

The City Record

Official Publication of the City of Cleveland

June the Twenty-Third, Nineteen Hundred and Ninety-Nine

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

Containing	PAGE
City Council	3
The Calendar	3
Board of Control	3
Civil Service	7
Board of Zoning Appeals	8
Board of Building Standards and Building Appeals	9
Public Notices	9
Public Hearings	9
City of Cleveland Bids	9
Adopted Resolutions and Ordinances	10
Committee Meetings	75
Index	76

FIRST-CLASS MAIL
U. S. POSTAGE PAID
CLEVELAND, OHIO
Permit No. 1372

RECYCLE.....Save the Future



Printed on Recycled Paper.....Council Cares

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Joseph T. Jones.....	15601 Lotus Drive	44128
2	Robert J. White.....	3760 East 126th Street	44105
3	Odelia V. Robinson.....	3448 East 123rd Street	44120
4	Kenneth L. Johnson.....	2948 Hampton Road	44120
5	Frank G. Jackson.....	2327 East 38th Street	44115
6	Patricia J. Britt.....	12402 Britton Drive	44120
7	Fannie M. Lewis.....	7416 Star Avenue	44103
8	William W. Patmon.....	867 East Boulevard	44108
9	Craig E. Willis.....	11906 Beulah Avenue	44106
10	Roosevelt Coats.....	1775 Cliffview Road	44112
11	Michael D. Polensek.....	17855 Brian Avenue	44119
12	Edward W. Rybka.....	6832 Indiana Avenue	44105
13	Joe Cimperman.....	3053 West 12th Street	44113
14	Nelson Cintron, Jr.....	3032 Vega Avenue	44113
15	Merle R. Gordon.....	1700 Denison Avenue	44109
16	Michael C. O'Malley.....	6710 Brookside Drive	44144
17	Timothy J. Melena.....	6110 West Clinton Avenue	44102
18	Jay Westbrook.....	10513 Clifton Boulevard	44102
19	Joseph J. Zone.....	3323 West 130th Street	44111
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Michael A. Dolan.....	16519 West Park Road	44111

Clerk of Council - Cecelia R. Huffman, 216 City Hall, 664-2840.
First Assistant Clerk - Sandra Franklin.

MAYOR-Michael R. White
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy
Barry Withers, Executive Assistant for Administration
Judith Zimomra, Executive Assistant for Service
Kenneth Silliman, Executive Assistant for Economic Development
Laura Ann Williams, Director, Office of Equal Opportunity
Milan T. Polacek, Executive Assistant for Legislative Affairs

DEPT. OF LAW - Cornell P. Carter, Director, Lessie M. Milton, Chief Counsel, Room 106
George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch - Justice Center, 8th Flr., Court Towers, 1200 Ontario Street
Karen E. Martines, Law Librarian, Room 100

DEPT. OF FINANCE - Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit
DIVISIONS - Accounts - Gayle Goodwin Smith, Commissioner, Room 19
City Treasury - Mary Christine Jackman, Treasurer, Room 115
Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122
Purchases and Supplies - William A. Moon, Commissioner, Room 128
Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue
Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
Financial Reporting and Control - Robert Dolan, Controller, Room 18
Information Systems Services - Hamid Manteghi, Commissioner, 1404 E. 9th St.

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

DEPT. OF PORT CONTROL - Solomon F. Balraj, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive; Cleveland Hopkins International Airport - Mark D. Vanloh, Commissioner Burke Lakefront Airport - Michael C. Barth, Commissioner

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

DEPT. OF PUBLIC HEALTH - Michelle Whitlow, Acting Director, Mural Building, 1925 St. Clair Avenue
DIVISIONS - Health - Cheri Hahn, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Environment - Robin Puriani-Rogers, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Correction - Thomas Hardin, Commissioner, Cleveland House of Corrections, 4041 Northfield Road

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

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

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

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

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

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

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

COMMUNITY RELATIONS BOARD - Room 11, Dennis D. Dove, Acting Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilmen Michael Polensek and Edward Rybka, City Council Representatives; Muqit Abdul Sabur, Louise Boddie, Charles E. McBe, Larry C. Liou, John Gallo, Emmett Saunders, Mary Jan Buckshot, Sr. Joaquina Carrion, Kathryn M. Hall, Hasan Muheisen, Barbara S. Rosenthal, Henry Simon.

CIVIL SERVICE COMMISSION - Room 119, Freddie J. Fenderson, President; Timothy J. Cosgrove, Vice President; Cynthia Sullivan, Secretary; Margaret Hopkins, Member, Earl Preston, Member.

SINKING FUND COMMISSION - Michael R. White, President; Betsy Hruby, Asst. Sec'y.; _____, Director; President of Council Jay Westbrook.

BOARD OF ZONING APPEALS - Room 516, Carol Johnson, Chairman; Members; Chris Carmody, Anna Chatman, Ozell Dobbins, Tony Petkovsek, Eugene Cranford, Jr., Secretary.

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

BOARD OF REVISION OF ASSESSMENTS - Law Director Cornell P. Carter, President; Finance Director Martin L. Carmody, Jr., Secretary; Council President Jay Westbrook.

BOARD OF SIDEWALK APPEALS - Service Director Mark Ricchiuto; Law Director Cornell P. Carter; Councilman Roosevelt Coats.

BOARD OF REVIEW - (Municipal Income Tax) - Law Director Cornell P. Carter; Utilities Director Michael Konicek; Council President Jay Westbrook.

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

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

MORAL CLAIMS COMMISSION - Law Director Cornell P. Carter; Chairman; Finance Director Martin L. Carmody, Jr.; Council President Jay Westbrook; Councilman Roosevelt Coats; Councilman Martin J. Sweeney.

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, _____, Chief Plumbing Inspector; Laszlo V. Kemes, Secretary to the Board.

CLEVELAND LANDMARKS COMMISSION - Room 519 - Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; Paul Burik, James Gibans, Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Craig E. Willis, Councilman Joe Cimperman, Robert Keiser, Executive Secretary.

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 86

WEDNESDAY, JUNE 23, 1999

No. 4463

CITY COUNCIL

MONDAY, JUNE 21, 1999

The City Record

Published weekly under authority
of the Charter of the
City of Cleveland

Subscription (by mail) \$75.00 a year
January 1 to December 31

Interim subscriptions prorated
\$6.25 per month

Address all communications to

CECELIA R. HUFFMAN

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL

1998-2001

MONDAY

9:30 A.M.—**Public Parks, Property & Recreation Committee:** Jones, Chairman; White, Vice Chairman; Britt, Polensek, Sweeney, Willis, Zone.

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Sweeney, Chairman; Melena, Vice Chairman; Britt, Cintron, Johnson, Jones, O'Malley, Patmon, Polensek.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** White, Chairman; Cintron, Vice Chairman; Gordon, Johnson, Lewis, O'Malley, Rybka.

MONDAY

2:00 P.M.—**Finance Committee:** Johnson, Chairman; Westbrook, Vice Chairman; Cintron, Coats, Gordon, Lewis, Melena, Patmon, Robinson, Sweeney, Willis.

TUESDAY

9:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; Robinson, Vice Chairman; Cimperman, Cintron, Coats, Gordon, Jones, Lewis, Rybka.

TUESDAY—Alternating

1:00 P.M.—**Public Health Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Britt, Cintron, Dolan, Jackson, Robinson.

1:30 P.M.—**Legislation Committee:** Zone, Chairman; Johnson, Vice Chairman; Britt, Cimperman, Jackson, Rybka, Westbrook.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Cimperman, Dolan, Lewis, Patmon, White.

10:00 A.M.—**Public Safety Committee:** Coats, Chairman; Zone, Vice Chairman; Gordon, Jackson, Jones, Melena, O'Malley, White, Willis.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Willis, Chairman; Coats, Vice Chairman; Britt, Jones, Melena, O'Malley, Robinson, Rybka, Sweeney.

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

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

June 16, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, June 16, 1999, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Absent: None.

Others: William A. Moon, Commissioner, Purchases and Supplies. Linda Walker, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 353-99.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of T Group Communications for an estimated quantity of Pre-Sort Mail Service (all items) for the various divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on April 14, 1999, pursuant to the authority of Ordinance No. 272-99, passed March 22, 1999, which on the basis of the estimated quantity would amount to Thirteen Thousand

Two Hundred-Fifty and 00/100 Dollars (\$13,250.00) (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 3005

which shall be certified against such contract in the sum of Three Thousand and 00/100 Dollars (\$3,000.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Warren and Axelrod.

Nays: None.

Absent: Director Patterson.

Resolution No. 354-99.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Baker Vehicle Systems, Inc. for an estimated quantity of Jacobsen Mower Parts (all items) for the various divisions of City Government, Department of Finance, for the period of two (2) years beginning with the date of execution of a contract received on June 2nd, 1999, pursuant to the authority of Ordinance No. 709-99, passed May 17th, 1999, which on the basis of the estimated quantity would amount to Seventy Thousand and 00/100 Dollars (\$70,000.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 09458

which shall be certified against such contract in the sum of Three Thousand Five Hundred and 00/100 Dollars (\$3,500.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors

Whitlow, Guzman, Jackson, Hudecek, Warren and Axelrod.

Nays: None.

Absent: Director Patterson.

Resolution No. 355-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 68-98, passed by the Council of the City of Cleveland on October 19, 1998 and amended by Ordinance No. 94-99, passed on March 1, 1999, Malcolm Pirnie, Inc. is hereby 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 services necessary for the design and implementation of improvements at the Division of Water's Baldwin Waterworks Plant, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with Malcolm Pirnie, Inc. based upon its proposal dated March 18, 1999, as revised by its May 18, 1999 letter, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal, for an aggregate fee not in excess of \$1,156,111.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Malcolm Pirnie, Inc. for the above mentioned professional service is hereby approved:

SUBCONTRACTOR	WORK
Ralph Tyler Companies	\$2,729,208.00 MBE
Sigma Associates, Inc.	\$ 705,864.00 FBE
City Blue Printing Co., Inc.	\$ 238,000.00 FBE
Richard L. Bowen & Associates, Inc.	\$ 955,570.00

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Warren and Axelrod.

Nays: None.

Absent: Directors Hudecek and Patterson.

Resolution No. 356-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 68-98, passed by the Council of the City of Cleveland on October 19, 1998 and amended by Ordinance No. 94-99, passed on March 1, 1999, Camp Dresser & McKee is hereby 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 services necessary for the design and implementation of improvements at the Division of Water's Nottingham Waterworks Plant, for

the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with Camp Dresser & McKee based upon its proposal dated March 19, 1999, as revised by its May 13, 1999 letter, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal, for an aggregate fee not in excess of \$9,010,000.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Camp Dresser & McKee for the above mentioned professional service is hereby approved:

SUBCONTRACTOR	WORK
Ralph Tyler Co.	\$1,008,946.00 MBE
Dodson-Stilson, Inc.	\$1,328,857.00 MBE
Water Resources & Coastal Engineering, Inc.	\$ 429,759.00 FBE
City Blue Printing Co., Inc.	\$ 106,713.00 FBE

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Warren and Axelrod.

Nays: None.

Absent: Directors Hudecek and Patterson.

