

The City Record

Official Publication of the City of Cleveland

March the Eighth, Two Thousand

Mayor	
Michael R. White	
President of Council	
Michael D. Polensek	
Clerk of Council	
Ruby F. Moss	
Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Odelia V. Robinson
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	William W. Patmon
9	Craig E. Willis
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	Joe Cimperman
14	Nelson Cintron, Jr.
15	Merle R. Gordon
16	Michael C. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

Ward	Name	Residence	
1	Joseph T. Jones.....	15601 Lotus Drive	44128
2	Robert J. White.....	3760 East 126th Street	44105
3	Odelia V. Robinson.....	3448 East 123rd Street	44120
4	Kenneth L. Johnson.....	2948 Hampton Road	44120
5	Frank G. Jackson.....	2327 East 38th Street	44115
6	Patricia J. Britt.....	12402 Britton Drive	44120
7	Fannie M. Lewis.....	7416 Star Avenue	44103
8	William W. Patmon.....	867 East Boulevard	44108
9	Craig E. Willis.....	11906 Beulah Avenue	44106
10	Roosevelt Coats.....	1775 Cliffview Road	44112
11	Michael D. Polensek.....	17855 Brian Avenue	44119
12	Edward W. Rybka.....	6832 Indiana Avenue	44105
13	Joe Cimperman.....	3053 West 12th Street	44113
14	Nelson Cintron, Jr.....	3032 Vega Avenue	44113
15	Merle R. Gordon.....	1700 Denison Avenue	44109
16	Michael C. O'Malley.....	6710 Brookside Drive	44144
17	Timothy J. Melena.....	6110 West Clinton Avenue	44102
18	Jay Westbrook.....	10513 Clifton Boulevard	44102
19	Dona Brady.....	1272 West Boulevard	44102
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Michael A. Dolan.....	16519 West Park Road	44111

MAYOR – Michael R. White
 Judith Zimomra, Chief of Staff
 Diane Downing, Senior Executive Assistant for Health and Human Services
 Barry Withers, Executive Assistant for Administration
 Kenneth Silliman, Executive Assistant for Development
 Reuben Sheperd, Executive Assistant for Services
 Nina Turner, Executive Assistant for Legislative Affairs
 Sharon Sobol Jordan, Interim Director, Office of Equal Opportunity

DEPT. OF LAW – Cornell P. Carter, Director, Pinky Carr, Chief Counsel, Room 106
 Lauren Moore, Chief City Prosecutor; Criminal Branch – Justice Center 8th Floor, Court Towers, 1200 Ontario Street
 Karen E. Martinez, Law Librarian, Room 100

DEPT. OF FINANCE – Ronald Brooks, Director, Room 104;
 Frank Badalamenti, Manager, Internal Audit
DIVISIONS – Accounts – Gayle Goodwin Smith, Commissioner, Room 19
 City Treasury – Algeron Walker, Treasurer, Room 115
 Assessments and Licenses – Robert J. Schneider, Commissioner, Room 122
 Purchases and Supplies – Myrana Branche, Commissioner, Room 128
 Printing and Reproduction – James D. Smith, Commissioner, 1735 Lakeside Avenue
 Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
 Financial Reporting and Control – Robert Dolan, Controller, Room 18
 Information Systems Services – Joyce Thomas, Acting Commissioner, 1404 E. 9th St.

DEPT. OF PUBLIC UTILITIES – Michael Konicek, Director, 1201 Lakeside Avenue
DIVISIONS – 1201 Lakeside Avenue
 Water – Julius Ciaccia, Jr., Commissioner
 Water Pollution Control – Darnell Brown, Commissioner
 Utilities Fiscal Control – Morry Blech, Commissioner
 Cleveland Public Power – James F. Majer, Commissioner
 Street Lighting Bureau – Frank Schilling, Acting Chief.

DEPT. OF PORT CONTROL – LaVonne Sheffield-McClain, Director,
 Cleveland Hopkins International Airport, 5300 Riverside Drive;
 Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner
 Burke Lakefront Airport – _____, Commissioner

DEPT. OF PUBLIC SERVICE – Mark Ricchiuto, Director, Room 113
DIVISIONS – Waste Collection and Disposal – Randell T. Scott, Acting Commissioner, 5600 Carnegie Avenue.
 Streets – Randell T. Scott, Commissioner, Room 25
 Engineering and Construction – Randall E. DeVaul, Commissioner, Room 518
 Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards
 Architecture – Paul Burik, Acting Commissioner, Room 517

DEPT. OF PUBLIC HEALTH – Michele Whitlow, Director, Mural Building
 1925 St. Clair Avenue
DIVISIONS – Health – Cheri Hahn, Commissioner, Mural Building, 1925 St. Clair Avenue
 Environment – Donald Culp, Commissioner, Mural Building, 1925 St. Clair Avenue
 Correction – Thomas Hardin, Commissioner, Cleveland House of Corrections, 4041 Northfield Road

DEPT. OF PUBLIC SAFETY – Henry Guzmán, Director, Room 230.
DIVISIONS – Police – Martin L. Flask, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street
 Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue
 Traffic Engineering & Parking – Lt. Richard Petrencsik, Commissioner, 4150 East 49th Street, Building #1
 Dog Pound – John Baird, Chief Dog Warden, 2690 W. 7th Street
 Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive

DEPT. OF PARKS, RECREATION & PROPERTIES – Nicholas P. Jackson, Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.
DIVISIONS – Convention Center & Stadium – James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
 Property Management – Tom Nagle, Commissioner, East 49th & Harvard

Parking Facilities – Dennis Donahue, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
 Park Maintenance and Properties – Richard L. Silva, Commissioner, Public Auditorium – E. 6th & Lakeside.
 Recreation – Michael Cox, Commissioner, Room 8
 Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

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

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Jeffrey K. Patterson, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Christopher P. Warren, Director, Room 210

DEPT. OF AGING – Susan E. Axelrod, Director, Room 122

COMMUNITY RELATIONS BOARD – Room 11, Dennis D. Dove, Director; Mayor Michael R. White, Chairman EX-Officio; Mary Adele Springman, Vice-Chairman; Council President Michael D. Polensek, Councilman Edward W. Rybka, City Council Representatives; Rev. Bruce Goode, Paula Castleberry, Charles E. McBee, Mary Adele Springman, Esq., Terez E. Woods, Emmett Saunders, John Banno, Mary Jane Buckshot, Kathryn M. Hall, Raymond Negron, Evangeline Hardaway, Edna Fuentes-Casiano, Janet Jankura, Gia Hoa Ryan.

CIVIL SERVICE COMMISSION – Room 119, Anne Bloomberg, President; _____, Vice President; Gregory J. Wilson, Secretary; Timothy J. Cosgrove, Member, Rev. Earl Preston, Member.

SINKING FUND COMMISSION – Michael R. White, President; Betsy Hruby, Asst. Sec'y.; Martin Carmody, Director; Council President Michael D. Polensek.

BOARD OF ZONING APPEALS – Room 516, Carol Johnson, Chairman; Members; Chris Carmody, Margaret Hopkins, Ozell Dobbins, Tony Petkovsek, Eugene Cranford, Jr., Secretary.

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

BOARD OF REVISION OF ASSESSMENTS – Law Director Cornell P. Carter, President; Finance Director Martin L. Carmody, Jr., Secretary; Council President Michael D. Polensek.

BOARD OF SIDEWALK APPEALS – Service Director Mark Ricchiuto; Law Director Cornell P. Carter; Councilman Nelson Cintron, Jr.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Cornell P. Carter; Utilities Director Michael Konicek; Council President Michael D. Polensek.

CITY PLANNING COMMISSION – Room 501 – Hunter Morrison, Director; Anthony J. Coyne, Acting Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Edward D. Small, Councilman Joseph Cimperman.

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

MORAL CLAIMS COMMISSION – Law Director Cornell P. Carter; Chairman; Finance Director Martin L. Carmody, Jr.; Council President Michael D. Polensek; Councilman Bill Patmon; Councilman Martin J. Sweeney.

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

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; Paul Burik, James Gibans, Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Joseph Cimperman, Councilman Timothy J. Melena, Robert Keiser, Executive Secretary.

CLEVELAND MUNICIPAL COURT JUSTICE CENTER—1200 ONTARIO CENTRAL SCHEDULING DEPARTMENT JUDGE COURTROOM ASSIGNMENTS

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

Earle B. Turner – Clerk of Courts, Linda M. DeLillo–Court Administrator, Robert C. Townsend, II–Bailliff; Kenneth Thomas–Chief Probation Officer, Michelle L. Paris–Chief Magistrate

The City Record



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WEDNESDAY, MARCH 8, 2000

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CITY COUNCIL

MONDAY, MARCH 6, 2000

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216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

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

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Cintron, Chairman; Sweeney, Vice Chairman; Britt, Coats, Johnson, Melena, O'Malley, Westbrook, Willis.
11:00 A.M.—**Employment, Affirmative Action & Training Committee:** White, Chairman; Lewis, Vice Chairman; Cintron, Coats, Gordon, Johnson, Jones.

MONDAY

2:00 P.M.—**Finance Committee:** Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Johnson, Lewis, Melena, O'Malley, Polensek, Robinson, Sweeney.

TUESDAY

9:30 A.M.—**Community and Economic Development Committee:** Melena, Chairman; Lewis, Vice Chairman; Brady, Cimperman, Cintron, Jackson, Jones, Robinson, Willis.

TUESDAY—Alternating

1:00 P.M.—**Public Health Committee:** Gordon, Chairman; Robinson, Vice Chairman; Brady, Cimperman, Jackson, Westbrook, Willis, Zone.
1:30 P.M.—**Legislation Committee:** Lewis, Chairman; Jones, Vice Chairman; Brady, Coats, Gordon, Johnson, Westbrook.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Dolan, Chairman; O'Malley, Vice Chairman; Jones, Patmon, Robinson, Rybka, Sweeney.
10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Patmon, Vice Chairman; Britt, Cimperman, Coats, Gordon, Jackson, Melena, Sweeney.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** O'Malley, Chairman; Patmon, Vice Chairman; Britt, Coats, Dolan, Melena, Polensek, Westbrook, Willis.

1:30 P.M.—**City Planning Committee:** Cimperman, Chairman; Rybka, Vice Chairman; Dolan, Jackson, O'Malley, Robinson, White.

The following Committee is subject to the Call of the Chairman:
Mayor's Appointment Committee: O'Malley, Chairman; Britt, Cimperman, Patmon, Sweeney.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, March 6, 2000.

The meeting of the Council was called to order, The President, Michael D. Polensek, in the Chair.
Councilmen present: Brady, Britt, Cimperman, Dolan, Gordon, Jackson, Jones, Lewis, O'Malley, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis.

Also present were Mayor White and Directors Carter, Brooks, Konecek, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Axelrod, Dove and Acting Directors Szabo, Brown and Williams.
Absent: Directors Sheffield-McClain, Guzman and Morrison

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Elder Thomas Moore of St. Luke United Holy Church, located at 9625 Union Avenue in Ward 3. Pledge of Allegiance.

MOTION

On the motion of Councilman Brady, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Councilman Dolan.

FROM DEPARTMENT OF LIQUOR CONTROL

File No. 296-2000.
Re: Transfer of Ownership Application - 3504372 - Hala, Inc., d.b.a. Federal Beverage, 3717 Payne Avenue, first floor. (Ward 13). Received.

File No. 297-2000.
Re: Transfer of Ownership Application - 9170555 - Uptown Office, Inc., d.b.a. Tramend Lounge, 6224

Broadway Avenue. (Ward 12). Received.

File No. 298-2000.
Re: Transfer of Ownership and Location Application - 2279553 - George Doud, 13835 Lorain Avenue. (Ward 20). Received.

File No. 299-2000.
Re: Transfer of Ownership and Location Application - 89166070005 - 3249 East 143, Inc., d.b.a. Milverton Food Mart, 3249 East 143rd Street. (Ward 4). Received.

File No. 300-2000.
Re: Transfer of Ownership and Location Application - 9957779 - Zoeter, Inc., 1453 East 66th Street. (Ward 7). Received.

File No. 301-2000.
Re: Transfer of Location Application - 21775590001 Dina's Pizza & Pub, Inc., d.b.a. Dina's Pizza & Pub, 5701 Memphis Avenue. (Ward 16). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 302-2000—Beverly D. Miller.

Res. No. 303-2000—Donald V. Gorjup.

Res. No. 304-2000—Robert Herman McCoy.

Res. No. 305-2000—Josephine M. France.

Res. No. 306-2000—Lt. Margaret M. "Peggi" O'Malley.

Res. No. 307-2000—James "Red" Reider.

Res. No. 308-2000—Edward Coleman, Jr.

Res. No. 309-2000—Martha Miller.

CONGRATULATION RESOLUTIONS

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

Res. No. 310-2000—Mary Ann Mahoney.

Res. No. 311-2000—Gino Paoloni.

Res. No. 312-2000—John Grill.

Res. No. 313-2000—Rev. Richard E. Sering.

RECOGNITION RESOLUTION

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

Res. No. 314-2000—Justice Michael Moriarty.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 315-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of first aid equipment and supplies, for the various divisions of City government.

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

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

Section 1. That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of first aid equipment and supplies in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 3054)

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

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

Ord. No. 316-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to refill, repair and replace fire extinguishers, for the various divisions of City government, for a period not to exceed two years.

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

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

Section 1. That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Char-

ter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to refill, repair and replace fire extinguishers, 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. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 1455)

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

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

Ord. No. 317-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of landscape material, grass seed, mulch and topsoil, for the various divisions of City government.

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

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

Section 1. That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of landscape material, grass seed, mulch and topsoil in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provi-

sion is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 3053)

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

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

Ord. No. 318-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of lumber, for the various divisions of City government.

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

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

Section 1. That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of lumber in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 1453)

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

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

Ord. No. 319-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of microfiche services, for the various divisions of City government, for a period not to exceed two years.

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

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

Section 1. That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of microfiche services, 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 City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 3055)

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

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

Ord. No. 320-2000.
By Councilmen Dolan, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Specialty Restaurants for use of certain property in the vicinity of Cleveland Hopkins International Airport to construct and operate a restaurant.

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 ("Director") is hereby

authorized to enter into a Lease By Way of Concession ("Lease") with Specialty Restaurants ("Lessee") for use of approximately 4.5 acres of real property located at 2000 Brookpark Road to construct and operate a restaurant. The term of the Lease shall be for thirty (30) years with two (2) mutual options of five (5) years each.

Section 2. That the City shall issue credits against rent as approved by the Director in writing, in an amount not to exceed \$850,000 plus accrued interest. Interest shall accrue at the rate of 9% per annum. Said credits against rent shall be issued pursuant to Article IV(B) of the Lease By Way of Concession between the City and Lessee, City Contract No. 32736, for the repayment of Lessee's net book value due as a result of early termination of City Contract No. 32736.

Section 3. That Lessee shall pay as rent an annual guaranteed minimum amount of \$25,000 until the City has met its obligation set forth in Section 2 above. Thereafter, Lessee shall pay as rent 65% of revenues generated during the previous year, or \$50,000, whichever is greater.

Section 4. That Lessee shall invest at least \$2,000,000, exclusive of interest costs, to construct and install all improvements and facilities necessary for a first-class restaurant.

Section 5. That the Lease authorized herein shall be prepared by the Director of Law and shall contain such other terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

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 Port Control, City Planning Commission, Finance, Law; Committees on Aviation and Transportation, City Planning, Finance.

Ord. No. 321-2000.
By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an amendment with American Airlines, Inc., City Contract No. 31083 to provide for the deletion of certain space from the Lease, for the Division of Cleveland Hopkins International Airport, 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 hereby authorized to enter into an Amendment to lease between the City and American Airlines, Inc. ("Lessee"), City Contract No. 31083, to delete from lessee's right and obligation under the lease approximately 1680 square feet of Hold Room space.

All other terms and conditions contained in the original lease shall remain the same.

Section 2. That the Amendment to the Lease herein authorized shall be prepared by the Director of Law and shall contain such terms and conditions as said Director deems necessary to protect and benefit the public interest.

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

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

Ord. No. 322-2000.
By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide network administration, including software assistance and required materials for Cisco computer products.

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 hereby authorized to employ by contract one or more computer consultants or one or more firms of computer 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 network administration, including software assistance and required materials for Cisco computer products.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 60 SF 001, Request No. 8262.

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

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

**Ord. No. 323-2000.
By Councilmen Dolan and Patmon
(by departmental request).**

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide client and server administration, including software, maintenance and support of MicroSoft computer products.

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 hereby authorized to employ by contract one or more computer consultants or one or more firms of computer 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 client and server administration, including software; maintenance and support of MicroSoft computer products.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 60 SF 001, Request No. 8260.

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

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

**Ord. No. 324-2000.
By Councilmen Dolan and Patmon
(by departmental request).**

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide programming, materials, software development and design for existing and new computer applications.

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 hereby authorized to employ by contract one or more computer consultants or one or more firms of computer 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 for programming, materials, software development and design for existing and new computer applications.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 60 SF 001, Request No. 8258.

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

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

**Ord. No. 325-2000.
By Councilmen Dolan and Patmon
(by departmental request).**

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide web site development and implementation, including software and other required materials.

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 hereby authorized to employ by contract one or more web site developers or one or more firms of web site developers 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 web site development and implementation, including software and other required materials.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 60 SF 001, Request No. 8263.

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

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

**Ord. No. 326-2000.
By Councilmen Dolan and Patmon
(by departmental request).**

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide support services, installations, upgrades, programming administration, including software and materials required for Oracle computer products.

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 hereby authorized to employ by contract one or more computer consultants or one or more firms of computer 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 support services, installations, upgrades, programming administration, including software and materials required for Oracle computer products.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 60 SF 001, Request No. 8261.

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

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

Ord. No. 327-2000.
By Councilmen Dolan and Patmon
(by departmental request).

