

# The City Record

Official Publication of the Council of the City of Cleveland



May the Twenty-Seventh, Two Thousand and Nine

**Frank G. Jackson**  
Mayor

**Martin J. Sweeney**  
President of Council

**Patricia J. Britt**  
City Clerk, Clerk of Council

Ward	Name
1	Terrell H. Pruitt
2	Nathaniel K. Wilkes
3	Zachary Reed
4	Kenneth L. Johnson
5	Phyllis E. Cleveland
6	Mamie J. Mitchell
7	TJ Dow
8	Shari L. Cloud
9	Kevin Conwell
10	Eugene R. Miller
11	Michael D. Polensek
12	Anthony Brancatelli
13	Joe Cimperman
14	Joseph Santiago
15	Brian J. Cummins
16	Kevin J. Kelley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Martin J. Keane

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Terrell H. Pruitt	3877 East 189th Street	44122
2	Nathaniel K. Wilkes	8410 Vineyard Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	8323 Pulaski Avenue	44103
8	Shari L. Cloud	1152 East 98th Street	44108
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Eugene R. Miller	13615 Kelso Avenue	44110
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Joe Cimperman	P.O. Box 91688	44101
14	Joseph Santiago	3169 West 14th Street	44109
15	Brian J. Cummins	3104 Mapledale Avenue	44109
16	Kevin J. Kelley	6608 Woodhaven Avenue	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	1272 West Boulevard	44102
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Martin J. Keane	15907 Colletta Lane	44111

City Clerk, Clerk of Council – Patricia J. Britt, 216 City Hall, 664–2840  
First Assistant Clerk — Sandra Franklin

### MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff  
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer  
Valerie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs  
Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development  
Monyka S. Price, Executive Assistant to the Mayor, Chief of Education  
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications  
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary  
Natoya J. Walker, Interim Director, Office of Equal Opportunity

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

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

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

DEPT. OF PUBLIC UTILITIES – Barry A. Withers, Interim Director, 1201 Lakeside Avenue  
DIVISIONS – 1201 Lakeside Avenue

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

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

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

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 1925 St. Clair Ave.  
DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner  
Environment – Willie Bess, Commissioner, Mural Building, 1925 St. Clair Ave.  
Health – Anjou Parekh, Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230  
DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street  
Corrections – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.  
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive  
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue  
Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

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

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

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

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

DEPT. OF ECONOMIC DEVELOPMENT – Tracey A. Nichols, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Omayra G. Feliciano, Acting Director

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

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

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

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

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

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

BOARD OF SIDEWALK APPEALS – Service Director Jomarie Wasik, Law Director Robert J. Triozzi; Councilman \_\_\_\_\_.

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

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

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

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

FAIR HOUSING BOARD – Charles See, Chair; Lisa Camacho, Daniel Conway, Robert L. Render, Genesis O. Brown.

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

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

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

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey, Allan Dreyer, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert Keiser, Secretary.

AUDIT COMMITTEE – Yvette M. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Martin J. Sweeney; Law Director Robert J. Triozzi.

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

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

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Paul J. Mizerak – Bailiff; Jerome M. Krakowski – 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, MAY 27, 2009

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## CITY COUNCIL

MONDAY, MAY 25, 2009

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Address all communications to  
**PATRICIA J. BRITT**  
City Clerk, Clerk of Council  
216 City Hall

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

#### MONDAY — Alternating

9:30 A.M. — **Public Parks, Properties and Recreation Committee:** Johnson, Chair; Wilkes, Vice Chair; Brancatelli, Cummins, Kelley, Polensek, Pruitt.

9:30 A.M. — **Health and Human Services Committee:** Cleveland, Chair; Kelley, Vice Chair; Cimperman, Conwell, Mitchell, Reed, Santiago.

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

11:00 A.M. — **Legislation Committee:** Dow, Chair; Keane, Vice Chair; Cleveland, Cloud, Johnson, Reed, Wilkes.

#### MONDAY

2:00 P.M. — **Finance Committee:** Sweeney, Chair; Cimperman, Vice Chair; Brady, Brancatelli, Cleveland, Conwell, Kelley, Miller, Mitchell, Polensek, Westbrook.

#### TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Brancatelli, Chair; Dow, Vice Chair; Brady, Cloud, Cummins, Miller, Pruitt, Westbrook, Zone.

1:30 P.M. — **Employment, Affirmative Action and Training Committee:** Pruitt, Chair; Santiago, Vice Chair; Conwell, Cummins, Johnson, Miller, Mitchell.

#### WEDNESDAY — Alternating

10:00 A.M. — **Aviation and Transportation Committee:** Kelley, Chair; Keane, Vice Chair; Cleveland, Cloud, Dow, Mitchell, Westbrook.

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Brady, Vice Chair; Cummins, Miller, Mitchell, Polensek, Pruitt, Santiago, Zone.

#### WEDNESDAY — Alternating

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

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

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

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

**Personnel and Operations Committee:** Westbrook, Chair; Cloud, Kelley, Mitchell, Santiago, Sweeney, Wilkes.

**Mayor's Appointment Committee:** Cleveland, Chair; Kelley, Miller, Sweeney, Westbrook.

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

NONE

### BOARD OF CONTROL

May 20, 2009

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 20, 2009, at 10:30 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.

Absent: Mayor Jackson.  
Others: Jim Hardy, Commissioner, Purchases and Supplies.

