

The City Record

Official Publication of the Council of the City of Cleveland



December the Twenty-Eighth, Two Thousand and Five

Jane L. Campbell
Mayor

Frank G. Jackson
President of Council

Valarie J. McCall
City Clerk, Clerk of Council

Ward	Name
1	James R. Knight
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Anthony Brancatelli
13	Joe Cimperman
14	Nelson Cintron, Jr.
15	Emily Lipovan Holan
16	Kevin J. Kelley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

Ward	Name	Residence	
1	James R. Knight	16217 Glendale Avenue	44128
2	Robert J. White	9703 Cardwell Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britty	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3004 Vega Avenue	44113
15	Emily Lipovan Holan	4579 South Hills Drive	44109
16	Kevin J. Kelley	6608 Woodhaven Avenue	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	1272 West Boulevard	44102
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

MAYOR – Jane L. Campbell

Christopher S. Ronayne, Chief of Staff
 Darnell Brown, Chief Operating Officer
 Craig Tame, Executive Assistant
 Collette J. Appolito, Director, Office of Equal Opportunity
 Margreat A. Jackson, Executive Assistant to the Mayor
 Erik Janas, Inter-Governmental Affairs Officer

DEPT. OF LAW – Teresa M. Beasley, Director, Richard F. Horvath, Chief Counsel, Rm. 106
 Karen E. Martines, Law Librarian, Room 100

DEPT. OF FINANCE – Robert H. Baker, Director, Room 104;

Frank Badalamenti, Manager, Internal Audit
 DIVISIONS: Accounts – Alan Schneider, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – Algeron Walker, Treasurer, Room 115
 Financial Reporting and Control – James Gentile, Controller, Room 18
 Information Technology and Services – Douglas Divish, Commissioner, 1404 East 9th Street
 Purchases and Supplies – James E. Hardy, Commissioner, Room 128
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
 Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

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

DIVISIONS – 1201 Lakeside Avenue
 Cleveland Public Power – James F. Majer, Commissioner
 Street Lighting Bureau – _____, Acting Chief
 Utilities Fiscal Control – Dennis Nichols, Commissioner
 Water – John Christopher Nielson, Commissioner
 Water Pollution Control – Ollie Shaw, Commissioner

DEPT. OF PORT CONTROL – John C. Mok, Director

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

DEPT. OF PUBLIC SERVICE – Mark Ricchiuto, Director, Room 113

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

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

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

DEPT. OF PUBLIC SAFETY – Sanford E. Watson, Director, Room 230

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

DEPT. OF PARKS, RECREATION & PROPERTIES – Antionette Thompson, Director

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director, 3rd Floor, City Hall

DIVISIONS: Administrative Services – Terrence Ross, Commissioner
 Neighborhood Services – Louise V. Jackson, Commissioner
 Neighborhood Development – Joseph A. Sidoti, Commissioner

DEPT. OF BUILDING AND HOUSING – James G. Williams, Director, Room 500

DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner
 Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Gina Routen, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Gregory G. Huth, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

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

CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Jonalyn M. Krupka, Secretary; Members: Diane M. Downing, William Morrison.

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

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members; Margaret Hopkins, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Secretary.

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

BOARD OF REVISION OF ASSESSMENTS – Law Director Teresa M. Beasley, President; Finance Director Robert H. Baker, Secretary; Council President Frank G. Jackson.

BOARD OF SIDEWALK APPEALS – Service Director Mark Ricchiuto; Law Director Teresa M. Beasley; Councilman Martin J. Sweeney.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Teresa M. Beasley; Utilities Director Julius Ciacca; Council President Frank G. Jackson.

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

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

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

FAIR HOUSING BOARD – Charles See, Chair; Cindy Barber, Vice Chair; Michael Doud, Doris Honsa, Richard Lenard.

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

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

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

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

BOARD OF EXAMINERS OF ELECTRICIANS – Samuel Montfort, Chairman; Donald Baulknight, 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 – James D. Gibans, Chair; Randall B. Shorr, Vice Chair; Kevin Dreyfuss-Wells, India Pierce Lee, Laura M. Noble, Robert N. Brown, N. Kurt Wiebusch, Council Member Joe Cimperman, Robert Jackimowicz; Robert Keiser, Secretary.

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

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	14B
Judge Ronald B. Adrine	15A
Judge Emanuella Groves	13A
Judge Mabel M. Jasper	14D
Judge Kathleen Ann Keough	13D
Judge Anita Laster Mays	14C
Judge Lauren C. Moore	14A
Judge Ronald J. H. O'Leary	12B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	15C
Judge Joan Synenberg	12A
Judge Pauline H. Tarver	12C
Judge Joseph J. Zone	13C

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

The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, DECEMBER 28, 2005

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CITY COUNCIL

MONDAY, DECEMBER 26, 2005

The City Record

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Address all communications to

VALARIE J. McCALL

City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2002-2005

MONDAY

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

MONDAY—Alternating

11:00 A.M. — **Public Service Committee:** Sweeney, Chairman; Vice Chairman; Brady, Cimperman, Johnson, Kelley, Knight, Polensek, White, Zone.