An emergency ordinance to amend Section 5 of Ordinance No. 469-98, passed May 18, 1998, relating to the public improvement of implementing Phase II of the sound insulation 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 Section 5 of Ordinance No. 469-98, passed May 18, 1998, is hereby amended to read as follows:

Section 5. That the costs of the contracts authorized herein shall be paid from Fund Nos. **60 SF 106, 60 SF 001, 60 SF 124, 60 SF 122, 61 SF 097** and from any funds or subfunds to which are or may be credited any federal grants or federal passenger facilities charges authorized for the making of the above Improvement, and the proceeds from the sale of any airport revenue bonds issued for a purpose which would include the above Improvement, Request No. 22543.

Section 2. That Section 5 of Ordinance No. 469-98, passed May 18, 1998, is hereby repealed.

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

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

Ord. No. 328-2000.
By Councilmen Dolan and Patmon
(by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to clean and maintain oilwater separators, sewers, electrical vaults and associated appurtenances, including test and disposal of waste materials, 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 hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to clean and maintain oilwater separators, sewers, electrical vaults and associated appurtenances, including test and disposal of waste materials, in the approximate amount as purchased during the preceding year, to be purchased by the Com-

missioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8256)

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

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

Ord. No. 329-2000.
By Councilmen Dolan and Patmon
(by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide maintenance and administrative services for telephone equipment.

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 hereby authorized to employ by contract one or more telecommunication consultants or one or more firms of telecommunication 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 maintenance and administrative services for telephone equipment.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Port Control from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Port Control for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Direc-

tor of Port Control, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 60 SF 001, Request No. 8264.

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

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

Ord. No. 330-2000.
By Councilmen Dolan and Patmon
(by departmental request).

An emergency ordinance authorizing the purchase by contract of one trash compactor, for the Division of Cleveland Hopkins International Airport, 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 hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) trash compactor for Concourse D, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 8267.

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

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

Ord. No. 331-2000.
By Councilmen Dolan and Patmon
(by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide labor and materials, including software, necessary for evaluation, implementation and maintenance of the CMMS work order system.

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 hereby authorized to employ by contract one or more computer consultants or one or more firms of computer 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 labor and materials, including software, necessary for evaluation, implementation and maintenance of the CMMS work order system.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 60 SF 001, Request No. 8259.

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

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

Ord. No. 332-2000.
By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the payment of membership dues of the City of Cleveland in various professional airport organizations.

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 hereby authorized to cause payment of 2000 and 2001 membership dues of the City of Cleveland to be made to the Airport Council International of North America.

Section 2. That the Director of Port Control is hereby authorized to cause payment of 2000 and 2001 membership dues of the City of Cleveland to be made to the American Association of Airport Executives.

Section 3. That the payment of dues authorized above shall be paid from Fund No. 60 SF 001, Request No. 8266.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

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

Ord. No. 333-2000.
By Councilman Cintron.
An emergency ordinance to accept the dedication of a portion of Orchard Place S.W.

Whereas, That a portion of Orchard Place Drive S.W. (34.00 feet wide), is open and used as a public street, and is necessary for the general public's access; now therefore

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

Section 1. That the dedication of a portion of Orchard Place S.W. (34.00 feet wide), between West 41st Street (60.00 feet wide), and Bailey Avenue S.W. (60.00 feet wide), as shown by the recorded plat in Volume 302, Page 06 of Cuyahoga County Records, be and the same is hereby accepted as dedicated.

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

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

Ord. No. 334-2000.
By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance to amend Sections 5 and 9 of Ordinance No. 1818-99, passed December 15, 1999, relating to lease agreements for the Old Superior Avenue Viaduct with Stonebridge Phase One, Ltd. and for the tow areas under Arches 7 and 9 under the Superior Viaduct with Stonebridge Waterfront Limited Partnership; and to repeal Section 6 thereof.

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 Sections 5 and 9 of Ordinance No. 1818-99, passed December 15, 1999, are hereby amended to read, respectively, as follows:

Section 5. That the lease of the Old Superior Viaduct authorized by Section 1 of this ordinance shall provide that Stonebridge Phase One, Ltd. may assign, transfer or sell the lease of the Old Superior Viaduct to **the First Mortgage Lender.**

That the lease of the tow areas under Arches 7 and 9 under the Old Superior Viaduct authorized by Section 1 of this ordinance shall provide that Stonebridge Waterfront Limited Partnership may assign, transfer or sell the lease of the tow areas under Arches 7 and 9 under the Old Superior Viaduct to **the First Mortgage Lender.**

Section 9. That the leases authorized pursuant to Section 1 of this ordinance, shall be prepared by the Director of Law and executed by the Mayor and the Director of Public Service, and shall contain such additional terms and conditions as are required to protect the interests of the City. Original executed lease agreements shall be maintained in the above-mentioned file. The lease of the Old Superior Viaduct as authorized by Section 1 of this ordinance shall be substantially in accordance with the form contained in File No. 1818-99-A, except that the provision entitled "SPECIAL EVENTS", shall be modified to conform to the following requirements: First, the events identified in the handout to this Council on December 15, 1999, prepared by SFX Entertainment, and contained in File No. 1818-99-A, are authorized events, but no other event may be held on the leased space without prior legislative authority. Second, the lease shall provide that no charge may be assessed to the public for any event on the leased premises unless such a charge is first authorized by an ordinance of Council. Third, notices required for special events shall be directed to both the Ward Councilman and the Director of Public Service.

Section 2. That Sections 5, 6 and 9 of Ordinance No. 1818-99, passed December 15, 1999, are hereby repealed.

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

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

Ord. No. 335-2000.
By Councilman Robinson.
An emergency ordinance to accept the dedication of a portion of Reservoir Place Drive S.E.

Whereas, That a portion of Reservoir Place Drive S.E. (50.00 feet wide), is open and used as a public street, and is necessary for the general public's access; now therefore

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

Section 1. That the dedication of a portion of Reservoir Place Drive S.E. (50.00 feet wide), between Martin Luther King Jr. Drive (width varies) and Kinsman Road S.E. (60.00 feet wide), as shown in the recorded plat in Volume 298, Pages 40, and 41 of Cuyahoga County Map Records, be and the same is hereby accepted as dedicated.

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

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

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

Ord. No. 336-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of labor and materials necessary to install a freezer, including removal of existing unit, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for a walk-in freezer, including removal of existing unit and installation of the new freezer, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-700406-638000, Request No. 19029.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

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

Res. No. 337-2000.

By Councilman Cimperman.

An emergency resolution supporting the initiatives of the Tremont Neighborhood Opportunity Center and urging the Director and Board of the Council for Economic Opportunities of Greater Cleveland (CEOGC) to begin a community planning process to formulate a long-term plan for the Tremont Neighborhood Opportunity Center.

Whereas, the Tremont Neighborhood Opportunity Center and its staff have ably served the Tremont area and the residents of the City of Cleveland for over thirty years; and

Whereas, the Tremont Neighborhood Opportunity Center serves hundreds of people a month in its capacity as a social services center; and

Whereas, the Tremont Neighborhood Opportunity Center not only provides food and milk for those hungry in our neighborhoods, it also helps needy Cleveland residents find jobs, housing and provides positive,

alternative activities for our City's youths; and

Whereas, the Tremont Neighborhood Opportunity Center is a leader in its outreach to our senior citizens residing throughout the west side of Cleveland; and

Whereas, the Tremont Neighborhood Opportunity Center is a strong advocate and trendsetter in the area of childrens' literacy, leading a public-private partnership with Tremont schools to encourage neighborhood tutors to read to our City's children; and

Whereas, while Tremont is a neighborhood that has recently experienced tremendous growth and revitalization, residents and community leaders must be mindful that advances may be stifled with the onset of welfare reform; as such, the role of organizations like the Tremont Neighborhood Opportunity Center become more vital to stability of the neighborhood; and

Whereas, it is imperative for the well-being of Tremont, and other similar neighborhoods, that organizations such as the Tremont Neighborhood Opportunity Center remain located in and accessible to the residents which they serve; now, therefore,

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

Section 1. That this Council of the City of Cleveland supports the initiatives of the Tremont Neighborhood Opportunity Center and urges the Director and Board of the Council for Economic Opportunities of Greater Cleveland (CEOGC) to

begin a community planning process to formulate a long-term plan for the Tremont Neighborhood Opportunity Center, with such planning process to include residents of the neighborhood, businesses, social services agencies, local clergy and elected officials.

Section 2. That this Council urges the Tremont Neighborhood Opportunity Center to remain in its current facility until a long-term plan is determined.

Section 3. That the Clerk is hereby requested to transmit a copy of this resolution to Jackie Middleton, Director of the CEOGC.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 338-2000.

By Councilman Cimperman.

An emergency resolution urging the U.S. and Ohio Environmental Protection Agencies to review the comments submitted by the St. Clair Superior Neighborhood Development Association concerning the CEI Lakeshore Plant and Day-Glo Color Corporation and to promptly address those concerns during the permit review process.

Whereas, the St. Clair Superior Neighborhood Development Association Environmental Committee has

been challenging the "Title V" air pollution permit renewal for the CEI Lakeshore Plant and Day-Glo Color Corporation, contending that they may be emitting hazardous air pollutants, and

Whereas, Title V of the 1990 Clean Air Act calls for community involvement in the permitting process, particularly during the federally mandated "comment period," during which a preliminary "draft permit" is drawn up by the state Environmental Protection Agency (EPA) and is made available for public comment; and

Whereas, the St. Clair Superior Neighborhood Development Association has submitted, both orally and in writing, to the U.S. and Ohio EPAs concerning the CEI Lakeshore Plant and Day-Glo Color Corporation; and

Whereas, the St. Clair Superior Neighborhood Development Association has requested that these cases be examined to determine whether there are environmental justice issues in accordance with Executive Order No. 12898, issued by President Clinton on February 11, 1994; and

Whereas, the St. Clair Superior Neighborhood Development Association has requested that all records, logs and other documents required to be maintained in accordance with the permits be made available permanently and locally for review by the community within a reasonable time frame and that the documents be provided at no cost; and

Whereas, the residents of the City of Cleveland should be provided with the opportunity to live in a neighborhood free of injurious environmental contaminants; now, therefore,

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

Section 1. That this Council of the City of Cleveland urges the U.S. and Ohio Environmental Protection Agencies to review the comments submitted by the St. Clair Superior Neighborhood Development Association and to promptly and thoroughly address those concerns during the permit review process.

Section 2. That this Council urges representatives of the U.S. and Ohio EPAs to meet with representatives of the St. Clair Superior Neighborhood Development Association to carefully consider the concerns and fears of the residents of the neighborhood and to respond to those concerns.

Section 3. That the Clerk is hereby requested to transmit a copy of this resolution to U.S. Secretary of the Environmental Protection Agency, Carol Browner, and to the Director of the Ohio Environmental Protection Agency, Chris Jones.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 339-2000.

By Councilmen Cimperman, Rybka, Brady, Britt, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Polensek, Robinson, Sweeney, Westbrook, White and Willis.

An emergency resolution opposing the decision to close St. Michael Hospital and urging the federal government to conduct an investigation into the recent rash of hospital closures in Cleveland; and urging that the City join a lawsuit compelling that St. Michael remain open.

Whereas, this Council of the City of Cleveland is deeply concerned about the recent announcement concerning the closing of St. Michael Hospital, located in the heart of the City of Cleveland; and

Whereas, this announced closure comes on the heels of the closure of Mt. Sinai Hospital and the announcement by MetroHealth Medical Center that it intends to terminate its agreements with Medicaid HMO providers, negatively impacting over 30,000 residents of the City of Cleveland; and

Whereas, the impact of the closure of St. Michael's is devastating to the north and south Broadway communities, to the southeast region of our City, as well as to the entire City of Cleveland and Cuyahoga County; and

Whereas, this Council is especially disturbed that, at a time in which our national and local economies are booming, and at a time when there is over \$493 million dollars in new hospital construction underway in the Greater Cleveland area, and at a time when institutions such as the Cleveland Clinic are opening new facilities in Florida, that our own health community deems it appropriate to discontinue health care to Cleveland residents; and

Whereas, with the closure of St. Michael's, over 400 jobs will be lost, over 200 beds will become unavailable to serve the needs of our city, and another emergency room will shut its doors to the residents of the inner city; and

Whereas, this Council finds it especially troubling that our own Cleveland Clinic, which at any time provides care to foreign royalty and various heads of state and other high paying patients from abroad, has deemed community health care in Cleveland to be of little or no value; and

Whereas, this Council is greatly concerned about the quality and accessibility of health care available to serve the needs of the residents of the City of Cleveland; now, therefore,

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

Section 1. That this Council of the City of Cleveland strongly opposes the decision to close St. Michael Hospital and urges that such decision be reconsidered for the benefit of the residents of the City and Greater Cleveland community.

Section 2. That this Council urges President Clinton, Attorney General Janet Reno and Secretary of Health and Human Services Donna Shalala to conduct an investigation in to the closures of hospitals in Cleveland.

Section 3. That this Council wishes to acknowledge the efforts of Congressman Dennis Kucinich for his assistance and attention to this matter and to thank him for working

for the benefit of the citizens of Cleveland.

Section 4. That this Council will hold a public hearing on the issue of hospital closures and the detrimental impact on the health care of the residents of the City at 9:30 a.m. on Friday, March 10, 2000.

Section 5. That this Council urges that the City join in the proposed lawsuit and/or injunction to keep St. Michael Hospital open.

Section 6. That the Cleveland Clinic and PHS work together with our residents, Cleveland's community development organizations, the St. Michael Community Board, and the Council of the City of Cleveland to provide a proper standard of health care that is accessible to all residents in the City of Cleveland.

Section 7. That the Clerk is hereby requested to transmit a copy of this resolution to President Clinton, Attorney General Janet Reno and Secretary of Health and Human Services Donna Shalala, Congressman Dennis Kucinich and the President of the Cleveland Clinic and PHS.

Section 8. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 340-2000.

By Councilman Polensek.

An emergency resolution objecting to the issuance of a D4 Liquor Permit to 15617 Waterloo Ave.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a D4 and Liquor Permit to Permit No. 411896900525; and IBPOE of W Lodge0052 Spirit of Ohio, 15617 Waterloo Ave., Cleveland, Ohio 44110; 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 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 renewal of a D4 Liquor Permit to Permit No. 411896900525; and IBPOE of W Lodge0052 Spirit of Ohio, 15617 Waterloo Ave., Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 341-2000.

By Councilman Polensek.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3 and D6 Liquor Permit to 15610 Waterloo Rd., and repealing Res. No. 1340-99 objecting to said renewal.

Whereas, this Council objected to renewal of a D1, D2, D3 and D6 Liquor Permit to 15610 Waterloo Rd., 1st Fl. & Bsmt. adopted by Council on July 14, 1999; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon and pursuant to a cooperation agreement signed March 1, 2000, a copy of which is in the file for this address with the City Law Department; and

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

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

Section 1. That objection to the renewal of a D1, D2, D3 and D6 Liquor Permit to 15610 Waterloo Rd., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1340-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 342-2000.

By Councilman Rybka.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit to 6506 Fleet Ave., and repealing Res. No. 1335-99 objecting to said renewal.

Whereas, this Council objected to renewal of a C1 and C2 Liquor Permit to 6506 Fleet Ave., adopted by Council on July 14, 1999; 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 the renewal of a C1 and C2 Liquor Permit to 6506 Fleet Ave., be and the same is hereby withdrawn and Res. No. 1335-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

THIRD READING EMERGENCY ORDINANCES PASSED

Ord. No. 2051-99.

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various types of safety equipment, for the various divisions of the Department of Public Safety.

Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 2056-99.

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to employ one or more computer consultants and data processors to provide professional services necessary

for implementation of the penbased computer project.

Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 2153-99.

By Councilmen Lewis and Patmon (by departmental request).

An emergency ordinance to amend Section 171.43 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2292-80, passed July 6, 1981, relating to vehicle mileage allowance.

Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 57-2000.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a grant from the U.S. Department of Labor Employment & Training Administration for the Youth Opportunity Area Grant; and to enter into contract with Vocational Guidance Services, and if necessary, for the purchase of equipment and supplies needed to implement the grant.

Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 60-2000.

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the State of Ohio, Office of Criminal Justice Services for the FY 2000 Juvenile Accountability Incentive Block Grant Program.

Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 167-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to employ one or more physicians to provide physical examinations for children and staff attending overnight camp during the 2000 summer season.

Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 215-2000.

By Councilmen O'Malley, Cimperman and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of cleaning and cement mortar lining of various distribution mains in the City of Cleveland, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

Read third time. Passed. Yeas 17. Nays 0.

THIRD READING ORDINANCE PASSED

Ord. No. 1983-99.

By Councilman Robinson. An ordinance establishing the Kinsman Avenue/Mount Pleasant Business Revitalization District (BRD) (Map Change No. 2001, Sheet No. 10)

Read third time. Passed. Yeas 17. Nays 0.

Councilman Roosevelt Coats and Councilman Nelson Cintron entered the meeting.

MOTION

By Councilman Brady, and seconded by Councilman Dolan and unanimously carried that the absence of Councilman Kenneth L. Johnson and Councilman Timothy J. Melena, be and is hereby authorized.

The Council adjourned at 8:30 p.m. to meet on Monday, March 13, 2000, at 7:00 p.m. in the Council Chambers.



Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

March 1, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 1, 2000, at 11:00 a.m. with Mayor White presiding.

Present: Mayor White, Directors Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Absent: Director Sheffield-McClain. Others: Mitchell Brooks, Acting Commissioner, Purchases and Supplies. Sharon Sobol Jordan, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 108-00.

By Director Brooks. Resolved, by the Board of Control of the City of Cleveland that the bid of Minolta Corporation/Meritech Inc. for an estimated quantity of the rental of copiers, Item Nos. 2 (Group II), and 3 (Group III) for the various divisions of City Government, Department of Finance, for the period of three (3) years with two (2) one (1) year options, beginning with the date of execution of a contract, received on the 28th day of January 2000, pursuant to the authority of Ordinance No. 1065-98, passed on July 29, 1998 and Ordinance No. 172-99, passed on March 29, 1999, which on the basis of the estimated quantity would amount to Seven Hundred Thirty Six Thousand Three Hundred Twenty Nine and 57/100 Dollars (\$736,329.57) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 20010 which shall be certified against such contract in the sum of Thirty Six Thousand Eight Hundred Sixteen and 48/100 Dollars (\$36,816.48).