Resolution No. 357-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Utilicon Corporation for the public improvement of Cleaning and Cement Mortar Lining of Distribution Mains in Areas 99-4, 99-5 and 99-6 including a \$235,600.00 contingency allowance for the Division of Water, Department of Public Utilities, received on May 26, 1999, pursuant to the authority of Ordinance No. 545-98, passed June 15, 1998, for a unit basis for the improvement in the aggregate amount of Two Million Five Hundred Ninety One Thousand Six Hundred Dollars (\$2,591,600.00) is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

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

SUBCONTRACTOR	WORK
Choice Construction	\$ 129,580.00 FBE
RMC, Inc.	\$ 207,328.00 MBE
Dan Ray Construction	\$ 207,328.00 MBE

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Warren and Axelrod.

Nays: None.

Absent: Directors Hudecek and Patterson.

Resolution No. 358-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Terrace Construction Co., Inc. for the public improvement of Cleaning and Cement Mortar Lining of Distribution Mains in Areas 99-1 and 99-2 including a \$235,374.00 contingency allowance for the Division of Water, Department of Public Utilities, received on May 21, 1999, pursuant to the authority of Ordinance No. 545-98, passed June 15, 1998, for a unit basis for the improvement in the aggregate amount of Two Million Five Hundred Eighty Nine Thousand One Hundred Fourteen Dollars (\$2,589,114.00) is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

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

SUBCONTRACTOR	WORK
Rockport Construction	\$ 129,456.00 FBE
RMC, Inc.	\$ 388,400.00 MBE

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Warren and Axelrod.

Nays: None.

Absent: Directors Hudecek and Patterson.

Resolution No. 359-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 654-98, adopted by the Board on September 23, 1998, approving T & F Systems, Inc. as the lowest and best bidder for labor and material to repair; roofs, item nos. 1A thru 7A, 9A, 11A thru 20A and 23A thru 25A, is amended by deleting item nos. "1A thru 7A, 9A, 11A thru 20A and 23A thru 25A" and substituting item nos. "1 thru 7, 9, 11 thru 20 and 23 thru 25".

Be it further resolved that all other provisions of said Resolution No. 654-98 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Warren and Axelrod.

Nays: None.

Absent: Directors Hudecek and Patterson.

Resolution No. 360-99.

By Director Konicek.

Whereas, pursuant to Ordinance No. 1262-97, passed by the Council of the City of Cleveland on July 16, 1997, and Board of Control Resolu-

tion No. 618-97 adopted August 6, 1997, the Director of Public Utilities entered into and executed a lease agreement for 41,532 square feet in the 75 Erieview Building at 75 Erieview with Turquoise Investors, L. P. for a term of twenty (20) months; and

Whereas, said Ordinance No. 1262-97 provides that the term of lease for temporary office space for Utilities personnel during the renovation of the 1201 Lakeside Avenue Building shall not exceed two (2) years; and

Whereas, in order to complete the renovation of the 1201 Lakeside Avenue Building, the City requires an additional four (4) months' lease; and

Whereas, said Ordinance No. 1262-97 provides that the rent for the property leased shall not exceed the fair market rental as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Utilities is hereby authorized to lease the premises at 75 Erieview Building from Turquoise Investors, L. P. for an additional term of four (4) months commencing August 1, 1999, and that the rent for the property leased is hereby fixed at \$51,915.00 per month, which amount is determined to be the fair market rental for the property.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Warren and Axelrod.

Nays: None.

Absent: Directors Hudecek and Patterson.

Resolution No. 361-99.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on April 22, 1999, for Streetlight Materials, item nos. 52 and 53, for the Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority of Section 129.26 of the Codified Ordinances of the City of Cleveland 1976, be and the same are hereby rejected.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Warren and Axelrod.

Nays: None.

Absent: Directors Hudecek and Patterson.

Resolution No. 362-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of WESCO Distribution, Inc. for an estimated quantity of streetlight materials, item nos. 28, 85 and 88, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on April 22, 1999, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Thirty One Thousand Two Hundred Twenty One and 65/100 Dollars (\$31,221.65) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall

provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 0233

which shall be certified against such contract in the sum of One Thousand Nine Hundred Thirty Two and no/100 Dollars (\$1,932.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Warren and Axelrod.

Nays: None.

Absent: Directors Hudecek and Patterson.

Resolution No. 363-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Leader Electric Supply Co. for an estimated quantity of streetlight materials, item nos. 84, 86, 87, 89 and 90, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on April 22, 1999, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Two Hundred Ninety Five Thousand Two Hundred Fifty and 70/100 Dollars (\$295,250.70) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 0232

which shall be certified against such contract in the sum of Forty Two Thousand Three Hundred Ninety and no/100 Dollars (\$42,390.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Warren and Axelrod.

Nays: None.

Absent: Directors Hudecek and Patterson.

Resolution No. 364-99.

By Director Balraj.

Resolved, by the Board of Control of the City of Cleveland that the bid of Gardiner Service Company for an estimated quantity of labor and materials necessary to maintain and repair air conditioning systems (All Items) for the various divisions of the Department of Port Control, for the period of two (2) years beginning with the execution of a contract, received on the 7th day of May, 1999, pursuant to the authority of Ordinance No. 2002-98, passed

December 14, 1998, which on the basis of the estimated quantity would amount to One Hundred Six Thousand One Hundred Twenty-Five and 00/100 Dollars (\$106,125.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08308

which shall be certified against such contract in the sum of Twenty-One Thousand Two Hundred Twenty-Five and 00/100 Dollars (\$21,225.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Warren and Axelrod.

Nays: None.

Absent: Director Patterson.

Resolution No. 365-99.

By Director Balraj.

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 1014-90 passed by Cleveland City Council on June 18, 1990, the proposal of Fins & Feathers Seafood and Poultry Market, Inc., DBA English Concessions (Cleveland Shines) is hereby selected upon nomination of the Director of Port Control to install, operate and maintain a shoe shine stand for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Be it further resolved, that the Director of Port Control is hereby authorized to enter into a lease by way of concession with Fins & Feathers Seafood & Poultry Market, Inc., DBA English Concessions (Cleveland Shines) for the installation, operation and maintenance of a shoe shine stand, based upon its proposal dated January 29, 1999 for a period of five (5) years commencing upon the effective date of the lease. The fee for such concession shall be based on a guaranteed minimum concession fee of Nine Thousand Six Hundred Dollars (\$9,600) per year for a total of approximately Forty-eight Thousand Dollars (\$48,000) over the term of the concession agreement.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Warren and Axelrod.

Nays: None.

Absent: Director Patterson.

Resolution No. 366-99.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of U. S. A. Waste of Ohio, Inc. for the purchase of direct haul of municipal solid waste from areas of the City in proximity to and to be served by the transfer site at 7450 Oakleaf Rd., Oakwood Village, Ohio 44146, for the Division of Waste Collection and Disposal, Department of Public Service, for the period of one

(1) year beginning with the date of execution of a contract, received on April 29, 1999 pursuant to the authority of Ordinance No. 317-99 passed April 5, 1999, which on the basis of the estimated quantity would amount to approximately Four Million and No/100 Dollars (\$4,000,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 3506 which shall be certified against such contract in the sum of Two Hundred Thousand and No/100 Dollars (\$200,000.00).

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

Be it further resolved, that the employment of the following sub-contractors to U.S.A. Wastes of Ohio, Inc., is hereby approved:

Thompson Ground Development
(MBE) 15%
Affordable Rolloff
(FBE) 5%

Yeas: Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.
Absent: Mayor White.

Resolution No. 367-99.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Southeastern Equipment Company, Inc. for an estimated quantity of One (1) Endloader for the various divisions of City Government, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on March 26, 1998, pursuant to the authority of Ordinance No. 1074-98, passed June 15, 1998, which on the basis of the estimated quantity would amount to approximately One Hundred Fifty-One Thousand Two Hundred and no/100 Dollars (\$151,200.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for an immediate purchase as the initial amount of such contract of the following:

Requisition No. 09453

which shall be certified against such contract in the sum of One Hundred Fifty-One Thousand Two Hundred and No/100 Dollars (\$151,200.00).

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

Yeas: Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.
Absent: Mayor White.

Resolution No. 368-99.

By Director Hudecek.

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. 017-20-102 (Southerly half) located at West 98th Street in Ward 18; 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, Don L. Emery and Mary G. Emery, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 18 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 purchasers of said parcel are 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 Ordinance 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 Don L. Emery and Mary G. Emery for the sale and development of Permanent Parcel No. 017-20-102 (Southerly half) located at West 98th Street, 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: Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.
Absent: Mayor White.

Resolution No. 369-99.

By Director Hudecek.

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. 017-20-102 (Northerly half) located at 3412 West 98th Street in Ward 18; 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, Philip M. Pack and Ruby A. Pack, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 18 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 purchasers of said parcel are 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 Ordinance 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 Philip M. Pack and Ruby A. Pack for the sale and development of Permanent Parcel No. 017-20-102 (Northerly half) located at 3412 West 98th Street, 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: Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.
Absent: Mayor White.

Resolution No. 370-99.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of COMDOC, Inc. for an estimated quantity of Rental of Analog Copiers (Item E-analog copiers) (Groups 1, 2 and 3), for the Division of various divisions of City Government, Department of Finance, for the period of three (3) years with two (2) one-year options, received on March 5th, 1999, pursuant to the authority of Ordinance No. 1065-98, passed July 29, 1998, as amended by Ordinance No. 172-99, passed March 29, 1999, which on the basis of the estimated quantity would amount to One Million Sixty-Eight Thousand Four Hundred Eighty and 00/100 Dollars (\$1,068,480.00) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 2637

which shall be certified against such contract in the sum of Fifty

Three Thousand Four Hundred Twenty-Four and 00/100 Dollars (\$53,424.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Warren and Axelrod.

Nays: None.

Absent: Director Patterson.

Resolution No. 371-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 199-99, adopted April 14, 1999, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland Ohio, 1976, approving the bid of Hertz Equipment Rental Corporation/Phillips as lowest and best for repair parts for pumps, small engines and saws (items 2 and 5), for the Division of Water, Department of Public Utilities, is hereby amended by deleting "requisition no. 02574" and adding "requisition no. 22574".

Be it further resolved that all other provisions of said Resolution No. 199-99 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Warren and Axelrod.

Nays: None.

Absent: Director Patterson.

Resolution No. 372-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 200-99, adopted April 14, 1999, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland Ohio, 1976, approving the bid of Jordan Distributors, Inc. as lowest and best for repair parts for pumps, small engines and saws (items 1, 3, 6 and 7), for the Division of Water, Department of Public Utilities, is hereby amended by deleting "requisition no. 02575" and adding "requisition no. 34263".

Be it further resolved that all other provisions of said Resolution No. 200-99 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Warren and Axelrod.

Nays: None.

Absent: Director Patterson.

Resolution No. 373-99.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on June 2, 1999 for Hauling and Disposal of Water Plant Residuals for the Division of Water, Department of Public Utilities, pursuant to the authority of Ordinance No. 1944-98, passed by the Council of the City of Cleveland on December 14, 1998 are hereby rejected.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Warren and Axelrod.

Nays: None.

Absent: Director Patterson.

Resolution No. 374-99.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel Nos. 006-07-022, 006-05-082, 007-08-071 (Westerly part and all of 007-08-173), 002-02-037, 002-02-041, 007-01-058, 007-01-059, 007-19-031, 007-19-032, 007-24-093, 007-24-094, 007-08-072, 007-08-073, 007-08-049, 007-08-050, and 123-20-052 under said Land Reutilization Program; and

Whereas, Ordinance No. 1089-99 passed June 14, 1999, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1089-99 passed June 14, 1999, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Cleveland Housing Network Limited Partnership XVI for the sale and development of Permanent Parcel Nos. 006-07-022, 006-05-082, 007-08-071 (Westerly part and all of 007-08-173), 002-02-037, 002-02-041, 007-01-058, 007-01-059, 007-19-031, 007-19-032, 007-24-093, 007-24-094, 007-08-072, 007-08-073, 007-08-049, 007-08-050, and 123-20-052, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$1,700, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.

