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 696-07.**

**By Council Member Lewis.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Zoeter Avenue to Johnny Lee Whitney.**

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(s). 106-08-091, as more fully described below, to Johnny Lee Whitney.

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

P. P. No. 106-08-091

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the West-erly 30 feet of Sublot No. 63 in Zoeter and Decker's Allotment of part of Original One Hundred Acre Lot No. 341, as shown by the recorded plat in Volume 5 of Maps, Page 30 of Cuyahoga County Records, and being 30 feet front on the Southerly side of Zoeter Avenue N.E. and extending back of equal width 165 feet, 4 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to easement for ingress and egress, dated March 6, 1958, recorded March 12, 1958, in Volume 9062, Page 500 of Cuyahoga County Records.

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, Finance.

**Ord. No. 697-07.**

**By Council Member Lewis.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 89th Street to Linda B. Johnson.**

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 Ordina-

nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 107-14-104, as more fully described below, to Linda B. Johnson.

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

P. P. No. 107-14-104

**Lot A**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 11 in the Wade Park and Superior Subdivision of a part of Original One Hundred Acre Lot No. 384 as shown by the recorded plat in Volume 21 of Maps, Page 5 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 89th Street (formerly Claremont Street) and extending back between parallel lines 49.56 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Lot B**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 43 in W.H. Van Tine, Jr. Trustee's Subdivision of a 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 at the Northeastly corner of said Sublot No. 43; thence Westerly along the Northerly line of Sublot No. 43, 17.23 feet to the Easterly line of land conveyed to Mary E. Widner by deed dated August 30, 1944 and recorded in Volume 5815 of Deeds, parallel 176 of Cuyahoga County Records; thence Southerly along said Easterly line of land so conveyed to Mary E. Widner 19 feet to the Southeastly corner thereof; thence Southerly in a direct line 21 feet to a point on the Southerly line of Sublot No. 43, distant Westerly measured along said Southerly line, 16.71 feet from Southeastly corner of said Sublot; thence Easterly along said Southerly line of Sublot No. 43, 16.71 feet to the Southeastly corner of said Sublot; thence Northerly along the Easterly line of Sublot No. 43, 40 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Restrictions contained in the instrument dated May 20, 1890 and recorded in Volume 468, Page 309 of Cuyahoga County Records.

Restrictions contained in the instrument dated July 14, 1897 and recorded in Volume 667, Page 268 of Cuyahoga County Records.

Modification of restrictions by instrument dated July 12, 1941, and recorded in Volume 5247, Page 111 of Cuyahoga County Records.

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, Finance.

**Ord. No. 698-07.**

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

**An emergency ordinance authorizing the Director of Public Utilities to enter into one or more agreements with Cleveland Housing Network to provide various customer services to low income home owners or rental property owners, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities.**

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 enter into one or more agreements with Cleveland Housing Network to provide various customer services to low income home owners or rental property owners, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities.

**Section 2.** That the cost of the agreement or agreements authorized shall be paid from Fund Nos. 52 SF 001, 54 SF 001, and 58 SF 001, Request No. 177207.

**Section 3.** That the agreement or agreements shall be prepared by the Director of Law.

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

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

**Ord. No. 700-07.**

**By Council Member Reed.**

**An emergency ordinance to amend Section 607.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 834-03, passed June 10, 2003 relating to possession of marihuana.**

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 607.03 of the Codified Ordinances of Cleveland, Ohio 1976, as amended by Ordinance 834-03, passed June 10, 2003, is amended, respectively, as follows:

**Section 607.03 Drug Abuse: Controlled Substance Possession and Use**

(a) No person shall knowingly obtain, possess, or use a controlled substance.

(b) This section does not apply to the following:

(1) Manufacturers, licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies, and other persons whose conduct was in accordance with Chapters 3719., 4715., 4723., 4729., 4731., and 4741. of the Revised Code;

(2) If the offense involves an anabolic steroid, any person who is

conducting or participating in a research project involving the use of an anabolic steroid if the project has been approved by the United States food and drug administration;

(3) Any person who sells, offers for sale, prescribes, dispenses, or administers for livestock or other nonhuman species an anabolic steroid that is expressly intended for administration through implants to livestock or other nonhuman species and approved for that purpose under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and is sold, offered for sale, prescribed, dispensed, or administered for that purpose in accordance with that act;

(4) Any person who obtained the controlled substance pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs.

(c) Whoever violates this section is guilty of drug abuse, and shall be sentenced as follows:

(1) If the drug involved is a compound, mixture, preparation or substance included in Schedule III, IV or V, and the amount of drug involved is less than the bulk amount, drug abuse is a misdemeanor of the third degree, and if the offender has previously been convicted of a drug abuse offense, drug abuse is a misdemeanor of the second degree;

(2) If the drug involved is marihuana or a compound, mixture, preparation, or substance containing marihuana other than hashish, and the amount is less than 200 grams drug abuse is a misdemeanor of the first degree, unless the amount of marihuana involved is less than 100 grams, in which case drug abuse is a misdemeanor of the fourth degree;

(3) If the drug involved is an anabolic steroid included in Schedule

III, and the amount involved is less than the bulk amount, drug abuse is a misdemeanor of the third degree and, in lieu of sentencing an offender to a definite or indefinite term of imprisonment in a detention facility, the court may place the offender on conditional probation pursuant to division (F) of Section 2951.02 of the Revised Code, unless the offender previously has been convicted of a drug abuse offense, in which case drug abuse is a misdemeanor of the second degree.

(d) Arrest or conviction for a minor misdemeanor violation of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries about the person's criminal record, including any inquiries contained in any application for employment, license or other right or privilege, or made in connection with the person's appearance as a witness.

**Section 2.** That existing Section 607.03 of the Codified Ordinances of Cleveland, Ohio 1976, as amended by Ordinance 834-03, passed June 10, 2003, is repealed.

**Section 3.** The Department of Public Safety shall report data, including the number of arrests made under Section 607.03(c)(2) and the impact of the increased penalty, to Cleveland City Council twelve months after passage.

**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 Public Safety, Finance, Law; Committees on Public Safety, Legislation, Finance.

**FIRST READING ORDINANCE REFERRED**

**Ord. No. 588-A-07 (As a substitute for Ordinance No. 588-07).**

**By Council Member Sweeney.**

**An ordinance to change the zoning of land fronting on W. 45th Street, Franklin Boulevard and vacated Marquette Street to Urban Garden Districts (Map Change No. 2224, Sheet Numbers 1 and 4).**

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

**Section 1.** That the Use District of lands bounded and described as follows:

Beginning in the centerline of West 45th Street at its intersection with the centerline of Wales Court;

Thence westerly along said centerline of Wales Court to its intersection with the centerline of West 46th Place;

Thence southerly along said centerline of West 46th Place to its intersection with the westerly prolongation of the northerly line of Sublot Number 32 in the Dudley Baldwin Subdivision as shown on the recorded plat in Volume 2, Page 51 of Cuyahoga County Map Records said parcel also being known as Cuyahoga County's Permanent Parcel Number 002-36-031;

Thence easterly along said westerly prolongation of said northerly line and continuing along its easterly prolongation to its intersection with the centerline of West 45th Street;

Thence northerly along said centerline of West 45th Street to its intersection with the centerline of Wales Court and the principal place of beginning,

and as shaded on the attached map is changed to an Urban Garden District.

**Section 2.** That the Use District of lands bounded and described as follows:

Beginning in the centerline of West 38th Street at its intersection with the centerline of Franklin Boulevard;

Thence southeasterly along said centerline of West 38th Street to its intersection with a line drawn 350 feet from and parallel to the centerline of Franklin Boulevard;

Thence northeasterly along said line which is parallel to and 350 feet from the centerline of Franklin Boulevard to its intersection with the westerly line of the Lot Consolidation prepared for the Board of County Commissioners and recorded in Volume 320, Page 21 of Cuyahoga County Map Records, said line also being known as the westerly line of Cuyahoga County's Permanent Parcel Number 003-31-002;

Thence northwesterly along said westerly line and along its northerly prolongation to its intersection with the centerline of Franklin Boulevard;

Thence southwesterly along said centerline of Franklin Boulevard to its intersection with the centerline of West 38th Street and the principal place of beginning, and as shaded on the attached map is changed to an Urban Garden District.

**Section 3.** That the Use District of lands bounded and described as follows:

Beginning in the centerline of Saint Clair Avenue at its intersection with the centerline of Vacated Marquette Street;

Thence southeasterly along said centerline of Vacated Marquette Street to its intersection with the easterly prolongation of the southerly line of Sublot Number 57 in the Ranney & Herrick Subdivision as shown on the recorded plat in Volume 12, Page 30 of Cuyahoga County Map Records;

Thence southwesterly along said easterly prolongation of said southerly line and continuing along its westerly prolongation to its intersection with the northerly prolongation of the westerly line of a parcel of land conveyed to Goodrich-Gannett by deed dated August 7th 1998 and recorded in Auditor's File Number 98101200027, said parcel also being known as Cuyahoga County's Permanent Parcel Number 104-11-013;

Thence southeasterly along said northerly prolongation of said westerly line to its intersection with the southerly line thereof;

Thence northeasterly along said southerly line and along its easterly prolongation to its intersection with the centerline of Vacated Marquette Street;

Thence northwesterly along said centerline of Vacated Marquette Street to its intersection with the centerline of Saint Clair Avenue and the principal place of beginning, and as shaded on the attached map is changed to an Urban Garden District.

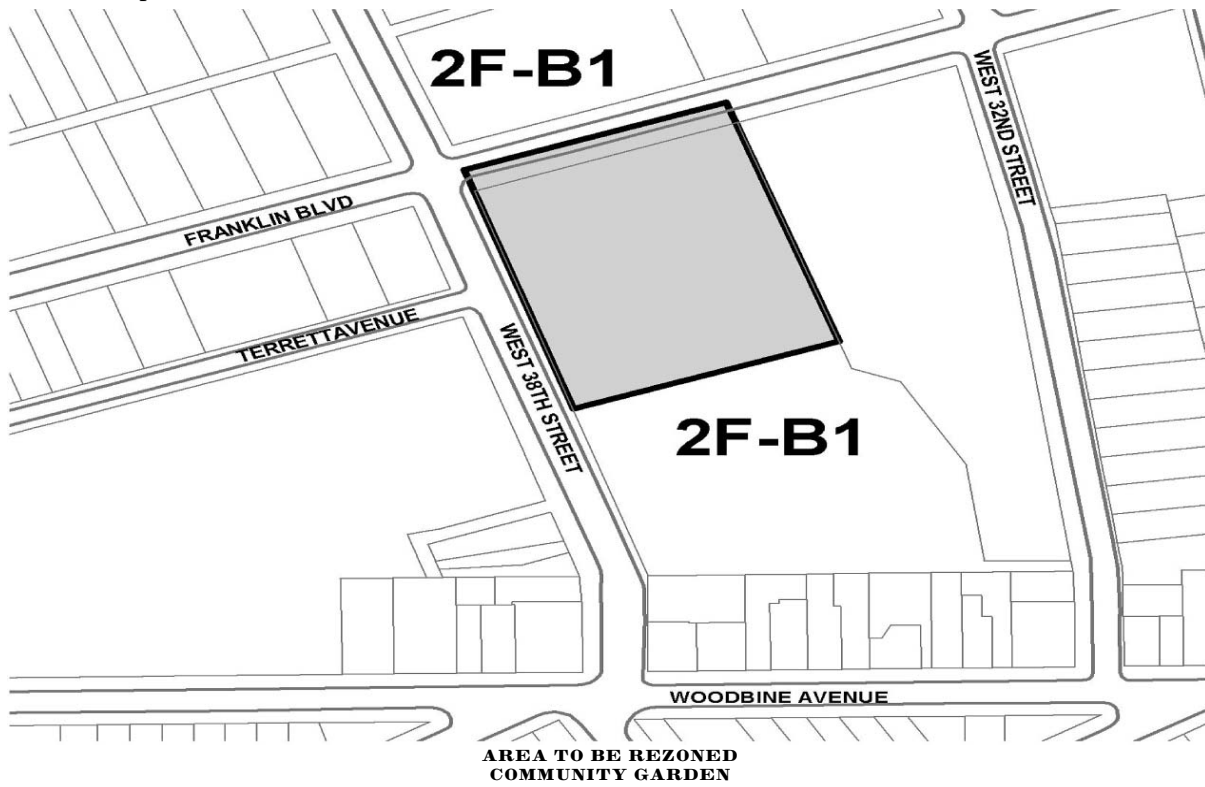
**Section 4.** That the changed designation of lands described in Sections 1, 2 and 3 shall be identified as Map Change No. 2224, Sheet Numbers 1 and 4 and shall be made upon the Building Zone Map of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