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

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 109-00.

By Director Brooks.

Resolved, by the Board of Control of the City of Cleveland, that all bids received on January 28, 2000 for Photocopiers for the Various Divisions of City Government, Department of Finance, pursuant to the authority of Ordinance Nos. 1065-98 and 172-99, passed by the Council of the City of Cleveland on July 29, 1998 and March 29, 1999, respectively, be and the same are hereby rejected.

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 110-00.

By Director Brooks.

Resolved, by the Board of Control of the City of Cleveland that the bid of Woodhill Supply, Inc. for an estimated quantity of Plumbing Supplies (items 1-157, 167-203, 205-238, 246-423, 429-732, 736-746, 758, 759, 761, 763 and 770-776) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on November 24, 1999, pursuant to the authority of Ordinance No. 713-99, passed May 17, 1999, which on the basis of the estimated quantity would amount to Ninety Thousand Ninety-Three and 41/100 Dollars (\$90,093.41) (2%, 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. RE-18703 which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

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

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 111-00.

By Director Brooks.

Resolved, by the Board of Control of the City of Cleveland that the bid of Deegan-Siefert Company for an estimated quantity of Plumbing Supplies (items 158-166, 204, 239-245, 424-428, 733-735, 747, 750, 753, 760, 762, 764 and 765-769) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on November 24, 1999, pursuant to the authority of Ordinance No. 713-99, passed May 17, 1999, which on the basis of the estimated quantity would amount to Thirteen Thousand Six Hundred Ninety-Nine and 90/100 Dollars (\$13,699.90) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. RE-18881 which shall be certified against such contract in the sum of Seven Hundred and 00/100 Dollars (\$700.00).

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

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 112-00.

By Director Brooks.

Resolved, by the Board of Control of the City of Cleveland that the bid of Concretech a Division of Libby Construction for an estimated quantity of Ready Mix Concrete (item 2) (Region I, II, III — all sections) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on January 12, 2000, pursuant to the authority of Ordinance No. 705-99, passed May 17, 1999, which on the basis of the estimated quantity would amount to Three Hundred Sixty Thousand Three Hundred Fifty and 00/100 Dollars (\$360,350.00) (2%, 15 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. RE-8802 which shall be certified against such contract in the sum of Eighteen Thousand Seventeen and 50/100 Dollars (\$18,017.50).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity, as

may be ordered under subsequent requisitions separately certified against said contract.

Yeas: None.

Nays: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Absent: Director Sheffield-McClain.

Resolution No. 113-00.

By Director Brooks.

Resolved, by the Board of Control of the City of Cleveland that the bid of McTech Corp. for an estimated quantity of Ready Mix Concrete (items 1, 3-7) (Region I, II and III — all sections) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on January 12, 2000, pursuant to the authority of Ordinance No. 705-99, passed May 17, 1999, which on the basis of the estimated quantity would amount to Seven Hundred Sixty-Four Thousand Three Hundred Fifty and 00/100 Dollars (\$764,350.00) (1%, 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. RE-08801 which shall be certified against such contract in the sum of Thirty Eight Thousand Two Hundred Seventeen and 50/100 Dollars (\$38,217.50).

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

Yeas: None.

Nays: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Absent: Director Sheffield-McClain.

Resolution No. 114-00.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Shook Heavy and Environmental Group, A Division of Shook, Inc. for the public improvement of rehabilitation of the Parma Reservoir exterior and interior and replacement and addition of piping and valves and a 10% contingency allowance for the Division of Water, Department of Public Utilities, received on February 2, 2000, pursuant to the authority of Ordinance No. 1612-96, passed December 16, 1996, for a gross price for the improvement in the aggregate amount of Six Million Eight Hundred Ninety One Thousand Seven Hundred Fifty Dollars and Twenty Five Cents (\$6,891,750.25), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Clark Mechanical, Inc., for the above-mentioned public improvement is hereby approved:

SUBCONTRACTOR **WORK**

Burkshire Construction
Co., Inc. FBE \$360,000.00

Choice Construction
Co., Inc. MBE \$1,000,000.00

Pro Construction,
Inc. MBE \$120,000.00

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 115-00.

By Director Sheffield-McClain.

Whereas, pursuant to the authority of Ordinance No. 1024-97, passed by Cleveland City Council on June 16, 1997 and Resolution No. 800-97 adopted by the City Board of Control on September 24, 1997, the City of Cleveland entered into a Lease By Way of Concession ("Agreement") with Dollar Rent-A-Car Systems, Inc. ("Dollar"), City Contract No. 52456, for Dollar's use of certain counter space/ready return area at the rental car facility at Cleveland Hopkins International Airport ("Rental Car Facility"); and

Whereas, pursuant to Article XV of said Agreement Dollar desires to sublease part of its leased premises at the Rental Car Facility to Avis Rent-A-Car System, Inc. ("Avis"); and

Whereas, subleasing of said premises to Avis shall not constitute a release or waiver of any of Dollar's obligations under City Contract No. 52456; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the terms of the Agreement, this Board does hereby approve the request of Dollar to enter into a sublease with Avis for Avis' exclusive use of two (2) ready return parking stalls, commencing July 1, 1999 for a period coterminous with Dollar's Agreement or the next reallocation of ready/return stalls, whichever is earlier, provided that the terms of such sublease shall not be in conflict with the terms of City Contract No. 52456.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director shall deem necessary to protect the City's interests.

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 116-00.

By Director Sheffield-McClain.

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 83-00 adopted by this Board, February 16, 2000, amending Resolution No. 24-00 is hereby amended to change the adoption date of said Resolution No. 24-00 to January 19, 2000.

Be it further resolved that all other provisions of said Resolution No. 83-00 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 117-00.

By Director Sheffield-McClain.

Whereas, pursuant to the authority of Ordinance No. 1107-94, passed by the Council of the City of Cleveland on June 13, 1994, and Board of Control Resolution No. 751-98 adopted on November 4, 1998, the City through its Director of Port Control entered into City Contract No. 53711 with Parsons Engineering Science, Inc of Ohio (Consultant) for professional services necessary to prepare the Special Site Study and Preliminary Engineering Reports required to relocate certain NASA facilities in connection with the expansion of Cleveland Hopkins International Airport; and

Whereas, the City has determined to modify the scope of work to include the additional professional services necessary to support the Study and Reports; and

Whereas, Consultant has proposed by its design Services Contract Amendment to perform the above-mentioned additional services now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is hereby authorized to enter into a first amendment to the Agreement between the City of Cleveland and Parsons Engineering Science, Inc. of Ohio City Contract No. 53711 on the basis of the Consultants Design Services Contract Amendment. The compensation for the additional services authorized hereby shall be not to exceed one million three hundred ninety-nine thousand three hundred ninety dollars (\$1,399,390) thereby increasing the total contract amount not to exceed Three Million Four Hundred Seventy-Four Thousand Four Hundred Twenty-One Dollars (\$3,474,421).

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 118-00.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Omnicon Truck Centers Inc. DBA Buckeye Volvo Trucks for an estimated quantity of one (1) tandem cab/chassis with roll-off hoist, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year

beginning with the date of execution of a contract, received on January 21, 2000, pursuant to the authority of Ordinance No. 1058-99, passed June 14, 1999, which on the basis of the estimated quantity would amount to approximately one hundred thirteen thousand eight hundred ninety-eight and 69/100 Dollars (\$113,898.69) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17578

which shall be certified against such contract in the sum of One Hundred Thirteen Thousand Eight Hundred Ninety-Eight and 69/100 Dollars (\$113,898.69).

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

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 119-00.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland, that the bid of Raney Tire, Inc. for an estimated quantity of tire repair road service, all items, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period one (1) year beginning with the date of execution of a contract, received on January 13, 2000, pursuant to the authority of Ordinance No. 1824-99, passed December 6, 1999, which on the basis of the estimated quantity would amount to Seventy Nine Thousand Five Hundred Fifty Six and no/100 Dollars (\$79,556.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17579

which shall be certified against such contract in the sum of Six Thousand and no/100 Dollars (\$6,000.00).

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

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 120-00.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Nerone & Sons for the public improvement of Seneca Golf Course Site Improvements, for Base Bid Items S1 — S6, S15 and S16, including the adjusted 5% contingency, for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on November 24, 1999, pursuant to the authority of Ordinance No. 724-99, passed June 14, 1999, upon a unit basis for the improvement in the aggregate amount of One Hundred Nine Thousand, Six Hundred Ninety Seven and 96/100 Dollars (\$109,697.96), is hereby affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 121-00.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of The Phillips Electric Co., Inc. for the public improvement of New DC Starters for the Division of Convention Center and West Side Market Department of Parks, Recreation and Properties, received on January 19, 2000, pursuant to the authority of Ordinance No. 761-98, passed May 18, 1998, for a gross price for the improvement in the aggregate amount of One Hundred Forty Thousand Six Hundred Sixty Eight Dollars and 00/100 (\$140,668.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 122-00.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Advance Door Company, for the installation of security grilles at Thurgood Marshall Recreation Center, 8611 Hough Avenue, for the Division of Recreation, Department of Parks, Recreation and Properties, received on February 3, 2000, pursuant to the authority of Ordinance No. 1605-98 passed October 19, 1998, for a gross price for the improvement in the aggregate amount of Nineteen Thousand Four Hundred Ninety Six and No/100 Dollars (\$19,496.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 123-00.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland that the bid of DDCT, Inc., for the light fixture replacement at Thurgood Marshall Recreation Center, 8611 Hough Avenue, for the Division of Recreation, Department of Parks, Recreation and Properties, received on February 3, 2000, pursuant to the authority of Ordinance No. 1605-98, passed October 19, 1998, for a gross price for the improvement in the aggregate amount of Forty Six Thousand Four Hundred Sixty Four and No/100 Dollars (\$46,464.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 124-00.

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel Nos. 121-33-111, 121-33-112, 121-34-009, 121-34-089, 128-01-020, 128-01-024, 128-01-120, 128-13-004, 128-13-061, 128-13-096, 128-14-016, 128-14-023, 128-14-024, 128-14-026, 128-14-033, 128-14-036, 128-14-089, 128-22-047 and 129-16-140 under said Land Reutilization Program; and

Whereas, Ordinance No. 175-2000 passed February 28, 2000, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Buckeye Area Development Corporation or designee has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 175-2000, passed February 28, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Buckeye Area Development Corporation or designee for the sale and development of Permanent Parcel Nos. 121-33-111, 121-33-112, 121-34-009, 121-34-089, 128-01-020, 128-01-024, 128-01-120, 128-13-004, 128-13-061, 128-13-096, 128-14-016, 128-14-023, 128-14-024, 128-14-026, 128-14-033, 128-14-036, 128-14-089, 128-22-047 and 129-16-140, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 (each), which amount is

hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

Resolution No. 125-00.

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel Nos. 007-20-007, 007-24-075, 008-06-045, 019-13-115, 019-18-078, 019-19-090, 019-22-013, 019-22-014, 004-19-022, 108-08-092, 108-25-086, 108-25-096, 108-26-093, 108-26-098, 135-09-020, 136-01-095, and 136-02-008 under said Land Reutilization Program; and

Whereas, Ordinance No. 138-2000 passed February 28, 2000, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Cleveland Housing Network Limited Partnership 17 has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 138-2000 passed February 28, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Cleveland Housing Network Limited Partnership 17 for the sale and development of Permanent Parcel Nos. 007-20-007, 007-24-075, 008-06-045, 019-13-115, 019-18-078, 019-19-090, 019-22-013, 019-22-014, 004-19-022, 108-08-092, 108-25-086, 108-25-096, 108-26-093, 108-26-098, 135-09-020, 136-01-095, and 136-02-008, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 (each), which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Carter, Acting Director Clark, Director Konicek, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Sheffield-McClain.

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.

ANNE BLOOMBERG,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 13, 2000

9:30 A.M.

Calendar No. 00-28: 9250 Miles Park Avenue (Ward 2)

Miles Park Carnegie Library Ltd., c/o Charles Brown, appeals to renovate the first floor of an existing approximate 70' x 100' three-story, masonry library building for use as a day care facility situated on an approximate 512' x 165' parcel and located in a Multi-Family District on the west side of East 93rd Street at 9250 Miles Park Avenue; said renovation and use being contrary to the Residential District Regulations of Section 337.02(f)(3)C where the proposed use is subject to the review and approval of the Board of Zoning Appeals and contrary to the Off-Street Parking and Loading requirements where 13 parking spaces are provided and 25 are required as stated in Section 349.04 of the Codified Ordinances.

Calendar No. 00-29: 4211 Franklin Boulevard (Ward 14)

Vickie and John Popa, owners, appeal to construct 30 linear feet of 6' high wrought iron fencing to the north of a 30' x 120' parcel situated on the south side of Franklin Boulevard and located in a Two-Family District at 4211 Franklin Boulevard; said construction being contrary to the Yards and Courts Requirements where a 6' high fence is proposed and a 4'-6" fence is permitted in the setback area as stated in Section 357.13(b)(3) of the Codified Ordinances.

Calendar No. 00-30: 3799 East 154th Street (Ward 1)

Consuelo Hill, owner, appeals to construct 200 linear feet of 6' high wooden privacy fencing to the north, east and south of a 40' x 130' parcel situated on the east side of East 154th Street and located in a One-Family District at 3799 East 154th Street; said construction being contrary to the Residential District Requirements where a fence in the interior side yard may be no higher than the least distance between such fence and residential building on the adjacent lot and the distance between the neighbor's house to the

north and the proposed fence is 3.8' and the maximum fence height permitted is 3.8' as stated in Section 337.23(a)(6) of the Codified Ordinances.

Calendar No. 00-32: 2129 West 11th Street (Ward 13)

Don Mural, owner, and Parkhill Associates, prospective purchaser c/o Brian McCreary, appeal to convert an existing 20' x 30' one-story masonry garage building into a single family dwelling, two-story house that is situated on a 33' x 181' parcel and located in a Multi-Family District on the east side of West 11th Street at 2129 West 11th Street, said conversion being contrary to the Yards and Courts Requirements of Section 357.15(a) where the rear and side yard do not meet the required distances between the existing building and the property lines and Section 357.09 where the required rear yard setback shall be 20' and 2' is provided and Section 357.09(b)(2) where the required interior side yard is 10' and 1'-6" is provided and contrary to the Area Requirement Regulations where a 33' lot width is provided and a 40' lot width is required and where a 5,990 sq. ft. minimum lot area is provided and 9,600 sq. ft. is required as stated in Section 355.04(a) of the Codified Ordinances.

Calendar No. 00-33: 1021-23 Parkwood Drive (Ward 8)

Dennie Pratt, owner, and Dependable Builders, agent, appeal to enclose and rebuild an existing 7'-6" x 24' second floor front porch of an existing two-family dwelling situated on a 37' x 115' parcel and located in a Multi-Family District on the north side of Parkwood Drive at 1021-23 Parkwood Drive; said enclosure being contrary to the Yards and Courts Requirements where the proposed projection is 7'-6" and a 4' projection is permitted as stated in Section 357.13(B)(4) of the Codified Ordinances.

Calendar No. 00-34: 1449 West 58th Street (Ward 17)

Ohio Conference Association of the 7th Day Adventist Church, owner c/o Edgar Mendoza, appeal to construct 180 linear feet of 5' high chain link fencing to the northwest and southeast corners of an approximate 193' x 135' corner parcel located in a Two-Family District and situated on the northeast corner of Franklin Boulevard and West 58th Street at 1449 West 58th Street; said construction being contrary to the Yards and Courts Requirements of Section 357.13(b)(3) where the maximum height of fencing allowed in the front yard setback area is 4'-6" and 5' is proposed and contrary to the Residential District Requirements where a fence in the interior side yard may be no higher than the least distance between such fence and residential building on the adjacent lot and the distance between the neighbor's house to the east and the proposed 5' high fence is 1' and the maximum fence height permitted is 1' as stated in Section 337.23(a)(6) of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 20, 2000

9:30 A.M.

Calendar No. 00-35: 1202 Rowley Avenue (Ward 13)

Dean Guernsey, owner, appeals to construct a two-story, three car garage, using the second floor for studio and storage, to the rear of a 39' x 120' parcel located in a Two-Family District on the north side of Rowley Avenue at 1202 Rowley Avenue; said construction being contrary to the Residential District Regulations of Section 337.03 where the use of studio and storage are not permitted in a Two-Family District and Section 337.23(7)(a) where the maximum square footage for an accessory use in a residential district is 650 sq. ft. and 1,225 sq. ft. is proposed and contrary to the Enforcement and Penalty Regulations of Section 327.02 where adequate drawings are required and contrary to the Height Regulations Requirements of Section 353.05 where the maximum height of an accessory building in a residential district is 15' and a 22'-6" height is proposed and contrary to the Yards and Courts Requirements of Section 357.05 where a 10' side street yard setback is required and 0' are proposed and contrary to the existing non-conforming use limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 00-36: 1104 Prospect Avenue (Ward 13)

Magnate Development Group, owners c/o Anthony Jerdine, appeals to change the use of an existing approximate 116' x 90' five-story masonry office building into offices and 41 apartments and situated on an approximate 116' x 175' irregular shaped parcel and located in a General Retail District on the south side of Prospect Avenue at 1104 Prospect Avenue; said change of use being contrary to the Yards and Courts Requirements where a 0' rear yard setback is proposed and 33' are required as stated in Section 357.08 of the Codified Ordinances.