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

MONDAY

2:00 P.M. — **Finance Committee:** Jackson, Chairman; Sweeney, Vice Chairman; Brady, Britt, Cimperman, Coats, Conwell, Reed, Pierce Scott, Westbrook, White.

TUESDAY

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

TUESDAY—Alternating

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

1:30 P.M. — **Legislation Committee:** White, Chairman; Pierce Scott, Vice Chairman; Brancatelli, Dolan, Lipovan Holan, Johnson, Westbrook.

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Committee:** Coats, Chairman; Brady, Vice Chairman; Cintron, Kelley, Knight, Polensek, Sweeney, Westbrook, Zone.

1:30 P.M. — **City Planning Committee:** Cimperman, Chairman, Conwell, Vice Chairman, Brancatelli, Lipovan Holan, Kelley, Lewis, Pierce Scott.

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

Personnel and Operations Committee: Zone, Chairman; Britt, Cimperman, Coats, Pierce Scott.

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

ORDINANCE

Ord. No. 1780-05.

By Mayor Campbell.

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Steelyard Commons LLC, to provide for payments to the Cleveland City School District and to provide for the creation of the Steelyard Commons TIF Fund to be used for development and recreational improvements; and to declare certain improvements to real property to be a public purpose.

Whereas, under Section 5709.41 of the Revised Code, improvements to real property may be declared to be a public purpose where fee title to

such real property was, at one time, held by the City of Cleveland and the real property is then leased or conveyed by the City; and

Whereas, under the authority of Ordinance No. 1541-04, passed October 17, 2005, and prior to the passage of this ordinance, the City approved both the acquisition and conveyance of fee title to certain real property, which is more particularly described in the documents set forth in the file described in this ordinance (the "Real Property"); and

Whereas, under Section 5709.41 of the Revised Code, such improvements so declared to be a public purpose may be exempt from real property taxation; and

Whereas, under Section 5709.42 of the Revised Code, the owners of the improvements may be required to make annual service payments in lieu of taxes that would have been paid had such improvements not been exempt; and

Whereas, under Section 5709.41 of the Revised Code, the exemption may exceed 75% of the improvements for up to 30 years without the approval of the board of education of the school district within the territory of which the improvements are or will be located if the ordinance declaring improvements to a parcel to be a public purpose specifies that service payments in lieu of taxes provided for in Section 5709.42 of the Ohio Revised Code shall be paid to the school district in which the parcel is located in the amount of the taxes that would have been payable to the school district if the improvements had not been exempted from taxation; 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 and in accordance with the provisions of Section 5709.41 of the Revised Code, this Council finds and determines that 100% of the increase in assessed value of the Property after its acquisition by the City (which increase in assessed value is referred to as "Improvement" as defined in Section 5709.41 of the Revised Code) will be a public purpose.

Section 2. That one hundred percent (100%) of the Improvements are declared exempt from real property taxation for a period of 20 years beginning _____ 2005; and that in no event shall the exemption period extend beyond _____, 2026.

Section 3. That, under Section 5709.42 of the Revised Code, the owners of the Improvements shall make service payments for a period of 20 years in lieu of the exempt taxes to the Cuyahoga County Treasurer; the payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid had the Improvements not been exempt from taxation.

Section 4. That a portion of the service payments collected under Section 3 of this ordinance shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the Cleveland Municipal School District ("District") in the amount of the taxes that would have been payable to the District had the Improvement not been exempt from taxation.

Section 5. That the Mayor or Director of Economic Development, with the approval of the Director of Law, is authorized to enter into one or more agreements with such parties as may be necessary or appropriate to effectuate the purposes of this ordinance.

Section 6. That under Section 5709.43 of the Revised Code there is hereby established a Steelyard Commons Urban Redevelopment Tax Increment Equivalent Fund ("Steelyard Commons TIF Fund"), 70% of which shall be used for acquisition of land and to make improvements to the Tow Path Trail and Canal Basin Park. Of this 70%, if there are remaining funds, they shall be used for additional connector trails.

The remaining 30% shall be used for retail assistance programs and other commercial and industrial initiatives, including land acquisition, within the City. This 30% will be used primarily for projects that offset the impacts of Steelyard Commons on adjacent neighborhood commercial districts, and use of these funds will be guided by the retail impact study currently underway. These funds will be disbursed quarterly as grants, on a competitive basis, under criteria established by this Council and the Cleveland Citywide Development Corporation (CCDC). The CCDC will evaluate applications and make recommendations to this Council. Projects in the following categories will be eligible:

Neighborhood Retail: specifically those elements not funded by the existing Storefront Program (such as parking lots);

Neighborhood Small and Start-up Businesses: to assist with small business expansion, refine business plans, assist entrepreneurs to "get out of the garage and into a storefront," etc.;

Neighborhood Arts Projects: projects that enhance a neighborhood commercial/retail district;

Neighborhood Streetscape: in neighborhood commercial/residential districts;

Neighborhood Industrial Sites: planning, environmental site assessments, etc., of underused and/or abandoned neighborhood industrial sites; and

Land Acquisition: to support commercial development adjacent to the Tow Path Trail.