Natoya Walker, Acting Director, Office of Equal Opportunity.

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

#### Resolution No. 184-09.

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Koziol Recovery, for an estimated quantity of car, van and truck washing services, for item nos. 4, 5 and 6 (power washing and EMS Sanitary Cleaning), for the various divisions of City government, for the period of one year beginning with the date of execution of a contract with an option to renew for one additional year, received on May 1, 2009, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$100,000.00, is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 183730 which shall be certified against the contract in the sum of \$5,000.00.

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

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson.

#### Resolution No. 185-09.

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Square Deal Carwash, for an estimated quantity of car, van and truck washing services, for item no. 1 (District 3, City Hall, EMS, Waste Collection, Public Health, 1201 CDW, 1300 CPP), for the various divisions of City government, for the period of one year beginning with the date of execution of a contract with an option to renew for one additional year, received on May 1, 2009, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$100,000.00, is affirmed and approved as the lowest and best bid, and the Director of Finance is

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

Requisition No. 171292 which shall be certified against the contract in the sum of \$5,000.00.

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

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 186-09.**

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Erie Shore Holdings, Inc., for an estimated quantity of car, van and truck washing services, for item no. 1 (Districts 1 and 2 Public Safety), for the various divisions of City government, for the period of one year beginning with the date of execution of a contract with an option to renew for one additional year, received on May 1, 2009, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$100,000.00, is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 171293 which shall be certified against the contract in the sum of \$5,000.00.

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

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 187-09.**

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of National Coin Op, Inc., d.b.a. American Pride Car Wash, for an estimated quantity of car, van and truck washing services, for item nos. 1, 2 and 3 (District 4), for the various divisions of City government, for the period of one year

beginning with the date of execution of a contract with an option to renew for one additional year, received on May 1, 2009, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$100,000.00, is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 171294 which shall be certified against the contract in the sum of \$5,000.00.

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

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 188-09.**

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland, that all bids received on April 17, 2009, for the purchase of an estimated quantity of exterminating services, all items, for various divisions of City government, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 189-09.**

By Interim Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1966-07, passed by the Council of the City of Cleveland on March 10, 2008, Brown and Caldwell Ohio, LLC is selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to provide professional consulting services necessary to provide energy management services that help reduce the energy consumption of municipal water treatment plant, pumping, and distribution operations and provide a variety of energy efficiency and energy conservation services for a period not exceeding two years, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with Brown and Caldwell Ohio, LLC

based upon its proposal dated December 12, 2008, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services described in the proposal, in an amount not to exceed \$499,679.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subcontractors by Brown and Caldwell Ohio, LLC for the above-mentioned professional services is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
United International Consultants, Inc. (CSB/MBE)	\$76,977.00 15.41%
AECOM USA, Inc.	\$28,250.00 5.65%
Brakey Consulting Inc.	\$48,250.00 9.66%
Confluence Engineering Group, LLC	\$24,400.00 4.88%
Derceto, Inc.	\$14,000.00 2.80%
Go Sustainable Energy, LLC	\$69,000.00 13.81%
OpCon Technologies, Inc.	\$19,060.00 3.81%
Richard L. Bowen + Associates Inc.	\$12,000.00 2.40%

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 190-09.**

By Interim Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Kokosing Construction Company, Inc. for the public improvement of the Baldwin Residuals and Fairmount Reservoir Projects, including a \$1,549,590.00 contingency allowance, all items, for the Division of Water, Department of Public Utilities, received on April 15, 2009, under the authority of Ordinance No. 1704-08, passed December 8, 2008, upon a gross price for the improvement in the aggregate amount of \$17,044,940.00, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into a 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 Kokosing Construction Company, Inc. for the above-mentioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
VIP Restoration, Inc. (CSB)	\$ 159,000.00 0.93%
Petty Group LLC (CSB/M)	\$ 21,903.00 0.13%
Mid Town Trucking (CSB/M)	\$ 165,000.00 0.97%
Saunders & Sons (CSB/M)	\$ 850,000.00 4.99%
The Cook Paving & Construction Co., Inc. (CSB/M)	\$ 172,353.00 1.01%
Gateway Electric Inc. (MBE)	\$1,320,000.00 7.74%
R-Cap Security (CSB/F)	\$ 145,000.00 0.85%
Rockport Construction & Materials, Inc. (CSB/F)	\$ 376,000.00 2.21%
Suburban Maintenance & Construction, Inc. (CSB/F)	\$ 275,000.00 1.61%
B & B Wrecking & Excavating Inc.	\$ 580,000.00 3.40%
CRS Metalworks	\$ 440,000.00 2.58%

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.  
Nays: None.  
Absent: Mayor Jackson.

**Resolution No. 191-09.**

By Interim Director Withers.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of O. E. Meyer Co. for an estimated quantity of laboratory equipment, testing and analytical services: biological and chemical testing supplies, apparatus and appurtenances, items 2-A thru 2-L, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of execution of the contract or the day following expiration of the currently effective contract for the goods or services, received on February 26, 2009, under the authority of Section 129.28 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$18,330.00 (2%, 10 Net 30), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 189943 which shall be certified against such contract in the sum of \$9,000.00.  
The requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for the commodities, whether more or less than the estimated quantity, as may be ordered under subsequent requisitions separately certified against the contract.  
Yeas: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.  
Nays: None.  
Absent: Mayor Jackson.