**Section 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

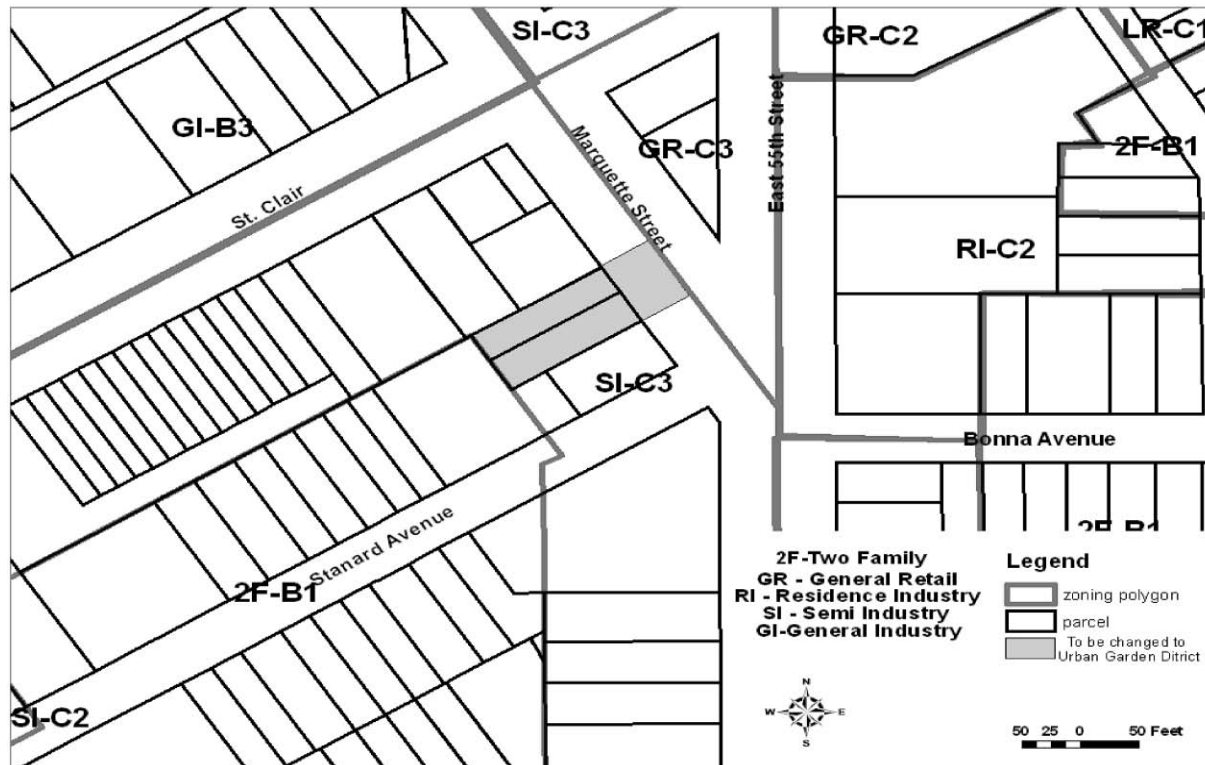
**Section 1 map**



Section 2 map



Section 3 map



Referred to Directors of City Planning Commission and Law; Committee on City Planning. Without objection, substitute ordinance agreed to. Ordinance No. 588-07 Laid on the Table.

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

**Ord. No. 699-07.**

**By Council Member Cleveland.**

**An emergency ordinance to amend Section 1 of Ordinance No. 2210-05, passed March 20, 2006, as amended by Ordinance No. 378-07, passed March 5, 2007, relating to the sale of City-owned property to Dr. Javier Lopez at 5158 Broadway Avenue.**

Whereas, under Ordinance No. 2210-05, passed March 20, 2006, as amended by Ordinance No. 378-07, passed March 5, 2007, this Council authorized the sale of City-owned property located at 5158 Broadway to Dr. Javier Lopez; and

Whereas, the mortgage term placed in the file through amended Ordinance No. 378-07, was incorrect; 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 Section 1 of Ordinance No. 2210-05, passed March 20, 2006, as amended by Ordinance No. 378-07, passed March 5, 2007, is amended to read as follows:

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the property located at 5158 Broadway Avenue, depicted on the map placed in File No. **2210-05-C**, is no longer needed for public use.

**Section 2.** That existing Section 1 of Ordinance No. 2210-05, passed March 20, 2006, as amended by Ordinance No. 378-07, passed March 5, 2007, is repealed.

**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. 701-07.**

**By Council Members Britt, Lewis, Pierce Scott, Conwell, Santiago, Zone, Cimperman and Westbrook.**

**An emergency ordinance consenting and approving the issuance of a permit for the 29th RiteAid Marathon and 10K, May 20, 2007, sponsored by Cleveland Marathon, Inc.**

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 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 29th RiteAid Marathon and 10K sponsored by Cleveland Marathon, Inc. on May 20, 2007, with the Marathon starting at

St. Clair and East 13th Street, St. Clair to East 18th Street, East 18th to Lakeside, Lakeside to East 9th, East 9th to Erieside, Erieside to Al Lerner Way, Al Lerner Way to West 3rd, West 3rd to Lakeside, Lakeside to west bound Shoreway, west bound Shoreway to Edgewater Drive exit, Edgewater Drive to West 117th, West 117th to Lake Avenue, Lake Avenue to Clifton east bound Shoreway entrance, east bound Shoreway to West 45th exit, West 45th to Franklin, Franklin to Fulton, Fulton to Lorain, Lorain to Carnegie, Carnegie to East 14th, East 14th to Euclid, (Half Marathon turns on East 17th to St. Clair, St. Clair to Finish Line) Euclid to East 40th, East 40th to Chester, Chester to Euclid Avenue, Euclid to East Boulevard, East Boulevard to MLK, MLK to N. Marginal, N. Marginal to bike path, bike path through State park, fishing bridge to East 55th, East 55th to S. Marginal, S. Marginal to West 3rd on ramp, West 3rd ramp to West 3rd, West 3rd to Lakeside, Lakeside to West 9th, West 9th to Superior, Superior to West 3rd, West 3rd to Lakeside, Lakeside to East 18th, East 18th to St. Clair, St. Clair to East 12th, finish; 10K starting at St. Clair & East 13th Street, St. Clair to East 18th, East 18th to Lakeside, Lakeside to East 9th, East 9th to Erieside, Erieside to West 3rd (around stadium), West 3rd to Lakeside, Lakeside to west bound Shoreway on ramp, west bound Shoreway to West 28th exit ramp, West 28th to Detroit, Detroit to West 32nd, West 32nd to Franklin, Franklin to West 28th, West 28th to east bound Shoreway on ramp, east bound Shoreway to Lakeside, Lakeside to East 18th, East 18th to St. Clair, St. Clair to East 12th, finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

**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.

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. 702-07.**

**By Council Member Reed.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Mt. Olive Missionary Baptist Church to stretch banners along Kinsman Road and along East 126th Street, for the period from July 1, 2007 to July 30, 2007, inclusive, publicizing the church's 100th Year Anniversary.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Mt. Olive Missionary Baptist Church to install, maintain and remove banners along Kinsman Road and along East 126th Street, for the period from July 1, 2007 to July 30, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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. 703-07.**

**By Council Member Reed.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Unity Baptist Church to stretch banners on the corner of East 104th & Kinsman, and East 105th & Kinsman (Pole Nos. CEI 346450, SE-6-67, 318232, and SE-6-68-2), for the period from June 11, 2007 to July 10, 2007, inclusive, celebrating the church's 89th anniversary.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Unity Baptist Church to install, maintain and remove banners on the corner of East 104th & Kinsman, and East 105th & Kinsman (Pole Nos. CEI 346450, SE-6-67, 318232, and SE-6-68-2), for the period from June 11, 2007 to July 10, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so

as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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. 704-07.**

**By Council Member Zone.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the West Side Ecumenical Ministry to stretch a banner at 5209 Detroit Avenue using utility poles (by separate permission), for the period from April 30, 2007 to May 29, 2007, inclusive, publicizing the Head Start.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to The West Side Ecumenical Ministry to install, maintain and remove a banner using utility poles (by separate permission), inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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. 705-07.**

**By Council Member Zone.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to stretch banners at West 74th, northeast corner, Gateway Ct. east; 1st pole north of Goodwalt Avenue; West 75th, southeast corner of Father Frascati Avenue; midblock south of Father Frascati Avenue (E); northeast corner of Battery Park Avenue; southwest corner of Father Frascati Avenue (W); northwest corner of Battery Park Avenue; West 73rd Street, (westside); southwest corner of Father Caruso Dr.; 3rd pole south of Father Caruso Dr.; 1st pole south of Father Frascati Avenue; northwest corner of Battery Park Avenue; northwest corner of Gateway Ct.; Father Caruso Drive (north side) opposite southwest corner of West 73rd; and northwest corner of West 74th; for the period from April 30, 2007 to May 29, 2007, inclusive, to announce an Open House at the new Battery Park residential development**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to install, maintain and remove banners at West 74th, northeast corner, Gateway Ct. east; 1st pole north of Goodwalt Avenue; West 75th, southeast corner of Father Frascati Avenue; midblock south of Father Frascati Avenue (E); northeast corner of Battery Park Avenue; southwest corner of Father Frascati Avenue (W); northwest corner of Battery Park Avenue; West 73rd Street, (westside); southwest corner of Father Caruso Dr.; 3rd pole south of Father Caruso Dr.; 1st pole south of Father Frascati Avenue; northwest corner of Battery Park Avenue; northwest corner of Gateway Ct.; Father Caruso Drive (north side) opposite southwest corner of West 73rd; and northwest corner of West 74th; for the period from April 30, 2007 to May 29, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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. 706-07.**

**By Council Member Zone.**

**An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 3224 West 73rd Street, 1st floor and basement.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Hanan Shihadeh, 3224 West 73rd Street, 1st floor and basement, Cleveland, Ohio 44102, Permanent Number 8087286 to Sam Express Beverage, LLC, 3224 West 73rd Street, 1st floor and basement only, Cleveland, Ohio 44102, Permanent Number 2596014; 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 C1 Liquor Permit from Hanan Shihadeh, 3224 West 73rd Street, 1st floor and basement, Cleveland, Ohio 44102, Permanent Number 8087286 to Sam Express Beverage, LLC, 3224 West 73rd Street, 1st floor and basement only, Cleveland, Ohio 44102, Permanent Number 2596014; 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 adoption.

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

**Res. No. 707-07.**

**By Council Member Brady.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit at 13501-05 Lakewood Heights Boulevard, and repealing Resolution No. 144-07, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 13501-05 Lakewood Heights Boulevard by Resolution No. 144-07 adopted by the Council on January 29, 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 the transfer of ownership of a C1, C2 and D6 Liquor Permit to Kishen, Inc., DBA Stop-n-Save, 13501-05 Lakewood Heights Boulevard, Cleveland, Ohio 44107, Permanent Number 4678478 be and the same is hereby withdrawn and Resolution No. 144-07, 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.