Section 7. That the service payments collected under Section 3

shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the City of Cleveland to be deposited in the Steelyard Commons TIF Fund created by Section 6. With the approval of the Director of Economic Development and the Director of Law, money deposited in the Steelyard Commons TIF Fund shall be used to for the purposes described in Section 6.

Section 8. That the Director of the Office of Equal Opportunity shall engage in discussions with the County Engineer to explore how employment of local residents and minority and female business enterprises can best be advanced. The Director of the Office of Equal Opportunity shall report back to this Council on the results of those discussions and shall make recommendations on how to achieve those goals.

Section 9. That the signed letter from Mitchell Schneider, President of First Interstate Properties Ltd., dated December 2, 2005 to the Council Member of Ward 13 shall be placed in File No. 1780-05-A.

Section 10. That there is hereby created an Advisory Committee that shall consist of five members selected as follows: one (1) member shall be appointed by this Council; one (1) member shall be appointed by the Mayor; one (1) member shall be appointed by the County Commissioners; and two (2) members shall be appointed by the Ohio Canal Corridor. The meetings of the Advisory Committee may be conducted at City Hall and shall be open to the public. Each six months, the Advisory Committee shall report to the Council Committees on Community and Economic Development and the Employment, Affirmative Action & Training on all aspects of the Improvement, including without limitation, overall progress, success on reaching employment goals, and a description of any purchases made in support of the Improvement.

Section 11. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in open meetings of this Council, and any of its committees that resulted in formal action were in meetings open to the public in compliance with the law.

Section 12. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

BOARD OF CONTROL

December 21, 2005

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 21, 2005, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.

Absent: Office of Equal Opportunity.

Others: Jim Hardy, Commissioner, Purchases and Supplies.

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

Resolution No. 716-05.

By Mayor Campbell.

Whereas, under authority of Ordinance No. 263-97, passed by the Cleveland City Council on June 16, 1997, and Board of Control Resolution No. 5-05, adopted January 12, 2005, the City, through the Mayor, entered into Contract No. 64147 with Mason Tillman Associates, Ltd. (Consultant), for the professional services necessary to conduct a disparity study of minority business enterprise (MBE) and female business enterprise (FBE) utilization as subcontractors by City contractors within the Cleveland contracting market; and

Whereas, the City and Consultant have determined that additional City contractor subcontracting data to that originally collected, and additional study and assessment of that data, was needed to complete the MBE and FBE subcontractor Disparity Study with results having a quality and reliability level consistent with industry standards; and

Whereas, the Consultant has proposed to render the additional services necessary to complete the Disparity Study for an amount of \$70,000; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that the Mayor is authorized to enter into a first amendment to Contract No. 64147 with Mason Tillman Associates, Ltd., on the basis of Consultant's proposal, for the above-mentioned additional services necessary to complete the Disparity Study, and increasing the fees for all services by \$70,000.00 to not to exceed \$127,995.00.

Be it further resolved, that the Mayor is authorized to execute all documents and do all things necessary to effect the first amendment to Contract No. 64147 authorized above.

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Director Mok, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Taylor and Williams.

Nays: None.

Absent: Directors Ricchiuto, Carroll and Fumich.

Resolution No. 717-05.

By Director Baker.

Whereas, Board of Control Resolution No. 613-05, adopted November 2, 2005, authorized the Director of Finance to enter into contract with Coleman Professional Services, Inc. dba Sage Computer Services for an estimated quantity of keypunch services for one year; and

Whereas, Resolution No. 613-05 incorrectly stated that the services

were "for various divisions of City government"; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 613-05, adopted by this Board of Control November 2, 2005, approving the bid of Coleman Professional Services, Inc. dba Sage Computer Services as lowest and best for an estimated quantity of keypunch services for one year is amended by deleting "for various divisions of City government", where appearing and substituting "for the Division of Taxation".

Be it further resolved that all other provisions of Resolution No. 613-05 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Director Mok, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Taylor and Williams.

Nays: None.

Absent: Directors Ricchiuto, Carroll and Fumich.

Resolution No. 718-05.

By Director Ciaccia.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Trax Construction Co. for the public improvement of Throckley Avenue Sanitary Sewer Replacement, (Base Bid All Items including the 10% contingency allowance) for the Division of Water Pollution Control, Department of Public Utilities, received on October 7, 2005, under the authority of Ordinance No. 647-05, passed June 6, 2005, upon a unit basis for the improvement, in the aggregate amount of \$450,032.00, is affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is authorized to enter into contract for the improvement with the bidder.

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

Resolution No. 719-05.

By Director Ciaccia.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on October 15, 2004 for an estimated quantity of labor and materials to maintain and repair various types of valves, actuators and appurtenances (items 2 and 6) for the Division of Water, Department of Public Utilities, under the authority of Ordinance No. 587-02, passed June 10, 2002, are rejected.

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

Resolution No. 720-05.

By Director Mok.