Absent: Mayor White.

Resolution No. 375-99.

By Director Warren.

Whereas, pursuant to Ordinance No. 1242-95, passed by Cleveland City Council March 4, 1996, the Director of Economic Development is authorized to enter into a development agreement, purchase agreement, and escrow agreement, in the form contained in Council File No. 1242-95-A, for two parcels of City-owned land north of Cleveland Hopkins International Airport, which land is also described in said file; and

Whereas, said purchase agreement calls for the sale of said land at fair market value, as determined by the City's Board of Control; now, therefore

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to authorization of Ordinance No. 1242-95, passed by Cleveland City Council March 4, 1996, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned land, no longer needed for public use, described therein and being a parcel containing 27.6272 acres (Parcel B) and a parcel containing 30.9838 acres (Parcel C), to Cleveland Business Park, Ltd.; the consideration to be paid for Parcel B is fixed at Twenty-four Thousand Seventy and Fifty Hundredths Dollars (\$24,070.50) per acre and the consideration to be paid for Parcel C is fixed at Twenty-eight Thousand Seven Hundred Twenty-four and Seventy Hundredths Dollars (\$28,724.70) per acre, which amount is determined to be not less than fair market value when taking into account all restrictions and encumbrances placed by the City in the deed of conveyance. The quit claim deed or deeds to Cleveland Business Park, Ltd. shall contain such terms and conditions as the Director of Economic Development and the Director of Law deem appropriate and necessary to protect and benefit the interests of the City of Cleveland.

Be it further resolved by the Board of Control of the City of Cleveland that the Mayor and Commissioner of Purchases and Supplies are hereby requested to execute and deliver the official deed or deeds of the City of Cleveland conveying said property.

Yeas: Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.

Absent: Mayor White.

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 stated 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.

FREDDIE J. FENDERSON,
President

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

TUESDAY, JULY 6, 1999

9:30 A.M.

Calendar No. 99-139: 419 Railway Avenue (Ward 13)
Tremont Ridge, Phase I, Limited Partnership, owner c/o Keith Sutton, appeal to construct a 24' x 41'-4" three-story, one family dwelling house with a lower level garage and utility room on a 30' x 88' corner lot as one unit of a townhouse project located in a B-Multi-Family District on the westerly side of Railway Avenue at 419 Railway Avenue; said construction being contrary to the Area Requirements of Section 355.04 where the minimum lot area required is 4,800 sq. ft. and 2,700 sq. ft. are proposed and a 40' minimum lot width is required and a 29.43' lot width is proposed and the maximum gross floor area permitted is 1,350 sq. ft. and 4,000 sq. ft. are proposed and contrary to the Yards and Courts Regulations of Sections 357.05 and 357.09 where a 3' minimum side yard and a 10' aggregate side yard is required and 3' minimum side yard is proposed and a 0' aggregate side yard is proposed and where 0' is proposed, no building in a Residence District may be constructed less than 10' from a main building on an adjoining lot as required by Section 357.09(2)(a) of the Codified Ordinances.

Calendar No. 99-140: 415 Railway Avenue (Ward 13)
Tremont Ridge, Phase I, Limited Partnership, owner c/o Keith Sutton, appeal to construct a 22' x 42' three-story one family dwelling house with a lower level garage and utility room on a 22' x 86' lot as one unit of a townhouse project located in a B-Multi-Family District on the westerly side of Railway Avenue at 415 Railway Avenue; said construction being contrary to the Area Requirements of Section 355.04 where the minimum lot area required is 4,800 sq. ft. and 1,914 sq. ft. are proposed and a 40' minimum lot width is required and a 22' lot width is proposed and the maximum gross floor area permitted is 957 sq. ft. and approximately 3,696 sq. ft. are proposed contrary to the Yards and Courts Regulations of Sections 357.05 and 357.09 where a 3' minimum side yard and a 10' aggregate side yard is required and a 0' minimum side yard is proposed and a 0' aggregate side yard is proposed and where 0' is proposed, no building in a Residence District may be constructed less than 10' from a main building on an adjoining lot as required by Section 357.09(2)(a) of the Codified Ordinances.

Calendar No. 99-141: 411 Railway Avenue (Ward 13)
Tremont Ridge, Phase I, Limited Partnership, owner c/o Keith Sutton, appeal to construct a 22' x 42' three-story one family dwelling house with a lower level garage and utility room on a 22' x 86' lot as one unit of a townhouse project located in a B-Multi-Family District on the westerly side of Railway

Avenue at 411 Railway Avenue; said construction being contrary to the Area Requirements of Section 355.04 where the minimum lot area required is 4,800 sq. ft. and 1,848 sq. ft. are proposed and a 40' minimum lot width is required and a 22' lot width is proposed and the maximum gross floor area permitted is 924 sq. ft. and approximately 3,696 sq. ft. are proposed contrary to the Yards and Courts Regulations of Sections 357.05 and 357.09 where a 3' minimum side yard and a 10' aggregate side yard is required and 0' minimum side yard is proposed and a 0' aggregate side yard is proposed and where 0' is proposed, no building in a Residence District may be constructed less than 10' from a main building on an adjoining lot as required by Section 357.09(2)(a) of the Codified Ordinances.

Calendar No. 99-142: 407 Railway Avenue (Ward 13)
Tremont Ridge, Phase I, Limited Partnership, owner c/o Keith Sutton, appeal to construct a 22' x 42' three-story one family dwelling house with a lower level garage and utility room on a 22' x 85' lot as one unit of a townhouse project located in a B-Multi-Family District on the westerly side of Railway Avenue at 407 Railway Avenue; said construction being contrary to the Area Requirements of Section 355.04 where the minimum lot area required is 4,800 sq. ft. and 1,914 sq. ft. are proposed and a 40' minimum lot width is required and a 22' lot width is proposed and the maximum gross floor area permitted is 935 sq. ft. and approximately 3,696 sq. ft. are proposed contrary to the Yards and Courts Regulations of Sections 357.05 and 357.09 where a 3' minimum side yard and a 10' aggregate side yard is required and 0' minimum side yard is proposed and a 0' aggregate side yard is proposed and where 0' is proposed, no building in a Residence District may be constructed less than 10' from a main building on an adjoining lot as required by Section 357.09(2)(a) of the Codified Ordinances.

Calendar No. 99-143: 403 Railway Avenue (Ward 13)
Tremont Ridge, Phase I, Limited Partnership, owner c/o Keith Sutton, appeal to construct a 24' x 42' three-story one family dwelling house with a lower level garage and utility room on a 22' x 86' lot as one unit of a townhouse project located in a B-Multi-Family District at the westerly corner of Literary Road and Railway Avenue at 403 Railway Avenue; said construction being contrary to the Area Requirements of Section 355.04 where the minimum lot area required is 4,800 sq. ft. and 2,640 sq. ft. are proposed and a 40' minimum lot width is required and a 30' lot width is proposed and the maximum gross floor area permitted is 1,320 sq. ft. and approximately 3,696 sq. ft. are proposed contrary to the Yards and Courts Regulations of Sections 357.05 and 357.09 where a 3' minimum side yard and a 10' aggregate side yard is required and a 2' minimum side yard is proposed and a 0' aggregate side yard is required and a 2' minimum side yard is proposed

and a 0' aggregate side yard is proposed and where 0' is proposed, no building in a Residence District may be constructed less than 10' from a main building on an adjoining lot as required by Section 357.09(2)(a) of the Codified Ordinances.

Calendar No. 99-144: 2149 West 5th Street (Ward 13)
Michael McBride, owner, appeals to construct a 52' x 52' two-story masonry two family dwelling house with a rehearsal studio and a two car attached garage on an approximately 89' x 120' triangular corner parcel located in a Multi-Family District at the northeasterly corner of Railway Avenue and West 5th Street; said construction being contrary to the Area Requirements of Section 355.04 where the minimum lot required is 6,000 sq. ft. and 3,673 sq. ft. are proposed and contrary to the Yards and Courts Regulations where the proposed line of existing building is 0'0" and the line of existing buildings is equal to 5'0" as per Section 357.06 of the Codified Ordinances.

Calendar No. 99-145: Appeal of Timothy Williams, Sr.
Timothy Williams, Sr. appeals under Section 76-6 and the Charter of the City of Cleveland and Section 674.04 of the Codified Ordinances from the denial of a handgun registration and a handgun owner's identification card upon the recommendation of Chief Martin Flask, Cleveland Police Division, as filed for in April of 1999.

Calendar No. 99-160: Appeal of Ronald Bell
Ronald Bell appeals under Section 76-6 and the Charter of the City of Cleveland and Section 670.13 of the Codified Ordinances, where the issuance of a commission as an armed security guard shall not of itself constitute the authority to carry firearms, from the revocation of a private police commission license on May 6, 1999 by Henry Guzman Director of Public Safety, upon the recommendation of Chief Martin Flask, Cleveland Police Division.

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, JUNE 21, 1999

At the meeting of the Board of Zoning Appeals on Monday, June 21, 1999, the following appeals were heard by the Board:

The following appeals were **Approved**

Calendar No. 99-121: 4220 Pearl Road
John Lozios, owner, and Zaremba Group LLC c/o John Wojtila, agent, and CVS Pharmacy, purchaser, appealed to construct a 75' x 135', 10,125 sq. ft. one-story masonry (CVS Pharmacy) building and an 84 car parking lot on an approximate 300' x 500' corner parcel in split zoning between General Retail Business and Multi-Family Districts.

Calendar No. 99-123: 3232 East 128th Street

Mount Pleasant United Methodist Church, owner, and Community United Headstart c/o Gayle Thomas, and John Rakaukas, agent, appealed to change the use of an existing basement of a 50' x 90' church building situated on an 82' x 150' corner parcel into a child care center in a Two-Family District; approval subject to submission of a signed agreement for additional parking arrangements and approval of revised plan that shows a specific traffic pattern and play area for the proposed project.

Calendar No. 99-124: 611 Literary Road

Tremont Ridge Phase I, Limited Partnership, owner c/o Keith Sutton, appealed to erect a 20' x 40' three-story two family dwelling house with full basement and a 20' x 20' detached private garage on a 25' x 116' lot in a B-Multi-Family District.

Calendar No. 99-125: 10519 Madison Avenue

John F. McManus, owner, appealed to change the use of an existing 60' x 60' one-story former service station building into a repair garage for car cleaning, quick lube and oil change with minor repairs in a General Retail District; approval conditioned upon appellant submitting for approval a modified plan detailing installation of landscaping requirements along Madison Avenue and West 106th Street, the paving and draining of surface lot area; and that the appellant will eliminate any signage not in compliance; maintain the 6' fence located to the south at the rear of the property and agree that no exterior storage of any type be permitted during non-business hours of operation.

Calendar No. 99-127: 2030 West 28th Street

St. Ignatius High School, owner c/o Peter Hendler, Director of Plant Services, appealed to construct a parking lot for 127 cars on an approximate 240' x 250' parcel bound by West 28th and West 29th Streets and Lorain Avenue and Keene Court.