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. 708-07.**

**By Council Member Cimperman.**

**An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 3146 West 14th Street, and repealing Resolution No. 1551-05, objecting to said renewal.**

Whereas, this Council objected to a D5 Liquor Permit to 3146 West 14th Street by Resolution No. 1551-05 adopted by the Council on August 3, 2005; 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 D5 Liquor Permit to Molnar Entertainment Corporation, 3146 West 14th Street, Cleveland, Ohio 44109, Permanent Number 6094234 be and the same is hereby withdrawn and Resolution No. 1551-05, 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 adoption.

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

**Res. No. 709-07.**

**By Council Member Cleveland.**

**An emergency resolution withdrawing objection to the renewal of a C1, C2 and D6 Liquor Permit at 7028 Cedar Avenue, and repealing Resolution No. 1304-06, objecting to said renewal.**

Whereas, this Council objected to a C1, C2 and D6 Liquor Permit to Jamie Clay, DBA People's Variety, 7028 Cedar Avenue, Cleveland, Ohio 44103, Permanent Number 1531971 by Resolution No. 1304-06 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, C2 and D6 Liquor Permit to Jamie Clay, DBA People's Variety, 7028 Cedar Avenue, Cleveland, Ohio 44103, Permanent Number 1531971 be and the same is hereby withdrawn and Resolution No. 1304-06, 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.

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. 710-07.**

**By Council Member Reed.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit at 13401 Kinsman Avenue, and repealing Resolution No. 226-07, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to Ferrer, Inc., 13401 Kinsman Avenue, Cleveland, Ohio 44120, Permanent No. 2694710, by Resolution No. 226-07 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 Liquor Permit to Ferrer, Inc., 13401 Kinsman Avenue, Cleveland, Ohio 44120, Permanent Number 2694710 be and the same is hereby withdrawn and Resolution No. 226-07, 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.

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. 711-07.**

**By Council Member Sweeney.**

**An emergency resolution fixing the location for a certain meeting of Cleveland City Council on Monday, May 14, 2007.**

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

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

**Section 1.** That the Council of the City of Cleveland shall hold its regular meeting on Monday, May 14, 2007 at Josaphat Arts Hall/Covivium 33 Gallery, 1433 East 33rd Street at 7:00 pm.

**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 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. 448-07.**

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

An emergency ordinance determining the method of making the public improvement of erecting a fence surrounding Johnston Parkway Park Maintenance Station; and authorizing the Director of Parks, Recreation and Properties to enter into one or more public improvement contracts for the making of the improvement.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Relieved of Committees on Public Parks, Property and Recreation, City Planning; Passage recommended by Committee on Finance; when amended as follows:

1. In Section 1, line 5, strike "for a gross price" and insert "on a unit basis".

2. In Section 2, line 3, strike "for a gross price" and insert "on a unit basis"; and strike lines 7, 8, and 9 in their entirety and insert "separate contract on a unit basis".

Amendments agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

**Ord. No. 493-07.**

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

An emergency ordinance authorizing the Director of Public Service to apply for and accept a grant from the State of Ohio through the Northeast Ohio Area Coordinating Agency to assist the City in participating in NOACA's Regional Pavement Management System; and authorizing the Director to employ one or more professional consultants to prepare a pavement management program.

Approved by Directors of Public Service, Finance, Law; Passage recommended by Committees on Public Service, Finance.

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

**Ord. No. 494-07.**

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

An emergency ordinance authorizing the purchase by one or more requirement contracts for contingency services for the disposal of municipal solid waste, for the Division of Waste Collection and Disposal, Department of Public Service.

Approved by Directors of Public Service, Finance, Law; Passage recommended by Committees on Public Service, Finance.

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

**Ord. No. 534-07.**

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of various types of furniture, fixtures, and equipment, for the Division of Architecture, Department of Public Service.

Approved by Directors of Public Service, Finance, Law; Passage recommended by Committees on Public Service, Finance.

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

**Ord. No. 536-07.**

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

An emergency ordinance to amend Section 3 of Ordinance No. 837-05, passed June 6, 2005, as amended by Ordinance No. 567-06, passed June 12, 2006, and to amend Section 3 of Ordinance No. 838-05, passed June 6, 2005, relating to constructing general improvements to the Willard Park garage and Gateway garages.

Approved by Directors of Public Service, Finance, Law; Passage recommended by Committees on Public Service, Finance.

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

**MOTION**

The Council Meeting adjourned at 7:38 p.m. to meet at 7:00 p.m. on Monday, May 7, 2007 in the Council Chambers.



City Clerk, Clerk of Council

**THE CALENDAR**

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

NONE

**BOARD OF CONTROL**

April 25, 2007

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 25, 2007, at 10:30 a.m. with Mayor Jackson presiding.

Present: Mayor Jackson, Director Triozzi, Acting Director Gentile, Directors Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka. Absent: None.

Others: Jim Hardy, Commissioner, Purchases and Supplies.

Debra Linn Talley, Director, Office of Equal Opportunity.

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

**Resolution No. 190-07.**

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Coyne Textile Services, Inc. for an estimated quantity of rental and laundry of work clothing, for all items for the various divisions of City government, for the period of three years, with two options to renew for an additional one year periods exercisable with Council approval, beginning with the date of execution of a contract, received on February 22, 2007, under the authority of Ordinance Nos. 240-06 and 2008-06, passed February 27, 2006 and January 8, 2007, which on the basis of the estimated quantity would amount to \$294,606.00 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 170507 which shall be certified against the contract in the sum of \$15,768.00.

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

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

Nays: None.  
Absent: None.

**Resolution No. 191-07.**

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Nationwide Protective Services, Inc. for an estimated quantity of unarmed security guards services, for all items, for the various divisions of City government, for a period beginning on the date of execution of the contract and terminating on October 19, 2008, received on February 22, 2007, under the authority of Ordinance No. 180-07, passed March 12, 2007, which on the basis of the estimated quantity would amount to \$382,075.00 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition Nos. 168587 for \$14,104.00  
168588 for \$ 5,000.00  
which shall be certified against the contract in the sum of \$19,104.00.

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 subcontractor by Nationwide Protective Services, Inc., for the above-mentioned service is hereby approved:

Icon Investigations  
 MBE — \$57,311.25 — 15.00%

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

Nays: None.  
 Absent: None.

**Resolution No. 192-07.**

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Wesco Distribution, except for such terms and conditions as are unacceptable to the Director of Public Utilities and the Director of Law, for an estimated quantity of 13.8Kv Transformers, items 1 through 64, 83 through 103, 107 through 156, and items 164 through 166, including filling transformers with less-flammable insulating fluid and, where applicable, adding full-length air terminal chambers, for the Division of Cleveland Public Power, Department of Public Utilities, received on March 28, 2007, under the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$3,725,944.65 (Net, 30 Days), is approved as the lowest and best bid, and the Director of Public Utilities 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. 168720 which shall be certified against the contract in the sum of \$186,297.23.

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

Nays: None.  
 Absent: None.

**Resolution No. 193-07.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 2380-02, as amended by Ordinance Nos. 468-64 and 1853-06, passed by the Council of the City of Cleveland on December 16, 2002, April 26, 2004 and December 11, 2006, respectively, the firm of Jacobsen/Daniels Associates, LLC. ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consul-

tants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to prepare planning studies for the various divisions of the Department of Port Control.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with, Jacobsen/Daniels Associates, LLC, based upon its proposal dated March 12, 2007, provided that the compensation to Jacobsen/Daniels Associates, LLC., for the services authorized shall not exceed \$100,000.00 which contract shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control that the employment of the following subconsultants by Jacobsen/Daniels Associates, LLC., is approved:

<u>Subconsultant Classification</u>	<u>Dollar Percentage</u>
Polytech, Inc. D/MBE	\$10,000 10
Van Aukin Architects, LLC. D/FBE	\$5,000 5
Terrell & Associates MBE	\$10,000 10
TransSolutions, LLC. DBE	\$5,000 5
C & S Engineers, Inc. Non-D/M/FBE	Undesignated
Barnard Dunkelburg & Company, Inc. Non-D/M/FBE	Undesignated
Airport Design Consultants, Inc. Non-D/M/FBE	Undesignated

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

Nays: None.  
 Absent: None.

**Resolution No. 194-07.**

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that all bids received for the public improvement of upgrading the south HVAC at Cleveland Hopkins International Airport for the Department of Port Control, received on March 2, 2007, under the authority of Ordinance No. 359-05, passed by the Council of the City of Cleveland on May 2, 2005, be and the same are rejected.

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

Nays: None.  
 Absent: None.

**Resolution No. 195-07.**

By Director Smith.

Be it resolved, by the Board of Control of the City of Cleveland that

the bid of Kokosing, Construction Company, Inc., for the public improvement of uncoupling Runway 6R-24L at Cleveland Hopkins International Airport, base bid items plus Item A-5 (Contingency 5%), for the Department of Port Control, received on March 29, 2007 under the authority of Ordinance No. 462-05, passed May 3, 2005, upon a unit basis for the improvement, in the aggregate amount of \$40,700,213.40, is affirmed and approved as the lowest responsible bid, and the Director of Port Control is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control that the employment of the following subcontractors by Kokosing Construction Co., Inc., is approved:

<u>Subcontractor(s)</u>	<u>DBE % Amount</u>
The Cleveland Group, LLC	9.3% DBE \$3,789,260.00
Granger Trucking, Inc.	2.4% DBE \$ 968,900.00
Resource International, Inc.	1.2% DBE \$ 488,000.00
PGT Construction, Inc.	0.39% DBE \$ 159,600.00
Eaton Construction Company, Inc.	0.29% DBE \$ 119,900.00
Interstate Safety and Services, Inc.	0.24% DBE \$ 98,200.00
Mohawk Re-bar Services, Inc.	0.14% DBE \$ 58,000.00
Sallies Wholesale & Construction, Inc.	0.13% DBE \$ 54,700.00
Jess Howard Electric Company	16.41% Non-DBE \$6,680,110.00
Cem-Base, Inc.	1.67% Non-DBE \$ 681,700.00
East Ohio Grass Corporation	0.27% Non-DBE \$ 188,200.00

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

Nays: None.  
 Absent: None.

**Resolution No. 196-07.**

By Director Wasik.

Resolved, by the Board of Control of the City of Cleveland that the bid of Industrial Waste Control, for an estimated quantity to provide labor and material to clean and maintain the scale pits, One Year Price, Items 1 and 2 for the Division of Waste Collection and Disposal, Department of Public Service, for the period of 1 year, beginning with the date of execution of a contract, received on March 9, 2007, under the authority of Ordinance No. 1858-06, passed Decem-

ber 11, 2006, which would amount to approximately \$14,400.00, 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 such goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 130723 which shall be certified against the contract in the \$14,400.00.

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

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

Nays: None.  
Absent: None.

**Resolution No. 197-07.**

By Director Wasik.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of G&M Towing and Recovery, LLC. for an estimated quantity of vehicle towing services, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two years beginning with the date of execution of a contract, received on March 16, 2007, under the authority of Ordinance No. 501-06, passed by the Council of the City of Cleveland on May 1, 2006, which on the basis of the estimated quantity would amount to \$107,000.00 (2% 10), is affirmed and approved as the lowest and best bid, and the Director of Public Service is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract the following:

Requisition No. 161975 which shall be certified against the contract in the sum of \$15,000.00.

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

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

Nays: None.  
Absent: None.

**Resolution No. 198-07.**

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on March 22, 2007, for the purchase of electronic single space parking meters and electronic multi space parking meters, for the Division of Parking Facilities, Department of Parks, Recreation and

Properties, under the authority of Ordinance No. 1454-06, passed by the Council of the City of Cleveland on October 30, 2006, are rejected.

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

Nays: None.  
Absent: None.

**Resolution No. 199-07.**

By Director Cox.