Calendar No. 00-38: 17325 Lorain Avenue (Ward 21)

Rini Realty Group, owner c/o Thomas Tomsik, agent, appeals to construct a 12' wide one-story addition to the north and west sides of an existing 60' x 80' restaurant to provide added seating for dining and all situated on the northwest corner of an approximate 150' x 240' irregular shaped parcel located in a Local Retail District on the south side of Lorain Avenue at 17325 Lorain Avenue; said addition being contrary to the Yards and Courts Requirements where a specific setback of 7' along Lorain Road is proposed and 15' is required as stated in Section 357.07(a) of the Codified Ordinances.

Calendar No. 00-39: 2042 West 50th Street (Ward 14)

Glen and Kimberly White, owners, appeal to install approximately 190 linear feet of 6' high wooden fencing to the south rear yard, west and north property line and approximately 90 linear feet of 4' high wooden fencing to the south front

yard and east property line of a 40' x 100' parcel located in a Two-Family District on the west side of West 50th Street at 2042 West 50th Street; said installation being contrary to the Yards and Courts Requirements where approximately 20 linear feet of 6' high fencing is proposed along the northeast property line and the maximum height of fencing in the setback area allowed is 4'-6" as stated in Section 357.13(b)(3) of the Codified Ordinances.

Calendar No. 00-40: 5000 Crayton Avenue (Ward 5)

CAJ Properties, owner, and McTech, tenant c/o Lucian Nardi, agent, appeal to construct an approximate 70' x 107' one-story 72' high corrugated steel building to enclose an existing super structure batch plant, all situated on an approximate 481' x 590' irregular shaped parcel located in a Semi-Industry District on the south side of Crayton Avenue at 5000 Crayton Avenue; said construction being contrary to the Height Regulations Requirements of Section 353.01 where the height district established is 35' and 72' is proposed and the maximum height building setback is 180' from the property line and the maximum height above grade allowed is 50' as stated in Section 353.02 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 6, 2000

At the meeting of the Board of Zoning Appeals on Monday, March 6, 2000, the following appeals were heard by the Board:

The following appeal was **Approved:**

Calendar No. 00-25: 2710 Church Avenue

Cuyahoga Metropolitan Housing Authority c/o Norris McClure, owner, appealed to demolish an existing metal frame garage on a 67' x 139' parcel with an alley and construct a 24 space surface parking lot in a Semi-Industry District.

The following appeals were **Denied:**

Calendar No. 00-24: 3603 Riverside Avenue

Linda L. Darling, owner, appealed to change the use of a one family dwelling into a bed and breakfast house in a Two-Family District.

Calendar No. 00-26: 11100-22 Clifton Boulevard

Stuart J. Graines, owner, appealed from a Violation Notice issued December 20, 1999 by the Commissioner of Building and Housing, Department of Community Development.

Calendar No. 00-27: 4310-4314 Clark Avenue

Ceska Sin Sokol, owner, appealed to install an 8' long x 4' high x 4'

wide projecting sign 8'-3" high above finish grade over an existing door on a building in a Semi-Industry District.

Calendar No. 99-560: 3926 Valley Road

Valley Road Properties c/o Angelo Martin, appealed to use a 300' x 353' portion of an acreage parcel of a recycling facility for outdoor storage of concrete and stockpile for concrete and sand in a General Industry District.

On Monday, March 6, 2000, in Executive Session:

The following appeals were heard on Monday, February 28, 2000 and said decisions were approved and adopted by the Board on March 6, 2000.

The following appeals were **Approved:**

Calendar No. 00-19: 15021 Harvard Avenue

Cassandra Wingfield, owner, appealed to construct an 8' x 14' one-story patio addition to an existing 23' x 33' one dwelling house in a One-Family District.

Calendar No. 00-21: 13407 Miles Avenue

Reverend John Melvin, owner c/o John Taylor, agent, appealed to expand an existing 32' x 49' one-story church on a 40' x 123' parcel in a General Retail Business District.

Calendar No. 00-23: 7704 Detroit Avenue

Ali Kaddah, owner, and Phil Coblentz, agent c/o Ohio Soil Services, appealed to install a 42' x 58' x approximately 17'-4 1/2" high canopy over four new pump islands in a Semi-Industry District.

Calendar No. 99-563: 16017 Chatfield Avenue

Barbara Lajesky, owner, appealed to enclose an existing front porch of a one family dwelling in a Two-Family District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
March 1, 2000

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

* * *

Docket A-244-99.

RE: Appeal of William E. Hawkins II & Nancy K. Hawkins, Owners of the Property located on the premises known as 3804 St. Clair Avenue from a NOTICE OF VIOLATION/FIRE CODE of the Chief of

the Division of Fire dated October 17, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Be it resolved, a motion is in order at this time that based on the evidence submitted by the Division of Fire to find that the storage facility is S-1 and does require a fire suppression sprinkler system. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Absent: Mr. Sullivan.

* * *

Docket A-340-99.

RE: Appeal of Pure Tech Systems, Inc., Owners of the Property located on the premises known as 2727 Transport Road from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated November 16, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-340-99 has been POSTPONED; to be rescheduled for March 15, 2000.

* * *

Docket L-4-00.

RE: Appeal of Ulysses Williams, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated January 27, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Be it resolved, a motion is in order at this time to permit Mr. Williams to renew his ELECTRICAL CONTRACTOR LICENSE without retaking the test and without payment of the late filing fees. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Absent: Mr. Sullivan.

* * *

Docket L-5-00.

RE: Appeal of Matthew Samar, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated January 31, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

* * *

Docket L-6-00.

RE: Appeal of Leslie Wilson, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated February 1, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland,

and the Ohio Basic Building Code (OBBC).

Be it resolved, a motion is in order at this time to permit Mr. Wilson to renew his ELECTRICAL CONTRACTOR LICENSE without retaking the test and without payment of the late filing fees, noting the letter of endorsement. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders..

Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Absent: Mr. Sullivan.

* * *

Docket A-1-00.

RE: Appeal of David A. & Laura L. Dylan, Owners of the Residential Property located on the premises known as 3465 East 53rd Street from an ORDER TO VACATE of the Commissioner of the Division of Building and Housing dated December 9, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Be it resolved, a motion is in order at this time to modify the Commissioner's ORDER TO VACATE and LETTER OF INTENTION TO DEMOLISH by requiring the Appellant to obtain all permits for rehabilitation of the property immediately; and to grant the Appellant three (3) months in which to complete abatement of the violations on the property, and to require that the property be maintained boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the ORDER TO VACATE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by June 15, 2000. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Absent: Mr. Sullivan.

* * *

Docket A-13-00.

RE: Appeal of 2530 Superior Avenue Partners LLC, Owners of the Parking Lot located on the premises known as 2401 Superior Avenue (aka 1469 East 14th Street) from a NOTICE OF VIOLATION/NO PERMIT of the Commissioner of the Division of Building and Housing dated December 28, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-13-00 has been POSTPONED; to be rescheduled for March 15, 2000.

* * *

Docket A-17-00.

RE: Appeal of Branko & Zorka Vulovic, Owners of the Two Story & One Story Masonry Semi-Industry Mixed Use Property located on the

premises known as 2730 West 25th Street (aka 2736-40 West 25th Street) from a 72 HR. EMG. FIRE CONDEMNATION ORDER/MS of the Commissioner of the Division of Building and Housing dated January 31, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-17-00 has been POSTPONED; to be rescheduled for March 15, 2000.

* * *

Docket A-19-00.

RE: Appeal of Deborah M. Danforth, Owner of the One & One-half Story Residential Property and Existing Swimming Pool located on the premises known as 13605 Clifford Avenue from a NOTICE OF VIOLATION/IMPROPER SWIMMING POOL of the Commissioner of the Division of Building and Housing dated January 22, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Be it resolved, a motion is in order at this time to grant the variance to the ten (10) foot requirement and permit the pool to remain in it's present location, noting the concurrence of the adjacent neighbor and to waive the late filing fees. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Williams.

Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Absent: Mr. Sullivan.

* * *

Docket A-23-00.

RE: Appeal of Pure Tech Systems, Inc., Owners of the Property located on the premises known as 2655 Transport Road from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated November 16, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-23-99 has been POSTPONED; to be rescheduled for March 15, 2000.

* * *

Docket A-28-00.

RE: Appeal of A-Brite Plating, Owner of the Property located on the premises known as 3000 West 121st Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated February 25, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action, to be rescheduled for March 15, 2000.

* * *

Docket A-33-00.

RE: Appeal of Helen S. Johnson, Owner of the Residential Property located on the premises known as 771-73 East 105th Street from an ORDER TO VACATE of the Commissioner of the Division of Building and Housing dated February 24,

2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Be it resolved, a motion is in order at this time to modify the Commissioner's ORDER TO VACATE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three (3) weeks in which to obtain permits and forty-five (45) days in which to abate the violation; the property may be inspected and permission granted for occupancy during that period of time; the property is to remain boarded and secured and the grounds debris free until occupancy is granted by the City and to remand the property at this time to the Division of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders. and seconded by Mr. Williams.

Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Absent: Mr. Sullivan.

* * *

APPROVAL OF RESOLUTIONS:

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

- A-308-99—International Preparatory School.
 - L-2-00—Fred Mazzola.
 - L-3-00—Ernest Fritinger.
 - A-3-00—Ralph Blue.
 - A-14-00—William Stewart.
 - A-15-00—Charles Pope.
 - A-21-00—Massie M. Bowman.
- Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Absent: Mr. Sullivan.

* * *

APPROVAL OF MINUTES

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

February 16, 2000

Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Absent: Mr. Sullivan.

* * *

JOSEPH F. DENK,
CHAIRMAN

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, MARCH 15, 2000

Eliot and East 105th Park Site Improvements and Paul Revere Elementary School Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1605-98, passed by the Council of the City of Cleveland, October 19, 1998.

A DEPOSIT OF TWENTY FIVE (\$25.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

March 1, 2000 and March 8, 2000

THURSDAY, MARCH 16, 2000

HFRS2 Emulsion and Equipment Management Services and Paving Solutions, for the Division of Streets, Department of Public Ser-

vice, as authorized by Ordinance No. 1828-99, passed by the Council of the City of Cleveland, December 9, 1999.

March 1, 2000 and March 8, 2000

WEDNESDAY, MARCH 22, 2000

Replacing Existing Drawing Files, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1254-92, passed by the Council of the City of Cleveland, June 15, 1992.

A PRE-BID MEETING WILL BE HELD ON FRIDAY, MARCH 10, 2000, 10:00 A.M. IN THE 5TH FLOOR ENGINEERING CONFERENCE ROOM, PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO.

March 1, 2000 and March 8, 2000

THURSDAY, MARCH 23, 2000

Landscaping, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1260-99, passed by the Council of the City of Cleveland, August 11, 1999.

A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, MARCH 16, 2000, 2:00 P.M. AT THE CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO.

Disposal of Debris at Landfills, for the Various Divisions of the Department of Public Utilities, as authorized by Ordinance No. 946-99, passed by the Council of the City of Cleveland, June 14, 1999.

A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, MARCH 16, 2000, 3:00 P.M. AT THE CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

March 1, 2000 and March 8, 2000

WEDNESDAY, MARCH 29, 2000

Servers and Workstations, for the Department of Finance, on behalf of the Cleveland Municipal Court, as authorized by Ordinance Nos. 1249-95 and 275-97, passed by the Council of the City of Cleveland, September 25, 1995 and March 24, 1997, respectively.

A MANDATORY PRE-BID CONFERENCE WILL BE HELD ON WEDNESDAY, MARCH 15, 2000, 10:00 A.M., IN THE CLEVELAND MUNICIPAL COURT BAILIFF'S CONFERENCE ROOM LOCATED ON THE 10TH FLOOR OF THE JUSTICE CENTER, 1200 ONTARIO AVENUE. A MANDATORY SITE VISIT TO THE EASTSIDE PROBATION OFFICE, 2ND FLOOR OF THE CARL B. STOKES SOCIAL SERVICES MALL, 6001 WOODLAND AVENUE, CLEVELAND, OHIO 44104 WILL IMMEDIATELY FOLLOW THE PRE-BID MEETING AT APPROXIMATELY 12:00 P.M.

March 1, 2000 and March 8, 2000

THURSDAY, MARCH 30, 2000

City of Cleveland Millennium Project, West Side Market and East Side Market Improvement, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 134-00.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON TUESDAY, MARCH 14, 2000, 2:00 P.M. AT THE WEST SIDE MARKET, WEST 25TH STREET AND LORAIN.

March 1, 2000 and March 8, 2000

WEDNESDAY, MARCH 22, 2000

Artha Woods Park, Humphrey Park and Thames Park Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1605-98, passed by the Council of the City of Cleveland, October 19, 1998.

A DEPOSIT OF TWENTY-FIVE DOLLARS (\$25.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

March 8, 2000 and March 15, 2000

THURSDAY, MARCH 23, 2000

Constructing and Installing Replacement Sewers and Repairing Sewers at Various Locations Throughout the City, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1959-99, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

Burials for the Indigent Dead, for the Division of Health, Department of Public Health, as authorized by Ordinance No. 1075-99, passed by the Council of the City of Cleveland, June 14, 1999.

March 8, 2000 and March 15, 2000

FRIDAY, MARCH 24, 2000

Installing and Maintaining Dynamic/LED Signs, for the Department of Port Control, as authorized by Ordinance No. 717-99, passed by the Council of the City of Cleveland, June 15, 1999.

Natural Gas, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 252-2000.

Photocopiers, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance Nos. 1065-98 and 172-99, passed by the Council of the City of Cleveland, July 29, 1998 and March 29, 1999, respectively.

March 8, 2000 and March 15, 2000

WEDNESDAY, MARCH 29, 2000

Cleaning and Cement Mortar Lining of Various Distribution Mains, Areas 2000-1, 2, 3, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 215-2000.

A DEPOSIT OF TWO HUNDRED DOLLARS (\$200.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON FRIDAY, MARCH 17, 2000, 10:00 A.M. AT THE CARL B. STOKES UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 5TH FLOOR ENGINEERING CONFERENCE ROOM.

Work Uniforms, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 2054-99, passed by the Council of the City of Cleveland, February 7, 2000.

Fire Hydrants and Fire Hydrant Parts, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

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

A **MANDATORY PRE-BID MEETING** WILL BE HELD ON MONDAY, MARCH 20, 2000, 11:00 A.M., AT THE OFFICES OF THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE.

Telephone Equipment and Systems, Voice and Data Communications Systems for the Department of Port Control, as authorized by Ordinance No. 1174-97, passed by the Council of the City of Cleveland, July 16, 1997.

A **MANDATORY PRE-BID MEETING** WILL BE HELD ON THURSDAY, MARCH 16, 2000, 11:00 A.M., IN THE DEPARTMENT OF PORT CONTROL, 2ND FLOOR CONFERENCE ROOM, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO. BIDS RECEIVED FROM PROSPECTIVE BIDDERS WHO HAVE NOT ATTENDED THE MANDATORY PRE-BID CONFERENCE WILL BE DEEMED NON-RESPONSIVE.

March 8, 2000 and March 15, 2000

THURSDAY, MARCH 30, 2000

Diving and Underwater Inspection Services, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 509-99, passed by the Council of the City of Cleveland, May 17, 1999.

Personal Computers, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1071-93, passed by the Council of the City of Cleveland, June 7, 1993.

Various Equipment and Appurtenances for Vac-All Catch Basin Cleaners, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 2048-99, passed by the Council of the City of Cleveland, January 31, 2000.

March 8, 2000 and March 15, 2000

FRIDAY, MARCH 31, 2000

Cleaning and Cement Mortar Lining of Various Distribution Mains for Areas 2000-4, 5, 6, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 215-2000.

A DEPOSIT OF TWO HUNDRED DOLLARS (\$200.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON FRIDAY, MARCH 17, 2000, 10:00 A.M. AT THE CARL B. STOKES UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 5TH FLOOR ENGINEERING CONFERENCE ROOM.

One (1) Cab/Chassis with Digger/Derrick, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1058-99, passed by the Council of the City of Cleveland, June 14, 1999.

Property Insurance for the Cleveland Browns Football Stadium, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 303-96, passed by the Council of the City of Cleveland, March 4, 1996.

March 8, 2000 and March 15, 2000

THURSDAY, APRIL 6, 2000

Miscellaneous Line and Streetlighting Materials — Fre-conduit and Fittings, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

A **MANDATORY PRE-BID MEETING** WILL BE HELD ON WEDNESDAY, MARCH 29, 2000, 10:00 A.M., AT THE OFFICE OF CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE.

March 8, 2000 and March 15, 2000

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 291-2000.

By Councilman Cimperman.
An emergency resolution calling for a moratorium on executions in the State of Ohio, and throughout the United States, until certain enumerated actions are taken.

Whereas, approximately 90% of people charged with capital crimes cannot afford their own attorney; and

Whereas, no state has met standards developed by the American Bar Association for appointment, performance and compensation of counsel for indigent prisoners; and

Whereas, in 1987, in *McCleskey v. Kemp*, the United States Supreme Court refused to act on data demonstrating the continuing reality of racial bias in capital cases; and

Whereas, in a series of rulings since 1991, the U.S. Supreme Court has drastically restricted the rights of death row prisoners to appeal their convictions and death sentences in federal courts, even in cases where prisoners present compelling evidence of innocence; and

Whereas, the American Bar Association has concluded that administration of the death penalty is a "haphazard maze of unfair practices with no internal consistency" and has called for a moratorium on executions; and

Whereas, this Council of the City of Cleveland joins with the American Bar Association in calling for a moratorium on executions in the State of Ohio, and throughout the United States, until certain enumerated actions are taken; now, therefore

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

Section 1. That this Council of the City of Cleveland requests Governor Taft, President Clinton and our representatives in Congress to enact legislation imposing a moratorium on executions in the State of Ohio, and throughout the United States, until policies and procedures are implemented to: 1) ensure that death penalty cases are administered fairly and impartially in accordance with basic due process; 2) eliminate the risk that innocent persons may be executed; and 3) prevent the execution of mentally disabled persons and people who were under the age of 18 at the time of their offenses.