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

that, under the authority of Ordinance No. 552-2000, passed by the Council of the City of Cleveland on June 19, 2000, as amended by 1234-2000 passed on July 17, 2000, the firm of URS Corporation ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services to prepare a DOT (4)f analysis to evaluate the impact to Cleveland Metroparks' property located within the approach zone and runway protection zone of Runway 6L/24R at Cleveland Hopkins International Airport.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with URS Corporation based upon its proposal dated June 1, 2004, provided that the compensation to URS Corporation for the services authorized shall not exceed \$45,000.00 which contract shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

Resolution No. 721-05.

By Director Mok.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to Article 8 of the Agreement and Lease between the City of Cleveland and the Original Scheduled Airlines and the Additional Scheduled Airlines, the 2006 Annual Budget and calculation of the Rentals and Landing Fee Rates shall be adopted and effective as of January 1, 2006.

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

Resolution No. 722-05.

By Director Mok.

Whereas, under Section 571.85 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to fix fees for parking aircraft on City-owned and operated ramp areas at Cleveland Hopkins International Airport and Burke Lakefront Airport in the amounts as said Director deems appropriate, and as approved by the Board of Control; now, therefore,

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

571.85 C.O., the following fees fixed by the Director of Port Control for parking aircraft at non-leased, City-owned and operated ramp areas adjacent to the terminal building at Cleveland Hopkins International Airport, are approved:

Public Aircraft: No Charge

Private Aircraft, Commercial Aircraft, Corporate Aircraft, Scheduled Air Carrier Aircraft, and Private Aircraft transporting persons for business purposes: \$100.00

Be it further resolved by the Board of Control of the City of Cleveland, that pursuant to Section 571.85 of the Codified Ordinances of Cleveland, Ohio, 1976, the following charges for landing fees at Burke Lakefront Airport, as fixed by the Commissioner of Burke Lakefront Airport, are approved:

Public Aircraft: No Charge

Private Aircraft, Commercial Aircraft, Corporate Aircraft, Scheduled Air Carrier Aircraft, And Private Aircraft transporting persons for business purposes

Single Engine Aircraft and Helicopters: \$5.00

Multi-Engine Aircraft by Gross Weight as follows:

0 - 5,000 lbs.	Up to \$ 7.00
5,001 - 10,000 lbs.	Up to \$10.00
10,001 - 12,500 lbs.	Up to \$12.00
12,501 - 97,999 lbs.	Up to \$ 1.50 per 1,000 lbs. gross wt.
98,000 lbs. and over	Up to \$ 2.00 per 1,000 lbs. gross wt.

Be it further resolved that under Section 571.85 of the Codified Ordinances of Cleveland, Ohio, 1976, the following fees fixed by the Director of Port Control for parking aircraft on city-owned and operated ramp areas at Burke Lakefront Airport; are approved:

DAILY PARKING/TIE-DOWN FEES ON DESIGNATED CITY RAMPS

Public Aircraft and Mercy Flights No Charge

Private Aircraft, Commercial Aircraft, Corporate Aircraft, Scheduled Air Carrier Aircraft, and Private Aircraft transporting persons for business purposes —

For periods from 0-2 hours: No Charge

For periods from 2 - 24 hours, and for each Additional 24 hour period, or portion thereof as follows:

Single-Engine Aircraft and Helicopters:	\$ 5.00
Multi-Engine Aircraft Weight as follows:	
0 - 10,000 lbs.	\$ 5.00
10,000 lbs. - 12,500 lbs.	\$10.00
12,501 lbs. - and over	\$ 1.00
	per 1,000 lbs. gross wt.

MONTHLY PARKING/TIE-DOWN FEES ON DESIGNATED CITY RAMPS

Single-Engine and Helicopters	\$ 50.00
Multi-Engine Aircraft by weight as follows:	
0 - 10,000 lbs.	\$ 50.00
10,001 lbs. and over	\$100.00

Be it further resolved for the purpose of this Resolution, the following definitions shall apply:

"Commercial Aircraft" shall mean an aircraft carrying persons or property for compensation or hire.

"Corporate Aircraft" shall mean a company owned aircraft transporting persons or property for business purposes.

"Gross Weight" shall mean the maximum allowable certified gross landing weight.

"Mercy Flight" shall mean an air medical transport flight that is operated by a non-profit or a for-profit provider of air medical transport where the flight is provided at no cost.

"Private Aircraft" shall mean an aircraft that is not a Commercial Aircraft, Corporate Aircraft, Public Aircraft, or Scheduled Air Carrier Aircraft.

"Public Aircraft" shall mean an aircraft used in the service of a government entity at the local, state or federal level.

"Scheduled Air Carrier" shall mean an airline that submits schedules in advance and reports landings on a monthly basis to the Department of Port Control.

Be it further resolved that Resolution No. 46-05, adopted January 25, 2005, is rescinded, and that the rates fixed shall be in force and effect for a period not to exceed one year from March 1, 2006 to February 28, 2007.

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 723-05.