Resolved, by the Board of Control of the City of Cleveland that all bids received on March 30, 2007, for an estimated quantity of beverages for the Highland and Seneca Golf Courses, Department of Parks, Recreation and Properties, under the authority of Ordinance No. 816-05, passed by the Council of the City of Cleveland on June 6, 2005, are rejected.

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

Nays: None.  
Absent: None.

**Resolution No. 200-07.**

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of D. R. S. Enterprises, Inc. for the public improvement of Tony Brush Park Site Improvements, for Base Bid Items 1-32, 44-57 and Alternates Items A12-A22 including the 5% contingency for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, received on November 22, 2006, under the authority of Ordinance No. 1513-05, passed on October 17, 2005, upon a unit basis for the improvement in the aggregate amount of \$351,960.63, is affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation and Properties is authorized to enter into contract for the improvement with the bidder.

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

<u>SUBCONTRACTORS</u>	<u>AMOUNT PERCENTAGE</u>
NorthEast Masonry	\$32,750.00 9.30%
McTech	\$12,500.00 3.55%
Cook Paving	\$10,826.00 3.08%
Rockport	\$ 7,500.00 2.13%

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

Nays: None.  
Absent: None.

**Resolution No. 201-07.**

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Envirocom Construction Company, Inc., for the public improvement of the building improvements for the Earle B. Turner Recreation Center (Phase 3), base bid, for the Department of Parks, Recreation and Properties, received on April 20, 2007, under the authority of Ordinance No. 1264-03, passed July 16, 2003, and Ordinance No. 2151-03, passed December 15, 2003, for a gross price for the improvement in the aggregate amount of \$56,900, is affirmed and approved as the lowest responsible bidder, and the Director of Parks, Recreation and Properties is authorized to enter into contract for the improvement with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Envirocom Construction Company, Inc. is approved:

<u>Subcontractor</u>	<u>Amount Percentage</u>
Corporate Floors	\$18,000 31.64%
E.R. Flynn	\$11,000 19.33%

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

Nays: None.  
Absent: None.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

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

**CIVIL SERVICE NOTICE**

**ANNOUNCEMENTS - 2007  
5/11/07 - 5/17/07**

Announcement No.	Exam Method	Classification	Exam Type
33	EE	Budget Administrator (Non-Comp)	
34	EE	Chief of Air Pollution Enforcement (Non-Comp)	
35	EE	Chief of Computer Operations (Non-Comp)	
36	EE	Chief Sidewalk Inspector (Non-Comp)	
37	EE	Chief Sr. Electric Switchboard Operator (Non-Comp)	
38	EE	Database Coordinator (Non-Comp)	
39	EE	Desktop Publishing Specialist (Non-Comp)	
40	EE	Disease Surveillance Specialist (Non-Comp)	
41	EE	District Supervisor Environmental Health (Non-Comp)	
42	EE	Epidemiologist (Non-Comp)	
43	EE	Grant Administrator (Non-Comp)	
44	EE	Manager of Events (Non-Comp)	
45	EE	Manager of Marketing (Non-Comp)	
46	EE	Manager of Telecommunications (Non-Comp)	
47	EE	Permit Review Manager (Non-Comp)	
48	EE	Web Developer (Non-Comp)	

**PROOF OF CITY RESIDENCY**

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing**. The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current**. Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

Lease - from rental agency.

Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.

Utility bills bearing the property address and your name.

Post Office change of address form properly date stamped.

Official documents relating to home ownership including deed, purchase agreement, or insurance policy.

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

Car registration or Driver's License or Ohio I.D. (**One only**).

Loans and credit card statements (Within last three months).

Rental contracts (e.g.: furniture, tools, car, etc.).

Current bills not listed above (Within last three months).

The following are examples of **unacceptable** categories of proof:

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 33**

**BUDGET ADMINISTRATOR (NON COMP)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a **NON-COMPETITIVE** examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$30,214.95 - \$96,928.00 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY, 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.**

**THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.**

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

**DUTIES OF THE POSITION**

Under general direction, supervises staff. Directs regular reviews of the operating and capital budget. Conducts cost analyses and management studies. Reviews budget variances and requests for budget adjustments. Implements and monitors grant review systems. Evaluates the progress of Capital Improvement Programs. Develops, implements an oversees financial systems to monitor budgetary performance. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Accounting, Finance, Business/Public Administration or related field is required, an MBA is preferred. Seven (7) years of progressively responsible professional budgeting experience including two years of supervisory experience, is required. Must have three (3) years of full time paid experience in governmental accounting systems or data processing accounting systems. (Substitution: Two (2) years of experience may substitute for each year of college education lacking.) Must be knowledgeable in Microsoft Office Suite and possess strong analytical and problem solving skills. A CPA is preferred. Knowledge of grant requirements and federal regulations is preferred.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Com-

mission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 34

**CHIEF OF AIR POLLUTION ENFORCEMENT (NON COMP)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$22,333.40 - \$74,917.44 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY, 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

**DUTIES OF THE POSITION**

Supervises a staff of Environmental Enforcement Specialists, ensuring that appropriate enforcement action is taken against violators of federal, state, and local air pollution regulations. Specifically, manages the complaint response tracking system, asbestos complaint tracking system, validation of emissions sources through facility inspections, and compliance with permit terms and

conditions. Prepares enforcement action referrals to OEPA. Investigates citizen and Council complaints. Works with Permitting Section Chief on permits issues relating to enforcement. Compiles and prepares detailed reports and documentation regarding NESHAPS, NSPS, NOV's and Warning letters. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Engineering, Environmental Science, or related field from an accredited four year college or university is required. Five (5) years of full time paid experience working for an environmental regulatory agency as well as two years experience working with compliance or enforcement functions of an environmental regulatory agency is required. Two (2) years of supervisory experience is preferred. (Substitution: Two (2) years of full time experience may substitute for each year of college education lacking.) Must become certified to perform EPA Method nine (9) capacity analysis.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 35

**CHIEF OF COMPUTER OPERATIONS (NON COMP)**

Public notice is hereby given by the Civil Service Commission of Cleve-

land, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$23,647.11 - \$78,936.00 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY, 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

**DUTIES OF THE POSITION**

Under direction, is responsible for directing and coordinating, planning and production activities of the electronic data processing operation. Is responsible for consulting with management to define boundaries and priorities of tentative projects. Discusses equipment acquisitions. Determines specific information requirements of users and allocates the operating time of the computer system. Is responsible for conferring with department heads involved with proposed projects to insure cooperation and to further define the nature of these projects. Consults with manufacturer's representatives and subordinates to determine and define equipment needs. Is responsible for establishing work standards, for assigning, scheduling and reviewing work, and for interpreting policies, purposes, and goals of organization to subordinates. Prepares progress reports to inform management of project development and deviation from predicated goals. Operates equipment according to programs, routines, sub-routines, and

data requirements specified in written operating runs, observing machines and control panel on computer console for error lights, verification printouts, error messages, and machine stoppage or faulty output. Is responsible for alternative commands entered into the computer console according to predetermined instructions to correct error or failure and resume operations. Notifies supervisor of errors or equipment stoppage. Clears unit at end of operating run and reviews schedule to determine next assignment. Records operating and down time. Is responsible for input and output services from one computer to another. Supervises in the absence of the supervisors or when required to do so. Performs such other related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Electrical Engineering, Computer Science or related field from an accredited four (4) year college or university is required. Five (5) years of experience in computer system/network administration is required. Five (5) years of experience in computer support and maintenance, operations management, and systems administration is required. (Substitution: Two (2) years of experience may be substituted for each year of college education lacking.) Must be able to lift a minimum of thirty (30) pounds. Must be a qualified NT Network Administrator. A valid State of Ohio Driver's License is required.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with

the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

**APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 36**

**CHIEF SIDEWALK INSPECTOR  
(NON COMP)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,800.00 - \$42,875.04 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY, 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

**DUTIES OF THE POSITION**

Under general direction, directs and supervises the work performed by Sidewalk Inspectors. Investigates damage and repair complaints. Conducts inspections of sidewalks and sidewalk construction to ensure compliance with municipal codes. Writes tickets for sidewalk violations. Prepares reports of inspection findings. Performs other related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demon-

strates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or G.E.D. is required. Three (3) years of full time paid experience in sidewalk inspection or construction or in general cement work is required. A valid State of Ohio Driver's License is required.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

**APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 37**

**CHIEF SR. ELECTRIC SWITCHBOARD OPERATOR (NON COMP)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$22,333.40 - \$61,434.88 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY, 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

**DUTIES OF THE POSITION**

Under direction, supervises the daily operation of the electrical switchboard during a shift. Schedules purchase power supply to meet system power requirements. Prepares detailed shift reports concerning shift activities, electrical troubles, and actions taken. Records switchboard readings and tie line information. Monitors SCADA computer screens and reports alarms or unusual occurrences. Supervises senior switchboard operators and trains new operators as needed. Serves as working Chief Senior Electric Switchboard Operator in charge of a shift. Checks accuracy of log sheet, station curve sheet, and calculation for KW hour output (night shift.) Provides training for new operators. Prepares daily time cards for all senior operators on the shift. Supervises operators in emergencies. Performs other job related duties as requires. Performs other related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or G.E.D. is required. Two (2) years of responsible full time paid experience in electrical operations is required. Must be capable of operating Gas Turbines, SCADA (Supervisor Control and Data Acquisition), and other control equipment. Supervisory experience is preferred. Must

pass the examination to administered by the North American Electric Reliability Council (NERC) and achieve NERC certification as an Electric System Dispatcher at the first opportunity made available by NERC after legal appointment.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 38

**DATABASE COORDINATOR (NON COMP)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$30,214.00 - \$75,697.44 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY, 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be deter-

mined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

**DUTIES OF THE POSITION**

Defines, develops, modifies and maintains the data and associated files for the City of Cleveland's databases. Troubleshoots problems and ensures the database systems are operating smoothly and efficiently. Identifies and defines data elements, database structures, and database integrity rules. Defines and builds relational data structure specifications. Develops and maintains database tables, dictionaries, scripts, utilities, and backup/recovery procedures. Ensures the development and enforcement of standards for the design and use of databases. Develops procedures for implementing, monitoring, backing-up, tuning, restoring, and recovering user databases. Ensures economical and efficient availability of data with adequate safeguards for both security and integrity. Manages system access. Audits database activities and resource utilization. Assists Network Administrator with disaster recovery protocols and procedures. Provides technical assistance. Provides technical assistance. Provides for documentation and ensures the integrity and security of the data stored in the City of Cleveland databases as assigned. Performs other job related duties as assigned. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Computer Science, Information Systems Management, Business, Mathematics or related field from an accredited four (4) year college or university is required. Two (2) years of full time paid experience providing the support for relational database systems is required. (Substitution: An Associate's Degree in Computer Science or related field from an accredited college or university and four (4) years of experience in providing support for rela-

tional database systems may substitute for the Bachelor's Degree.) Experience in database administration with MS Access, SQL Server or similar applications is required. Must be able to lift and carry a minimum of thirty (30) pounds. A valid State of Ohio Driver's License is required. Knowledge and experience with Oracle database is preferred.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 39

**DESKTOP PUBLISHING SPECIALIST (NON COMP)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,231.40 - \$54,231.84 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY, 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Eligibility Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

**DUTIES OF THE POSITION**

Under general supervision, produces layouts and artwork on an electronic publishing system. Uses current illustration, page layout, separation, imposition, and preflight software applications. Prepares files for output and adjusts customer-provided files for output. Programs, adjusts, and operates electronic plate making system, ensuring all output of digital information on various mediums meets production standards. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or G.E.D. is required. A Bachelor's Degree in graphic design or a closely related field from an accredited four (4) year college or university is required. Two (2) years of full-time paid graphic arts experience is required. (Substitution: Two (2) years of professional experience may substitute for each year of college education lacking.) Proficiency with current graphic design software programs including: QuarkXPress, PageMaker, Freehand, Illustrator and Photoshop is required.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 40

**DISEASE SURVEILLANCE SPECIALIST (NON COMP)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$29,993.60 - \$61,817.60 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY, 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

**DUTIES OF THE POSITION**

Under supervision, develops, implements and monitors disease intervention and prevention activities. Designs surveys and questionnaires to assess information on diseases.