**Resolution No. 192-09.**

By Interim Director Withers.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of Jade Scientific, Inc. for an estimated quantity of laboratory equipment, testing and analytical services: biological and chemical testing supplies, apparatus and appurtenances, items 3-A thru 3-N, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of execution of the contract or the day following expiration of the currently effective contract for the goods or services, received on February 26, 2009, under the authority of Section 129.28 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$33,460.90 (0%), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 189944 which shall be certified against such contract in the sum of \$9,000.00.  
The requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for the commodities, whether more or less than the estimated quantity, as may be ordered under subsequent requisitions separately certified against the contract.  
Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Jade Scientific, Inc. for the above-mentioned service is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Western Reserve Water System	\$33,435.90 99.93%

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.  
Nays: None.  
Absent: Mayor Jackson.

**Resolution No. 193-09.**

By Interim Director Withers.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of Hach Company for an estimated quantity of laboratory equipment, testing and analytical services: biological and chemical testing supplies, apparatus and appurtenances, items 5-A thru 5-J, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of execution of the contract or the day following expiration of the currently effective contract for the goods or services, received on February 26, 2009, under the authority of Section 129.28 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$120,000.00 (0%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 189945 which shall be certified against such contract in the sum of \$20,000.00.  
The requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for the commodities, whether more or less than the estimated quantity, as may be ordered under subsequent requisitions separately certified against the contract.  
Yeas: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.  
Nays: None.  
Absent: Mayor Jackson.

**Resolution No. 194-09.**

By Interim Director Withers.  
Be it resolved, by the Board of Control of the City of Cleveland that all bids received on February 26, 2009 for an estimated quantity of laboratory equipment, testing and analytical services: biological and chemical testing supplies, apparatus and appurtenances, item 1, all items and item 4, all items for the Division of Water, Department of Public Utilities, under the authority of Section 129.28 of the Codified Ordinances of Cleveland Ohio, 1976, are rejected.  
Yeas: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.  
Nays: None.  
Absent: Mayor Jackson.

**Resolution No. 195-09.**

By Director Wasik.  
Whereas, Board of Control Resolution No. 147-09, adopted April 22, 2009, authorized the Director of Public Service to enter into contract with EPIS Digital, Inc., dba eBlueprint Co., Inc. for the purchase of one large format printer/scanner system, for the Division of Engineering & Construction, Department of Public Service; and

Whereas, Resolution No. 147-09 incorrectly stated the recommended bidder's name; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 147-09, adopted by this Board April 22, 2009, approving the bid of EPIS Digital, Inc. dba eBlueprint as lowest and best for the purchase of one large format printer/scanner system is amended by substituting "ERS Digital, Inc. dba eBlueprint" for "EPIS Digital, Inc. dba eBlueprint", where appearing.

Be it further resolved that all other terms of Resolution No. 147-09 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 196-09.**

By Director Rush.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Dodson & Associates, Inc., for the public improvement for the North Point Inn door replacement and security screens rebid, base bid, for the Department of Community Development, received on April 23, 2009, under the authority of Ordinance 531-07, passed April 23, 2007, and amended by Ordinance No. 1946-07, passed November 26, 2007, and Ordinance No. 869-08, passed July 2, 2008, for a gross price for the improvement in the aggregate amount of \$116,369.00, is affirmed and approved as the lowest responsible bidder, and the Director of Community Development 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 Dodson & Associates, Inc. is approved:

<u>Subcontractor</u> <u>CSB/MBE/FBE</u>	<u>Amount</u> <u>Percentage</u>
Saunders & Sons Painting CSB/MBE	\$ 3,600.00 3.09%
Start to Finish Other	\$25,000.00 21.5%
Kane Screens Other	\$33,000.00 28.4%
Cleveland Commercial Door Other	\$21,500.00 18.5%

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 197-09.**

By Director Rybka.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to Ordinance No. 1349-

08, passed October 6, 2008 and effective October 9, 2008, the firms of Heights Title Agency, Inc., and Chicago Title Insurance Co., are selected upon the nomination of the Director of Building and Housing from a list of qualified firms available for such employment and determined after a full and complete canvass by the Director of Building and Housing as the firms of consultants to be employed by a contract for the purpose of providing title search services in conjunction with the City's demolition program.

Be it further resolved, that the Director of the Department of Building and Housing is authorized to enter into written contracts with Heights Title Agency, Inc. based upon its proposal dated December 23, 2008, and with Chicago Title Insurance Co. based upon its proposal dated December 24, 2008, which contract shall be prepared by the Director of Law and shall include such additional provisions as he deems necessary to benefit and protect the public. The total compensation to the consultant Heights Title Agency, Inc. for all services shall not exceed \$87,500.00, and the total compensation to consultant Chicago Title Co. for all services shall not exceed \$262,000.00.

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Directors Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson.

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, JUNE 8, 2009**

**9:30 A.M.**

**Calendar No. 09-86:** 2727 York Avenue (Ward 14)

Judy Yeager, owner, appeals to use for parking a 110.19' x 32.50' irregular shaped vacant lot, located in a B1 Two-Family District; the proposed use being nonconforming in the provisions of Section 337.03, and the Board of Zoning Appeals approval is required for parking as a primary use in a residential district, subject to the conditions specified in Section 349.13; and as proposed, the use for parking is not kept back of the setback building line and no screening nor landscaping is provided; and parking spaces must be hard surfaced with asphalt, concrete or surfacing material that constitutes an engineered system approved by the Director of Building and Housing, and paving stones with no engineered drainage elevations or subsurface material listed or rated for permeability is provided, contrary to Section 349.07(a) of the Cleveland Codified Ordinances.