Calendar No. 99-130: 2619-2621 West 14th Street

Jack Wilcox, owner, and The Gathering, tenant c/o Bill Henderson, appealed to change the use of an existing 67'-2" x 29'-5" one-story wood frame L-shaped salon-boutique and to construct a 41' x 25' one-story addition to the rear of said building in a General Retail District.

The following appeals were **Withdrawn**:

Calendar No. 99-122: 7818 Lake Avenue

Gregory Gianvito, owner, appealed to construct an 88' x 32' one-story masonry warehouse addition to an existing 68' x 60' existing warehouse building in a Semi-Industry District.

Calendar No. 99-106: 4164 East 97th Street

Christopher Brown, owner, appealed to change the use of an existing 23' x 50' three-story two dwelling adult group home into a boarding house for six individuals in a Two-Family District.

The following appeals were **Postponed**:

Calendar No. 99-129: 9614 Denison Avenue postponed to July 12, 1999.**Calendar No. 99-105:** 3435 East 49th Street, a.k.a. 4910 Dalton Avenue postponed to July 19, 1999.**Calendar No. 99-110:** 744 East 105th Street postponed to July 19, 1999.**On Monday, June 21, 1999, in Executive Session:**

The following appeals were heard on Monday, June 14, 1999, and said decisions to **Grant** were approved and adopted by the Board on June 21, 1999:

Calendar No. 99-114: 996 East 76th Street

Rockefeller West III, owner c/o Jamie Blackson and Jessica Smocer, agents, appealed to construct a 26' x 29' single dwelling house with a 12' x 20' attached garage on a 60' x 75' parcel in a Two-Family District; approval subject to submission of the "master plan" that relates to the project location and confirmation of the councilman's position.

Calendar No. 99-115: 8202 Simon Avenue

Rockefeller West III, owner c/o Jamie Blackson and Jessica Smocer, agents, appealed to construct a 22' x 35' single dwelling house with a 12' x 20' detached garage on a 38' x 110' parcel in a Two-Family District; approval subject to submission of the "master plan" that relates to the project location and confirmation of the councilman's position.

EUGENE CRANFORD, JR.,
Secretary

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

NO MEETING

PUBLIC NOTICE

The following are in violation of C.O. 623.14:

Richard Alt, last known address, 1742 West 29th Street, Cleveland, Ohio 44113.

Richard Norris, last known address, 10127 South Blvd., Apartment 2, Cleveland, Ohio 44108.

NOTICE OF PUBLIC HEARING

NONE

1297

CITY OF CLEVELAND BIDS**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, JUNE 30, 1999

Rental of golf carts for Highland and Seneca golf courses, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 101-99, passed by the Council of the City of Cleveland.

Dewatered residuals, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1936-96, passed by the Council of the City of Cleveland, December 26, 1996.

June 16, 1999 and June 23, 1999

FRIDAY, JULY 2, 1999

Asbestos removal, Phase V, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 1283-97, passed by the Council of the City of Cleveland, June 15, 1998.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON MONDAY, JUNE 28, 1999, 10:00 A.M., AT THE

ENGINEERING DEPARTMENT,
CLEVELAND HOPKINS INTERNATIONAL AIRPORT,
5300 RIVERSIDE DRIVE.

June 16, 1999 and June 23, 1999

WEDNESDAY, JULY 7, 1999

Residential Sound Insulation Program (RSIP) 1999 Group C-99, for the Department of Port Control, as authorized by Ordinance No. 469-98, passed by the Council of the City of Cleveland, May 18, 1998.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, JUNE 29, 1999, 12:30 P.M., LOCAL TIME, IN THE 2ND FLOOR MAIN CONFERENCE ROOM, ADMINISTRATION OFFICE, PASSENGER TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE.

Seven (7) Compaq Alpha workstations/accessories, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2166-98, passed by the Council of the City of Cleveland, March 1, 1999.

June 16, 1999 and June 23, 1999

THURSDAY, JULY 8, 1999

Replacement hoses and nozzles for various engines, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 1954-98, passed by the Council of the City of Cleveland, December 14, 1998.

Repair and/or replace breathing air cascade system, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 1954-98, passed by the Council of the City of Cleveland, December 14, 1998.

Meters and metering equipment (Solid State Watt-Hour Meters), for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

Meters and metering equipment (Electric Watt-Hour Meters/Sealing devices), for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

June 16, 1999 and June 23, 1999

FRIDAY, JULY 9, 1999

Design, layout, printing and distribution of the Cleveland Flight Guide, for the Department of Port Control, as authorized by Ordinance No. 1064-99, passed by the Council of the City of Cleveland.

Paint and paint materials, for the various divisions of City government, Department of Finance, as authorized by Ordinance No. 711-99, passed by the Council of the City of Cleveland, May 17, 1999.

June 16, 1999 and June 23, 1999

FRIDAY, JULY 16, 1999

Building materials - used paving bricks, for the various divisions of City government, Department of Finance, as authorized by Ordinance No. 705-99, passed by the Council of the City of Cleveland, May 17, 1999.

June 16, 1999 and June 23, 1999

WEDNESDAY, JULY 7, 1999

One (1) IBM Tape Drive, Controller and Associated Cables and Software, for the Department of Public Safety, as authorized by Ordinance No. 2058-98, passed by the Council of the City of Cleveland, December 14, 1998.

June 23, 1999 and June 30, 1999

THURSDAY, JULY 8, 1999

Metering equipment - Sheet Metal Fabrication, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

June 23, 1999 and June 30, 1999

FRIDAY, JULY 9, 1999

One (1) Hydroseeder, for the various divisions of City government, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

June 23, 1999 and June 30, 1999

FRIDAY, JULY 16, 1999

Uniforms, for the Division of Building and Housing, Department of Community Development, as authorized by Ordinance No. 134-99, passed by the Council of the City of Cleveland, March 22, 1999.

Service Fittings, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

June 23, 1999 and June 30, 1999

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 741-99.

By Councilman Jackson (by request).

An emergency resolution declaring the intention to vacate all that portion of Shepard Court S.E.

Whereas, this Council; is satisfied that there is good cause to vacate all that portion of Shepard Court S.E. as hereinafter described, and

Whereas, this resolution constitutes an emergency measure in that the same provides 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 it hereby declares its intention to vacate all those portions of the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of: SHEPARD COURT S.E. (12.00 feet wide) extending Easterly from the Easterly line of East 30th Street (50.00 feet wide) to that portion of Shepard Court S.E. vacated by the Council of City of Cleveland by Ordinance Number 2157-78, passed October 30, 1978.

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 June 14, 1999.

Effective June 17, 1999.

Res. No. 742-99.

By Councilman Sweeney (by request).

An emergency resolution declaring the intention to vacate a portion of Sally Avenue.

Whereas, this Council is satisfied that there is good cause for vacating a portion of Sally Avenue, as hereinafter described, 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 it hereby declares its intention to vacate all that portion of:

LEGAL DESCRIPTION / SALLY AVENUE ENCROACHMENT AREA:

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and being part of The Kroehle Company's Westport Subdivision as recorded in Volume 111, Page 39 of Cuyahoga County Records and part of The Westport Subdivision Number 2 as recorded in Volume 161, Page 25 of Cuyahoga County Records. The parcel is further known as being part of Section Number 3 of Original Rockport Township, and bounded and described as follows:

Beginning at the intersection of the southerly right of way line of Sally Avenue (50.00 feet wide) and the easterly right of way line of State Highway 713 (175.00 feet wide);

Thence North 10°-20'-02" East, 179.43 feet along the easterly right of way line of State Highway Number 713 to a point of intersection with the north right of way line of Sally Avenue (50.00 feet wide);

Thence South 01°-53'-48" East, 103.61 feet to a point of curvature;

Thence Southeasterly along the arc of a curve deflecting to the left, 37.94 feet to a point of tangency.

Said curve having a radius of 25.00 feet and whose chord bears South 45°-22'-24" East a distance of 34.40 feet.

Thence South 88°-50'-59" East, 230.86 feet to a point;

Thence South 01°-09'-01" West 50.00 feet to a point of intersection of the east line of Sublot Number 5 and the south right of way line of Sally Avenue;

Thence North 88°-50'-59" West, 289.97 feet to a point on the east right of way line of State Highway Number 713 and being the beginning point;

Said parcel containing 16,151 square feet (0.3708 acres) of land, be the same more or less but subject to all legal highways, as surveyed by Terin J. Kaminski, Registered Surveyor Number 7207 (Ohio).

Bearings given are based on assumed meridian and are intended to describe angles only.

Remainder of Sally Avenue was vacated by Cleveland City Ordinance Number 1335-96 passed on July 17, 1996.

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 June 14, 1999.
Effective June 17, 1999.

Res. No. 978-99.
By Councilman Cimperman.
An emergency resolution declaring the intention to vacate all that portion of East 13th Street.

Whereas, this Council; is satisfied that there is good cause to vacate all that portion of East 13th Street as hereinafter described, 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 it hereby declares its intention to vacate all those portions of the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of: EAST 13TH STREET (formerly East 14th Street, 31.68 feet wide), extending Northerly from the Easterly prolongation of the Northerly line of Lakeside Avenue N.E. (99.00 feet wide) to the Southerly line of that portion of East 13th Street vacated by the Council of the City of Cleveland by Ordinance Number 2736-53, passed on February 8, 1954.

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 June 14, 1999.
Effective June 17, 1999.

Res. No. 1078-99.
By Councilman Dolan (by request).

An emergency resolution declaring the intention to vacate all that portion of Groveland Avenue.

Whereas, this Council; is satisfied that there is good cause to vacate all that portion of Groveland Avenue, as hereinafter described, and

Whereas, this resolution constitutes an emergency measure in that the same provides 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 it hereby declares its intention to vacate the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of: GROVELAND AVENUE (60.00 feet wide) extending Westerly from Lorain Avenue (width varies) and Riveredge Road (60.00 feet wide) to its Easterly terminus.

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 June 14, 1999.
Effective June 17, 1999.

Res. No. 1175-99.
By Councilmen Melena, Willis, Sweeney, Gordon, Cimperman, Zone, Polensek, Britt, Coats, Rybka, Westbrook, Cintron, Johnson, Robinson, Patmon, Lewis, Jones.

An emergency resolution urging the Ohio General Assembly to reject House Bill 283 concerning the regulation of fees charged by municipalities for the use of public rights of way by utility companies.

Whereas, municipalities such as the City of Cleveland have certain constitutional rights and obligations to control the activities of and contract with public utilities within their jurisdictions; and

Whereas, many cases in the Ohio Supreme Court and other jurisdictions have recognized the right of governmental entities to charge for the use of rights of way; and

Whereas, an amendment to Ohio House Bill 283 has been proposed which would prohibit a municipality in the State of Ohio from levying a tax, fee or charge for the right or privilege of using or occupying a public way for purposes of delivering natural gas, electric, telecommunication or cable television services; and

Whereas, public rights of way are valuable property rights and generate certain revenue for the City of Cleveland, and are fees which utility companies can well afford; and

Whereas, the Council of the City of Cleveland is opposed to Ohio House Bill 283 and further has great concern about the constitutionality of such measure; now, therefore,

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

Section 1. That the Council of the City of Cleveland urges the mem-

bers of the Ohio General Assembly to oppose House Bill 283 which prohibits municipalities from charging fees for the use of rights of way by various public utilities, communication providers and cable television companies.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this resolution to JoAnn Davidson, Speaker of the House; Roy L. Ray, Chair of the Ohio Senate Finance Committee; and all Cleveland area State Representatives.