Section 2. That the Clerk is hereby requested to transmit a copy of this resolution to President Clinton; Governor Taft; Senators DeWine and Voinovich; and Congressmembers Kucinich, Tubbs Jones, La-Tourette and Brown.

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

Adopted February 28, 2000.
Effective March 6, 2000.

Res. No. 292-2000.

By Councilman Cimperman.

An emergency resolution expressing the support of the Cleveland City Council for the Artspace Projects, Inc. proposal for housing tax credits for the Tower Press housing development project.

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

Whereas, the Artspace Project, Inc. is preparing to develop 47 units of affordable artist housing, live/work space for individuals and families; and

Whereas, the project, to be located on 1900 Superior Avenue, will be comprised of a maximum of forty-seven (47) units located in the City of Cleveland, including location in a Qualified Census Tract (QCT); and

Whereas, 100% of the project's total units will be set aside for low-income qualifying households who make less than 60% of the Area Median Gross Income (AMGI); and

Whereas, the project will utilize Housing Tax Credits; and

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

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

Section 1. That the Cleveland City Council extends its full support to the Artspace Projects, Inc. to develop and construct the Tower Press project, an affordable housing development in the City of Cleveland at 1900 Superior Avenue; and

Section 2. That the Clerk of Council be and she is hereby authorized and directed to forward two certified copies of this Resolution to Artspace Project, Inc. in the care of the President, at 2351 East 22nd Street, Cleveland, Ohio 44115 and that a copy of this Resolution be spread upon the minutes of this meeting; and

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

Adopted February 28, 2000.
Effective March 6, 2000.

Res. No. 293-2000.

By Councilman Cimperman.

An emergency resolution requesting the Social Security Administration to change the envelope of Social Security recipients to ensure the security and privacy of those recipients.

Whereas, many senior citizens residing in the City of Cleveland receive Social Security benefits from the federal government, benefits that these residents have paid into for years from their income; and

Whereas, this Council of the City of Cleveland believes that senior citizens and others who have contributed to the Social Security system are entitled to their fair return; and

Whereas, this Council also believes strongly in the right to privacy afforded to all American citizens, including the right to keep confidential one's own Social Security number; and

Whereas, the Social Security Administration recently changed the envelope in which they mail checks to Social Security recipients, expanding the address window, thus revealing the Social Security number of the recipient; and

Whereas, the expanded window presents security concerns for our seniors and other recipients of Social Security benefits; now, therefore,

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

Section 1. That this Council of the City of Cleveland requests the Social Security Administration to change the envelope of Social Security recipients to ensure the security and privacy of those recipients.

Section 2. That the Clerk is hereby requested to transmit a copy of this resolution to Senators DeWine and Voinovich; and Congressmembers Kucinich, Tubbs Jones, La-Tourette and Brown.

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

Adopted February 28, 2000.
Effective March 6, 2000.

Res. No. 294-2000.

By Councilmen Cintron, Brady, Britt, Coats, Jackson, Lewis, Melena, O'Malley, Patmon, Sweeney, Westbrook, White, Willis.

An emergency resolution opposing the decision of MetroHealth Medical Center to terminate its agreement with the Medicaid HMO providers and urging the Commissioners of Cuyahoga County and Governor Taft to review the matter.

Whereas, MetroHealth Medical Center is a large county-operated facility with a number of satellite primary care clinics located throughout Cuyahoga County; and

Whereas, MetroHealth is the largest hospital provider of Medicaid in Ohio, treating about one-third of the 88,000 Medicaid enrollees in Cuyahoga County; and

Whereas, MetroHealth recently announced that, effective February 17, 2001, the hospital facility will refuse to accept payment by patients served by three Medicaid managed-care contracts, namely Emerald HMO; Medical Mutual's SuperMed; and University Hospitals Health System's QualChoice Prime; and

Whereas, this decision by MetroHealth adversely impacts approximately 30,000 residents of Cuyahoga County; and

Whereas, MetroHealth's intended pullout from the Medicaid HMO program has a detrimental effect on many of the City's most needy citizens, particularly in light of the recent closing of Mt. Sinai Medical Center; and

Whereas, this Council of the City of Cleveland is deeply concerned about the welfare and health of the residents of Cleveland and opposes the decision of MetroHealth to terminate its agreement with the Medicaid HMO providers; and

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

Section 1. That this Council of the City of Cleveland opposes the decision of MetroHealth Medical Center to terminate its agreement with the Medicaid HMO providers and urges the Commissioners of Cuyahoga County and Governor Taft to review the matter to determine a manner in which to offer health care services to the needy residents of Cleveland and Cuyahoga County.

Section 2. That the Clerk is hereby requested to transmit a copy of this resolution to Governor Taft and to the Commissioners of 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 members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Adopted February 28, 2000.
Effective March 6, 2000.

Res. No. 295-2000.

By Councilman Rybka.

An emergency resolution expressing the support of the Cleveland City Council for the Broadway Elderly Housing Limited Partnership proposal for housing tax credits for the Broadway - East 71st Street housing development project.

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

Whereas, the Broadway Elderly Housing Limited Partnership is preparing to develop a new structure of 45 units of one and two bedroom affordable housing for seniors; and

Whereas, the project, to be located on Broadway Avenue at the intersection of Broadway and Chambers, will be comprised of a maximum of forty-five (45) elderly units located in the City of Cleveland, including location in a Qualified Census Tract (QCT); and

Whereas, 0% to 20% of the project's units will be market rate units; and

Whereas, the project's non-market rate units will serve people who make less than 60% of the Area Median Gross Income (AMGI); and

Whereas, 100% of the project's total units will be set aside for elderly households; and

Whereas, the project will utilize Housing Tax Credits; and

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

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

Section 1. That the Cleveland City Council extends its full support to the Broadway Elderly Housing Limited Partnership to develop and construct Broadway Elderly, an affordable elderly housing development in the City of Cleveland at Broadway and Chambers Avenue; and

Section 2. That the Clerk of Council be and she is hereby authorized and directed to forward two certified copies of this Resolution to the Broadway Elderly Housing Limited Partnership in the care of the Executive Director, at 10204 Granger

Road, Cleveland, Ohio 44125 and that a copy of this Resolution be spread upon the minutes of this meeting; and

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

Adopted February 28, 2000.
Effective March 6, 2000.

Ord. No. 1435-99.

By Councilmen Robinson, Zane and Johnson (by departmental request).

An emergency ordinance to amend Section 350.14, 350.19 and 350.20 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to signs for shopping centers and other business uses.

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 following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 350.14, as amended by Ordinance No. 648-96, passed June 10, 1996,

Section 350.19, as amended by Ordinance No. 3076-A-89, passed December 10, 1990, and

Section 350.20, as amended by Ordinance No. 1131-93, passed June 14, 1993

are hereby amended to read, respectively, as follows:

Section 350.14 Signs for Retail Districts

Signs for uses in University Retail, Local Retail, General Retail and Shopping Center Districts shall be permitted as regulated below:

(a) Maximum Sign Face Area (Retail). The maximum sign face area of all permanent building-mounted signs for each building or unit thereof shall be related to the width of the building or unit. (For lots without buildings or with unusually small buildings, see division (d) of Section 350.20.) Maximum sign face area, excluding the area of free-standing signs, shall be determined according to the measurement standards of Section 350.05 and the following formula where "W" is the width of frontage (in feet) of the building or unit thereof: $(W \times 1/5) + 25 = \text{SQUARE FEET OF SIGNAGE}$.

(b) Permitted Types, Number, Area and Height (Retail).

Signs by use and structural type are permitted only in accordance with the regulations presented in the schedule of Permitted Types, Number, Area and Height (Retail). Sign types not listed are prohibited except for political signs which are permitted as regulated in Section 350.11. (All signs are permanent unless listed as temporary).

SCHEDULE OF PERMITTED TYPES, NUMBER, AREA, & HEIGHT (RETAIL)

SIGNS BY USE TYPE	SIGNS BY STRUCTURAL TYPE				
	FREE-STANDING	WALL	WINDOW	CANOPY	PROJECTING
IDENTIFICATION OR BUSINESS ^{2, 3}	#: 1 per lot ⁴ SF: 50 Ht: 12'-Local Retail Districts 25'-Other Retail Districts	SF: As regulated by formula		#: 1 per building unit SF: 6 if hanging from soffit	#: 1 per building unit SF: 12
DIRECTIONAL & INFORMATION ⁵	#: Minimum necessary as approved by Building Commissioner SF: 4 Ht: 3'	SF: 4	SF: 4	SF: 4	Not Permitted
REAL ESTATE (Temporary)	#: 1 per street frontage SF: 48 Ht: 10'	#: 1 per building side SF: 48	#: 1 per building unit SF: 12	Not Permitted	Not Permitted
DEVELOPMENT ⁶ (Temporary)	#: 2 per lot (total) SF: 96 Ht: 12'	SF: 96	SF: 12	Not Permitted	Not Permitted
TEMPORARY (Excluding Real Estate and Development)	As permitted in Section 350.12		SF: 25% of window area	As permitted in Section 350.12	

#: Maximum number of signs
SF: Maximum sign area (in square ft.) per side of each sign
Ht.: Maximum height for free-standing signs and roof signs
Sign Area Formula: $(W \times 1.5) + 25 = \text{square feet}$

¹Except 75 sq. ft. maximum for establishments with a building frontage of 100-200 ft. and 100 sq. ft. maximum for establishments with a building frontage exceeding 200 ft. For shopping centers, see Section 350.14(d).

²Identification or business signs using animation, electronically-changeable copy or flashing lights are specifically prohibited for "adult entertainment uses," as defined in Section 343.11(a)[347.07(b)].

³Identification and business signs using animation or electronically-changeable copy are permitted in General Retail and Shopping Center districts as free-standing, wall or window signs and, for theatres, also as canopy signs.

⁴See division (b) of Section 350.20.

⁵For hospitals, colleges and other public facilities and institutions, directional and information signs may be permitted to a maximum area of 12 sq. ft. and a maximum height of 6 ft. as necessary in the determination of the Building Commissioner.

⁶In Local Retail Districts, wall and free-standing development signs shall be limited to 48 sq. ft. and 10 ft. in height (for free-standing signs).

(c) Location (Retail). Free-standing signs as permitted for retail uses shall conform with the location regulations presented in the Schedule of Location Regulations (Retail) in addition to the regulations of Section 350.08.

 SCHEDULE OF LOCATION REGULATIONS (RETAIL)
 Free-Standing Sign Types

Minimum Distance/ From	Identification/ Business	Real Estate & Development	Information & Political	Directional
Residential District Line	25'	25'	5'	5'
Street R.O.W. Line(s)	3'	3'	3'	1'
Side & Rear Lot Lines	5'	5'	5'	5'

(d) Shopping Centers. For purposes of this Chapter three (3) or more retail businesses located on a single lot and served by common parking or common vehicular entrances shall be classified as a "shopping center" and shall be permitted one (1) free-standing identification sign and one (1) wall identification sign in addition to other permitted signs and in accordance with the following regulations:

(1) Display of Information. Each shopping center identification sign shall display only the name of the center and the name of not more than one (1) business located within the center, except that, with approval of the council member whose ward is affected as expressed by an ordinance or resolution of Council, for any shopping center with retail floor area exceeding 150,000 square feet, excluding "outlots" with separate free-standing signs, such sign may display the names of not more than two (2) businesses located within the center.

(2) Size. The maximum sign face area of a shopping center identification sign shall equal twenty (20) square feet for each 10,000 square feet of gross floor area but shall not exceed 125 square feet. All shopping centers, however, shall be permitted a sign of at least fifty (50) square feet.

(3) Other Regulations. All other regulations of this chapter applicable to identification signs shall apply to a shopping center identification sign.

(4) Other Signs. A lot displaying a shopping center identification sign may display no other free-standing identification or business signs.

(5) Secondary Frontages and Entrances. One (1) additional shopping center freestanding sign and one (1) additional shopping center identification wall sign shall be permitted for a shopping center with more than one vehicular entrance, provided that such signs meet the requirements of division (b) of Section 350.20.

(6) Outlots. If a vehicular entrance or parking lot of a shopping center also serves a use located on a separate lot (i.e., "out lot"), the free-standing identification or business sign permitted for such lot shall be limited to a maximum of twenty-five (25) square feet in area and seven (7) feet in height.

(7) Design Review. No sign identifying a shopping center or identifying two (2) or more businesses within a shopping center and no permanent identification sign of any type located within a designated Shopping Center District shall be erected or altered in appearance without the approval of the City Planning Commission or its Director. In considering such approval, the Commission shall seek to ensure that the signs demonstrate a high degree of graphic and architectural quality, legibility, and design compatibility with the shopping center, its signage and nearby development.

(8) Consolidation of Free-Standing Signs. In the case of a shopping center with more than the number of signs allowed under this Chapter, which signs were legally established prior to the effective date of this ordinance, a new free-standing sign identifying two (2) or more businesses may be erected if the following conditions are met:

A. the new multi-tenant sign shall display the name of the shopping center and tenant names no greater in number than the tenant names currently displayed on free-standing signs in the shopping center, but in no case shall more than six (6) tenant names be displayed on such sign;

B. all other free-standing business identification signs on the shopping center property shall be removed prior to erection of the new sign, except that conforming signs permitted for outlots may be retained;

C. the sign does not, exceed twelve (12) feet in height;

D. the council member whose ward is affected approves, as expressed by an ordinance or resolution of Council.

(e) Gasoline Service Stations. Signs for gasoline service stations shall conform with all regulations of this chapter except for the maximum sign area regulations of division (a) of Section 350.14 and any regulations which directly conflict with the regulations stated below:

(1) Free-standing Business Sign. Each station shall be permitted one (1) permanent free-standing business signs, with total sign face area of the panel or panels not exceeding one hundred (100) square feet. Such sign shall be limited to identifying the company name, management, fuel prices, and services offered.

(2) Signs at Service Islands. Stations shall be permitted information signs at fuel or other service islands which display information regarding type of service or are necessary in directing or instructing the motorist who has entered the station area. Signs not extending beyond the edges of fuel pumps are permitted and shall not be counted as business identification signs.

(3) Wall and Canopy Signs. Each station shall be permitted permanent identifications, business, directional and information signs displayed as wall or canopy signs and not exceeding one hundred (100) square feet in combined area. Non-opaque internally-illuminated canopy surfaces ("fascia") shall be considered as sign panels for purposes of sign area measurement.

(4) Temporary Signs. Temporary signs shall be permitted in accordance with the regulations of Section 350.12.

(f) Drive-Through Restaurants. For restaurants providing direct service to customers in motor vehicles, one (1) free-standing or wall-mounted "menu board" sign (limited to information regarding the restaurant's menu and related instructions) shall be permitted for each drive-through lane in addition to signs and sign area otherwise permitted. Such sign shall not exceed forty (40) square feet in area and six (6) feet in height and shall meet setback regulations applicable to free-standing identification signs (as specified in division (c) of this section).

(g) Regulations for Larger Projecting Signs. A projecting sign may exceed the otherwise maximum permitted size of twelve (12) square feet and the otherwise maximum permitted projection of four (4) feet from a building wall if such sign meets the following standards:

(1) Such sign shall be set back from the closest interior side lot line and the closest tenant party wall line at least one (1) foot for each one (1) square foot of sign area.

(2) Such sign shall in no case exceed thirty-six (36) square feet in area nor eight (8) feet in projection from the building wall and shall be set back at least two (2) feet from the outer edge of any street curb.

(3) No Building Permit shall be issued for such sign without approval of the City Planning Commission, which shall consider the design quality of the sign and its compatibility with the design character of the subject property and surrounding properties. In addition to considering such general design factors as placement, proportions, color, materials, and consistency with signs to be seen as a series, the City Planning Commission may specifically require use of non-rectangular, custom-shaped panels, exposed neon or reflected lighting, unobtrusive support structures, narrow-profile sign cabinets, or other design features necessary to ensure that a larger projecting sign will enhance the appearance of the building on which it is placed and the district in which it is located.

(4) At least five (5) working days prior to the City Planning Commission meeting at which approval under the regulations of this division will be considered, written notice shall be provided to the City Council member in whose ward the proposed sign is to be located.

(h) Supplemental Regulations. Signs in Retail Districts shall also conform to regulations of Section 350.20.

Section 350.19 Nonconforming Signs and Uses

A sign which is displayed pursuant to a Building Permit issued by the City, but does not conform to current regulations, shall be deemed a legal nonconforming sign (hereinafter referred to as a "nonconforming" sign) and shall be governed by the following regulations:

(a) Permitted Repair and Alterations. A nonconforming sign may be painted, cleaned or repaired as required in Section 350.18 but shall not be otherwise altered, moved or replaced unless made to conform to current regulations. Such sign, however, may be altered to permit a change of message or change of face if such change does not structurally alter the sign casing or support.

(b) Limitation on Reconstruction. A nonconforming sign or part thereof damaged or deteriorated to an extent exceeding fifty percent (50%) of its replacement cost shall not be reconstructed or replaced unless made to conform to regulations of this Code. For a nonconforming sign damaged by a single incident (such as a storm), to an extent less than fifty percent (50%) of its replacement cost, reconstruction is permitted only if such work is begun within six (6) months of the incident and is completed within twelve (12) months of the incident.

(c) Discontinuance of Use. A nonconforming sign shall be removed or made to conform to regulations of this Code if the use to which the sign refers has been discontinued for a continuous and immediately preceding period of at least six (6) months, except as provided in division (f) of this section. In the case of a nonconforming billboard, as defined in this chapter, such sign shall be removed or made to conform to regulations of this Code if, for a continuous and immediately preceding period of at least twelve (12) months, the billboard has been blank or has displayed copy which is faded or damaged so as to render it illegible or has referred to an event or activity which has ended or to a business or product or service which has been discontinued.

(d) Temporary Signs. All nonconforming temporary signs, including portable signs, shall be removed or made to comply with the regulations of this Code within thirty (30) days after issuance of a violation notice by the City.