**Calendar No. 09-87:** 2331 East 55th Street (Ward 5)

James Majors owner, appeals to establish use as trucking terminals, indoor storage of material such as lawnmowers, rakes and brooms in the General Retail area of a 50' x 220' vacant lot located in split zoning between General Retail Business and Multi-Family Districts and also to establish a flea market use in both zoning district areas; subject to the limitations of Section 337.08 the retail flea market use is nonconforming and first permitted in a General Retail District; the proposed trucking terminal/motor freight depot use being contrary to Section 343.11 and first permitted in a Semi-Industry District, provided it is not less than 300 feet from a residence district and it abuts a Multi-Family District at the rear of the lot where the flea market is proposed, contrary to Section 345.03(c)(13) of the Cleveland Codified Ordinances.

**Calendar No. 09-88:** 11607-9 Detroit Avenue (Ward 18)

Zum Properties, owner, appeal to expand the current use from a lounge/restaurant to a club with live entertainment and dancing located on a 50' x 123.19' lot in a Local Retail Business District; the proposed being nonconforming in the limitations of Section 343.01 and first permitted in a General Retail Business District, but subject to the location regulations of Section 347.12, where such use shall not be established within 500 feet of a residence district, day care center, kindergarten, elementary or secondary school, public library, church, playground, public or nonprofit recreation center nor community center; and no additional parking is proposed, contrary to Section 349.04(e) and that parking is required at three times the gross floor area.

**Calendar No. 09-89:** 1948 West 25th Street (Ward 13)

Market 25 LLC, owner, and McNulty Properties appeal to build out and use a 2,610 square foot basement for a bar with entertainment/nightclub/lounge in a multi-residential building with an existing bar and restaurant, located on a 50' x 197' parcel in a General Retail Business District; subject to Section 349.04(e), an additional accessory off-street parking area equal to three times the gross floor area is required; and the expansion of a nonconforming use requires the Board of Zoning Appeals approval according to the provisions of Section 359.01 of the Cleveland Codified Ordinances.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**TUESDAY, MAY 26, 2009**

At the meeting of the Board of Zoning Appeals on Tuesday, May 26, 2009, the following appeals were heard by the Board.

The following appeals were **Approved:**

**Calendar No. 09-79:** 2197 Columbus Road

Norman Wonderly appealed to park an automobile in the front setback area of a parcel in a Semi-Industry District; subject to conditions.

**Calendar No. 08-222:** 4301-03 Clark Avenue

Michael and Kamal Elseikali appealed for an expansion of accessory repairs to an existing tire sales shop in a Semi-Industry District; subject to conditions.

The following appeal was **Withdrawn:**

None

The following appeal was **Dismissed:**

None

The following appeals were **Postponed:**

**Calendar No. 09-29:** 9525 Woodland Avenue postponed to July 6, 2009.

**Calendar No. 09-78:** 4060 East 116th Street postponed to June 29, 2009.

**Calendar No. 09-80:** 8202 Superior Avenue postponed to June 22, 2009.

**Calendar No. 09-82:** 18308 Ferncliff Avenue postponed to July 13, 2009.

**Calendar No. 09-40:** 4201 West 130th Street postponed to July 20, 2009.

The following appeals heard by the Board on May 18, 2009 were adopted and approved on May 26, 2009.

The following appeals were **Approved:**

**Calendar No. 09-70:** 1702 West 28th Street

Kirt Montlack, Ltd. appealed to change use from office to apartments an existing four-story building in a Local Retail Business District.

**Calendar No. 09-76:** 10801 Meech Avenue

Dumpsties Unlimited LLC appealed to establish use for processing and storing of landscaping materials for distribution and sale and a use for recycling and sale of construction debris material in a General Industry District; subject to condition.

**Calendar No. 09-77:** 8500 Aetna Avenue

FPT Cleveland LLC appealed to change and expand use as a scrap metal processing facility on several contiguous parcels in a General Industry District; subject to conditions.

The following appeal was **Denied:**

**Calendar No. 09-72:** 13835 Lorain Avenue

J-SET Limited LLC, owner, and Jesse Adkins dba Fat Boys Sports, Inc. tenant, appealed from a disapproved application for a Dance Hall License.

Secretary

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

NO MEETING

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

**Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Purchases and Supplies, but no bid will**

**be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.**

**187.10 Negotiated contracts; Notice required in Advertisement for Bids.**

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

**FRIDAY, JUNE 5, 2009**

**File No. 84-09 — Exterminating Services (Re-Bid),** for the Various Divisions of City Government, Department of Finance, as authorized by Section No. 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, MAY 29, 2009 AT 10:30 A.M., THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

May 20, 2009 and May 27, 2009

**WEDNESDAY, JUNE 10, 2009**

**File No. 82-09 — Labor and Materials Necessary to Maintain or Repair Overhead Doors,** for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. pending, passed by the Council of the City of Cleveland, pending.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, MONDAY, JUNE 1, 2009 AT 10:30 A.M., THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

**File No. 86-09 — Gordon Square Kennedy Parking Lot Site Improvements,** for the Division of Research Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 872-08, passed by the Council of the City of Cleveland, June 9, 2008.