Performs field investigations and interviews. Help to determine disease patterns and epidemiology during infectious disease outbreaks. Prepares technical reports on epidemiological studies and investigations. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Mathematics and Statistics, Epidemiology, or a closely related field from an accredited four (4) year college or university is required. One (1) year of full time paid experience in a related field is required. Must own or have access to a properly registered and insured motor vehicle. Must be computer proficient with a working knowledge of EPI INFO and Microsoft Office Suite. A valid State of Ohio Driver's License is required. Knowledge and experience with Oracle database is preferred.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 41

DISTRICT SUPERVISOR ENVIRONMENTAL HEALTH (NON COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,092.80 - \$56,650.88 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY, 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under administrative direction, supervises sanitarian staff activities. Trains sanitarians and staff. Manages district environmental health programs Serves as Health Department liaison with the community and district. Implements divisional policies and procedures. Monitors work performed by district staff and assists in problem solving. Oversees the maintenance of required records. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Environmental Health or closely

related field from an accredited four (4) year college or university is required. Eight (8) years of full time paid experience in an environmental health field, three (3) of which must be in a supervisory capacity, is required. Must be a registered Sanitarian in the State of Ohio. A public Operator License for Pesticide Application from the Ohio Department of Agriculture is preferred. (Substitution: Two (2) years of related experience may substitute for each year of college education lacking.) A valid State of Ohio Driver's License is required.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 42

EPIDEMIOLOGIST (NON COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$40,000.00 - \$77,249.12 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY, 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

**DUTIES OF THE POSITION**

Under administrative direction, provides expertise in the systematic collection, management, and statistical analysis of data for public health purposes, including program planning, population health assessment, surveillance systems, and outbreak investigations. Performs interviews and supervises field investigators. Determines disease patterns and epidemiology during infectious disease outbreaks. Assist staff in the interpretation and application of data. Makes presentations regarding local health trends. Assists in program evaluation grant proposal preparation. Analyzes disease patterns and outbreaks. Calculates attack rates, epidemic curves, and other relevant statistics. Attends meetings with county and regional public health and infectious disease experts regarding bio-terror preparedness and disease surveillance. Prepares appropriate reports. Supervises the Disease Surveillance Specialist. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Mathematics and Statistics, Epidemiology, or closely related field from a four (4) year accredited college or university is required, a Master's Degree is preferred. Two (2) years of full time paid experience as an epidemiologist or in a related field is required. A valid State of Ohio Driver's License is required. Must own or have access to a properly registered and insured motor vehicle. Must be computer proficient

with a knowledge of EPI INFO and Microsoft Office Suite.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 43

**GRANT ADMINISTRATOR (NON COMP)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$22,333.40 - \$70,152.16 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

**DUTIES OF THE POSITION**

Explores and maintains records of possible grant sources. Prepares grant applications and proposals, ascertaining departmental needs, determining staffing levels and budgets, and gathering other information necessary to the development of successful grant proposals. Reviews all grant applications for conformity to City of Cleveland grant policies and procedures. Develops, submits, and tracks relevant grant-related legislation. Monitors and evaluates grant-funded programs during the life of the grant to ensure compliance to grant conditions, funding source requirements, and goal achievements. Collects and maintains federally and state mandated data unique to each grant and prepares required reports. Recommends, develops, and initiates revisions whenever appropriate. Tracks expiration of current grants and submits renewal applications. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Business, Accounting, or related field from an accredited four (4) year college or university is required. Two (2) years of full time experience in grant writing and grant administration for a governmental or non-profit organization is required. (Substitution: Two (2) years of experience may substitute for each year of college education lacking.) Must be computer proficient and familiar with the Internet and knowledgeable in Microsoft Office Suite (Word, Excel, and Access.) A valid State of Ohio Driver's License is required. Must own or have access to a properly registered and insured motor vehicle. Must be able to lift and carry a minimum of thirty (30) pounds.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of

age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

#### AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 44

#### MANAGER OF EVENTS (NON COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

#### SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$23,647.11 - \$72,862.40 per year.

#### FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

#### EXAMINATION INFORMATION

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

#### DUTIES OF THE POSITION

Under administrative direction, coordinates special events activities within the City. Provides special events communications to governmental, private, and public organizations. Profiles and markets departmental activities. Implements recovery system for special events, as needed. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

#### MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Business Administration, Communications, Public Relations, or related field from an accredited four (4) year college of university is preferred. A valid State of Ohio Driver's License is required. Five (5) years of full time paid professional experience coordinating, organizing, and marketing community and special events is required.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

#### AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 45

#### MANAGER OF MARKETING (NON COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

#### SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$30,214.95 - \$96,928.00 per year.

#### FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

#### EXAMINATION INFORMATION

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

#### DUTIES OF THE POSITION

Under administrative direction, assists in the marketing, promotion, and implementation of divisional or departmental activities and programs. Conducts sales presentations. Attends trade shows related to work unit activities and programs. Maintains liaison with other organizations, prospective clients, and suppliers. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

#### MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Marketing, Business Administration, or related field from an accredited four (4) year college of university

is required. Four (4) years of full time paid marketing experience is required. (Substitution: Two (2) years of full time experience may substitute for each year of college education lacking.). A valid State of Ohio Driver's License is required.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 46

MANAGER OF TELECOMMUNICATIONS (NON COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$30,214.95 - \$96,928.00 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

DUTIES OF THE POSITION

Performs complex professional and administrative work overseeing the telecommunications section. Supervises all telecommunication personnel within the section, including the telephone exchange. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Marketing Electrical, Electronic, Mechanical or Communications Engineering, Computer Science, Mathematics, Physics, Business Administration or related field from an accredited four (4) year college or university is required. Seven (7) years of full time paid experience in the provisioning of telecommunication services is required (experience in Centrex and PBX environment will be an asset.) Must have proven excellent management, organizational, and communication. Demonstrated experience in technology planning is required. In addition, one (1) year of experience as a Telecommunications Supervisor is required. (Substitutions: An FCC General Class license plus two (2) years of supervisory experience may substitute for Telecommunications Supervisor experience. Two (2) years of experience may substitute for each year of college education lacking.) Four (4) years of full time paid marketing experience is required. (Substitution: Two (2) years of full time experience may substitute for each year of college education lacking.). Individual must be able to lift and carry a minimum of thirty (30) pounds. A valid State of Ohio Driver's License is required this position.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of

age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 47

PERMIT REVIEW MANAGER (NON COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$35,000.00 - \$61,164.48 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

DUTIES OF THE POSITION

Responsible for reviewing the quality and accuracy of all permits prepared by an environmental Compliance Specialist before the permit is submitted to the Ohio EPA. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or G.E.D. is required. A Associate's Degree in Environmental Science, Chemistry, Physics, Biology, Geology, Engineering, Mathematics, or any other science-related field from an accredited college or university is required, a Bachelor's Degree is preferred. Three (3) years of full time paid experience in environmental compliance as it relates to air pollution monitoring is required. One (1) year of supervisory experience is required. Must demonstrate a thorough knowledge of air pollution regulations pertaining to air monitoring.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 48

WEB DEVELOPER (NON COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$30,215.00 - \$78,041.60 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 11, 2007 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2007.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

**TYPE: EXPERIENCE EVALUATION:** Applicant's eligibility will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Assists in the development and implementation of complex Web applications. Proficient in HTML. Uses advanced technologies such as Active Server Pages (ASP), JavaScript, XML, XSLT, SQL, etc. to produce cross-browser, cross-platform, modular and reusable code. Possess strong system analyst and design skills. Perform other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Computer Science, Engineering or Business from an accredited four (4) year college of university is required, Master's Degree is preferred.

Five (5) years web development experience with Windows NT and/or UNIX platforms. (Substitution: Two (2) years of paid relevant experience may be substituted for each year of college education lacking.) Proven experience as an application designer. Strong knowledge of Microsoft technologies (ISS, VBScript, COM, ADO, etc.) Expertise in current Internet standards, including Web browsers and browser specification. In-depth knowledge of one or more current Web make-up or scripting languages; HTML, XHTML, CSS, and javascript. Experience with two or more desktop publishing/imaging applications. Experience with Photo Editing (Adobe Photoshop, Paint Shop Pro.) Experience in drawing (Macromedia Freehand, Adobe Illustrator, Corel Draw.) Experience with Page Layout (Adobe PageMaker, Ventura Publishing.) Experience with presentations using MS PowerPoint. Multimedia experience and knowledge of streaming audio and video is preferred. Must demonstrate experience in quality control, application development, testing standards, and documentation skills. Experience with managing Web Site content. Background experience with one of the following OS's and familiarity with the other is required. Windows (98/ME/NT/2000), Unix (Linux.) Knowledge and understanding of dynamic or active Web content and the use of Perl, C/C++ ,CGI, and/or SQL. Working knowledge of networking technologies, including security and encryption on the Internet, and basic networking concepts. Effective verbal and written communication skills and the ability to interact professionally with a diverse group of users and support staff required. Must be able to lift and carry thirty (30) pounds. A valid State of Ohio Driver's License is required.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

REYNALDO GALINDO,  
President

May 2, 2007

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, MAY 14, 2007**

**9:30 A.M.**

**Calendar No. 07-50:** 2025 Stokes Boulevard (Ward 9)  
University Circle, Incorporated, owner, and National City Bank, lessee, appeal to erect a 3,599 square foot, one-story bank building and a 14 car parking lot, proposed to be situated on an acreage corner parcel located in a C3 General Retail Business District on the northeast corner of Stokes Boulevard and Deering Avenue at 2025 Stokes Boulevard; contrary to Section 357.01(d) the building is within the required 10' setback along Stokes Boulevard; and a driveway is proposed approximately 10' from an adjoining property line in a retail district where a driveway must be 15' from an adjoining property line, according to Section 343.18(b) of the Codified Ordinances.

**Calendar No. 07-54:** 3455 Campbell Road (Ward 13)  
Norfolk Southern Corporation, owner, and FPT Weingold, LLC, lessee, appeal to use an acreage parcel located in an A3 Unrestricted Industry District on the south side of Campbell Road between Independence Avenue and the Cuyahoga River at 3455 Campbell Road; the proposed use by reference being regulated according to Section 345.04(a)(3), where a scrap yard is permitted, provided such use is enclosed within a minimum 7' high solid masonry wall or slightly solid nontransparent, well-maintained substantial fence; and Section 347.06(d) states that the height of material shall not be piled higher than three feet above the height of the wall or fence enclosing the yard, provided that at any point closer than five feet of the enclosure, the material shall not be piled above the height of the wall or fence; and accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete, or asphalt or similar surfacing material, maintained in good condition, free of debris and trash, according to Section 349.07(a) of the Codified Ordinances.

**Calendar No. 07-55:** 9300 Quincy Avenue (Ward 6)  
The Cuyahoga County Board of County Commissioners, owner, and Tim Stone, agent, appeal to construct a public juvenile court and detention center facility, proposed to be situated on a flag-shaped acreage parcel on the southwest corner of East 93rd Street and Quincy Avenue in a C3 General Retail Business District at 9300 Quincy Avenue; as proposed there are 52 accessory off-street parking spaces, contrary to Section 349.04(d)(g) where the requirement for the courthouse equals 771 spaces and 652 spaces are required for the detention center facility, or a total of 1,423 parking

spaces; and the building height of 175' exceeds the height limit of 115' in a 3 Height District, contrary to Section 353.01 of the Codified Ordinances.