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 June 14, 1999.
Effective June 17, 1999.

Res. No. 1176-99.
By Councilmen Jones, Westbrook, Cimperman and Gordon.

An emergency resolution urging the Governor of Ohio to implement the waiver of a provision in the federal welfare law limiting single, childless, unemployed workers to only 3 months of food stamps every 3 years for those areas of Ohio (including Cleveland and East Cleveland) that have been deemed surplus labor areas by the U.S. Department of Labor.

Whereas, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, commonly referred to as the "welfare reform" law, has made changes in this nation's social safety net, which significantly affects the food stamp program; and

Whereas, the United States Congress determined and decided as part of the welfare reform effort that anyone between the ages of 18-50, with no dependents, and not eligible for disability assistance under either the Social Security or Supplemental Security Income programs should not be able to receive food stamps except in a dire emergency; and

Whereas, these recipients were disqualified from receiving food stamps except for three months out of any three-year period, and who are generally not eligible for any other program of public assistance; and

Whereas, the Cuyahoga County Department of Employment and Entitlement Services had estimated that 12,882 people residing in Cuyahoga County are at risk of losing food stamp benefits because they are between the ages of 18-50, and have no dependents; and

Whereas, the County estimates that 86% of the at risk group resides in Cleveland and East Cleveland, which translates to an annual benefit loss of \$10.2 million per year; and

Whereas, the Ohio Legislative Budget Office estimates the cost of implementing the Food Stamp Time Limit Waiver will cost the state administration merely \$36,000 per year, which amounts to less than one-third of one percent of the estimated federal food benefits to eligible citizens in this county; and

Whereas, there is a significant number of individuals in this at-risk population with disabilities that are not quite severe enough to qualify for the federal disability programs, but nevertheless have a very difficult time finding and retaining employment; and

Whereas, many of these recipients whose benefits have been cut will seek assistance from food hunger centers, which will place an additional strain such centers that provide food to the needy; and

Whereas, the federal government has initiated a waiver provision in the welfare law in those areas that have a high unemployment rate, which allows those recipients to receive benefits who otherwise would be taken off; and

Whereas, the former Ohio Governor George Voinovich applied for and was granted the federal waiver for Cleveland and East Cleveland within Cuyahoga County and all areas of high unemployment in the State of Ohio, and

Whereas, the former Governor Voinovich decided not to implement the waiver, thereby eliminating food stamp benefits of those individuals who are at most risk, and thereby placing tremendous obstacles and burdens placed on them during the transition from welfare to work; and

Whereas, such implementation of the food stamp waiver program could provide \$10 million dollars to the local economy, and provide social service and other human service organizations a more reasonable amount of time to develop a comprehensive work program for recipients, including public/private partnership programs; now therefore:

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

Section 1. That this Council strongly urges Ohio Governor Robert Taft to consider implementing the food stamp waiver provision in order to reduce the additional hardships that will be encountered by those recipients who have lost their benefits.

Section 2. That this Council strongly urges Ohio Governor Robert Taft to consider application and implementation of this waiver provision in order to prevent any recipient from losing welfare benefits, and to work closely with Cuyahoga County and the City of Cleveland to find work opportunities for those recipients who are not covered by the waiver.

Section 3. That this Council invites Governor Taft to Cleveland for a tour of hunger facilities, and a presentation by local officials and service providers about the potential impact of the Food Stamp Time Limit Waiver in this community.

Section 4. That the Clerk of Council be and she hereby be directed to transmit a certified copy of this resolution to Ohio Governor Robert Taft and the Greater Cleveland Committee on Hunger.

Section 5. 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 June 14, 1999.
Effective June 17, 1999.

Res. No. 1193-99.

By Councilman Polensek.

An emergency resolution withdrawing objection to the transfer of ownership of a D1 and D2 Liquor Permit to 656-58 E. 185th St., and repealing Res. No. 48-99, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D1 and D2 Liquor Permit to 656-58 E. 185th St., by Res. No. 48-99, adopted January 11, 1999; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership based upon and pursuant to a cooperation agreement signed June 11, 1999, a copy of which is in the file for this address with the City Law Department; and

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

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

Section 1. That objection to the transfer of ownership of a D1 and D2 Liquor Permit to 656-58 E. 185th St., be and the same is hereby withdrawn and Res. No. 48-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership 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 June 14, 1999.
Effective June 17, 1999.

Res. No. 1194-99.

By Councilman Lewis.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 1745 E. 55th St., 1st Fl. & 2nd Fl. and repealing Res. No. 1472-98, objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 1745 E. 55th St., 1st Fl. & 2nd Fl., by Res. No. 1472-98, adopted August 19, 1998; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon the liquor permit being held in safekeeping with the owner of the permit agreeing to sell the permit; and

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

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

Section 1. That objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 1745 E. 55th St., 1st Fl. & 2nd Fl., be and the same is hereby withdrawn and Res. No. 1472-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

Section 2. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

Adopted June 14, 1999.
Effective June 17, 1999.

Res. No. 1195-99.

By Councilman Sweeney.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4050 W. 140th St., 1st Fl., and repealing Res. No. 1776-98, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 4050 W. 140th St., 1st Fl., by Res. No. 1776-98, adopted October 5, 1998; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4050 W. 140th St., 1st Fl., be and the same is hereby withdrawn and Res. No. 1776-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership 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 June 14, 1999.
Effective June 17, 1999.

Res. No. 1196-98.

By Councilman Coats.

An emergency resolution objecting to the stock transfer of a C2 and C2X Liquor Permit to 1165 Hayden Avenue, 1st Fl.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a C2 and C2X Liquor Permit to Permit No. 6551176, 1165 Hayden Inc., DBA Eddies Delicatessen, 1165 Hayden Avenue, 1st Fl., Cleveland, Ohio 44110; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the stock transfer of a C2 and C2X Liquor Permit to Permit No. 6551176, 1165 Hayden Inc., DBA Eddies Delicatessen, 1165 Hayden Avenue, 1st Fl., Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Passed June 14, 1999.

Effective June 17, 1999.

Ord. No. 1108-96.
By Councilmen Patton, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for a multiple-use City facility at 1440 Lakeside Avenue, for the Division of Water, Department of Public Utilities; determining the method of making the public improvement of renovating 1440 Lakeside Avenue; authorizing the Director of Public Utilities to enter into contracts for the making of such improvements; authorizing the purchase by standard purchase and requirement contracts of related labor and materials; authorizing the acquisition of various rights and interests in real property; authorizing the relocation or modification of fixtures or features on said property; and authorizing various professional services contracts for the Division of Water, Department of Public Utilities.

Whereas, this ordinance constitutes an emergency measure provid-

ing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of creating a multiple-use City of Cleveland facility to house some of the Department of Public Utilities, Division of Water's operations and for the purpose of leasing excess office space to various other City of Cleveland divisions and departments: The property known as 1440 Lakeside Avenue, Cleveland, Ohio. The legal description for the property is contained in File No. 1108-96-A.

Section 2. That the Director of Public Utilities is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire the property described in Section 1 of this ordinance and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of such property.

Section 3. That the consideration to be paid for such property shall not exceed its fair market value.

Section 4. That the Director of Public Utilities shall undertake and complete a facilities utilization study of the properties located at 1440, 1700 and 1875 Lakeside Avenue and the Division of Water's current space at 1201 Lakeside Avenue, Cleveland, Ohio. Notwithstanding anything to the contrary contained herein, said facilities utilization study shall be performed by a qualified professional hired by the Director of Public Utilities after a RFP process. Said study must first be reviewed and receive the approval of Council as required by Section 5 herein.

Section 5. That the facilities utilization study completed pursuant to Section 4 shall be presented to this Council through its Public Utilities Committee for review and approval.

Section 6. That the Director of Public Utilities is hereby authorized and directed to employ by contract or contracts design engineers, architects and other consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the renovation of the existing 1440 Lakeside building for use by multiple divisions and departments of the City of Cleveland. The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Utilities from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contracts herein authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 7. That, pursuant to Section 167 of the Charter of the City

of Cleveland, it is hereby determined to make the public improvement of performing such improvements to the existing 1440 Lakeside building as will permit personnel currently located at 1201 Lakeside to use the existing 1440 Lakeside building temporarily during renovation of the 1201 Lakeside building.

That the Director of Public Utilities is hereby authorized and directed to enter into a contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contractor for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 8. That the Director of Public Utilities is hereby authorized and directed to make written standard purchase contracts and written requirement contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of such requirements to be determined by said Director, for the necessary items of labor and materials to perform such improvements to the existing 1440 Lakeside building as will permit personnel currently located at 1201 Lakeside to use the existing 1440 Lakeside building temporarily during renovation of the 1201 Lakeside building.

Section 9. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase, lease or otherwise acquire easements, fee interests, licenses, permits and other rights or interests in real property necessary for the acquisition of the property described in Section 1 of this ordinance.

Section 10. That all expenditures and costs authorized herein for any contract, including all public improvements, professional services contracts, standard purchases, requirement contracts, and for the acquisition of rights or interests in real property, shall be paid from the fund and subfunds legally available and appropriated for the use of the Division of Water.

Section 11. That the Director of Public Utilities is hereby authorized to enter into negotiations for the purchase of the properties located at 1468-70 Lakeside Avenue and the property located on the east side of 1440 Lakeside Avenue between Lakeside and Hamilton Avenues, as more fully described in the legal descriptions contained in Council File No. 1108-96-A.

Section 12. 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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1306-97.
By Councilmen Jackson, Rybka, Willis and Westbrook (by departmental request).

An emergency ordinance to amend Section 327.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1441-96, passed September 30, 1996, relating to penalty for violations of the Zoning Code.

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 327.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1441-96, passed September 30, 1996, is hereby amended to read as follows:

Section 327.99 Penalty

(a) Except as provided in divisions (c) and (d) below, any person, firm or corporation who violates any of the provisions of this Zoning Code or who fails to comply therewith shall, for each and every violation or failure, be fined not less than one hundred dollars (\$100.00), nor more than five hundred dollars (\$500.00) or imprisoned for not less than ten days, nor more than ninety days, or both. A separate offense shall be deemed committed each day during or on which such violation or failure to comply is permitted to exist after notification thereof.

(b) The imposition of any penalty under this division shall not be construed as excusing or permitting the continuance of any violation, and when the violation constitutes a nuisance, any owner of the premises, whether the owner at the time the violation was committed or his assignee, shall be deemed guilty of a violation of this Zoning Code each day he permits such nuisance to continue unabated after due notice from the Commissioner of Building and Housing of the existence of such nuisance.

(c) Any person, firm, or corporation who violates any provision of Section 337.16 of this Zoning Code or who fails to comply therewith shall, for each and every violation or failure, be fined not less than two hundred fifty dollars (\$250.00), nor more than five hundred dollars (\$500.00) which fine shall not be reduced, waived or suspended. In addition, imprisonment for not less than ten days nor more than ninety days may be imposed. A separate offense shall be deemed committed each day during or on which such violation or failure to comply is permitted to exist after notification thereof.

(d) Whoever violates Sections 337.23, 347.02, 347.10, 349.02, 349.04, 349.13, 350.19, 357.13 or, 357.14 or Section 347.08 as a first offense of that section shall be fined not more than one hundred dollars (\$100.00). In addition to any other method of enforcement provided for in this chapter, the above listed minor misdemeanors may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure.