**THERE WILL BE A REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF A FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER. (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).**

THERE WILL BE A **MANDATORY PRE-BID MEETING**, THURSDAY, MAY 28, 2009 AT 11:30 A.M., THE BURKE LAKEFRONT AIRPORT, FIRST FLOOR CONFERENCE ROOM, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114. **THE CITY OF CLEVELAND WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.**

May 20, 2009 and May 27, 2009

**THURSDAY, JUNE 11, 2009**

**File No. 83-09 — Towel and Linen Services**, for the Various Divisions of City Government, Department of Finance, as authorized by Section No. 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976. **THERE WILL BE A NON-MANDATORY PRE-BID MEETING**, TUESDAY, JUNE 2, 2009 AT 10:30 A.M., THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

May 20, 2009 and May 27, 2009

**WEDNESDAY, JUNE 17, 2009**

**File No. 85-09 — Cremations or Indigent Burial Services**, for the Division of Vital Statistics, Department of Public Health, as authorized by Ordinance No. pending, passed by the Council of the City of Cleveland, pending. **THERE WILL BE A NON-MANDATORY PRE-BID MEETING**, WEDNESDAY, JUNE 3, 2009 AT 10:30 A.M., THE CITY OF CLEVELAND, PUBLIC HEALTH, 75 ERIE VIEW PLAZA, CLEVELAND, OHIO 44114.

**File No. 87-09 — Manholes, Castings, Pullboxes and Grating**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section Nos. 129.25, 129.26 and 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING**, FRIDAY, MAY 29, 2009 AT 11:00 A.M., THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**File No. 88-09 — Labor and Materials for the Maintenance, Repair or Replacement of Test Equipment and Training as Necessary**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 896-07, passed by the Council of the City of Cleveland, August 8, 2007.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING**, THURSDAY, MAY 28, 2009 AT 10:00 A.M., THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

May 20, 2009 and May 27, 2009

## ADOPTED RESOLUTIONS AND ORDINANCES

**Res. No. 735-09.**

**By Council Member Polensek.**  
**An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit at 731-33 East 185th Street, and repealing Resolution No. 884-08, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to Crawl Inn, Inc., DBA Fields, 731-33 East 185th Street, Cleveland, Ohio 44119, Permanent No. 18081260005, by Resolution No. 884-08 adopted by the Council on June 2, 2008; and

Whereas, this Council wishes to withdraw its objection to the above transfer and consents to said transfer with the understanding that this particular liquor license would be permanently removed from the City of Cleveland; and

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

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

**Section 1.** That objection to a D5 Liquor Permit to Crawl Inn, Inc., DBA Fields, 731-33 East 185th Street, Cleveland, Ohio 44119, Permanent Number 18081260005, be and the same is hereby withdrawn and Resolution No. 884-08, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted May 18, 2009.  
Effective May 20, 2009.

**Res. No. 736-09.**

**By Council Member Santiago.**  
**An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 3382 West 44th Street, and repealing Resolution No. 1052-08, objecting to said renewal.**

Whereas, this Council objected to a D5 Liquor Permit to 3382 West 44th Street by Resolution No. 1052-08 adopted by the Council on July 2, 2008; and

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

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

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

**Section 1.** That objection to a D5 Liquor Permit to Heriberto Colon, DBA El Tropical, 3382 West 44th Street, Cleveland, Ohio 44109, Permanent Number 1639762 be and the same is hereby withdrawn and Resolution No. 1052-08, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted May 18, 2009.  
Effective May 20, 2009.

**Res. No. 739-09.**

**By Council Members Cloud and Cimperman.**

**An emergency resolution supporting the Jackson Administration, Department of Building and Housing's efforts to demolish the old Howard Johnson building off of E. 55th Street at the Shoreway owned by Lakeview 2006, LLC.**

Whereas, the old Howard Johnson building located at 5700 South Marginal Road off of E. 55th Street at the Shoreway, has been vacant for approximately 30 years, and has become a highly visible blighted building on our lakefront and a crime haven; and

Whereas, this condemned structure poses a safety threat for the students of Horizon Science Academy, a charter school of the Cleveland Municipal School District, who walk past the building to get to their school next door; and

Whereas, the Jackson Administration's Department of Building and Housing began legal demolition to abate the nuisance after giving proper notice to the owner, and after past and present owners have failed to correct housing code violations that were the basis for condemnation in 2001; and

Whereas, the City awarded a \$258,700 demolition contract to demolish the former restaurant and hotel tower and a \$165,200 contract for environmental and asbestos remediation, for a total of \$423,900 demolition costs; and

Whereas, the Department began a legal demolition of the structure on April 8, 2009 and demolished the former Howard Johnson restaurant and hotel tower on April 21, 2009; and

Whereas, Judge Richard J. McMonagle granted the owner, Lakeview 2006, LLC's application for a Temporary Restraining Order to stop the demolition on May 13, 2009; and

Whereas, the City of Cleveland and former Councilperson Sabra Pierce Scott have worked many years for code compliance or demolition, and finally have the funding to remove this blemish from our skyline and public nuisance from our community; and



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

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

**Section 1.** That this Council supports the Jackson Administration, Department of Building and Housing's efforts to demolish the old Howard Johnson building off or E. 55th Street at the Shoreway owned by Lakeview 2006, LLC.

**Section 2.** That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Mayor Jackson and Director of Building and Housing, Edward Rybka.

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

Adopted May 18, 2009.