By Director Mok.
Whereas, under the authority of Ordinance No. 405-02, passed by Cleveland City Council on June 3, 2002, the City of Cleveland entered into a Lease by Way of Concession with World Wide Flight Services, Inc., City Contract No. 60241, for World Wide Flight Service's use of space in the former Air Cargo Facilities, Inc. building for operation of an air cargo handling facility; and

Whereas, under Article XIII of City Contract No. 60241 World Wide

Flight Services, Inc. would like to sublease part of its leased premises at the former Air Cargo Facilities, Inc. building to Delta Airlines, Inc.; and

Whereas, subleasing of said leased premises to Delta Airlines, Inc. will not constitute a release or waiver of any of World Wide Flight Services, Inc.'s obligations under City Contract No. 60241; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that according to the terms of City Contract No. 60241, this Board approves the request of World Wide Flight Services, Inc. to enter into a sublease with Delta Airlines, Inc. for Delta Airlines, Inc.'s exclusive use of 782 square feet of space located at the former Air Cargo Facilities, Inc. building on a month-by-month basis commencing December 15, 2005, provided that the terms of such sublease shall not be in conflict with the terms of City Contract 60241.

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 this sublease as approved, which documents shall contain such additional terms and conditions as the Director shall deem necessary to protect the City's interests.

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 724-05.

By Director Mok.
Resolved, by the Board of Control of the City of Cleveland that the bid of Air Rite, Inc. for labor and materials necessary to maintain and repair heating, ventilation, and air conditioning systems, including air filters, all items for the various divisions of Department of Port Control, for a period of two years beginning with the date of execution of a contract, received on October 20, 2005, under the authority of Ordinance No. 698-05, passed on May 2, 2005, which on the basis of the estimated quantity would amount to \$77,285.02 is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the labor and materials necessary, which will provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 158546 which will be certified against the contract in the sum of \$3,864.25.

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

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto,

Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 725-05.

By Director Mok.
Be it resolved by the Board of Control of the City of Cleveland that the bid of S & L Specialty Contracting, Inc., for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, HVAC/Electrical Construction, Contract "A-05-2", all items, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on October 19, 2005, under the authority of Ordinance No. 930-95, passed on June 19, 1995, Ordinance No. 469-98, passed on May 18, 1998, and Ordinance No. 327-2000, passed on June 12, 2000, upon a unit basis for the improvement, in the aggregate amount of \$541,302.98, is affirmed and approved as the lowest responsible bid; and the Director of Port Control is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved that the employment of the following subcontractors by S & L Specialty Contracting, Inc. for the public improvement of the Phase 2 Continuation of the Residential Sound Insulation Program, HVAC/Electrical Construction, Contract "A-05-2", hereby is approved:

<u>Subcontractors</u>	<u>MBE/FBE%</u> <u>Dollar Amount</u>
Cahlik Electric Co.	20.32% FBE \$110,000.00

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 726-05.

By Director Mok.
Be it resolved by the Board of Control of the City of Cleveland that the bid of S & L Specialty Contracting, Inc., for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, HVAC/Electrical Construction, Contract "C-05-2", all items, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on October 19, 2005, under the authority of Ordinance No. 930-95, passed on June 19, 1995, Ordinance No. 469-98, passed on May 18, 1998, and Ordinance No. 327-2000, passed on June 12, 2000, upon a unit basis for the improvement, in the aggregate amount of \$406,975.89, is affirmed and approved as the lowest responsible bid; and the Director of Port Control is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved that the employment of the following subcontractors by S & L Specialty Contracting, Inc. for the public improve-

ment of the Phase 2 Continuation of the Residential Sound Insulation Program, HVAC/Electrical Construction, Contract "C-05-2", hereby is approved:

<u>Subcontractors</u>	<u>MBE/FBE%</u>	<u>Dollar Amount</u>
Cahlk Electric Co.	27.03% FBE	\$110,000.00

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.
Nays: None.
Absent: None.

Resolution No. 727-05.

By Director Ricchiuto.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Fred L. Wiggins (dba) Wiggins Interiors, for the public improvement of the building improvements for the office renovations to the Division of Purchases and Supplies, base bid, for the Department of Public Service, received on November 23, 2005, under the authority of Ordinance No. 835-02, passed June 3, 2002, for a gross price for the improvement in the aggregate amount of \$23,418, is affirmed and approved as the lowest responsible bid, and the Director of Public Service is authorized to enter into contract for the improvement with the bidder.

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.
Nays: None.
Absent: None.

Resolution No. 728-05.

By Director Ricchiuto.
Whereas, pursuant to the authority of Ordinance No. 417-05 passed by the Council of the City of Cleveland on April 25, 2005, and Resolution No. 523-05 adopted by the Board of Control of the City of Cleveland on September 21, 2005, the City of Cleveland entered into a contract with Traffic Control Products, Inc. for the purchase of Various Traffic Signal Equipment, items 12, 13, 14, 17, 21, 25, 30, 31, and 32 for the Division of Traffic Engineering, Department of Public Service; and

Whereas, in said Resolution No. 523-05, the Requisition Number was incorrectly stated as 159264; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 523-05, adopted September 25, 2005, affirming and approving the bid of Traffic Control Products Inc., as the lowest and best bid for the purchase of Various Signal Equipment items 12, 13, 14, 17, 21, 25, 30, 31, and 32 for the Division of Traffic Engineering, Department of Public Service, hereby is amended by changing the Requisition number to 159259.