(e) Whoever violates Section 347.08 as a second offense of that section shall be fined not more than two hundred fifty dollars (\$250.00)

or imprisoned for not more than thirty (30) days, or both. Whoever violates Section 347.08 as a third or subsequent offense of that section shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than six months, or both.

(f) Authority to enforce the above listed misdemeanors through issuance of a citation shall expire and shall be of no further force and effect two (2) years after the effective date of this section.

(g) The Commissioner of the Division of Building and Housing shall consult with the Councilperson of each ward about the enforcement of the provisions of this section in their particular ward.

Section 2. That existing Section 327.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1441-96, passed September 30, 1996, 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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1307-97.

By Councilmen Jackson, Willis and Westbrook (by departmental request).

An emergency ordinance to amend Section 367.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1442-96, passed September 30, 1996, relating to penalty for violation of the Housing Code.

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 367.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1442-96, passed September 30, 1996, is hereby amended to read as follows:

Section 367.99 Penalty

(a) Whoever violates any provision of this Housing Code for which no other penalty is provided or any rule or regulation promulgated thereunder or fails to comply therewith or with any written notice or written order issued thereunder, or whoever refuses to permit entry by the Housing Inspector at a reasonable hour, and whoever interferes with, obstructs, hinders or delays such housing inspector while attempting to make such inspection shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for the first offense, and for a second or subsequent offense shall be fined not less than one hundred dollars (\$100.00), nor more than one thousand dollars (\$1,000.00), or imprisoned for not more than six months or both. A separate offense shall be deemed committed each day during or on which an offense occurs or continues.

Whoever causes or permits the continuation of any violation of this Code or any rule or regulation promulgated hereunder or fails to comply therewith or with any written notice or written order issued hereunder, subsequent to conviction therefor shall be liable for further prosecution, conviction and punishment upon the same order or notice without the necessity of issuing a new order or notice, until full compliance has been had on such order or notice upon which the original conviction was had.

(b) Whoever violates Section 367.11 shall be fined not less than two hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00) for each offense thereof.

(c) Whoever violates Section 367.12 or 367.13 shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00).

(d) Whoever violates Section 371.01 shall receive a mandatory fine of not less than three hundred dollars (\$300.00) nor more than one thousand dollars (\$1,000.00) or imprisoned for not more than six months or both. A separate offense shall be deemed committed each day during or on which an offense occurs or continues.

(e) Whoever violates Sections 369.13, 369.17, 369.18, 369.19, 371.05, 371.07, 371.10 or 371.13 or Section 369.08 as a first offense shall be fined not more than one hundred dollars (\$100.00). In addition to any other method of enforcement provided for in this chapter, the above listed minor misdemeanors may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure. Whoever violates Sections 392.02, 392.03, 392.04, 392.05 or 392.06 is subject to the penalty established in Section 392.99 of these Codified Ordinances. In addition to any other means of enforcement provided for in these Codified Ordinances by statute, Sections 392.02, 392.03, 392.04, 392.05 or 392.06 may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Rules of Criminal Procedure, provided that the offense is a minor misdemeanor.

(f) Whoever violates Section 369.08 as a second offense of that section shall be fined not more than two hundred fifty dollars (\$250.00) or imprisoned for not more than thirty (30) days or both. Whoever violates Section 369.08 as a third or subsequent offense of that section shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than six months, or both.

(g) A court of competent jurisdiction may require whoever is convicted of or pleads guilty to a violation of this Housing Code to pay to the City's Department of Community Development, Division of Building and Housing, fees for inspections of violation that have not been remedied, which fee is described in Sections 367.08 and 3105.26, and the expenses or costs incurred under the provisions for demolition or boarding contained in the Housing Code.

(h) Authority to enforce the above listed misdemeanors through issuance of a citation shall expire and shall be of no further force and effect two (2) years after the effective date of this section.

(i) The Commissioner of the Division of Building and Housing shall consult with the Councilperson of each ward about the enforcement of the provisions of this section in their particular ward.

Section 2. That existing Section 367.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1442-96, passed September 30, 1996, 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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1308-97.
By Councilmen Jackson, Willis and Westbrook (by departmental request).

An emergency ordinance to amend Section 3103.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1443-96, passed September 30, 1996, relating to penalty for violations to the Building Code.

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 3103.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1443-96, passed September 30, 1996, is hereby amended to read as follows:

Section 3103.99 Penalty

(a) Whoever violates any provision of this Building Code for which no other penalty is provided or any rule or regulation or order promulgated thereunder, or any code adopted herein, or fails to comply with the lawful order issued pursuant thereto is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned not more than six (6) months or both. Each day during which noncompliance or a violation continues shall constitute a separate offense.

(b) Whoever violates Sections 3103.10, 3105.01, 3105.02, 3105.05, 3109.11, 3125.01, 3101.11, 3113.03, 3113.10, 3113.16 or division (e) of Section 3101.10 as a first offense of those sections shall be fined not more than one hundred dollars (\$100.00). In addition to any other method of enforcement provided for in this chapter, the above listed minor misdemeanors may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure.

(c) As provided by RC 2901.23 and 2929.31, organizations convicted of an offense shall be fined not more than five thousand dollars (\$5,000.00) for a misdemeanor of the first degree.

(d) Whoever violates Sections 3101.11, 3113.03, 3113.10, 3113.16 or

division (e) of Section 3101.10 as a second offense of those sections shall be fined not more than two hundred fifty dollars (\$250.00) or imprisoned for not more than thirty (30) days, or both. Whoever violates Sections 3101.11, 3113.03, 3113.10, 3113.16 or division (e) of Section 3101.10 as a third or subsequent offense of those sections shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than six months, or both.

(e) A court of competent jurisdiction may require whoever is convicted of or pleads guilty to a violation of this Building Code, to pay to the City's Department of Community Development, Division of Building and Housing, the fee for inspection of violations that have not been remedied, which fee is described in Sections 3103.09 and 3105.26, and the expenses or costs incurred under Section 3103.09 for the removal, repair, alteration, securing or boarding of a building or structure.

(f) Authority to enforce the above listed misdemeanors through issuance of a citation shall expire and shall be of no further force and effect two (2) years after the effective date of this section.

(g) The Commissioner of the Division of Building and Housing shall consult with the Councilperson of each ward about the enforcement of the provisions of this section in their particular ward.

Section 2. That existing Section 3103.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1443-96, passed September 30, 1996, 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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 2192-97.
By Councilmen Lewis, Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into and execute lease agreements for space at the City of Cleveland's Hough Multi-Service Center for terms not to exceed five years.

Whereas, the City of Cleveland owns space in certain property known as the Hough Multi-Service Center which is not needed for public use; and

Whereas, various tenants have proposed to lease said property; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks,

Recreation and Properties is authorized to enter into lease agreements with various tenants of space at the City of Cleveland's Hough Multi-Service Center, 8555 Hough Avenue, Cleveland, Ohio, which space is determined to be not needed for public use.

Section 2. That the term of the leases authorized pursuant to this ordinance shall not exceed five (5) years.

Section 3. That all space leased pursuant to this ordinance shall be leased at fair market value as determined by the Board of Control.

Section 4. That the leases shall be prepared by the Director of Law and shall contain such additional terms and conditions as are required to protect the interest of the City.

Section 5. That the Directors of Parks, Recreation and Properties and Law, and other appropriate City officials, are hereby authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the leases authorized pursuant to this ordinance.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.

Effective June 17, 1999.

Ord. No. 1233-98.
By Councilman Patmon.
An emergency ordinance to vacate a portion of Elk Avenue N.E. hereinafter described.

Whereas, on the 2nd day of March, 1997 the Council of the City of Cleveland adopted Resolution No. 2203-97 declaring its intention to vacate a portion of Elk Avenue N.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 2203-97 has been served upon the owners of all the property abutting Elk Avenue N.E., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 7th day of July, 1998, the Board of Revision of Assessments approved the vacation of Elk Avenue N.E., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Elk Avenue N.E., hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of Elk Avenue N.E. (40.00 feet wide)

and its Easterly turn-out extending Easterly from the Northerly prolongation of the Easterly line of East 107th Place (45.00 feet wide) to the Northerly prolongation of the Westerly line of East 107th Street (45.00 feet wide), be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power, and Ameritech equipment.

The description of easement is as follows:

All that portion of Elk Avenue N.E. (40.00 feet wide) and its Easterly turn-out extending Easterly from the Northerly prolongation of the Easterly line of East 107th Place (45 feet wide) to the Northerly prolongation of the Westerly line of East 107th Street (45.00 feet wide).

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with plans approved by the Commissioners of the Division of Light and Power, and Ameritech, of the City of Cleveland.

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

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

Passed June 14, 1999.

Effective June 17, 1999.

Ord. No. 30-99.

By Councilmen O'Malley, Sweeney, Westbrook, Rybka and Johnson (by departmental request).

An emergency ordinance to amend the title, Section 1 and Section 2 of Ordinance No. 1279-97, passed May 11, 1998, relating to employing one or more professional consultants to provide engineering services necessary to design the relocation of Brook Park Road, including the relocation of water lines under Brook Park Road.

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

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

Section 1. That the title, Section 1 and Section 2 of Ordinance No. 1279-97, passed May 11, 1998, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide engineering services necessary to design the relocation of Brook Park Road, including the relocation of water lines under Brook Park Road.

Section 1. That, provided the City of Cleveland sells the general airport

revenue bonds authorized by Ordinance No. 923-97, passed June 9, 1997, the Director of Port Control is hereby authorized and directed to employ by contract one or more engineers or one or more firms of engineers for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the relocation of Brook Park Road, including the relocation of water lines under Brook Park Road.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund Nos. 52 SF 001, 52 SF 223, 52 SF 225, 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, from the proceeds of the sale of the general airport revenue bonds of the City of Cleveland authorized by Ordinance No. 923-97, passed June 9, 1997, and from any fund or subfunds to which any federal grants for said contract are credited, Request Nos. 24862 and 22506.

Section 2. That the existing title, Section 1 and Section 2 of Ordinance No. 1279-97, passed May 11, 1998, 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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 261-99.

By Councilmen Cimperman, Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Mayor and Directors of Parks, Recreation and Properties and Law and other City officers to enter into an amendment to Common Area Maintenance Agreement No. 48828 between The Cleveland-Cuyahoga County Port Authority, the Rock and Roll Hall of Fame and Museum, Inc. and the Great Lakes Museum of Science, Environment and Technology for maintenance of the common areas of the North Coast Harbor.

Whereas, this ordinance constitutes an emergency measure provid-

ing 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 Mayor and Directors of Parks, Recreation and Properties and Law and other City officers are hereby authorized to enter into an amendment to Common Area Maintenance Agreement No. 48828 between The Cleveland-Cuyahoga County Port Authority, the Rock and Roll Hall of Fame and Museum, Inc. and the Great Lakes Museum of Science, Environment and Technology for maintenance of the common areas of the North Coast Harbor, for the purposes of adding the Cleveland Browns Stadium Company LLC, the Cleveland Browns Football Company LLC, and the Cleveland Browns Holdings LLC as parties to the agreement, to enlarge the common area property, to authorize an assessment from the parties for the years 1998 and 1999 to fund site improvements to the common area property, and to permit the Cleveland Fire Fighters fund to maintain and repair the Cleveland Fire Fighters Memorial which shall be located on the common area property. That said amendment shall also provide that in each of the years 1998 and 1999, \$25,000 of the docking and license fees from the City's Concession Agreement with the Goodtime Cruise Line, Inc., shall be collected by the City and paid to the Port Authority for Capital Repairs to the common area property. The City shall deposit all of the license and docking fees from the Goodtime Cruise Line, Inc. Concession Agreement into Fund No. 01-70-12-0380 and shall pay \$25,000 for each of the years 1998 and 1999 to the Capital Repairs Fund from Fund No. 01-70-12-0380. The agreement authorized by this ordinance shall include a provision that any non-profit organization based in the City of Cleveland holding a tax-exempt finding from the Internal Revenue Service that rents the Voinovich Park for a event not exceeding three consecutive days in length shall not be charged a rental fee in excess of one thousand dollars. The fees charged to for-profit organizations are not affected by the preceding sentence.