**10:30 A.M.**

**Calendar No. 06-247:** 7211 Quincy Avenue (Ward 5)  
A Motion for Rehearing having been approved, Robert Rosen, owner, appeals to have the outside storage of trailers, containers and scrap metals on a 152.58' x 150' parcel, located in a General Retail Business District on the north side of Quincy Avenue at 7211 Quincy Avenue; the proposed outside storage being contrary to Section 343.11, not permitted in a General Retail Business District but first permitted in a General Industry District; and the expansion of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, APRIL 30, 2007**

At the meeting of the Board of Zoning Appeals on Monday, April 30, 2007, the following appeals were heard by the Board.

The following appeals were **Approved:**

**Calendar No. 07-41:** 2314 West 6th Street  
Sammy Ross Catania appealed to erect a 15' x 20' one-story frame garage addition to a single family dwelling in a B1 Multi-Family District.

**Calendar No. 07-43:** 3181 West 41st Street  
The Catholic Diocese of Cleveland and St. Procop Church appealed to install an industrialized trailer for food distribution on church property located in split zoning between Multi-Family and Two-Family Districts.

**Calendar No. 07-44:** 12302 Buckeye Road  
Steve Benkovitz appealed to change use from a store to a carry-out restaurant in a one-story building located in a Residence-Office District; subject to condition.

The following appeal was **Denied:**

**Calendar No. 07-38:** 7807 Cedar Avenue  
Dionne Carmichael appealed to change use from a dwelling unit to independent housing for ex-offenders in a Local Retail Business District.

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

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

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

In Executive Session on April 30, 2007, the following appeals heard by the Board on April 23, 2007 were ratified by the Board.

The following appeals were **Approved:**

**Calendar No. 07-256:** 16606-16702 S. Waterloo Road  
Joseph Mobily, owner, and Jim Dupree Hill, tenant, appealed to change use from a factory and warehouse to a use for truck sales and salvage in split zoning for Semi-Industry and General Industry Districts; subject to conditions.

**Calendar No. 07-28:** 4102 Rocky River Drive  
HCR-Manor Care appealed to increase the number of parking spaces for a nursing home in a Multi-Family District.

The following appeal was **Denied:**

**Calendar No. 07-40:** 1960 East 79th Street  
Abdel Abukalil appealed to construct a one-story retail stores development in a Midtown Mixed Use District-1.

Secretary

**REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS**

NO MEETING

**PUBLIC NOTICE**

NONE

**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."

**WEDNESDAY, MAY 9, 2007**

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, MAY 7, 2007 AT 1:00 P.M., CLEVELAND CITY COUNCIL, CONFERENCE ROOM, ROOM 216, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**Gardenview Hill Site Improvements Phase 2**, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2151-03, passed by the Council of the City of Cleveland, December 15, 2003.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, MAY 3, 2007 AT 10:00 A.M., BURKE LAKEFRONT AIRPORT, FIRST FLOOR CONFERENCE ROOM, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.

April 25, 2007 and May 2, 2007

**THURSDAY, MAY 10, 2007**

**Golf Course Beverage (Re-Bid)**, for the Division of Parks, Recreation and Properties, as authorized by Ordinance No. 816-05, passed by the Council of the City of Cleveland, June 6, 2005.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MON-

DAY, MAY 7, 2007 AT 10:00 A.M., DIVISION OF RECREATION, ROOM #8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**Food, Food Products, Beverages, Condiments and Paper Products/Camp Forbes**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 253-07, passed by the Council of the City of Cleveland, April 2, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, WEDNESDAY, MAY 2, 2007 AT 10:00 A.M., DIVISION OF RECREATION, ROOM #8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 25, 2007 and May 2, 2007

**FRIDAY, MAY 11, 2007**

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, MAY 7, 2007 AT 10:30 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**Maintain and Repair Automatic Doors, Including Labor and Installation**, for the Various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 193-07, passed by the Council of the City of Cleveland, March 12, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MAY 4, 2007 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT, CENTRAL RECEIVING BUILDING, 19501 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

April 25, 2007 and May 2, 2007

**WEDNESDAY, MAY 16, 2007**

**Cleaning and Sanitizing of Jail Blankets**, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1755-06, passed by the Council of the City of Cleveland, March 12, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, TUESDAY, MAY 8, 2007 AT 11:00 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 25, 2007 and May 2, 2007

**THURSDAY, MAY 17, 2007**

**5-Man Communication Modular Rope**, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 962-05, passed by the Council of the City of Cleveland, June 6, 2005.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, MAY 9, 2007 AT 10:00 A.M., EMERGENCY OPERATIONS CENTER, MAIN CONFERENCE ROOM, 205 WEST SAINT CLAIR AVENUE, CLEVELAND, OHIO 44113.

April 25, 2007 and May 2, 2007

**FRIDAY, MAY 18, 2007**

**Processing of Recyclable Materials — Contract EW Recycling**, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 1859-06, passed by the Council of the City of Cleveland, December 11, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, MAY 3, 2007 AT 10:00 A.M., DIVISION OF WASTE COLLECTION, 5600 CARNEGIE AVENUE, CLEVELAND, OHIO 44103.

**Laboratory Services for Water Quality Analysis**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 485-96, passed by the Council of the City of Cleveland, May 6, 1996.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, MAY 8, 2007 AT 1:30 P.M., PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 25, 2007 and May 2, 2007

**FRIDAY, MAY 18, 2007**

**Electrical Parts and Equipment, Including Labor, Materials and Installation**, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 191-07, passed by the Council of the City of Cleveland, March 12, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MAY 11, 2007 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT, CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

**Property Insurance for Cleveland Browns Stadium**, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 445-07, passed by the Council of the City of Cleveland, April 2, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, MAY 15, 2007 AT 10:30 A.M., DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

THERE WILL BE A **NON-MANDATORY SITE VISIT AFTER THE PRE-BID MEETING** TUESDAY, MAY 15, 2007.

May 2, 2007 and May 9, 2007

**FRIDAY, MAY 25, 2007**

**Purchase of Motoreycle Parts and Labor**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 501-06, passed by the Council of the City of Cleveland, May 1, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, MAY 14, 2007 AT 10:00 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

May 2, 2007 and May 9, 2007

**WEDNESDAY, MAY 30, 2007**

**Various Laboratory, Medical, Pharmaceutical Supplies and Equipment and Nursing Supplies**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 570-07, passed by the Council of the City of Cleveland, pending.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, MAY 14, 2007 AT 10:00 A.M., CLEVELAND EMS HEADQUARTERS, CONFERENCE ROOM, 1701 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

May 2, 2007 and May 9, 2007

**ADOPTED RESOLUTIONS AND ORDINANCES****Res. No. 657-07.**

**By Council Member Pierce Scott.**  
**An emergency resolution declaring this Council's support of the proposal of Famicos Foundation and/or its assigns 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, Famicos Foundation is proposing to redevelop 158 housing units for seniors and the disabled in the University Tower Apartment building at 1575 East Boulevard; and

Whereas, 100% of these housing units will be occupied by low-income senior and disabled individuals with no market rate units; and

Whereas, no less than 100% of these housing units will serve a special needs population, specifically households for elderly and disabled residents and in need of senior supportive services as defined in the 2007 Qualified Allocation Plan; and

Whereas, the Famicos Foundation 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 pro-

posal of Famicos Foundation to the Ohio Housing Finance Agency 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 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.

Adopted April 23, 2007.

Effective April 26, 2007.

**Res. No. 658-07.**

**By Mayor Jackson and Council Members Sweeney, Brady and Polensek.**

**An emergency resolution declaring this Council's desire, interest and commitment to formally establish and continue a Sister City International relationship with City of Rouen, France.**

Whereas, the City of Rouen, located in France, is similar in its industrial makeup and shares an important historical connection to the City of Cleveland; and

Whereas, both Rouen and Cleveland have expressed interest in an active exchange of culture, tourism, business and education opportunities; and

Whereas, the City of Rouen and the City of Cleveland have had a relationship since World War I when the Lakeside Unit from Cleveland, Ohio was the first detachment of the American Expeditionary Forces to arrive in France, to oversee a hospital in Rouen; and

Whereas, both cities are home to companies like Lincoln Electric and Lubrizol and wish to seek viable opportunities for meaningful exchange; and

Whereas, the leaders of said cities wish to establish this Sister City International relationship between their communities for the purpose of developing global economic and community benefit; 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 declares its desire, interest and commitment to formally establish a Sister City International relationship with the City of Rouen, France.

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

Adopted April 23, 2007.

Effective April 23, 2007.

**Res. No. 659-07.**

**By Council Member Zone.**

**An emergency resolution declaring this Council's support of the proposal of Cogswell Hall, Inc. 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, Cogswell Hall, Inc. is proposing to develop 40 housing units at 7200 Franklin Boulevard; and

Whereas, 100% of these homes will be affordable to families with incomes at or below 60% of the area median income and no housing units will be market rate; and

Whereas, 50% of these housing units will be affordable to families with annual incomes at or below 50% of the area median income; and

Whereas, 10% of these housing units will be affordable to households whose annual income is at or below 35% of the area median income; and

Whereas, the project will provide supportive services for families; and

Whereas, the Cogswell Hall, Inc. 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 Cogswell Hall, Inc. to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

**Section 2.** That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to the Executive Director of Cogswell Hall, Inc.

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

Adopted April 23, 2007.

Effective April 26, 2007.

**Res. No. 660-07.**

**By Council Member Zone.**

**An emergency resolution declaring this Council's support of the proposal of Detroit Green Preservation 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, Detroit Shoreway Community Development Organization is proposing to renovate 45 housing



units at 1403 West 65th/6425 Detroit Avenue, 7918 Detroit Avenue and 8003 Detroit Avenue; and

Whereas, 91.11% of these homes will be affordable to families with incomes at or below 60% of the area median income and no housing units will be market rate; and

Whereas, 50% of these housing units will be affordable to families with annual incomes at or below 50% of the area median income; and

Whereas, 10% of these housing units will be affordable to households whose annual income is at or below 35% of the area median income; and

Whereas, the project will provide supportive services for families; and  
Whereas, the Detroit Green Preservation 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 Detroit Green Preservation to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

**Section 2.** That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to the Executive Director of Detroit Shoreway Community Development Organization.

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

Adopted April 23, 2007.

Effective April 26, 2007.

**Res. No. 661-07.**

**By Council Member Lewis.**

**An emergency resolution withdrawing objection to the transfer of ownership of D1, D2, D3, D3A and D6 Liquor Permit at 2045 East 21st Street and repealing Resolution No. 2021-06, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to Downunder Entertainment, LLC, DBA Peabody's Entertainment, 2045 East 21st Street, Cleveland, Ohio 44115, Permanent No. 2293436, by Resolution No. 2021-06 adopted by the Council on November 27, 2006; 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 D1, D2, D3, D3A and D6 Liquor Permit to Downunder Entertainment, LLC, DBA Peabody's Entertainment, 2045 East 21st Street, Cleveland, Ohio

44115, Permanent Number 2293436, be and the same is hereby withdrawn and Resolution No. 2021-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted April 23, 2007.

Effective April 26, 2007.

**Res. No. 662-07.**

**By Council Member Brady.**

**An emergency resolution withdrawing objections to the transfer of Liquor License of a C1 and C2 Liquor Permit at 12702 Lorain Avenue, and repealing Resolution Nos. 142-07 and 143-07, objecting to said transfer.**

Whereas, this Council objected to a C1 and C2 Liquor Permit to Behjat, LLC, DBA D & B's Beverage and Deli, 12702 Lorain Avenue by Resolution Nos. 142-07 and 143-07 adopted by the Council on January 29, 2007; and

Whereas, this Council wishes to withdraw its objections to the above transfer of liquor license 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 objections to a C1 and C2 Liquor Permit to Behjat, LLC, DBA D & B's Beverage and Deli, 12702 Lorain Avenue, Cleveland, Ohio 44111, Permanent Numbers 05759710010 and 05759710005 be and the same is hereby withdrawn and Resolution Nos. 142-07 and 143-07, containing such objections, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted April 23, 2007.