Be it further resolved that all other provisions of said resolution not expressly amended hereby shall remain in full force and effect.

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.
Nays: None.
Absent: None.

Resolution No. 729-05.

By Director Ricchiuto.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Apex Construction and Management Company, Inc., for the public improvement of the building improvements for the exhaust hood and suppression system at the West Side Market, base bid, for the Department of Public Service, received on November 10, 2005, under the authority of Ordinance No. 837-02, passed June 10, 2002, for a gross price for the improvement in the aggregate amount of \$57,476, is affirmed and approved as the lowest responsible bid, and the Director of Public Service is authorized to enter into contract for the improvement with the bidder.

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

<u>Subcontractor</u>	<u>MBE/FBE</u>	<u>Amount</u>	<u>Percentage</u>
Work Best Electric			
FBE		\$ 3,995	6.95%
R & R International			
MBE		\$ 1,500	2.61%
Precision First		\$33,000	57.42%

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.
Nays: None.
Absent: None.

Resolution No. 730-05.

By Director Ricchiuto.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Traffic Control Products Inc. for purchase of item #1, LED Pedestrian Signal Units, used for the installation of traffic signals, for the Division of Traffic Engineering, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on September 1, 2005, under the authority of Ordinance No. 417-05, passed April 25, 2005, which on the basis of the estimated quantity would amount to \$72,000.00, is affirmed and approved as the lowest and best bid, and the Director of Public Service is authorized to enter into a requirement contract for the

goods which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 171813 which shall be certified against the contract in the sum of \$54,000.00.

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

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.
Nays: None.
Absent: None.

Resolution No. 731-05.

By Director Watson.
Resolved by the Board of Control of the City of Cleveland that all bids received on June 16, 2005, for aviation maintenance, for the Division of Police, Department of Public Safety, under the authority of Ordinance No. 1089-04, passed by Cleveland City Council on August 11, 2004, are hereby rejected.

Yeas: None.
Nays: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.
Absent: None.

Resolution No. 732-05.

By Director Watson.
Resolved by the Board of Control of the City of Cleveland that all bids received on August 26, 2005, for M.S.A. breathing apparatus, all items, for the Division of Fire, Department of Public Safety, under the authority of Ordinance No. 580-05, passed by Cleveland City Council on June 6, 2005, are hereby rejected.

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.
Nays: None.
Absent: None.

Resolution No. 733-05.

By Director Watson.
Resolved by the Board of Control of the City of Cleveland that the bid of FATS, Inc. for an estimated quantity of firearms training system, all items, for the Department of Public Safety, Division of Police, for the period of one (1) year beginning with the date of execution of a contract, received on October 27, 2005, under the authority of Ordinance No. 2460-02, passed by Cleveland City Council on March 24, 2003, which on the basis of the estimated quantity would amount to \$94,450.00 is affirmed and approved as the lowest and best bid, and the Director of Public Safety is requested to enter into a requirement contract for the

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

Requisition No. 145509

which shall be certified against the contract in the sum of \$94,450.00.

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

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

Resolution No. 734-05.

By Director Thompson.

Resolved by the Board of Control of the City of Cleveland that the bid of AAA Pipe Cleaning Corporation for the following: Provide labor and material necessary to repair test tees on the sanitary sewer at the Justice Center, including related work for the Division of Property Management, Department of Parks, Recreation and Properties, received on the 8th day of September 2005, pursuant to the authority of Ordinance No. 472-05, passed April 11, 2005, which on the basis of the order quantity would amount to \$38,000.00, is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Yeas: None.

Nays: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.

Absent: None.

Resolution No. 735-05.

By Director Thompson.

Resolved by the Board of Control of the City of Cleveland that the bid of AAA Pipe Cleaning Corporation for the following: Provide labor, materials and equipment to clear storm sewer at Enginehouse 20, including but not limited to cutting, removing and replacing pavement for the Division of Property Management, Department of Parks, Recreation and Properties, received on the 8th day of September 2005, pursuant to the authority of Ordinance No. 704-05, passed June 6, 2005, which on the basis of the order quantity would amount to \$19,500.00, is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Yeas: None.

Nays: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus,

Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.

Absent: None.

Resolution No. 736-05.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 107-08-124, located at East 80th Street under said Land Reutilization Program; and

Whereas, Ordinance No. 1031-04 passed July 14, 2004, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Robert Caldwell and Frances Caldwell have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1031-04 passed July 14, 2004, 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 Robert Caldwell and Frances Caldwell for the sale and development of Permanent Parcel No. 107-08-124, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1,300.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

Resolution No. 737-05.