All other terms and conditions contained in the original common area maintenance agreement shall remain the same.

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

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

Passed June 14, 1999.

Effective June 17, 1999.

Ord. No. 309-99.**By Councilmen Willis, Zone and Johnson (by departmental request).****An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 531.81 and 535.46 relating to various charges for the Division of Water.**

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 531.81 and 535.46 thereof, to read, respectively, as follows:**Section 531.81 Fees for Engineering Services**

The following charges may be charged by the Division of Water for engineering services:

Service	Charge
Plan review of water main extensions, including hydraulics calculations	\$1.00 per linear ft. of water main (\$100.00 minimum)
Provision of copies of roll maps	\$3.00 per copy
Provision of copies of engineering drawings	\$3.00 per sheet
Processing of as-built drawings	\$100.00

Section 535.46 Fees for Returned Checks

The Division of Water shall charge an account holder twenty dollars (\$20.00) for any check returned for lack of sufficient funds.

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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 313-99.**By Councilman Cimperman.****An emergency ordinance authorizing the Director of Public Service to issue a permit to the Mallorca Restaurant to encroach into the public right-of-way at 1390 West 9th Street with an entrance canopy with supports.**

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to the Mallorca Restaurant, 1390 West 9th Street, Cleveland, Ohio 44113; its successors and assigns, for the construction, use and maintenance of an entrance canopy with supports which will encroach into the public right-of-way of West 9th Street, at the locations more fully described herein.**ENCROACHMENT FOR CANOPY
W/SUPPORTS WITHIN
WEST 9TH STREET:**

Beginning on the Westerly line of West 9th Street (99 feet wide), at a point about 188 feet Southerly from the Southerly line of West St. Clair Avenue (width varies); thence Easterly, at right angles to the Westerly line of West 9th Street, about 14 feet to a point; thence Northerly and parallel with the Westerly line of West 9th Street about 7.7 feet to a point; thence Westerly at right angles to the last described line

about 14 feet to the Westerly line of West 9th Street; thence Southerly along the Westerly line of West 9th Street, to the place of beginning.

Section 2. That said entrance canopy with supports will be placed within the public right-of-way as aforesaid in Section 1, and said banners will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.**Section 3.** That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.**Section 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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 326-99.**By Councilmen Lewis, Jackson, Robinson and Johnson (by departmental request).****An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6712 Lawnview Avenue to Christine Moton.**

Whereas, the City of Cleveland has elected to adopt and implement

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 106-12-051, as more fully described in Section 2 below, to Christine Moton.**Section 2.** That the real property to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

P.P. No. 106-12-051

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 40 in the Holden and Halle Allotment of part of Original One Hundred Acre Lot No. 341 as shown by the recorded plat in Volume 7 of Maps, Page 14 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Westerly line of said Sublot No. 40 at a point therein a distance of 62 feet Southerly measured along said Westerly line from the Northwesterly corner thereof; thence continuing Southerly along the Westerly line a distance of 66 feet to the Southwesterly corner thereof; thence Easterly along the Southerly line of said Sublot No. 40 a distance of 40 feet to the Southeasterly corner thereof; thence Northerly along the Easterly line of said Sublot No. 40 a distance of 53 feet; thence Westerly and parallel with the Southerly line of Lawnview Avenue a distance of 12 feet; thence Northerly and parallel with the Easterly line of said Sublot No. 40 a distance of 8 feet; thence Westerly and parallel with the Southerly line of Lawnview Avenue a distance of 28 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 328-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7814 Myron Avenue, N.E., to Tom P. Rushton and Evelyn Rushton.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 105-33-176, as more fully described in Section 2 below, to Tom P. Rushton and Evelyn Rushton.

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

P.P. No. 105-33-176

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 26 in W.J. Crawford's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 21 of Maps, Page 29 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Myron Avenue, N.E., (formerly Myron Street), and extending back of equal width 70 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 411-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Continental Airlines, Inc. for use and occupancy of certain space in the Primary Hangar at Cleveland Hopkins International Airport; determining the method of making the public improvement of rehabilitating and constructing the exterior and grounds of the primary hangar and a ground service equipment facility; and authorizing the Director of Port Control to employ professional design engineering services to design the public improvement.

Whereas, the City entered into a Memorandum of Understanding ("MOU") with Continental Airlines in March, 1997, memorializing the agreement that had been reached between the parties regarding the expansion by Continental at Cleveland Hopkins International Airport ("Airport"); and

Whereas, Cleveland City Council approved the terms of the MOU and other matters related to Continental's expansion by passage of Ordinance No. 561-97 in June, 1997; and

Whereas, pursuant to the MOU, Continental agreed to establish a regional jet line maintenance base at the Airport by December 31, 2000 and agreed to create within 5 years of the execution of the MOU over 500 new jobs relative to the expansion project as a whole, of which 50 would be new aircraft maintenance positions for the regional jet line maintenance base; and

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease By Way of Concession ("Lease") with Continental Airlines, Inc. ("Lessee") for use and occupancy of approximately 109,200 square feet of space, known as Bays 1 and 2, in the Primary Hangar (the "Premises") at Cleveland Hopkins International Airport for maintenance and operation of aircraft hangar and regional jet line maintenance base pursuant to the MOU between the City and Lessee dated March, 1997. The term of the Lease shall be for ten (10) years. At the end of the term, Lessee may request to extend the term of Bays 1 and 2 an additional ten (10) years, which request shall be reviewed by the City and either approved or rejected based on (a) the level of use by Lessee of the Premises as a regional jet line maintenance base and (b) the market for hangar space at the Airport and (c) compliance with the job creation and retention levels specified in the MOU. All jobs created relative to the regional jet line maintenance base, both permanent positions and construction jobs entered into pursuant to this ordinance, shall comply with the employment goals for minorities, females and City of Cleveland residents specified in the MOU.

Lessee shall pay as rent for use of the Premises \$3.70 per square foot per year, increasing by 15% every five years of the term and any extended term, and adjusted based on rent credits as set forth below.

Lessee shall receive rent credits for up to \$1 million dollars in improve-

ments it makes to the Premises, including both improvements made prior to execution of the Lease and those made after such execution. Said rent credits shall be amortized over the original 10 year term of the Lease at 7% interest. Lessee shall not receive rent credits for improvements made to the Premises in excess of \$1 million dollars.

Lessee agrees to make improvements to non-leased space in the Primary Hangar, at the City's request, including but not limited to, improving the exterior and grounds of the Primary Hangar, improving Bay 3 of the Primary Hangar and constructing an addition to the Primary Hangar. Lessee shall be reimbursed for the costs of these improvements; however, should the City elect to not reimburse Lessee for such improvements, Lessee shall receive credit against rent, amortized over the original 10 year term at 7% interest.

Rent credits for improvements done by Lessee which benefit both the Premises as well as non-leased space in the Primary Hangar shall be prorated based on the proportion of the Premises which benefit from the improvement to the total space at the Primary Hangar. Lessee shall receive rent credits as set forth above for that portion of the improvements corresponding to the Premises; in the City's discretion, Lessee shall either be reimbursed or receive rent credits as set forth above for that portion of the improvements corresponding to the non-leased space in the Primary Hangar.

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

Section 2a. That, it is hereby determined to make the public improvement of rehabilitating and constructing the exterior and grounds of the primary hangar and a ground service equipment facility (the "Improvement"), for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement.

Section 3. That the Director of Port Control is hereby authorized to enter into contract for the making of the Improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, or such trades or components may be the subject of a separate contract upon a unit basis.

Section 4. That the Director of Port Control is hereby authorized to employ by contract one or more professional design engineering consultants or one or more firms of professional design engineering consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Port Control from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by

the Director of Port Control for the purpose of compiling such a list. The compensation to be paid for such services shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 5. That the costs of the Improvement and services herein contemplated shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, 60 SF 114 and from any existing or future revenue bond funds, grant proceeds, PFC authorization, and revenue received from the Lease authorized in Section 1 of this ordinance, Request No. 8213.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.

Effective June 17, 1999.

Ord. No. 506-99.

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

An emergency ordinance to amend Sections 1 and 7 of Ordinance No. 1786-97, passed September 22, 1997, relating to the rehabilitation of Grayton Road access and spine road leading to Cleveland Business Park Phase II.

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 1 and 7 of Ordinance No. 1786-97, passed September 22, 1997, are hereby amended to read, respectively, as follows:

Section 1. That, it is hereby determined to make the public improvement of rehabilitating the Grayton Road access and spine road leading to Cleveland Business Park, Phase II, including paving, grading, drainage, curbing, sidewalks, lighting, streetscaping, traffic signals, installing a new water main and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement.

Section 7. That the costs of the Improvement, services and property acquisition herein contemplated shall be paid from Fund Nos. 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 334, 20 SF 342, 52 SF 001, 52 SF 223 and 52 SF 225, Request No. 21959.

Section 2. That Sections 1 and 7 of Ordinance No. 1786-97, passed September 22, 1997, 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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 513-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1893 East 69th Street to Evelyn Collins.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 118-07-028, as more fully described in Section 2 below, to Evelyn Collins.

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

P.P. No. 118-07-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 15 in the Frank L. Cody Building Company's Subdivision of part of Original 100 Acre Lot No. 338, as shown by the recorded plat in Volume 22 of Maps, Page 25 of Cuyahoga County Records and being 32 feet front on the Easterly side of East 69th Street, (formerly Edgewood Place) and extends back 61 30/100 feet on the Southerly line 61 32/100 feet on the Northerly line and has a rear line of 32 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary

to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.

Effective June 17, 1999.

Ord. No. 588-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Neighborhood Development Investment Fund contract with Cleveland Business Park Distribution III Ltd., to provide economic development assistance to partially finance the purchase of machinery, equipment, furniture and fixtures, and for tenant build-out for a new building to be constructed in Cleveland Business Park - West, Cleveland, Ohio.

Whereas, through Ordinance No. 56-94, passed June 13, 1994, the City established the Neighborhood Development Investment Program and the Neighborhood Development Investment Fund (NDIF) for the purpose of stimulating the development of major opportunities for job creation, retention, and expansion in the City's neighborhoods; 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, subject to the provisions of Section 8 of this Ordinance, the Director of Economic Development is hereby authorized to enter into a Neighborhood Development Investment Fund contract with Cleveland Business Park Distribution III Ltd., to provide economic development assistance to partially finance the purchase of machinery, equipment, furniture and fixtures, and for tenant build-out for a new building to be constructed in Cleveland Business Park - West, Cleveland, Ohio.

Section 2. That the terms of said contract shall comply with the requirements of the Neighborhood Development Investment Program and NDIF, as set forth in Section 1 of Ordinance No. 56-94 passed June 13, 1994, and shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 588-99-B.