Effective April 26, 2007.

**Res. No. 663-07.**

**By Council Member Cimperman.**

**An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3, D3A and D6 Liquor Permit at 618 Prospect Avenue and repealing Resolution No. 1301-06, objecting to said renewal.**

Whereas, this Council objected to a D2, D2X, D3, D3A and D6 Liquor Permit at 618 Prospect Avenue by

Resolution No. 1301-06 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 D2, D2X, D3, D3A and D6 Liquor Permit to View Cleveland, LLC, 618 Prospect Avenue, Cleveland, Ohio 44115, Permanent Number 9271908 be and the same is hereby withdrawn and Resolution No. 1301-06, 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 April 23, 2007.

Effective April 26, 2007.

**Res. No. 664-07.**

**By Council Member Keane.**

**An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 16612 Lorain Avenue, and repealing Resolution No. 1314-06, objecting to said renewal.**

Whereas, this Council objected to a D5 Liquor Permit to 16612 Lorain Avenue by Resolution No. 1314-06 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 D5 Liquor Permit to Micky D., Ltd., DBA Castle Bar, 16612 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 5919977 be and the same is hereby withdrawn and Resolution No. 1314-06, 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 April 23, 2007.

Effective April 26, 2007.

**Ord. No. 1646-06.**  
**By Council Members Polensek, Turner, Brancatelli, Westbrook, Reed, Santiago, Brady, Kelley, Coats, Conwell and Britt.**

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 623.101 and 623.102 relating to sale to minors of aerosol containers of paint capable of defacing 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 the Codified Ordinances of the City of Cleveland are supplemented by enacting new Sections 623.101 and 623.102 to read as follows:

**Section 623.101 Selling or furnishing aerosol containers of paint to minors prohibited**

(a)(1) It shall be unlawful for any person, firm, or corporation to sell to another person, who is under the age of 18 years, any aerosol container of paint that is capable of defacing property without first obtaining bona-fide evidence of majority and identity.

(2) It shall be unlawful for any person, firm, or corporation to furnish or give to another person, who is under the age of 18 years, any aerosol container of paint that is capable of defacing property.

(b) For purposes of this subdivision, "bona-fide evidence of majority and identity" is any document evidencing the age and identity of an individual which has been issued by a federal, state or local governmental entity, including, but not limited to, a motor vehicle operator's license, a registration certificate issued under the federal Selective Service Act, or an identification card issued to a member of the armed forces.

(c) Subsection (a)(2) hereof shall not apply to the furnishing of an aerosol container of paint to a minor for the minor's use or possession while engaged in a lawful activity under the supervision and control of the minor's parent, guardian, teacher or employer.

(d) Subsection (a)(2) hereof shall not apply to aerosol containers of paint or related substances that are furnished for use in school-related activities as part of the instructional program when used under the control and supervision of a teacher, instructor or other adult supervisor for such activities, either within the classroom or on the site of a supervised project. These containers shall be inventoried by the teacher, instructor, or adult supervisor upon completion of the activity or project.

(e) After 30 days from passage of this section, all retail businesses within the City of Cleveland that sell or offer for sale aerosol containers of paint shall post in a conspicuous area near such containers a notice that states:

"WARNING: SALE OF SPRAY PAINT TO MINORS PROHIBITED"

"(1) It is unlawful in the City of Cleveland for any person under the

age of 18 to purchase an aerosol container of paint.

"(2) It is unlawful in the City of Cleveland for any person under the age of 18 to possess or to be furnished with an aerosol container of paint, except while engaged in a lawful activity under the supervision and control of a parent, guardian, teacher, or employer."

(f) After 30 days from passage of this section, whoever violates subsection (e) hereof is guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00).

(g) Whoever violates subsections (a)(1) or (a)(2) hereof is guilty of selling or furnishing an aerosol paint container to a minor, a misdemeanor of the first degree.

**Section 623.102 Purchase or possession of aerosol containers of paint by minors prohibited**

(a) It shall be unlawful for any person under the age of 18 years to purchase an aerosol container of paint that is capable of defacing property.

(b) It shall be unlawful for any person under the age of 18 to possess or to have under his control an aerosol container of paint that is capable of defacing property.

(c) It shall be unlawful for any person under the age of 18 years to possess or to have under his control an aerosol container of paint with purpose to deface property while on any public highway, street, alley, or way, or other public place, regardless of whether that person is or is not in any automobile, vehicle, or other conveyance.

(d) Subsection (b) hereof does not apply to the possession of an aerosol paint container by a person under the age of 18 in the circumstances described in subsections (c) and (d) of preceding Section 623.101.

(e) Whoever violates this section is guilty of unlawful purchase or possession of an aerosol container of paint, a misdemeanor of the first degree.

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

Passed April 23, 2007.

Effective April 26, 2007.

**Ord. No. 1729-06.**  
**By Council Members Turner, Sweeney, Cimperman, Polensek, Santiago, Brady, White, Brancatelli, Cleveland, Zone, Kelley, Coats, Conwell, Britt, Pierce Scott and Cummins.**

**An emergency ordinance to amend Section 605.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 864-05 passed July 13, 2005 relating to minor's curfew.**

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 605.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 864-05 passed July 13, 2005 is amended to read as follows:

**Section 605.14 Minor's Curfew**

(a) No child twelve years of age or under shall be upon the streets or sidewalks or in a park or any other public place during the period from darkness to dawn, nor shall any child between the ages of thirteen and fourteen, inclusive, be upon the streets or sidewalks or in any park or other public place between 9:30 p.m. and 6:00 a.m. nor shall any child between the ages of fifteen and sixteen, inclusive, be upon the streets or sidewalks or in any park or other public place between the hours of 11:00 p.m. and 6:00 a.m., nor shall any child seventeen years of age be upon the streets or sidewalks between the hours of midnight and 6:00 a.m., unless the child is accompanied by a parent or legal guardian, or a responsible adult selected by the parent or legal guardian to supervise the child.

(b) Each parent or legal guardian of a child seventeen years of age or under shall have a duty to prohibit the child from behaving contrary to division (a) of this section. No person shall negligently fail to fulfill the duty imposed by this division.

(c) It shall be an affirmative defense to division (b) of this section that the parent or legal guardian:

(1) Initiated the jurisdiction of the Juvenile Court against the child prior to the time that the child was found violating division (a) of this section;

(2) Can demonstrate based on the records of the employer, that it can be reasonably presumed that the child was en route to home from work in the evening or en route to work from home in the morning.

(d) Any child who violates division (a) of this section is an unruly child and is subject to the jurisdiction of the Juvenile Court.

(e) Any person who violates division (b) of this section is guilty of negligently failing to supervise a child, a minor misdemeanor for a first offense and may be required to perform supervised community service work pursuant to division (H) of RC 2951.02 in the ward in which the child was arrested or detained, the value of such service work not to exceed One Hundred Dollars (\$100.00). In addition to any other method of enforcement provided for in these Codified Ordinances or by statute, this offense may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure. Any person who is convicted of a second or subsequent offense for violating division (b) of this section is guilty of a misdemeanor of the fourth degree.

**Section 2.** That existing Section 605.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 864-05 passed July 13, 2005 is repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency

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

Passed April 23, 2007.

Effective April 23, 2007.

**Ord. No. 182-07.**

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

**An emergency ordinance authorizing the Director of Port Control to solicit proposals from consultants, computer software developers, or vendors or firms of consultants, computer software developers, or vendors to acquire licenses or develop a data collection and analysis system of contract compliance requirements, including installing, designing, training, implementing, testing, maintaining, technical support, and other related issues; and to enter into one or more contracts with the selected entity for that purpose, for the various divisions of the Department of Port Control.**

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 solicit proposals from consultants, computer software developers, or vendors or firms of consultants, computer software developers, or vendors to acquire licenses or develop a data collection and analysis system of contract compliance requirements, including installing, designing, training, implementing, testing, maintaining, technical support, and other related issues, for the various divisions of the Department of Port Control. A copy of the request for proposal shall be placed in File No. 182-07-A.

**Section 2.** That the Director of Port Control is authorized to enter into one or more contracts with the selected consultant, computer software developer, or vendor for the purposes stated above for a period up to two years with two one-year options to renew. The first of the one-year options to renew shall not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew shall be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

**Section 3.** That the selection of the consultants, computer software developers, or vendors or firms of consultants, computer software developers, or vendors shall be made by the Board of Control on the nomination of the Director of Port Control from a list of entities 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 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 4.** 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, 60 SF 140, 60 SF 141, passenger facility charges, and the fund or funds to which are credited the proceeds from the sale of any airport revenue bonds, federal grants, state grants, and local grants issued for this purpose, Request No. 158685.

**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.

Passed April 23, 2007.

Effective April 26, 2007.

**Ord. No. 256-07.**

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

**An emergency ordinance authorizing the Director of Community Development to enter into an amendment to the Lease between the City and Cuyahoga County for real property located north and adjacent to the Main Avenue Bridge between West 6th Street and West 9th Street; and to enter into an amendment to the Sublease of the property from the City to Water Street Associates, Ltd., or its designee, to provide ingress and egress to the Water Street building and parking area, located at 1033 West 9th Street, available to the residents.**

Whereas, under Ordinance No. 50-97, passed January 27, 1997, this Council authorized the Lease from Cuyahoga County to the City of real property located north and adjacent to the Main Avenue Bridge between West 6th Street and West 9th Street (the "Lease"); and

Whereas, also under that ordinance, this Council authorized the Sublease of the property from the City to Water Street Associates, Ltd., or its designee (the "Sublease") for the purpose of providing ingress and egress to the Water Street building and parking area, located at 1033 West 9th Street, available to the residents; and

Whereas, additional modifications to the Lease and Sublease are desired; 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 Community Development is authorized to enter into an amendment to the Lease authorized by Ordinance No. 50-97, passed January 27, 1997, with Cuyahoga County and the Sublease of the property from the City

to Water Street Associates, Ltd., or its designee, for the purpose of providing ingress and egress to the Water Street building and parking area, located at 1033 West 9th Street, available to the residents. The Lease and Sublease shall contain the following modifications, where appropriate:

(1) that Water Street Associates, Ltd., or its designee, shall pay one hundred percent (100%) of the rent directly to Cuyahoga County;

(2) that Cuyahoga County and the City of Cleveland shall extend the term of the contract from 50 years to 99 years, renewable in perpetuity for 99-year increments;

(3) that Water Street Associates, Ltd., or its designee, is granted the first right of refusal from Cuyahoga County to acquire this property if the Main Avenue Bridge is removed and the County has no further need for the property; and

(4) any other modifications approved by the Director of Community Development.

**Section 2.** That the amendments to the Lease and Sublease shall be prepared by the Director of Law.

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

Passed April 23, 2007.

Effective April 26, 2007.

**Ord. No. 405-07.**

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

**An emergency ordinance authorizing the purchase by one or more requirement contracts of bunker gear suits, for the various divisions of the Department of Port Control.**

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 make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years, with two one-year options to renew of the necessary items of bunker gear suits, including but not limited to proximity pants, proximity coats, hoods, helmets, suspenders, and boots, 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 various divisions of the Department of Port Control. The first of the one-year options to renew shall not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew shall be exer-

cisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. 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 one year 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 costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 158684)

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

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

Passed April 23, 2007.

Effective April 26, 2007.

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**Ord. No. 406-07.**

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

**An emergency ordinance authorizing the purchase by one or more requirement contracts of fencing and gates, including labor and materials for repair and installation, if necessary, for the various divisions of the Department of Port Control.**

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 make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years, with two one-year options to renew of the necessary items of fencing and gates, including labor and materials for repair and installation, if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit

basis for the various divisions of the Department of Port Control. The first of the one-year options to renew shall not be exercised without additional legislative authority. If such additional legislation authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew shall be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 158680)

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

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

Passed April 23, 2007.