Effective May 20, 2009.

**Ord. No. 403-09.**

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

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to employ one or more professional consultants to provide armed security services at various indoor and outdoor recreation facilities, including but not limited to, outdoor pools, recreation centers, and various surrounding play areas, for a period not to exceed one year.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide armed security services at various indoor and outdoor recreation facilities, including but not limited to, outdoor pools, recreation centers, and various surrounding play areas, for a period not to exceed one year.

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

Director of Parks, Recreation and Properties, and certified by the Director of Finance.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund No. 01-700401-638000, Request No. 188672.

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

Passed May 18, 2009.

Effective May 20, 2009.

**Ord. No. 682-09.**

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

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 193.031, relating to additional purposes for use of the transient occupancy tax; and authorizing the Director of Finance to transfer the unexpended balance from the Convention Center Fund to the General Fund if the City does not own the Cleveland Convention Center.**

Whereas, Cleveland has the authority under division (A) of Section 5739.08 of the Revised Code to use the proceeds of the City's existing transient occupancy tax for "any lawful purpose;" and

Whereas, if the City transfers ownership of the Cleveland Convention Center to Cuyahoga County, the City intends to use the proceeds of the City's existing transient occupancy tax for all lawful municipal purposes; and

Whereas, under division (D) of Section 5705.14 of the Revised Code, the City may transfer the unexpended balance of the Convention Center Fund to General Fund after the termination of the City's operation of the Cleveland Convention Center and after the payment of all obligations incurred and payable from the Convention Center Fund; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department and for the immediate preservation of the public peace, property, health or safety in that the economic vitality of City government requires the immediate preservation and continued utilization of all existing sources of revenue to pay the costs of municipal services and improvements; now, therefore,

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

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 193.031 to read as follows:

**Section 193.031 Expansion of Levy; Additional Purpose for Tax**

(a) The excise tax levied under division (a) of Section 193.03 shall also provide revenue for the purposes of general municipal operations, procurement of fixed assets or

permanent improvements, payment of debt charges, the elimination of deficits in City funds and for all other lawful purposes.

(b) Notwithstanding division (b) of Section 193.03, if the City does not own the Cleveland Convention Center, the receipts of the tax levied under division (a) of Section 193.03 shall be deposited to the credit of the General Fund.

**Section 2.** That, if the City does not own the Cleveland Convention Center and after the payment of all obligations incurred and payable from the Convention Center Fund, the Director of Finance is authorized to transfer the unexpended balance in the Convention Center Fund to the General Fund.

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

Passed May 18, 2009.

Effective May 20, 2009.

**Ord. No. 683-09.**

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

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 500 Lakeside Avenue, also known as 1220 East 6th Street, The Convention Center and Malls B and C to the County of Cuyahoga, for purposes of developing a Medical Mart facility; authorizing the Director of Parks, Recreation and Properties to reserve certain easement interests in Malls B and C for the purpose of creating and maintaining public park space; authorizing the Director to enter into one or more agreements with the Commissioners of Cuyahoga County regarding the redevelopment of the property; and authorizing the Director of Finance to enter into an agreement with a local foundation to manage a City of Cleveland College Scholarship Fund established by the foundation for graduates of Cleveland Metropolitan School District; and authorizing the Director of Public Service to issue a permit to Cuyahoga County Commissioners, or their designee, to encroach above, upon and below public rights-of-way immediately adjacent to and within the areas described in this ordinance.**

Whereas, the Director of Parks, Recreation and Properties has requested the sale of the City-owned property and facilities known as Public Hall, Music Hall, and the Little Theater, land known as Malls B and C, and the current convention center facility located underground beneath Malls B and C ("Convention Center Complex") to the Commissioners of Cuyahoga County, on behalf of the County of Cuyahoga (the "County") which is no longer needed for public use and located at 500 Lakeside Avenue, also known as

1220 East 6th Street, for purposes of developing a Medical Mart facility and a new Convention Center; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the property known as Public Hall, Music Hall, and the Little Theater, land known as Malls B and C, and the current convention center facility located underground beneath Malls B and C (the "Convention Center Complex") also depicted on the map placed in the file mentioned below, is no longer needed for public use.

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to the County at a price not less than \$20,000,000, and other valuable considerations, which is determined to be fair market value, taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed of conveyance.

**Section 3.** That the conveyance 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 provisions identified in the file described below, including reserving easement rights to the City and any other provisions protecting the parties as their respective interests require.

**Section 4.** That the Director of Public Service is authorized to issue a permit, revocable at the will of Council, to Cuyahoga County Commissioners, Cuyahoga County Administration Building, 1219 Ontario Street, Cleveland, Ohio, 44113, or their designee ("County"), to encroach above, upon and below public rights-of-way immediately adjacent to and within the area to be conveyed described in Section 1 and depicted on the map placed in the file.

**Section 5.** That the County may assign the permit only with the prior written consent of the Director of Public Service. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Commissioner of Engineering and Construction. That the County shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

**Section 6.** That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest.

**Section 7.** That the permit shall reserve to the City reasonable right of entry to the encroachment location(s).

**Section 8.** That the Director of Parks, Recreation and Properties is authorized to enter into one or more agreements with the County regarding the development of the Convention Center Complex, which shall contain the terms substantially that are in the May 4, 2009 Letter of Intent from the County, File No. 683-09-B. A copy of the Definitive Agreement referenced in the Letter of Intent shall be deposited in the file upon its execution.