(e) Signs for Nonconforming Uses. For legal nonconforming uses, such as a retail use in a residential zoning district, the applicable signage regulations shall be those most appropriate to the nature of the nonconforming use.

(f) Landmark Signs. A landmark sign is one which is determined to be historically or architecturally significant by the Landmarks Commission in accordance with the standards of divisions (a) of Section 161.04 of the Codified Ordinances. A sign so identified by the Commission shall be exempt from the prohibitions regarding reconstruction or retention as stated in divisions (a) and (b) of Section 350.19. Any proposed reconstruction of such sign shall be permitted only if approved by the Landmarks Commission in accordance with its customary standards for review.

Section 350.20 Supplemental Regulations

The following supplemental regulations shall apply to permitted signs in non-residential zoning districts:

(a) Non-Ground Floor Uses. For uses not located on the ground floor and for ground floor uses which lack direct access from the building exterior, the following signs shall be permitted in addition to signs otherwise permitted for the building. Regardless of the number of such uses in a building, not more than one (1) wall or projecting identification sign, a maximum of twelve (12) square feet in area, shall be placed at each ground floor entrance providing access to the uses in question. In addition, for each such use, window signs not exceeding twenty (20) square feet in total area shall be permitted for display on the inside surface of windows within the subject space.

(b) Secondary Frontages and Entrances.

(1) Secondary Frontages. A building or building unit with frontage on a second street or with a customer building entrance from a rear or side parking lot shall be permitted total additional wall, window, projecting and canopy sign area not to exceed 50% of the sign area otherwise permitted. Such signs shall be displayed so that the total sign area placed on any facade does not exceed the maximum sign area permitted for the building's primary frontage. This provision shall also apply to buildings or building units with secondary frontage along the Cuyahoga River or Lake Erie and to buildings adjoining a freeway right-of-way.

(2) Secondary Entrances. For lots served by more than one (1) vehicular entrance, one (1) additional free-standing identification sign shall be permitted at each additional vehicular entrance if the minimum distance between any two (2) such signs is five hundred (500) feet as measured along street lines. Where such distance is less than five hundred (500) feet but more than three hundred (300) feet, a second free-standing identification sign shall be permitted if the height of each such sign is no greater than twelve (12) feet and the combined sign area of the two signs is no greater than one hundred fifty percent (150%) of the maximum sign area permitted for a single free-standing identification sign on the subject property.

(c) New Businesses. Upon its initial opening, a new business establishment may display a temporary identification sign for a maximum period of sixty-two (62) days prior to installation of a permanent identification sign. Such temporary sign may be a wall, window or portable sign which shall conform with all regulations applicable to permanent signs (except clearly inapplicable structural requirements) and shall be counted as part of the maximum permitted permanent sign area. In addition, temporary window signs for such new businesses may cover up to 75% of window area. Strings of pennants, streamers, pinwheels, balloons and similar small light-weight objects shall be permitted for "grand openings" for a single period not exceeding seven (7) days within the first six (6) months after issuance of the initial Occupancy Certificate for a new business.

(d) Open Lots. For uses without buildings, and for uses on lots where building frontage is less than 20% of lot frontage, maximum sign face area for the use, including free-standing signs, shall be the greater of fifty (50) square feet or the figure resulting from the following formula where "LW" equals the width of the lot frontage, as defined in division (a)(2) of Section 350.05: $LW \times 1.0 = \text{SQUARE FEET OF SIGNAGE}$. The area of a free-standing sign shall in no instance exceed one hundred (100) square feet.

(e) Major Public Assembly Facilities. For public assembly facilities located within the Central Business District and providing a minimum seating or attendance capacity of 5,000 persons, signage shall be permitted in accordance with the following standards contained in this division (e) which recognize the unique nature of these large-scale public assembly facilities. Except as provided in these standards, all other regulations of this Zoning Code shall apply to such signage.

(1) Type, Number, Height and Location of Signs. The City Planning Commission may authorize variations in otherwise applicable regulations of this chapter to the extent necessary to provide adequate information to the public.

(2) Electronic Changeable Copy Signs. Information displayed through electronically changeable copy on signs located on the premises of a qualifying public assembly facility or on property located within 500 feet of the qualifying public assembly facility and owned or leased by the owners of said public assembly facility shall be limited to the following:

A. identification of the facility or events held at the facility.

B. identification of the events held at other local public assembly facilities and identification of festivals and other special events held in the City.

C. identification of products or services offered for sale on the premises of the qualifying public assembly facility.

D. public service messages, such as time, temperature and information of a civil nature, including welcoming of visitors to the City.

E. acknowledgement of organizations or individuals sponsoring events held at the facility or contributing to the construction or operation of the facility as sponsors or patrons.

Section 2. That the following existing Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 350.14, as amended by Ordinance No. 648-96, passed June 10, 1996,

Section 350.19, as amended by Ordinance No. 3076-A-89, passed December 10, 1990, and

Section 350.20, as amended by Ordinance No. 1131-93, passed June 14, 1993

are hereby repealed.

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

Passed February 28, 2000.

Effective March 6, 2000.

Ord. No. 2096-99.
By Councilmen Dolan and Patmon
(by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary for the maintenance and repair of computerized keycard access/fire detection, time and attendance equipment, for the various divisions of the Department of Port Control for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of, labor and materials necessary for the maintenance and repair of computerized keycard access/fire detection, time and attendance equipment 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. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8225)

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

Passed February 28, 2000.
 Effective March 6, 2000.

Ord. No. 2154-99.
By Councilmen Lewis and Patmon
(by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 127.42 thereof, relating to dishonored check fee.

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 hereby supplemented by enacting new Section 127.42 thereof, to read as follows:

Section 127.42 Dishonored Check Fee

When any person shall give or cause to be given to any City official, Department or Division, a negotiable instrument in payment of any obligation of such person due the City, which instrument is subsequently dishonored by the party or institution upon whom drawn, a one-time fee of Twenty-Five Dollars (\$25.00) for each check shall be added to the original obligation as a Dishonored Check Fee. The Dishonored Check Fee shall be first deposited toward defraying the costs of collection for the division in which the original obligation arose. Assessment of the Dishonored Check Fee shall not relieve a maker of a dishonored negotiable instrument of criminal or civil liability otherwise provided by law.

Section 2. That the Department of Finance is authorized to issue policies and procedures necessary to assess the dishonored check fee described in Section 1. Such policies and procedures shall be issued in a form substantially similar to the policies and procedures submitted to City Council by the Finance Department and contained in File No. 2154-99-A. Any substantial departure from the policies and procedures contained in the above mentioned file shall require City Council approval.

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

Passed February 28, 2000.
 Effective March 6, 2000.

Ord. No. 2171-99.
By Councilmen Cimperman, Rybka
and Patmon (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use, Permanent Parcel No. 101-15-036, bounded northerly by Superior Avenue, NW and southerly by Columbus Road, NW, to Cleveland Hospitality Partners, Ltd.

Whereas, pursuant to the authority of Ordinance No. 73644, passed by the Council of the City of Cleveland on April 26, 1926, the City of Cleveland acquired fee simple title to the real property identified as Permanent Parcel No. 101-15-036 for the purpose of relocating a portion of Columbus Road; and

Whereas, Cleveland Hospitality Partners, Ltd. has submitted an economic development proposal to the City of Cleveland for the redevelopment and reuse of underutilized real property located in the City of Cleveland which the Director of Economic Development has determined to be a satisfactory means of achieving redevelopment of said property and a means to create employment

opportunities and improve the economic welfare of the City of Cleveland; and

Whereas, the Director of Parks, Recreation and Properties has requested the sale of Permanent Parcel No. 101-15-036, because it is no longer used for street purposes and is not needed for any other municipal use; and

Whereas, the sale of the property set forth in this ordinance will create jobs for the citizens of the City of Cleveland and preserve and improve the general welfare of the citizens of 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 the City of Cleveland, Ohio 1976, and by and at the direction of the Board of Control of the City of Cleveland the Commissioner of Purchases and Supplies is hereby authorized to convey the following described real property to Cleveland Hospitality Partners, Ltd. together with real property known as Permanent Parcel No. 101-15-012 that is being old to Cleveland Hospitality Partners, Ltd. pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, at a price not less than Nine Thousand Five Hundred Dollars (\$9,500.00):

Permanent Parcel No. 101-15-036
 Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two-Acre Lot No. 206 and bounded and described as follows:

Beginning at a point at the Westerly line of Columbus Road, N.W., at the Northeasterly corner of a parcel of land leased by George M. Atwater to the Cleveland, Columbus, Cincinnati and Indianapolis Railway Company by deed dated June 5, 1880, and recorded in Volume 7, Page 369 of the lease records of Cuyahoga County, said point of beginning being distant Northerly measured along said Westerly line of Columbus Road, N.W., 225.54 feet more or less, from the Northerly line of James Street, N.W.;

Thence Westerly along the Northerly line of land leased by lease recorded in Volume 7, Page 369 of Cuyahoga County Records, 76.35 feet more or less, to an angle;

Thence Northwesterly along the Northeasterly line of land leased by said lease recorded in Volume 7, Page 369 of Cuyahoga County Records, 26.31 feet more or less, to the Southeasterly line of land conveyed by Ralph W. Ellis and Louis C. Hyde, trustees and administrators of the last will of George M. Atwater, deceased, to the County of Cuyahoga by deed dated December 30, 1912, and recorded in Volume 1433, Page 376 of Cuyahoga County Records;

Thence Northeasterly along said Southeasterly line of land conveyed to the County of Cuyahoga as last above mentioned, about 42.52 feet more or less, to the Westerly line of land conveyed by Ralph W. Ellis and Louis C. Hyde, trustees and administrators of the Last Will of George M. Atwater, deceased, to the County of Cuyahoga by deed dated January 5, 1912, and recorded in Volume 1368, Page 293 of Cuyahoga County Records;

Thence Southerly along said Westerly line of land conveyed to the County of Cuyahoga as last above mentioned, 32.76 feet more or less, to the Southwesterly corner thereof;

Thence Easterly along the Southerly line of land conveyed to the County of Cuyahoga as last above mentioned, 70 feet to said Westerly line of Columbus Road, N.W.;

Thence Southerly along said Westerly line of Columbus Road, N.W., about 20 feet to the place of beginning;

Together with all right, title and interest of the owner or owners of said real estate in and to all streets, alleys, highways and public places adjoining the above described premises.

Section 2. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, and by and at the direction of the Board of Control of the City of Cleveland, the Commissioner of Purchases and Supplies is hereby authorized to acquire the following described property from the Board of County Commissioners of Cuyahoga County:

County of Cuyahoga
to City of Cleveland

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Original Two Acre Lot Number 206 and a part of the Merwin Tract, and being a parcel or parcels of land generally bounded and described as follows:

Bounded on the north by the south line of the Veteran's Memorial Bridge and the South line of Superior Avenue N.W.; bounded northwesterly and southwesterly by land owned by the City of Cleveland; bounded on the south and southeast by the bounds of Columbus Road N.W. as altered; be the same more or less but subject to all legal highways.

Section 3. That the Director of Parks, Recreation and Properties is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire said property from the County of Cuyahoga.

Section 4. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, and by and at the direction of the Board of Control of the City of Cleveland, the Commissioner of Purchases and Supplies is hereby authorized to convey said real property to Cleveland Hospitality Partners, Ltd. at a price not less than fair market value taking into account all restrictions, reversion interests and similar encumbrances placed by the City of Cleveland in the deeds of conveyance for the purposes of the Courthouse Plaza Project.

Section 5. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such necessary provisions, including such restrictive reversionary interests as may be specified by the Board of Control or the Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 6. That this Council finds that the conveyance to Cleveland

Hospitality Partners, Ltd. constitutes a public use of said property for the purposes of redevelopment.

Section 7. That the conveyances shall be made by official deed or deeds of conveyance to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such necessary provisions, including such restrictive reversion interests as may be specified by the Board of Control or the Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 8. That the Director of Public Service is hereby authorized to issue a permit, revocable at the will of Cleveland City Council, and assignable by the Permittee with the written consent of the Director of Public Service to Cleveland Hospitality Partners, Ltd., its successors and assigns, for the use of a staging area during construction of the Courthouse Plaza Project (the "Project") which will encroach into the public right of way at the locations described and delineated in the map exhibit set forth in Council File No. 2171-99-A after completion of construction of the Project, Cleveland Hospitality Partners, Ltd., will contribute an amount not exceeding, \$60,000 nor less than \$60,000 toward the construction/redevelopment of the public park to its original design or such other design mutually agreed to between the City, through the City Planning Commission, and Cleveland Hospitality Partners, Ltd., with Cleveland Hospitality Partners, Ltd. thereafter providing maintenance of said public park.

Section 9. That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

Section 10. That it is hereby found and determined that all formal actions taken by the City Council relating to the sale of the property described in Section 1 of this ordinance were taken and held in meetings open to the public and in compliance with all other legal requirements.

Section 11. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed February 28, 2000.
Effective March 6, 2000.

Ord. No. 2172-99.
By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of not to exceed eleven pumps for swimming pools, for the Division of Recreation, Department of Parks, Recreation and Properties.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of

a municipal department; now, therefore,

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed eleven (11) pumps for swimming pools, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-701100-697000, Request No. 15115.

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

Passed February 28, 2000.
Effective March 6, 2000.

Ord. No. 2179-99.

By Councilman Cimperman.

An ordinance to change the Use, Area, and Height Districts of lands bounded by W. Superior Avenue, Lockwood Drive, and Columbus Road. (Map Change No. 2004, Sheet Nos. 1 and 5)

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

Section 1. That the Use, Area, and Height Districts of lands bounded and described as follows:

Beginning on the centerline of Columbus Road, N.W. at its intersection with the centerline of Robert Lockwood Jr. Drive, N.W.; thence northwesterly along the centerline of Robert Lockwood Jr. Drive, N.W. to its intersection with the centerline of West Superior Avenue, N.W.; thence southeasterly along the centerline of West Superior Avenue, N.W. to its intersection with the centerline of Columbus Road, N.W.; thence southerly along the centerline of Columbus Road, N.W. and its southerly prolongation to the place of beginning,

and as outlined in red on the map hereto attached, be and the same is hereby changed to a General Retail Use District, a 'K' Area District and a '6' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2004, Sheet Nos. 1 and 5 and shall be made upon the Building Zone Maps 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 such purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed February 28, 2000.
Effective April 8, 2000.

Ord. No. 59-2000.
By Councilmen White and Patmon
(by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with Integrated Consultant Services, Ltd. to provide workers' compensation actuarial and auditing services for the Department of Personnel and Human Resources.

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 Personnel and Human Resources is hereby authorized to enter into contract in an amount not to exceed \$195,000.00 with Integrated Consultant Services, Ltd. to provide workers' compensation actuarial and auditing services on the basis of their proposal dated November 29, 1999, payable from Fund No. 01-040201-632000, Request No. 16218, for the Department of Personnel and Human Resources.

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

Passed February 28, 2000.
 Effective March 6, 2000.

Ord. No. 106-2000.

By Councilman Cimperman.

An emergency ordinance to vacate Columbus Road N.W. and to vacate, abandon, extinguish and release any rights the City of Cleveland may have in two (2) easements in the elevated roadway, bridge, and slopes known as Columbus Road, N.W. and also known as the Columbus Road Viaduct hereinafter described.

Whereas, on the 13th day of December, 1999 the Council of the City of Cleveland adopted Resolution No. 2190-99 declaring its intention to vacate a portion of Columbus Rd. N.W. and to vacate, abandon, extinguish and release any rights the City of Cleveland may have in two easements in the elevated roadway, bridge, and slopes known as Columbus Road N.W. and also known as the Columbus Road Viaduct, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 2190-99 has been served upon the owners of all the property abutting Columbus Rd. N.W. affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 20th day of January 20, 2000, the Board of Revision of Assessments approved the vacation of Columbus Rd. N.W. and the vacation, abandonment, extinguishment and release any rights the City of Cleveland may have in two easements in the elevated roadway, bridge, and slopes known as Columbus Road N.W. and also known as the Columbus Road Viaduct, hereinafter described, in accordance with the provisions of Section 176 of the

Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Columbus Rd. N.W. and vacating, abandoning, extinguishing and releasing any rights the City of Cleveland may have in two easements in the elevated roadway, bridge, and slopes known as Columbus Road N.W. and also known as the Columbus Road Viaduct, hereinafter described and that it will not be detrimental to the general interest and ought to be made; 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 situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of:

COLUMBUS ROAD N.W. (54.39 feet wide) extending Southerly from the Westerly prolongation of the Southerly line of West Superior Avenue N.W. (132.00 feet wide) to the Northerly line of Canal Rd. N.W. (width varies), is hereby vacated.

And, to vacate, abandon, extinguish and release any rights the City of Cleveland may have in an easement granted to construct, maintain and operate an elevated roadway and bridge with necessary slopes known as COLUMBUS ROAD VIADUCT as shown in Volume 117, Page 6 of Cuyahoga County Map Records;

And, to vacate, abandon, extinguish and release any rights the City of Cleveland may have in a pedestrian easement as provided in Ordinance Number 47814, adopted by the Council of the City of Cleveland on January 6, 1919, and amended by Ordinance Number 67538-A, passed by the Council of the City of Cleveland on April 27, 1925.

Section 2. That there be and hereby is reserved to the City of Cleveland easements or payment of charges for relocation or abandonment to Cleveland Public Power, Ameritech, and the Division of Water for existing equipment.

The description of easement is as follows:

Columbus Road N.W. (54.39 feet wide) extending Southerly from the Westerly prolongation of the Southerly line of West Superior Avenue N.W. (132.00 feet wide) to the Northerly line of Canal Rd. N.W. (width varies).