Effective April 26, 2007.

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**Ord. No. 407-07.**

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

**An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to maintain or replace exterior landscaping and other site landscaping for the various divisions of the Department of Port Control.**

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 make one or more written requirement

contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years, with two one-year options to renew of the necessary items of labor and materials necessary to maintain or replace exterior landscaping and other site landscaping, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of the Department of Port Control. The first of the one-year options to renew shall not be exercised without additional legislative authority. If such additional legislation authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew shall be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 158681)

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

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

Passed April 23, 2007.

Effective April 26, 2007.

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**Ord. No. 412-07.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Section 108 loan and an Economic Development Initiative**

**Grant Agreement with Bridgeport Place LLC to provide economic development assistance to partially finance the construction of a shopping plaza located at 7201 Kinsman Road, and other associated costs necessary to redevelop the property; and authorizing the Director to enter into an Enterprise Zone Agreement with Bridgeport Place LLC to provide for a five-year, fifty percent tax abatement for certain tangible real property improvements, as an incentive to construct a new retail development at 7201 Kinsman Road in the Cleveland Area Enterprise Zone.**

Whereas, by letter dated April 10, 2007, the City provided the Cleveland Municipal School District ("CMSD") with a notice of proposed tax exemptions required by Section 5709.83 of the Revised Code. That notice was provided to the CMSD not later than fourteen days prior to adoption of this ordinance; and

Whereas, under Ordinance No. 948-95, passed June 19, 1995, this Council designated an area, which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") under Chapter 5709 of the Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics described in division (A) of Section 5709.61 of the Revised Code and certified the area as an "Urban Jobs and Enterprise Zone" under Chapter 5709 of the Revised Code; and

Whereas, Bridgeport Place LLC (the "Enterprise") has proposed to construct a new retail development at 7201 Kinsman Road in the Cleveland Area Enterprise Zone; and

Whereas, the Enterprise has certified to the City that it would be at a competitive disadvantage operating at this location if taxes on certain tangible real property improvements were not abated; 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 Economic Development is authorized to enter into an Empowerment Zone Section 108 loan with Bridgeport Place LLC to provide economic development assistance to partially finance the construction of a shopping plaza located at 7201 Kinsman Road, and other associated costs necessary to redevelop the property.

**Section 2.** That the Director of Economic Development is authorized to enter into a Grant Agreement with Bridgeport Place LLC to receive Economic Development Initiative Grant funds to partially finance the above described Improvement which are appropriated for this purpose.

**Section 3.** That the terms of the loan and grant shall be according to the terms set forth in the Summary contained in File No. 412-07-B, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on

this legislation, and are approved in all respects and shall not be changed without additional legislative authority.

**Section 4.** That the costs of the contract shall not exceed a loan amount of Five Hundred Eighty Thousand Dollars (\$580,000) and a grant amount of One Hundred Forty-Five Thousand Dollars (\$145,000). The loan shall be paid from Fund No. 18 SF 001 and the grant shall be paid from Fund No. 18 SF 003, Request No. 123999.

**Section 5.** That the Director of Economic Development is authorized to accept the collateral as set forth in the file referenced above in order to secure repayment of the loan. Any loan agreement, security instrument, or other document shall be prepared and approved by the Director of Law.

**Section 6.** That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund No. 18 SF 002.

**Section 7.** That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 18 SF 004.

**Section 8.** That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

**Section 9.** That the contract authorized in this legislation will require the recipient of financial assistance to work with The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or circumstances relate to the duties for the particular job sought.

**Section 10.** That this Council approves the application of the Enterprise for enterprise zone incentives on the basis that the Enterprise is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

**Section 11.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a five-year, fifty percent (50%) tax abatement for certain tangible real property improvements; the abatement shall be subject to annual review of the Tax Incentive Review Council.

**Section 12.** That the terms of the tax abatement shall be in accordance with the terms in the Summary contained in the above mentioned file. These terms shall not be amended, nor shall the tax abate-

ment be assignable or transferable to any entity, without the prior legislative authorization by Cleveland City Council.

**Section 13.** That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and the funds are appropriated for the purposes listed in Chapter 5709 of the Revised Code. The fees shall be deposited to and expended from Fund No. 17 SF 305.

**Section 14.** That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

**Section 15.** That any contract authorized by this legislation must require the recipient of financial assistance to work with The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts. The identification process shall place special emphasis on the hard to employ, including people who are disabled and people who have been convicted of or who have pled guilty to a criminal offense which is unrelated to the duties of the job opportunity.

**Section 16.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed April 23, 2007.

Effective April 26, 2007.

**Ord. No. 449-07.**

**By Council Member Brancatelli.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 55th and Lufkin Avenue to Cleveland Housing Network, Inc.**

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 Sup-

plies is hereby authorized to sell Permanent Parcel No(s). 125-25-005, as more fully described below, to Cleveland Housing Network, Inc.

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

P. P. No. 125-25-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 161 in Caleb and Mary D. Morgan's Allotment of part of Original One Hundred Acre Lots Nos. 320, 321, 324 and 325, as shown by the recorded plat in Volume 12, Page 20 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 55th Street, (formerly Willson Avenue) and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**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.

Passed April 23, 2007.  
Effective April 26, 2007.

**Ord. No. 450-07.**

**By Council Member Polensek.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Alhambra Road to Cresthaven Development, Inc.**

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(s). 115-26-153, as more fully described below, to Cresthaven Development, Inc.

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

P. P. No. 115-26-153

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 70 in the Wolfe-Sill Realty Company's St. Clair-London Subdivision of part of Original Euclid Township Lot Nos. 9 and 42, in Tract No. 10, as shown by the recorded plat in Volume 54 of Maps, Page 24 of Cuyahoga County Records, and being 40 feet front on the Northeasterly side of Alhambra Road, N.E., and extending back 80.53 feet on the Northwesterly line, 79.98 feet on the Southeasterly 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.

**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.

Passed April 23, 2007.  
Effective April 26, 2007.

**Ord. No. 531-07.**

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

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase property for developing a transitional housing facility for men at 1550 Superior Avenue; authorizing the Director of Community Development to enter into a purchase agreement with Lake Erie Motel, Inc. relating to the sale of the property and acquisition of furniture and fixtures; authorizing the Director to make relocation payments; determining the method of making the public improvement of rehabilitating the property; and authorizing the Director to enter into one or more public improvement contracts for the making of the improvement; for the Department of Community Development.**

Whereas, the Director of Community Development has requested the purchase of property which is located at 1550 Superior Avenue for the purpose of developing a transitional housing facility; 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 Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to purchase property located at 1550 Superior Avenue, known as Permanent Parcel No. 102-23-028, for the purpose of developing a transitional housing facility for men, and shown on the map contained in File No. 531-07-A.

**Section 2.** That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire the property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of the property.

**Section 3.** That the consideration to be paid for this property shall not exceed \$1,830,000, which is determined to be fair market value.

**Section 4.** That the Director of Community Development is authorized to enter into a purchase agreement with Lake Erie Motel, Inc. for the purchase of the property located at 1550 Superior and the acquisition of furniture and fixtures.

**Section 5.** That the Director of Community Development is authorized to make relocation payments, as required under various federal programs and regulations, for tenants displaced from the former prop-

erty until such time as the facility at 1550 Superior is complete.

**Section 6.** That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of renovation of the facility at 1550 Superior Avenue to be suitable as transitional housing for men, for the Department of Community Development, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement.

**Section 7.** That the Director of Community Development is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price 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 the trades or components may be the subject of a separate contract for a gross price. On request of the director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

**Section 8.** That the total aggregate costs of the property acquisition, purchase agreement, rehabilitation and relocation payments authorized shall not exceed \$2,400,000 and shall be paid from Fund No. 13 SF 929, Request No. 149543.

**Section 9.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed April 23, 2007.

Effective April 26, 2007.

**Ord. No. 568-07.**

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

**An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to lease property at 1449 West 117th Street from Montlack Realty, or their designees, for a term not to exceed three years, with three one-year options to renew, for the purpose of providing office space for the Adult Probation Program of the Cleveland Municipal Court.**

Whereas, the City of Cleveland requires certain property located at 1449 West 117th Street for the public purpose of providing office space for the Adult Probation Program of the Cleveland Municipal Court to furnish probationary services to the neighborhood; and

Whereas, Montlack Realty, or their designees, has proposed to lease the 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 Montlack Realty, or their designees, certain property more fully described as follows: Building 1, Space A, at 1449 West 117th Street, consisting of approximately 4,251 square feet, for office space for the Adult Probation Program of the Cleveland Municipal Court.

**Section 2.** That the term of the lease authorized shall not exceed three years, with three one-year options to renew, exercisable by the Director of Finance.

**Section 3.** That the rent for the lease authorized shall be Four Thousand Nine Hundred Eighty-Nine Dollars per month during the initial three-year term.

**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 the Adult Probation Program of the Cleveland Municipal Court to furnish probationary services to the neighborhood.

**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.

**Section 7.** That the Director of Finance, on behalf of the City of Cleveland, and the Director of Law, and other appropriate City officials, are authorized to execute other documents and certificates, and take other actions necessary or appropriate to effect the lease authorized by this ordinance.

**Section 8.** That the costs of the lease authorized shall be paid from Fund No. 10 SF 085, subject to annual appropriation, Request No. 176409.

**Section 9.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed April 23, 2007.

Effective April 26, 2007.

**Ord. No. 585-07.**

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

**An emergency ordinance authorizing the Director of Building and Housing to enter into one or more contracts with various agencies to implement the Demolition Program, which includes the Board-up Program; and authorizing the purchase by one or more requirement contracts for the items of labor and materials necessary to implement the Board-up 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 Building and Housing is authorized to enter into one or more contracts with various non-profit and for-profit agencies and entities for services necessary to implement the Demolition Program and emergency contracts under the Board-up Program.

**Section 2.** That the Director of Building and Housing is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one or two year period for the items of labor and materials necessary to implement the Board-up Program, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Building and Housing. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Building and Housing is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Building and Housing by comparing the bids received for both terms.

**Section 3.** That the costs of the contract or contracts shall be paid from Fund No. 20 SF 512 and shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 162620)

**Section 4.** That the Director of Finance is authorized to accept monies in repayment under the program including any amount spent for services related to collection of demolition cost, such as title searches, credit bureau reports, and document filing fees and to deposit the funds collected into Fund No. 01; alternatively, the funds may be deposited into Fund No. 10 SF 710 to be used for making additional expenditures under this program, and debt service requirements on bonds issued by the City for this purpose, and if this alternative is taken, the funds are appropriated for these purposes.

**Section 5.** That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of fees under the City's Demolition and Board-up Programs.

**Section 6.** That the Director of Building and Housing is authorized to enter into forbearance agreements with any recipient of a validly existing loan, administered by the City under the City's Demolition and Board-up Programs.

**Section 7.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

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

Passed April 23, 2007.  
Effective April 23, 2007.

**COUNCIL COMMITTEE MEETINGS**

**Monday, April 30, 2007  
9:30 a.m.**

**Joint — Health and Human Services Committee and Public Safety Committee:** Present in Health: Britt, Chair; Cleveland, Vice Chair; Kelley, Santiago, Conwell, Westbrook, Reed. Present in Safety: Conwell, Chair; Brady, Vice Chair; Britt, Polensek,

Coats, Kelley, Cummins, Turner, Santiago.

**11:00 a.m.**

**Public Service Committee:** Present: Brady, Chair; Turner, Vice Chair; Cleveland, Polensek, Cummins, White, Reed, Santiago. *Authorized Absence:* Johnson.

**2:00 p.m.**

**Joint — Community and Economic Development Committee and Finance Committee:** Present in CDED: Pierce Scott, Chair; Brancatelli, Vice Chair; Cimperman, Cummins, Coats, Westbrook, Brady, Zone, Lewis.

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

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