By Director Rush.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 109-16-045 located at Grantwood Avenue in Ward 8; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, The Glenville Development Corporation, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 8 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with The Glenville Development Corporation for the sale and development of Permanent Parcel No. 109-16-045 located at Grantwood Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor Campbell, Director Beasley, Acting Directors Schneider, Nielson, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Thompson, Acting Directors Wilbur, Antonello, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

EXAMINATION RESULTS: Each applicant whether passing or failing will be notified of the results of the examination as soon as the commission has graded the papers. Thereafter, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

PHYSICAL EXAMINATION: All candidates for original entrance positions who are successful in other parts of the examinations must submit to a physical examination.

REYNALDO GALINDO,
President

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, JANUARY 9, 2006

9:30 A.M.

Calendar No. 05-369: 2317 West 5th Street (Ward 13)

George Martinek, owner, and Ryan Wach, prospective purchaser, appeal to erect a 19.5' x 60' four-story frame and masonry single family dwelling on a 27' x 117.5' parcel, located in a Two-Family District on the east side of West 5th Street at 2317 West 5th Street; contrary to the requirements of Section 357.09(2)A, no side yards are provided and a total width of side yards on the same premises shall not be less than one-half the height of the main building, or 17.5', but in no case may the width be less than 10' and no building may be erected less than 10' from a main building on an adjoining lot; and the proposed maximum gross floor area is 4,680 s/f where 3,172 s/f is allowed, and a lot width of 27' is provided where a 40' minimum lot width is required, as stated in Section 355.05 of the Codified Ordinances.

Calendar No. 05-378: 3249 East 143rd Street (Ward 4)

Rashiqa Abukhalil, owner, appeals to rebuild an existing non-conforming building with stores, situated on a 40' x 133' parcel located in a Two-Family District on the east side of East 143rd Street at 3249 East 143rd Street; subject to the limitations of Repairs and Restorations of Buildings of Non-conforming Use, if more than 50% destroyed or removed by whatever cause, a nonconforming building shall not be restored or replaced except in conformity with the regulations for the district in which it is located, as stated in Section 359.03(b) of the Codified Ordinances.

Calendar No. 05-379: 3060 West 121st Street (Ward 19)

Larjon Corporation, d.b.a. American Tank & Fabricating Company, owner, and Robert Ripich, appeal to install approximately 195 linear feet of 6' high chain link fence with 1' of barbed wire on a 209' x 237' parcel located in split zoning between Semi-Industry and General Industry Districts on the west side of West 121st Street at 3060 West 121st Street; as proposed, the fence installation exceeds the allowable 4' height and location permitted under Section 358.05(a)(2) and further subject to the Fence Regulations, a barbed wire fence, where permitted, must be located at least 4' from a sidewalk in a public right of way and the required setback must be planted with shrubs spaced no more than 5' apart or trees spaced not more than 20' apart, as stated in Sections 358.05(b)(1)(3) of the Codified Ordinances.

Calendar No. 05-380: 2540 West 5th Street (Ward 13)

Cuyahoga Metropolitan Housing Authority, owner, and August Fluker, agent, appeal to construct 190 two and three-story townhouses, proposed to be on the Valley View Homes acreage, located in a Multi-Family District between Marquardt Avenue and Quigley Road at 2540 West 5th Street; contrary to the Yard Requirements for Large-Scale Housing Developments, there is no separation provided, where two and three-story residence buildings are required to be 50' and 55' separated, respectively, from any other building on the lot, as stated in Section 357.10 of the Codified Ordinances.

Calendar No. 05-381: 770 East 185th Street (Ward 11)

Gary Simmons, owner, appeals to construct a dumpster enclosure in the northwest corner of a restaurant parking lot, located in a Local Retail Business District on the west side of East 185th Street at 770 East 185th Street; as proposed, the dumpster enclosure is not permitted in the required 8' transition strip as stated in Section 352.09 of the Codified Ordinances.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

TUESDAY, DECEMBER 27, 2005

Appeals on the Board of Zoning Appeals agenda that were heard and decided on December 19, 2005 will be approved and adopted by the Board in the Executive Session on January 3, 2006.

Secretary

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

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

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

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, January 11, 2006
1:30 p.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning

will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, January 11, 2006, at 1:30 p.m., to consider the following ordinances now pending in the Council:

Ord. No. 1840-05.

By Council Member Zone.

An ordinance to change the Use District of the rear half of a parcel of land on the South side of Elton Avenue from a Local Retail Business District to a Two-Family Residential District (Map Change No. 2162, Sheet Number 1).

Ord. No. 1963-05.

By Council Member Britt.

An ordinance establishing the a Pedestrian Retail Overlay (PRO) District along Larchmere Boulevard between East 121st Street and North Moreland Boulevard (Map Change No. 2167, Sheet No. 9).

Ord. No. 1993-05.

By Council Member Zone.

An ordinance changing the Use District of property on the northwest corner of Franklin Ave. and W. 65th St. to a Local Retail Business District and changing the Use, Area and Height Districts of property located on the east side of W. 65th St. from Franklin Avenue, including the north side, to Bridge Avenue to a Two Family Residential District, a 'B' Area District and a '1' Height District (Map Change No. 2168, Sheet No. 1).

Ord. No. 1994-05.

By Council Member Britt.

An ordinance to change the zoning of the rear 50 feet of 8110 Carnegie Avenue from Local Retail Business to Semi-Industry (Map Change No. 2169, Sheet No. 5).