And, to vacate, abandon, extinguish and release any rights the City of Cleveland may have in an easement granted to construct, maintain and operate an elevated roadway and bridge with necessary slopes known as COLUMBUS ROAD VIADUCT as shown in Volume 117, Page 6 of Cuyahoga County Map Records;

And, to vacate, abandon, extinguish and release any rights the City of Cleveland may have in a pedestrian easement as provided in Ordinance Number 47814, adopted by the Council of the City of Cleveland on January 6, 1919, and amended by Ordinance Number 67538-A, passed by the Council of the City of Cleveland on April 27, 1925.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with, plans approved by

Cleveland Public Power, the Commissioner of the Division of Water, and Ameritech of the City of Cleveland.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Columbus Road N.W., herein provided by sending him a copy of this ordinance.

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

Passed February 28, 2000.
 Effective March 6, 2000.

Ord. No. 138-2000.

By Councilmen White, Robinson, Patmon, Rybka, Cintron, Brady, Melena and Cimperman.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program on scattered sites to Cleveland Housing Network Limited Partnership 17.

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-20-007 as more fully described in Section 2 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 007-20-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 450 in H. Stone Addition, of part of Original Brooklyn Township Lots Nos. 53 and 68 as shown by the recorded plat in Volume 1 of Maps, Page 41 of Cuyahoga County Records and being 50 feet front on the Southerly side of Seymour Avenue, S.W., and extending back of equal width 122 feet, 5 inches to the Northwesterly side line of Erin Avenue, S.W., as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-24-075 as more fully described in Section 4 below, to Cleveland Housing Network Limited Partnership 17.

Section 4. That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P. P. No. 007-24-075

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the West half of Sublot No. 187 in the East half of Sublot No. 188 in Hiram Stone's Allotment of part of Original Brooklyn Township Lots Nos. 53 and 68, as shown by the recorded plat in Volume 1 of Maps, Pages 41 and 42 of Cuyahoga County Records and being together a parcel of land 50 feet front on the South side of Wade Avenue, S.W., and extending back of equal width 132 feet deep, to an alley, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-06-045 as more fully described in Section 6 below, to Cleveland Housing Network Limited Partnership 17.

Section 6. That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P. P. No. 008-06-045

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 16 in Mary B. Rowley's Allotment of part of Original Brooklyn Township Lot No. 72 as shown by the recorded plat in Volume 8 of Maps, Page 32 of Cuyahoga County Records, and being 30 feet front on the Easterly side of West 18th Place (formerly Ditton Street) and extending back of equal width 110 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 019-13-115 as more fully described in Section 8 below, to Cleveland Housing Network Limited Partnership 17.

Section 8. That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P. P. No. 019-13-115

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 7 in the Guardian Subdivision of part of Original Rockport Township Section No. 10, as shown by the recorded plat in Volume 65 of Maps, Page 9 of Cuyahoga County Records and being 40 feet front on the Northerly side of Brookfield Avenue, S.W., 104.06 feet deep on the Easterly line, 104.50 feet deep on the Westerly line and 40 feet wide in the rear, as appears by said plat, be

the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 9. Reserved.

Section 10. Reserved.

Section 11. Reserved.

Section 12. Reserved.

Section 13. Reserved.

Section 14. Reserved.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 019-18-078 as more fully described in Section 16 below, to Cleveland Housing Network Limited Partnership 17.

Section 16. That the real property to be sold pursuant to Section 15 of this Ordinance is more fully described as follows:

P. P. No. 019-18-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 185 in the Domal Land Company's Subdivision of part of Original Rockport Township Section No. 10, as shown by the recorded plat in Volume 25 of Maps, Page 20 of Cuyahoga County Records and being 40 feet front on the Northerly side of Matherson Avenue, S.W., and extending back of equal width, 100 feet deep, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 019-19-090 as more fully described in Section 18 below, to Cleveland Housing Network Limited Partnership 17.

Section 18. That the real property to be sold pursuant to Section 17 of this Ordinance is more fully described as follows:

P. P. No. 019-19-090

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 40 in Clark Manchester Company's Homesite Allotment No. 7 of part of Original Rockport Township Section No. 10 as shown by the recorded plat in Volume 67 of Maps, Page 5 of Cuyahoga County Records and being 40 feet front on the Northerly side of Kadel Avenue, S.W., and extending back of equal width, 123 feet deep, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 019-22-013 as more fully described in Section 20 below, to Cleveland Housing Network Limited Partnership 17.

Section 20. That the real property to be sold pursuant to Section 19 of this Ordinance is more fully described as follows:

P. P. No. 019-22-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 159 in Joseph Schrimshaw's Highview Allotment of part of Original Rockport Township Section No. 10, as shown by the recorded plat in Volume 83 of Maps, Page 27 of Cuya-

hoga County Records and being 40 feet front on the Southerly side of Grimsby Avenue, S.W., and extending back of equal width 112.47 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 019-22-014 as more fully described in Section 22 below, to Cleveland Housing Network Limited Partnership 17.

Section 22. That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows:

P. P. No. 019-22-014

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 160 in Joseph Schrimshaw's Highview Allotment of part of Original Rockport Township Section No. 10, as shown by the recorded plat in Volume 83 of Maps, Page 27 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 004-19-022 as more fully described in Section 24 below, to Cleveland Housing Network Limited Partnership 17.

Section 24. That the real property to be sold pursuant to Section 23 of this Ordinance is more fully described as follows:

P. P. No. 004-19-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Westerly part of Sublot No. 671 in the S.S. Stone's Subdivision of part of Original Brooklyn Township Lot No. 87 as shown by the recorded plat in Volume 2 of Maps, Page 31 of Cuyahoga County Records. Said part of Sublot No. 671 has a frontage of 33 feet on the Easterly side of West 7th Street (formerly University Street), and extends back of equal width 135 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 108-08-092 as more fully described in Section 26 below, to Cleveland Housing Network Limited Partnership 17.

Section 26. That the real property to be sold pursuant to Section 25 of this Ordinance is more fully described as follows:

P. P. No. 108-08-092

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 44 in Schatzinger and Tremain's Subdivision of part of Original One Hundred Acre Lot No. 361, as shown by the recorded plat in Volume 18 of Maps, Page 7 of Cuyahoga County Records, and also the Easterly one-half of Block A in W. H. Van

Tine Jr., Trustee's Allotment of part of Original One Hundred Acre Lots Nos. 361 and 369, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records, and together forming a parcel of land 60 feet front on the Westerly side of East 102nd Street, formerly Eldridge Avenue) and extending back of equal width 122.5 feet, as appears by the said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 108-25-086 as more fully described in Section 28 below, to Cleveland Housing Network Limited Partnership 17.

Section 28. That the real property to be sold pursuant to Section 27 of this Ordinance is more fully described as follows:

P. P. No. 108-25-086

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 299 in Cleveland Realty Company's Subdivision of part of Original One Hundred Acre Lots Nos. 370 and 362, as shown by the recorded plat in Volume 24 of Maps, Page 17 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Elgin Avenue, and extending back between parallel lines 110 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 108-25-096 as more fully described in Section 30 below, to Cleveland Housing Network Limited Partnership 17.

Section 30. That the real property to be sold pursuant to Section 29 of this Ordinance is more fully described as follows:

P. P. No. 108-25-096

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 287 in the Cleveland Realty Company's Subdivision of part of Original One Hundred Acre Lots Nos. 370 and 362, as shown by the recorded plat in Volume 24 of Maps, Page 17 of Cuyahoga County Records, and being 35 feet front on the Southerly side of Elgin Avenue, N.E., and extending back of equal width 110 feet, as appears by said plat.

Section 31. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 108-26-093 as more fully described in Section 32 below, to Cleveland Housing Network Limited Partnership 17.

Section 32. That the real property to be sold pursuant to Section 31 of this Ordinance is more fully described as follows:

P. P. No. 108-26-093

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 72 in the Cleveland Realty Company's Subdivision of part of Original One Hundred Acre Lots Nos. 362 and

370, as shown by the recorded plat in Volume 24 of Maps, Page 17 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Garfield Avenue (formerly Bennington Street) and extending back of equal width 110 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to restrictions recorded in Volume 1083, Page 533 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

Section 33. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 108-26-098 as more fully described in Section 34 below, to Cleveland Housing Network Limited Partnership 17.

Section 34. That the real property to be sold pursuant to Section 33 of this Ordinance is more fully described as follows:

P. P. No. 108-26-098

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 67 in the Cleveland Realty Company Subdivision, of part of Original One Hundred Acre Lots Nos. 370 and 362, as shown by the recorded plat in Volume 24 of Maps, Page 17 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 35. Reserved.

Section 36. Reserved.

Section 37. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 135-09-020 as more fully described in Section 38 below, to Cleveland Housing Network Limited Partnership 17.

Section 38. That the real property to be sold pursuant to Section 37 of this Ordinance is more fully described as follows:

P. P. No. 135-09-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 157 in the Van DeBoeHager Company's Union Heights Subdivision of part of Original One Hundred Acre Lot No. 450, as shown by the recorded plat of said Subdivision in Volume 43 of Maps, Page 20 of Cuyahoga County Records. Said Sublot No. 157 has a frontage of 40 1/100 feet on the Northerly side of Sandusky Avenue, S.E., and extends back 126 8/100 feet on the Easterly line, 126 76/100 feet on the Westerly line, and has a rear line of 40 feet, as appears by said plat.

Also subject to all zoning ordinances, if any.

Section 39. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-01-095 as more fully described in Section 40 below, to Cleveland Housing Network Limited Partnership 17.

Section 40. That the real property to be sold pursuant to Section 39 of this Ordinance is more fully described as follows:

P. P. No. 136-01-095

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

Ohio, and known as being Sublot No. 56 in Leo W. Sapp's Subdivision of part of Original One Hundred Acre Lots Nos. 457 and 458, as shown by the recorded plat in Volume 5 of Maps, Page 26 of Cuyahoga County Records, and being 40.02 feet front on the Northerly side of Elizabeth Street, (now known as Elizabeth Avenue, S.E.) and extending back of equal width 140 feet to the Southerly line of Prince Avenue, S.E. (formerly Prince Street), as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 41. Reserved.

Section 42. Reserved.

Section 43. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-02-008 as more fully described in Section 44 below, to Cleveland Housing Network Limited Partnership 17.

Section 44. That the real property to be sold pursuant to Section 43 of this Ordinance is more fully described as follows:

P. P. No. 136-02-008

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 86 in Leo W. Sapp's Subdivision of part of Original One Hundred Acre Lots Nos. 458 and 457, as shown by the recorded plat in Volume 5 of Maps, Page 26 of Cuyahoga County Records and being a resurvey recorded in Volume 12, Page 25 of Cuyahoga County Records, and being 40.02 feet front on the Northerly side of Elizabeth Avenue and 140 feet deep running through to Prince Avenue, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 45. Reserved.

Section 46. Reserved.

Section 47. Reserved.

Section 48. Reserved.

Section 49. 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 50. 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. In meeting the minority participation goals, Cleveland Housing Network shall utilize MBE firms certified by the City's Office of Equal Opportunity for all work exceeding \$2,500 for a single transaction, or \$10,000 for a year. Minority firms that are not certified shall not be counted toward the goals.

Section 51. 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.

Section 52. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed February 28, 2000.

Effective February 29, 2000.

Ord. No. 175-2000.

By Councilmen Britt, Johnson, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program on scattered sites to the Buckeye Area Development Corporation or designee.

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-33-111 as more fully described in Section 2 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 121-33-111

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 40 in Grether and Palmer Subdivision of part of Original One Hundred Acre Lot No. 419 as shown by the recorded plat in Volume 14 of Maps, Page 39 of Cuyahoga County Records and being 40 feet front on the Southwesterly side of Mt. Carmel Road, and extending back of equal width 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-33-112 as more fully described in Section 4 below, to Buckeye Area Development Corporation or designee.

Section 4. That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P. P. No. 121-33-112

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 39 in Grether, Grether and Palmer and Perkins Subdivision of part of Original One Hundred Acre Lot No. 419, as shown by the recorded plat in Volume 14 of Maps, Page 39 of Cuyahoga County Records. Said Sublot No. 39 has a frontage of 40 feet on the Southwesterly side of Mt. Carmel Road, S.E., (formerly Ingersoll Road), and extends back between parallel lines 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 5. Reserved.

Section 6. Reserved.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-34-009 as more fully described in Section 8 below, to Buckeye Area Development Corporation or designee.

Section 8. That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P. P. No. 121-34-009

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in Quincy Heights Subdivision of part of Original One Hundred Acre Lots Nos. 418, 419 and 420, as shown by the recorded plat in Volume 37 of Maps, Page 2 of Cuyahoga County Records and being 36 feet front on the Southwesterly side of Woodstock Avenue, S.E., (formerly Quincy Avenue) and extending back of equal width 84.28 feet, as appears by said plat, be the same more or less, but subject to all legal highways. Subject to Zoning Ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 121-34-089 as more fully described in Section 10 below, to Buckeye Area Development Corporation or designee.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P. P. No. 121-34-089

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 43 in Heisley Heights' Subdivision of part of Original One Hundred Acre Lot Nos. 418, 419 and 420 as shown by the recorded plat in Volume 36 of Maps, Page 23 of Cuyahoga County Records, and being 40 feet front on the Northeasterly side of Mount Overlook Avenue, S.E., and extending back of equal width 104.65 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-020 as more fully described in Section 12 below, to Buckeye Area Development Corporation or designee.

Section 12. That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P. P. No. 128-01-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 16 in the Marshall Re-Subdivision of part of Original One Hundred Acre Lots Nos. 425 and 426, as shown by the recorded plat in Volume 22 of Maps, Page 15 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Shale Avenue, S.E., and extending back of equal width 126 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-024 as more fully described in Section 14 below, to Buckeye Area Development Corporation or designee.

Section 14. That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P. P. No. 128-01-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and bounded and described as follows, to wit: and known as being Sublot No. 12 in Marshall Re-Subdivision of Block "A" and "B" and Sublots Nos. 52, 54, 56 and 58 in the Bigalow Allotment of part of Original One Hundred Acre Lots Nos. 425 and 426, as shown by the recorded plat in Volume 22 of Maps, Page 15 of Cuyahoga County Records and being 40 feet front on the Northerly side of Shale Avenue, S.E., and extending back of equal width, 126 feet deep, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-120 as more fully described in Section 16 below, to Buckeye Area Development Corporation or designee.

Section 16. That the real property to be sold pursuant to Section 15 of this Ordinance is more fully described as follows:

P. P. No. 128-01-120

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 90 in Benham's Luna Heights Subdivision of part of Original One Hundred Acre Lot Nos. 417 and 418 as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records and being 40 feet front on the Southerly side of Crestwood Avenue, and extending back of equal width 105 feet as appears by said plat.

Subject to zoning ordinances, if any.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-13-004 as more fully described in Section 18 below, to Buckeye Area Development Corporation or designee.

Section 18. That the real property to be sold pursuant to Section 17 of this Ordinance is more fully described as follows:

P. P. No. 128-13-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 6 in J.J. Elwell and others Subdivision of part of Original One Hundred Acre Lots Nos. 426 and 425 as shown by the recorded plat in Volume 25 of Maps, Page 23 of Cuyahoga County Records and being 40 feet front on the Southerly side of Elwell Avenue, S.E., and extending back of equal width, 100 feet deep, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Subject to restrictions and Building Line Restrictions recited in Volume 427, Page 615 of Cuyahoga County Records, filed April 11, 1888 and refiled in Volume 573, Page 492 of Cuyahoga County Records, filed July 14, 1894.

Section 19. Reserved.

Section 20. Reserved.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-13-061 as more fully described in Section 22 below, to Buckeye Area Development Corporation or designee.

Section 22. That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows:

P. P. No. 128-13-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 28 in The I.H. Marshall Subdivision of part of Original One Hundred Acre Lots Nos. 425 and 426, as shown by the recorded plat in Volume 7 of Maps, Page 20 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Stoughton Avenue, and extending back of equal width 136 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-13-096 as more fully described in Section 24 below, to Buckeye Area Development Corporation or designee.

Section 24. That the real property to be sold pursuant to Section 23 of this Ordinance is more fully described as follows:

P. P. No. 128-13-096

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 36 in J. Heinas and G.W. Taylor Subdivision of part of Original One Hundred Acre Lots Nos. 425 and 426, as shown by the recorded plat in Volume 13 of Maps, Page 42 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Sophia Avenue, and extending back 113.07 feet on the Easterly line, 113.24 feet on the Westerly line, and having a rear line of 40 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 25. 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. 128-14-016 as more fully described in Section 26 below, to Buckeye Area Development Corporation or designee.

Section 26. That the real property to be sold pursuant to Section 25 of this Ordinance is more fully described as follows:

P. P. No. 128-14-016

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

Known as being Sublot No. 63 in Prochaska and Polcar Subdivision of part of Original One Hundred Acre Lot No. 426 as shown by the recorded plat in Volume 28 of Maps, Page 23 of Cuyahoga County Records and being 35 feet front on the Westerly side of East 104th Street and extending back of equal width 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

BEING the same property acquired by the Grantor pursuant to the provisions of the National Housing Act, as amended (12 USC 1701 et. seq.) and the Department of Housing and Urban Development Act (79 Stat. 667).

SUBJECT TO ALL covenants, restrictions, reservations, easements, conditions and right appearing of record; and SUBJECT to any state of facts an accurate survey would show.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-14-023 as more fully described in Section 28 below, to Buckeye Area Development Corporation or designee.

Section 28. That the real property to be sold pursuant to Section 27 of this Ordinance is more fully described as follows:

P. P. No. 128-14-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 56 in Prochaska and Polcar's South Woodland Avenue Allotment of a part of Original One Hundred Acre Lot No. 426, as shown by the recorded plat in Volume 28 of Maps, Page 23 of Cuyahoga County Records, and being 36 feet front on the Northerly side of Sophia Avenue, S.E., (formerly Heina Street), and extending back 117.08 feet on the Westerly line, 117.27 feet on the Easterly line, and having a rear line of 36 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-14-024 as more fully described in Section 30 below, to Buckeye Area Development Corporation or designee.