**Section 9.** That assisting Cleveland's high school graduates to defray the cost of up to four years of their college education will have a significant positive impact on our City by better preparing our youth to be successful in life, by attracting families to stay in and move to the City, and by providing Cleveland employers with a better educated and more skilled workforce. For this reason, upon recommendation of the Director of Finance and the approval of City Council, the Director of Finance is authorized to enter into an agreement with a local foundation determined by the Director of Finance to manage a City of Cleveland College Scholarship Fund, and to allocate \$2 million dollars from the proceeds of the sale of the Convention Center Complex to be deposited into the Fund.

**Section 10.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed May 18, 2009.

Effective May 20, 2009.

**Ord. No. 727-09.**  
**By Council Member Sweeney.**  
**An emergency ordinance authorizing the Clerk of Council to provide payment to MK2 Technologies for web site modifications for Cleveland City Council.**

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

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

**Section 1.** That the Clerk of Council is authorized to provide payment to MK2 Technologies for web site modifications in an amount not to exceed \$1,250.00 from fund numbers 632000-01-010100.

**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 May 18, 2009.

Effective May 20, 2009.

**Ord. No. 734-09.**  
**By Council Members Brady, Cloud and Cummins.**

**An emergency ordinance to amend Sections 559.02 and 559.238 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1610-07, passed December 10, 2007 and Ordinance No. 1062-06, passed December 11, 2006, relating to designating the cultural gardens and designating the cultural garden located 691 Martin Luther King Jr. Boulevard as the Albanian Cultural Garden.**

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 559.02 and 559.238 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1610-07, passed December 10, 2007 and Ordinance No. 1062-06, passed December 11, 2006, are hereby amended to read as follows:

**Section 559.02 Designation of Cleveland Cultural Gardens**

In view of the improvements installed and now existing in Rockefeller Parkway, and with the view to perpetuating the sentimental and historical association established:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lot Nos. 367, 375-377, 384 and 385 of East Cleveland Township, and bounded and described as follows:

All that portion of Rockefeller Parkway lying between Superior Ave, N. E., on the South, the New York Central Lines, LLC, on the North, except that portion of St. Clair Ave, N. E. lying within these bounds, shall be designated Cleveland Cultural Gardens.

Legal description written in May 2006 by Braun-Prenosil Associates, Inc., by Gregory J. Chatham Professional Surveyor No. 7882, subject to all legal highways and easements of record.

Cleveland Cultural Gardens shall be subdivided into units, bounded and described in the following sections.

**Section 559.238 Albanian Garden**  
**1.1765 ACRES**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lot No. 367 of East Cleveland Township, and also contained within Section "A", Brookway Division of Rockefeller Park, and bounded and described as follows:

Beginning at the intersection of St. Clair Street, N.E., 80 feet wide, with the East line of said Original 100 Acre Lot No. 367, a 5/8" iron pin monument box found and used;

Thence South 58° 43' 50" West, along the centerline of said St. Clair Street, N.E. a distance of 744.20 feet to the centerline intersection of Dr. Martin Luther King, Jr. Drive, a private road within said Rockefeller Park, which point of intersection is

in the centerline of a bridge over passing said Martin Luther King Drive;

Thence North 32° 14' 33" West, along the centerline of said Dr. Martin Luther King, Jr. Drive, a distance of 34.91 feet to a point of curvature;

Thence along the centerline of said Dr. Martin Luther King, Jr. Drive, along a curve deflecting to the right, having a radius of 790.00 feet, a central angle of 50° 02' 35", an arc of 690.00 feet, a chord of 668.28 feet, which bears North 7° 13' 15" West to a point of tangency;

Thence North 17° 48' 03" East, along the centerline of said Dr. Martin Luther King, Jr. Drive, a distance of 275.00 feet to a point of curvature;

Thence along the centerline of said Dr. Martin Luther King, Jr. Drive, along a curve deflecting to the left, having a radius of 1000.00 feet, a central angle of 50° 54' 20", an arc of 888.47 feet, a chord of 859.53 feet, which bears North 7° 39' 07" West;

Thence radial from said centerline North 56° 53' 45" East a distance of 35.00 feet to the East bank of Doan Creek, the principal place of beginning of the land herein intended to be described, a capped 5/8" iron pin set;

Thence along the following two (2) courses and distances, each to a capped 5/8" iron pin set;

North 4° 09' 16" East a distance of 197.50 feet;

South 74° 06' 04" East a distance of 154.76 feet;

Thence parallel to and approximately 15' West and North of the edge of pavement of an existing private drive the following four (4) courses and distances, each to a capped 5/8" iron pin set;

Along a curve deflecting to the left, having a radius of 210.00 feet, a central angle of 31° 38' 50", an arc of 115.99 feet, a chord of 114.52 feet, which bears South 15° 39' 29" West;

Along a curve deflecting to the right, having a radius of 150.00 feet, a central angle of 38° 04' 30", an arc of 99.68 feet, a chord of 97.86 feet, which bears South 18° 52' 18" West;

Along a curve deflecting to the right, having a radius of 100.00 feet, a central angle of 77° 32' 34", an arc of 135.34 feet, a chord of 125.24 feet, which bears South 76° 40' 50" West;

North 50° 27' 26" West a distance of 56.65 feet to a point that is 35.00 feet radial from the centerline of said Dr. Martin Luther King, Jr. Drive;

Thence along a curve deflecting to the left, parallel to and 35.00 feet East of the centerline of said Dr. Martin Luther King, Jr. Drive, having a radius of 1035.00 feet, a central angle of 5° 52' 14", an arc of 106.05 feet, a chord of 106.00 feet, which bears North 30° 10' 10" West to the principal place of beginning and containing 1.1765 acres of land, according to the survey of March 2006 by Braun-Prenosil Associates, Inc., by Gregory J. Chatham Professional Surveyor No. 7882 be the

same more or less but subject to all legal highways and easements of record.