Ord. No. 2043-05.

By Council Members Cimperman, Lewis, Jackson and Britt.

An ordinance expanding the Midtown Business Revitalization District as shown on the attached map (Map Change No. 2170, Sheet Numbers 4 & 5).

Ord. No. 2083-05.

By Council Member Cimperman.

An ordinance to change the Use District of land bounded by East 55th Street, Bonna Avenue and East 58th Street as shown on the attached map to a Residence Industry District (Map Change No. 2172, Sheet No. 4).

Ord. No. 2095-05.

By Council Member Cintron.

An ordinance establishing the Clark Metro Business Revitalization District (Map Change No. 2082, Sheet Nos. 1 and 2).

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

Joseph C. Cimperman
Chairman
Committee on City Planning

December 28, 2005 and January 4, 2006

CITY OF CLEVELAND BIDS**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

FRIDAY, JANUARY 13, 2006

Renovations to the Public Restrooms in the Terminal Building, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 359-05, passed by the Council of the City of Cleveland, May 2, 2005.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS/SPECIFICATIONS** IN THE AMOUNT OF ONE HUNDRED FIFTY DOLLARS (\$150.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, THURSDAY, JANUARY 5, 2006 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S ENGINEERING BUILDING, 19501 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

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

Automatic Vehicle Location Upgrade, for the Division of ISS, Department of Public Safety, as authorized by Ordinance No. 1086-04, passed by the Council of the City of Cleveland, August 11, 2004.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, JANUARY 3, 2006 AT 2:00 P.M., 205 WEST ST. CLAIR STREET, 5TH FLOOR CONFERENCE ROOM, CLEVELAND, OHIO 44114.

Tablet PC and Vehicle Dock, for the Division of ISS, Department of Public Safety, as authorized by Ordinance No. 1086-04, passed by the Council of the City of Cleveland, August 11, 2004.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, JANUARY 3, 2006 AT 2:00 P.M., 205 WEST ST. CLAIR STREET, 5TH FLOOR CONFERENCE ROOM, CLEVELAND, OHIO 44114.

December 21, 2005 and December 28, 2005

WEDNESDAY, JANUARY 18, 2006

Phase II Residential Sound Insulation Program (RSIP) 2006 General Construction (Contract A-06-1) and HVAC/Electrical (Contract A-06-2), for Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 930-95, 469-98 and 327-2000, passed by the Council of the City of Cleveland, June 19, 1995, May 18, 1998 and June 12, 2000, respectively.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, JANUARY 5, 2006 AT 10:00 A.M., C & S ENGINEERS OF OHIO, LOCATED AT ONE INTERNATIONAL PLACE, 20445 EMERALD PARKWAY, SUITE 100, CLEVELAND, OHIO 44135.

Phase II Residential Sound Insulation Program (RSIP) 2005 General Construction (Contract A-05-1) (Re-Bid), for Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 930-95, 469-98 and 327-2000, passed by the Council of the City of Cleveland, June 19, 1995, May 18, 1998 and June 12, 2000, respectively.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, JANUARY 5, 2006 AT 10:00 A.M., C & S ENGINEERS OF OHIO, LOCATED AT ONE INTERNATIONAL PLACE, 20445 EMERALD PARKWAY, SUITE 100, CLEVELAND, OHIO 44135.

December 21, 2005 and December 28, 2005

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Labor and Materials to Test and Refurbish Existing Unit Process Equipment and Chemical Feeding Equipment and Appurtenances, for

the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 411-05, passed by the Council of the City of Cleveland, May 9, 2005.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, WEDNESDAY, JANUARY 4, 2006 AT 2:00 P.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, 4TH FLOOR CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

December 21, 2005 and December 28, 2005

WEDNESDAY, JANUARY 11, 2006

Earle B. Turner Recreation Center — Gymnasium Renovations (Phase 2), for the Division of Architecture, Department of Public Service, as authorized by Ordinance Nos. 1264-03 and 2151-03, passed by the Council of the City of Cleveland, July 16, 2003 and December 15, 2003, respectively.

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

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December 28, 2005 and January 4, 2006

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Cab/Chassis with Small Refuse Packer, for the Various Divisions, Department of Public Service, as authorized by Ordinance No. 829-05, passed by the Council of the City of Cleveland, May 9, 2005.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, JANUARY 6, 2006 AT 2:00 P.M., MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44114.

Cab/Chassis with USV Bodies, Medium and Large, for the Various Divisions, Department of Public Service, as authorized by Ordinance No. 1481-04, passed by the Council of the City of Cleveland, October 11, 2004.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, JANUARY 6, 2006 AT 2:30 P.M., MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44114.

Aerial Boom Lift with Trailer, for the Various Divisions, Department of Public Service, as authorized by Ordinance No. 829-05, passed by the Council of the City of Cleveland, May 9, 2005.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, JANUARY 6, 2006 AT 3:00 P.M., MOTOR VEHICLE

MAINTENANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44114.

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

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ADOPTED RESOLUTIONS AND ORDINANCES

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