Section 30. That the real property to be sold pursuant to Section 29 of this Ordinance is more fully described as follows:

P. P. No. 128-14-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 55 in Prochaska and Polcar's South Woodland Allotment of part of Orig-

inal One Hundred Acre Lot No. 426 and Re-Allotment of Joseph Doffner's Allotment of part of Original One Hundred Acre Lot No. 426 as shown by the recorded plat in Volume 28 of Maps, Page 23 of Cuyahoga County Records and being 37 feet front on the Northerly side of Sophia Avenue, S.E., and extending back 117.08 feet on the Easterly line, 116.88 feet on the Westerly line and having a rear line of 37 feet, which is also the Southerly side of a 10 foot alley, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 31. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-14-026 as more fully described in Section 32 below, to Buckeye Area Development Corporation or designee.

Section 32. That the real property to be sold pursuant to Section 31 of this Ordinance is more fully described as follows:

P. P. No. 128-14-026

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 88 feet of Sublot No. 53 in Prochaska and Polcar's "South Woodland Avenue" Allotment of part of Original One Hundred Acre Lot No. 426, as shown by the recorded plat in Volume 28 of Maps, Page 23 of Cuyahoga County Records and being 40 feet front on the Northerly side of Sophia Avenue, S.E., (formerly Heina Street), and extending back of equal width with a distance of 88 feet along the Easterly side of East 102nd Street, (formerly Marshall Street), be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 33. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-14-033 as more fully described in Section 34 below, to Buckeye Area Development Corporation or designee.

Section 34. That the real property to be sold pursuant to Section 33 of this Ordinance is more fully described as follows:

P. P. No. 128-14-033

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 46 in Prochaska Polcar's South Woodland Avenue Allotment of part of Original One Hundred Acre Lot No. 426, as shown by the recorded plat in Volume 28 of Maps, Page 23 of Cuyahoga County Records and being 35 feet front on the Southerly side of Sophia Avenue and extending back 110.44 feet on the Westerly line, 110.26 feet on the Easterly line and having a rear line of 35 feet, as appears by said plat.

Also subject to all zoning ordinances, if any.

Section 35. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-14-036 as more fully described in Section 36 below, to Buckeye Area Development Corporation or designee.

Section 36. That the real property to be sold pursuant to Section 35 of this Ordinance is more fully described as follows:

P. P. No. 128-14-036

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 43 in Prochaska and Polcar's "South Woodland Avenue" Allotment of part of Original One Hundred Acre Lot No. 426 and a Re-Allotment of Joseph Duffner's Allotment of part of Original One Hundred Acre Lot No. 426, as shown by the recorded plat in Volume 28 of Maps, Page 23 of Cuyahoga County Records and being 35 feet front on the Southerly side of Sophia Avenue, S.E., and extending back 109.9 feet deep on the Westerly line, 109.72 feet deep on the Easterly line and 35 feet wide in the rear, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 37. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-14-089 as more fully described in Section 38 below, to Buckeye Area Development Corporation or designee.

Section 38. That the real property to be sold pursuant to Section 37 of this Ordinance is more fully described as follows:

P. P. No. 128-14-089

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 28.46 feet of Sublot No. 53 in Prochaska and Polcar's South Woodland Avenue Allotment of part of Original One Hundred Acre Lot No. 426, and a Re-Allotment of Joseph Duffner's Allotment of part of said Original One Hundred Acre Lot No. 426; the premise hereby conveyed being all of said Sublot No. 53, except the Southerly 88 feet thereof conveyed to Jennie Berta, by Deed dated March 28, 1922, and recorded in Cuyahoga County Records of Deeds, Volume 2538, Page 523, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 39. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-22-047 as more fully described in Section 40 below, to Buckeye Area Development Corporation or designee.

Section 40. That the real property to be sold pursuant to Section 39 of this Ordinance is more fully described as follows:

P. P. No. 128-22-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 59 in the Helper-Woodland Hills Park Subdivision of part of Original One Hundred Acre Lots Nos. 433 and 434, as shown by the recorded plat in Volume 42 of Maps, Page 26 of Cuyahoga County Records, and being 50 feet front on the Northerly side of Ramona Boulevard, 150 feet deep on the Easterly line, 150 feet deep on the Westerly line and 42.43 feet wide in the rear, as

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

Subject to Zoning Ordinances, if any.

Section 41. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 129-16-140 as more fully described in Section 42 below, to Buckeye Area Development Corporation or designee.

Section 42. That the real property to be sold pursuant to Section 41 of this Ordinance is more fully described as follows:

P. P. No. 129-16-140

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 38 in William M. Southern's Brugge Farm Subdivision of part of Original One Hundred Acre Lot No. 429, as shown by the recorded plat in Volume 35 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 125th Street (formerly John Street) and extending back of equal width 100 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to restrictions recorded in Volume 1494, Page 527 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

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

Section 44. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate. In meeting the minority participation goals, Buckeye Area Development Corporation shall utilize MBE firms certified by the City's Office of Equal Opportunity for all work exceeding \$2,500 for a single transaction, or \$10,000 for a year. Minority firms that are not certified shall not be counted toward the goals.

Section 45. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 46. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed February 28, 2000.

Effective February 29, 2000.

Ord. No. 277-2000.

By Councilman Britt.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the United Labor Agency for a Home Maintenance Assistance Program, using Ward 6 Workers' Compensation "Neighborhood Capital" Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the United Labor Agency for a Home Maintenance Assistance Program, using Ward 6 Workers' Compensation "Neighborhood Capital" Funds.

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

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed February 28, 2000.

Effective March 6, 2000.

Ord. No. 278-2000.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Ohio Canal Corridor for the preservation of the Hulett Ore Unloaders using Ward 13 Workers' Compensation "Neighborhood Capital" Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Ohio Canal Corridor for the preservation of the Hulett Ore Unloaders using Ward 13 Workers' Compensation "Neighborhood Capital" Funds.

Section 2. That the costs of said contract shall be in an amount not to exceed Ten Thousand Dollars (\$10,000) and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

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

Passed February 28, 2000.
Effective March 6, 2000.

Ord. No. 279-2000.

By Councilman Cimperman.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to CVS/Pharmacy to stretch banners at 1900 Euclid Avenue (north side and south side of street) and at East 22nd Street & Euclid Avenue (north and south side of street), for the period from April 1, 2000 to May 1, 2000, inclusive, publicizing the start and finish of the CVS/Pharmacy Cleveland Marathon 10K Run.

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 authorizes and director to issue a permit to CVS/Pharmacy to install, maintain and remove banners at 1900 Euclid Avenue publicizing the start of the CVS run (north side of street pole no. B 65 30 and south side of street pole no. 65 16) and East 22nd Street & Euclid Avenue publicizing the finish of the CVS run (north side of street pole no. 65 19 and south side of street pole no. BO 21 14 & BO 21 15), for the period from April 1, 2000 to May 1, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed February 28, 2000.
Effective March 6, 2000.

Ord. No. 280-2000.

By Councilman Cimperman.

An emergency ordinance consenting to and approving the issuance of a permit for the Cleveland Walk on April 30, 2000, sponsored by the March of Dimes.

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 Ordina-

nances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Cleveland Walk, sponsored by the March of Dimes, on April 30, 2000 beginning at the Southwest quadrant of Public Square cross Superior on the West Side of the quadrant. Turn West on the North Side of Superior and go down into the Flats on Superior at the North Side of the Veterans Memorial Bridge. At the base of the hill, cross the tracks for the Waterfront Line to the open area of the station. From the Waterfront Line Station go North on the sidewalk between the tracks and the river to Old River Road. Go North on the West Side of Old River Road to Dick's Last Resort, which will be checkpoint 1. Continue North on the West Side of Old River Road to Fagan's at the corner of Old River Road and Front Street, which will be checkpoint 2. Go East on the North side of Front Street to West Ninth Street and Go South on the East Side of that street to St. Clair Avenue and turn East on the North side of St. Clair. Go East on the North side of St. Clair to West Third Street. Turn Left on West Third Street and go North on the East Side of the street to checkpoint 3 on the sidewalk along Lakeside at the Park at the northeast corner of Lakeside and West Third. Go East on the North side of Lakeside to East Ninth Street. Continue South on the West Side of East ninth Street to St. Clair, and cross St. Clair to the South side of the street. Go west on the south side of St. Clair to Memorial Plaza, entering at the Northeast corner of the Plaza to checkpoint 4. People doing the short rout would exit Memorial Plaza at the Southwest corner of the Plaza and cross the Northeast quadrant of Public Square to the start/finish at the Southwest quadrant at this time. Full Route - Exit Memorial Plaza at the Southern AnteRoom passing between the Federal Courthouse and the Public Library. Cross Superior to the South Side of the street and go East to checkpoint 5 at 800 Superior, which is McDonald and Co. Continue East on the South Side of Superior to the East Side of East Twelfth Street. Turn right on the East Side of East Twelfth Street and cross to the South Side of Chester Avenue. Go East on the South Side of Chester to East Twenty-second Street and turn North on the West Side of the Street. Go South on the West Side of East Twenty-second Street to the intersection of Euclid and East Twenty-second. Cross Euclid to South Side of the Street and go East to checkpoint 6 at Rascal House. From Rascal House go West on the South Side of Euclid to checkpoint 7 at Star Plaza. From Star Plaza continue West on the South Side of Euclid to Public Square, crossing Ontario to the end of the walk at the Southwest quadrant of Public Square, 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 or 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, provide it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed February 28, 2000.
Effective March 6, 2000.

Ord. No. 281-2000.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the MS Walk 2000 on April 9, 2000, sponsored by the National Multiple Sclerosis Society.

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 MS Walk 2000, sponsored by the National Multiple Sclerosis, on April 9, 2000, beginning at Nautica Entertainment Complex in the Flats, follow Washington (west side) to Center St. turn left (north side), turn left onto Merwin Ave. (north side) past Heritage Park to old River Road, cross from west side to east side of Old River Rd., turn right onto Front St. (south side), turn right onto W. 9th (west side), turn left onto W. Lakeside Ave. (south side), turn left onto W. 3rd (east side), W. 3rd becomes Erieside Ave. (walk on the inside of the curve), **Rest Stop #1**, turn right onto E. 9th St. (west side), turn right onto Lakeside Ave. (north side), turn left onto Ontario (east side), turn left onto Superior (north side), turn right onto E. 12th (west side), turn left onto Chester (south side) follow Chester Ave. until E. 22nd, turn right onto E. 22nd (west side), turn right onto Prospect (north side), turn right onto E. 18th, (west side), turn left onto Euclid Ave. (south side), **Rest Stop #2**, Firststar Plaza follow Euclid Ave. (south Side) to E. 9th, turn left onto E. 9th (west side), MMO Stop, turn right onto Carnegie (north side), turn right onto Ontario (east side), follow Ontario to Public Square, cross to the west at Euclid and Ontario go north to the Northwest Quadrant of Public Square, **Rest Stop #3**, follow Superior to W. 6th (north side), turn right onto W. 6th (west side), turn left onto Lakeside Ave. (south side), turn right onto W. 9th (north side), turn left onto Front St. (north side), follow down the hill to Old River Road (west side), walk south to Merwin Ave. (north side), turn right onto Center St. (north side), turn right onto Washington St. (east side) and follow straight into Nautica, 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.

Passed February 28, 2000.
Effective March 6, 2000.

Ord. No. 282-2000.
By Councilmen Cimperman, Cintron and Melena.

An emergency ordinance consenting to and approving the issuance of a permit for the CVS/pharmacy - Cleveland Marathon & 10K on April 30, 2000.

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 CVS/pharmacy, sponsored by CVS Race Systems, on April 30, 2000 beginning at Cleveland State University (1700 Euclid Avenue), West on Euclid Avenue to East Public Square Drive, North on East Public Square Drive to Superior Avenue, East on Superior Avenue to East 45th Street, North on East 45th Street to St. Clair Avenue, West on St. Clair Avenue to Ontario Street, South on Ontario Street to Superior Avenue, West over Veterans Memorial Bridge to Detroit Avenue, West on Detroit Avenue to Lake Avenue, West on Lake Avenue into Lakewood, Rocky River and Bay Village. Return from Lakewood East on Lake Avenue to Detroit Avenue, East on Detroit Avenue to Veterans Memorial Bridge, East on Veterans Memorial Bridge to Superior Avenue, East on Superior Avenue to East Public Square Drive, South on East Public Square Drive to Euclid Avenue, East on Euclid Avenue to Finish line. Finish at Cleveland State University, East 22nd Street & Euclid Avenue, 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 or 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.

Passed February 28, 2000.
Effective March 6, 2000.

Ord. No. 283-2000.
By Councilman Cintron.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Ohio Canal Corridor for the preservation of the Hulett Ore Unloaders using Ward 14 Workers' Compensation "Neighborhood Capital" Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Ohio Canal Corridor for the preservation of the Hulett Ore Unloaders using Ward 14 Workers' Compensation "Neighborhood Capital" Funds.

Section 2. That the costs of said contract shall be in an amount not to exceed Five Thousand Dollars (\$5,000) and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed February 28, 2000.
Effective March 6, 2000.

Ord. No. 284-2000.
By Councilman Cintron.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Puerto Rican Society of Cleveland to conduct special activities to inform and promote participation in the US Census, using Ward 14 Workers' Compensation "Neighborhood Capital" Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Puerto Rican Society of Cleveland to conduct special activities to inform and promote participation in the US Census, using Ward 14 Workers' Compensation "Neighborhood Capital" Funds.

Section 2. That the costs of said contract shall be in an amount not to exceed Ten Thousand Dollars (\$10,000) and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

Passed February 28, 2000.
Effective March 6, 2000.

Ord. No. 285-2000.
By Councilman Coats.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the JAMAA Knights Youth Association for youth sports activities, using Ward 10 Workers' Compensation "Neighborhood Capital" Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the JAMAA Knights Youth Association for youth sports activities, using Ward 10 Workers' Compensation "Neighborhood Capital" Funds.

Section 2. That the costs of said contract shall be in an amount not to exceed Eight Thousand Dollars (\$8,000) and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed February 28, 2000.
Effective March 6, 2000.

Ord. No. 286-2000.
By Councilman Jones.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Amistad Development Corporation for Operation Clean Sweep, property maintenance services for low-income and senior citizens or disabled residents, using Ward 1 Workers' Compensation "Neighborhood Capital" Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Amistad Development Corporation for Operation Clean Sweep, property maintenance services for low-income and senior citizens or disabled residents, using Ward 1 Workers' Compensation "Neighborhood Capital" Funds.

Section 2. That the costs of said contract shall be in an amount not to exceed One Hundred Eighty-Six Thousand Dollars (\$186,000) and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said

contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed February 28, 2000.
Effective March 6, 2000.

Ord. No. 287-2000.

By Councilmen Melena and Westbrook.

An emergency ordinance consenting and approving the issuance of a permit for the Run for the Roses 5K Run on May 6, 2000, sponsored by Hermes Race Systems.

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 a 5K run, sponsored Hermes Race Systems, on May 6, 2000, starting on West 116th Street and Detroit. East on West 115th Street and north to Edgewater, then Edgewater east to Harborview, Harborview back to Edgewater, Edgewater east to West Blvd., West Blvd. Around Cliff Drive back to Edgewater, Edgewater west to Harborview, Harborview back to West 115th Street and back to church on West 116th Street and Detroit, 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.

Passed February 28, 2000.
Effective March 6, 2000.

Ord. No. 288-2000.

By Councilman Patmon.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Cory United Methodist Church to stretch two banners in front of 1117 East 105th Street, for the period from April 26, 2000 to May 30, 2000, inclusive, publicizing the Welcoming of the General Conference 2000.

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 authorizes and director to issue a permit to Cory United Methodist Church to install, maintain and remove two banners in front of the 1117 East 105th Street, for the period from April 26, 2000 to May 30, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed February 28, 2000.
Effective March 6, 2000.

Ord. No. 289-2000.

By Councilman White.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Umoja and Kuumba Youth Association for youth programs including Muny Football, Cheerleaders, Boy Scouts, Girl Scouts and Tutoring programs, using Ward 2 Workers' Compensation "Neighborhood Capital" Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Umoja and Kuumba Youth Association for youth programs including Muny Football, Cheerleaders, Boy Scouts, Girl Scouts and Tutoring programs, using Ward 2 Workers' Compensation "Neighborhood Capital" Funds.

Section 2. That the costs of said contract shall be in an amount not to exceed Five Thousand Dollars (\$5,000) and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed February 28, 2000.
Effective March 6, 2000.

Ord. No. 290-2000.

By Councilman White.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Union Miles Development Corporation for capital projects and purchases to enhance services provided by the Union Miles Development Corporation, using Ward 2 Workers' Compensation Neighborhood Capital Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Union Miles Development Corporation for capital projects and purchases to enhance services provided by the Union Miles Development Corporation, using "Ward 2 Workers' Compensation Neighborhood Capital" Funds.

Section 2. That the costs of said contract shall be in an amount not to exceed One Hundred Forty-Six Thousand Dollars (\$146,000) and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed February 28, 2000.
Effective March 6, 2000.

COUNCIL COMMITTEE MEETINGS

Thursday, March 2, 2000

Finance Committee (Budget Hearings): 9:30 a.m.—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Lewis, Melena, O'Malley, Polensek, Robinson, Sweeney. Excused: Johnson.

Friday, March 3, 2000

Finance Committee (Budget Hearings): 9:30 a.m.—Present: Patmon, Chairman; Rybka, Vice Chairman; Dolan, Lewis, Melena, O'Malley, Polensek, Sweeney. Excused: Cintron, Johnson, Robinson.

Monday, March 6, 2000

Finance Committee (Budget Hearings): 9:30 a.m.—Present: Patmon, Chairman; Rybka, Vice Chairman; Dolan, Lewis, O'Malley, Polensek, Robinson, Sweeney. Excused: Cintron, Johnson, Melena.

Wednesday, March 8, 2000

Finance Committee (Budget Hearings): 9:30 a.m.—Present: Patmon, Chairman; Rybka, Vice Chairman; Dolan, Lewis, Melena, O'Malley, Polensek, Robinson, Sweeney. Excused: Cintron, Johnson.

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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