Bearings are based on the centerline of St. Clair Street, N.E. (South 58° 43' 50" West) as recorded in deed Vol. 660, Pg. 288 of Cuyahoga County Records and are used to denote angles only. All pins set are 30-inch long by 5/8-inch diameter rebar with caps imprinted "Braun-Prenosil Assoc." Gregory J. Chatham — Professional Surveyor No. 7882.

**Section 2.** That existing Sections 559.02 and 559.238 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1610-07, passed December 10, 2007 and Ordinance No. 1062-06, passed December 11, 2006, 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 May 18, 2009.

Effective May 20, 2009.

**Ord. No. 737-09.**

**By Council Member Polensek.**  
**An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Neighborhood Leadership Institute for the Scoop on Summer Program through the use of Ward 11 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of the Department of Community Development enter into an agreement with the Neighborhood Leadership Institute for the Scoop on Summer Program for the public purpose of providing Cleveland residents a brochure of summer activities and programs taking place in the North Collinwood neighborhood through the use of Ward 11 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed 3,000 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 May 18, 2009.

Effective May 20, 2009.

**Ord. No. 738-09.**

**By Council Member Cimperman.**  
**An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Downtown Cleveland Alliance for the Downtown Digs: The Official Guide to Living Downtown Program through the use of Ward 13 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 the Department of Community Development to enter into an agreement with the Downtown Cleveland Alliance for the Downtown Digs: The Official Guide to Living Downtown Program for the public purpose of providing a publication brochure to city residents on living in Downtown Cleveland through the use of Ward 13 Neighborhood Capital Fund.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$2,500 and shall be paid from Fund No. 10 SF 177.

**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 May 18, 2009.

Effective May 20, 2009.

**Ord. No. 740-09.**

**By Council Member Santiago.**  
**An emergency ordinance amending Section 1 of Ordinance No. 487-09 passed April 13, 2009 as it pertains to authorizing the Director of the Department of Community Development to enter into an agreement with the Julia De Burgos Cultural Arts Center for the Cultural Instructional Program through the use of Ward 14 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 Section 1 of Ordinance Number 487-09 passed April 13, 2009 is hereby amended to read as follows:

**Section 1.** That the Director of the Department of Community Development is authorized to enter into an agreement effective February 1, 2009 with the Julia De Burgos Cultural Arts Center for the Cultural Instructional Program for the public purpose of providing cultural arts education to city of Cleveland

youths through the Ward 14 Neighborhood Capital Fund.

**Section 2.** That Section 1 of Ordinance No. 487-09 passed April 13, 2009 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.

Passed May 18, 2009.

Effective May 20, 2009.

**Ord. No. 741-09.**

**By Council Member Reed.**

**An emergency ordinance amending Section 1 of Ordinance No. 564-09 passed April 27, 2009 as it pertains to authorizing the Director of the Department of Community Development to enter into an agreement with the Mt. Pleasant Community Zone for the Community Health and Human Services Expo through the use of Ward 3 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 Section 1 of Ordinance No. 564-09 passed April 27,

2009 is hereby amended to read as follows:

**Section 1.** That the Director of the Department of Community Development enter into an agreement effective May 15, 2009 with the Mt. Pleasant Community Zone for the Community Health and Human Services Expo for the public purpose of providing public education and information to city of Cleveland residents on health and human support services that are available through various city and county agencies through the Ward 3 Neighborhood Capital Fund.

**Section 2.** That Section 1 of Ordinance No. 564-09 passed April 27, 2009 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.

Passed May 18, 2009.

Effective May 20, 2009.

**COUNCIL COMMITTEE MEETINGS**

**Tuesday, May 26, 2009  
9:30 a.m.**

**Community and Economic Development Committee:** Present: Bran-

catelli, Chair; Dow, Vice Chair; Pruitt, Cummins, Cloud, Brady, Zone, Miller. *Authorized Absence:* Westbrook.

**1:30 p.m.**

**Employment, Affirmative Action and Training Committee:** Present: Pruitt, Chair; Santiago, Vice Chair; Cummins, Mitchell, Miller, Johnson. *Authorized Absence:* Conwell.

**Wednesday, May 27, 2009**

**10:00 a.m.**

**Aviation and Transportation Committee:** Present: Kelley, Chair; Keane, Vice Chair; Cloud, Westbrook, Mitchell, Dow. *Authorized Absence:* Cleveland.

**1:00 p.m.**

**City Planning (Zoning) Committee:** Present: Cimperman, Chair; Westbrook, Vice Chair; Conwell, Dow, Keane, Zone. *Authorized Absence:* Reed.

**1:30 p.m.**

**City Planning Committee:** Present: Cimperman, Chair; Westbrook, Vice Chair; Conwell, Dow, Keane. *Authorized Absence:* Zone, Reed.

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O—Ordinance; R—Resolution; F—File

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