The contract shall also include the requirements to use best efforts to achieve the following construction contract and construction job goals:

Construction Contracts	33% MBE; 10% FBE
Construction Jobs	25% Minority; 10% Female; 40% Residents

Section 3. That the costs of said contract shall not exceed Four Hundred Thousand Dollars (\$400,000), and shall be paid from Fund No. 10 SF 501, RL 24307.

Section 4. That the Director of Economic Development is hereby

authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of such loan and to deposit said monies in Fund No. 10 SF 502.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

Section 8. That, prior to entering into any contract authorized herein, the Director of Finance is required and hereby is directed to certify that un-appropriated funds equal to the contract amount set forth in Section 3 of this ordinance have been collected by the City and are available to be allocated to such contract.

Section 9. 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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 589-99.

By Councilmen Jackson, Robinson and Johnson (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 north of Cleveland Hopkins Airport to Cleveland Business Park, Ltd.; and authorizing an application for release of land from Trust Indenture.

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 Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described properties are no longer needed for public use:

**PROPOSED
CLEVELAND BUSINESS
PARK - WEST
PARCEL B**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of The C and D Southwest Subdivision I as recorded in Volume 174, Page 34 of Cuyahoga County Records and

part of The C and D Southwest Subdivision II as recorded in Volume 184, Page 72 of Cuyahoga County Records. The parcel is further known as being part of Section No. 4 of Original Rockport Township, and bounded and described as follows:

Beginning at an iron pin in a monument box at the intersection of the centerline of Rocky River Drive and the Easterly extension of the Southerly line of the Homeway Subdivision as recorded in Volume 70, Page 27 of Cuyahoga County Records;

Thence North 89° 05' 54" West along the Southerly line of The Homeway Subdivision as aforesaid, 1576.71 feet to an angle point;

Thence North 89° 17' 53" West, 1957.49 feet to a point being the principal place of beginning;

Thence South 03° 23' 16" East, 164.28 feet to a point;

Thence 39.34 feet along the arc of a circle deflecting to the right, having a radius of 200.00 feet whose chord bears North 85° 04' 00" East, a distance of 39.28 feet;

Thence South 89° 17' 53" East, 19.92 feet to a point;

Thence South 00° 42' 07" West, 160.00 feet to a point;

Thence North 89° 17' 53" West, 33.32 feet to a point;

Thence South 44° 44' 23" West, 38.20 feet to a point;

Thence South 00° 55' 46" West, 648.79 feet to a point;

Thence South 89° 03' 42" East, 476.52 feet to a point;

Thence South 00° 55' 46" West, 143.46 feet to a point;

Thence North 89° 04' 14" West, 636.52 feet to a point;

Thence South 00° 55' 46" West, 196.37 feet to a point;

Thence North 89° 04' 14" West, 215.00 feet to a point;

Thence 133.52 feet along the arc of a circle deflecting to the right, having a radius of 85.00 feet whose chord bears North 44° 04' 14" West a distance of 120.21 feet;

Thence North 89° 04' 14" West, 163.48 feet to a point;

Thence North 00° 55' 46" East, 254.85 feet to a point;

Thence North 89° 04' 14" West, 133.00 feet to a point;

Thence South 00° 55' 46" West, 75.00 feet to a point;

Thence North 89° 04' 14" West, 221.92 feet to a point;

Thence North 09° 06' 27" West, 75.23 feet to a point;

Thence North 11° 11' 06" West, 43.67 feet to a point;

Thence North 28° 32' 28" West, 46.37 feet to a point;

Thence North 00° 56' 48" East, 86.60 feet to a point;

Thence North 00° 56' 48" East, 479.88 feet to a point;

Thence North 36° 28' 43" East, 113.65 feet to a point;

Thence South 29° 13' 42" East, 4.40 feet to a point;

Thence North 46° 54' 01" East, 213.84 feet to a point;

Thence South 86° 22' 19" East, 211.15 feet to a point;

Thence North 01° 06' 06" East, 118.00 feet to a point;

Thence South 89° 17' 53" East, 577.78 feet to a point and the principal place of beginning, containing within said boundaries 1,203,439 square feet (27.6272 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

PROPOSED
CLEVELAND BUSINESS
PARK - WEST
PARCEL C

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of the Riverside Park Subdivision as recorded in Volume 71, Page 30 of Cuyahoga County Records and part of The Home Gardens Allotment as recorded in Volume 67, Page 35 Cuyahoga County Records. The parcel is further known as being part of Section No. 3 and Section No. 4 of Original Rockport Township, and bounded and described as follows:

Beginning at an iron pin found in a monument box at the intersection of the centerline of Rocky River Drive and the Easterly extension of the Southerly line of the Homeway Subdivision as recorded in Volume 70, Page 27 of Cuyahoga County Records;

Thence North 89° 05' 54" West along the Easterly extension of the Southerly line of The Homeway Subdivision as aforesaid, 43.93 feet to a point on the Westerly right of way line of Rocky River Drive;

Thence South 25° 19' 31" West along the Westerly right of way line of Rocky River Drive (80 feet wide), 716.57 feet to a point and the principal place of beginning;

Thence continuing along the Westerly right of way line of Rocky River Drive South 25° 19' 31" West, 813.37 feet to a point;

Thence South 58° 08' 31" West, 33.17 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence North 89° 04' 14" West, 27.69 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence South 31° 50' 28" East, 26.83 feet to a point;

Thence South 25° 19' 31" West, 216.91 feet to a point;

Thence South 58° 07' 51" West, 33.28 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence North 89° 04' 14" West, 27.66 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence South 31° 44' 41" East, 26.89 feet to a point;

Thence South 25° 19' 31" West, 88.16 feet to a point;

Thence South 25° 02' 26" West, 224.14 feet to a point;

Thence South 54° 55' 23" West, 36.44 feet to a point;

Thence South 00° 57' 10" West, 25.00 feet to a point;

Thence North 89° 02' 50" West, 21.90 feet to a point;

Thence South 00° 57' 10" West, 25.00 feet to a point;

Thence 34.17 feet along the arc of a circle deflecting to the right, having a radius of 20.00 feet whose chord bears South 23° 54' 03" East a distance of 30.16 feet;

Thence South 25° 02' 26" West, 190.22 feet to a point;

Thence North 89° 27' 34" West, 179.02 feet to a point;

Thence South 02° 23' 04" West, 35.16 feet to a point;

Thence South 73° 16' 00" West, 98.98 feet to a point;

Thence South 84° 29' 35" West, 41.08 feet to a point;

Thence North 25° 19' 31" East, 1374.85 feet to a point;

Thence North 89° 04' 14" West, 1981.22 feet to a point;

Thence North 00° 55' 46" East, 143.46 feet to a point;

Thence South 89° 04' 14" East, 428.08 feet to a point;

Thence North 01° 58' 06" East, 351.93 feet to a point;

Thence South 89° 04' 47" East a distance of 2046.06 feet to a point being the principal place of beginning, containing within said boundaries 1,349,656 square feet (30.9838 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

Section 2. That the City acknowledges, states and affirms, pursuant to Article IX of the Trust Indenture from the City of Cleveland to the Chase Manhattan Trust Company, National Association, as successor trustee, dated November 1, 1976, as amended, that the City desires and requests that a certain portion of its land heretofore subject to the Trust Indenture be released and removed from all obligations under said Trust Indenture. The land to be released is described as Phase II and set forth in Section 1 above.

Further, the City acknowledges, states and affirms that it is not in default under said Indenture; that release of such land is necessary in order to serve the public purpose of economic development; and that certain public improvements will be constructed on the land to be released, including public roads and public utilities.

Section 3. That the Director of Port Control is authorized to apply to the Chase Manhattan Trust Company, National Association, as successor trustee, for release of the land known as Phase II, described in Section 1 pursuant to the Trust Indenture, dated November 1, 1976, as amended.

Section 4. That the Director of Port Control is further authorized, upon approval of the development plan by the City Planning Commission, to submit the development plan, the development agreement, the purchase agreement, the escrow agreement, and any other documents relating to the development or necessary to secure a land release of the aforementioned land, to the Federal Aviation Administration for approval of land release.

Section 5. That, upon approval of land release by the Federal Aviation Administration, the Director of Economic Development is authorized to enter into the development agreement, the purchase agreement, and escrow agreement, in substantially the form of the development agreement, purchase agreement, and escrow agreement on file with the Clerk of Council in File No. 589-99-A, with such changes as may be requested by the Federal Aviation Administration, for the development with Cleveland Business Park, Ltd.

Section 6. That, upon the approval of land release by the Federal Aviation Administration, 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 Cleveland Business Park, Ltd. at a price not less than fair market value as determined by the Board of Control.

Section 7. That, notwithstanding and as an exception to Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that upon the approval of land release by the Federal Aviation Administration,

the properties to be acquired by the Department of Port Control pursuant to the authority of the following ordinances are no longer needed for public use: Ordinance No. 929-95, passed June 12, 1995, as amended by Ordinance Nos. 482-96 and 240-98, passed May 6, 1996 and May 11, 1998, respectively, Ordinance No. 930-95, passed June 19, 1995, as amended by Ordinance Nos. 2150-95, 307-98 and 1279-97, passed December 18, 1995, May 11, 1998 and May 11, 1998, respectively.

Section 8. That, upon the approval of land release by the Federal Aviation Administration, 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 Cleveland Business Park, Ltd. at a price not less than fair market value as determined by the Board of Control.

Section 9. 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 June 14, 1999.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 590-99.

By Councilmen Sweeney, Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with HMI Industries, Inc. to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to partially finance the purchase of machinery, equipment, furniture and fixtures, and for tenant build-out for a new building to be constructed in Cleveland Business Park — West, in the Cleveland Area Enterprise Zone.

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, HMI Industries, Inc. (the "Enterprise") has proposed to expand its facilities at its operation in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property and real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to

create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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

Section 1. That this Council hereby approves the application of HMI Industries, Inc. for enterprise zone incentives on the basis that HMI Industries, Inc. is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with HMI Industries, Inc. to provide for a ten (10) year abatement for sixty percent (60%) of certain tangible personal property and real estate taxes as an incentive to invest in real property improvements in the form of a tenant build-out and to purchase machinery, equipment, fixtures and furniture necessary to expand its facilities which will be located in Cleveland Business Park in Cleveland Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

The Agreement shall also include the requirement to use best efforts to achieve the following construction contract and construction job goals:

Construction Contracts	33% MBE; 10% FBE
Construction Jobs	25% Minority; 10% Female; 40% Residents

Section 3. That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 590-99-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

Section 4. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from fund No. 17 SF 305, Loan Fees Fund.

Section 5. That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 639-99.

By Councilman Britt.

An emergency ordinance to vacate a portion of East 84th Place hereinafter described.

Whereas, on the 30th day of March, 1998 the Council of the City of Cleveland adopted Resolution No. 87-98 declaring its intention to vacate a portion of East 84th Place, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 87-98 has been served upon the owners of all the property abutting East 84th Place, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 7th day of April, 1999, the Board of Revision of Assessments approved the vacation of East 84th Place, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating East 84th Place, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of East 84th Place situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being all of that part of East 84th Place, (14.00 feet wide), extending Southerly from the Southerly line of Lincoln Court S.E. (15.00 feet wide) to the Northerly line of Congress Court S.E. (15.00 feet wide), be and the same is hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of East 84th Place, herein provided by sending him a copy of this ordinance.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 640-99.

By Councilman Cintron.

An emergency ordinance to vacate a portion of Eureka Court S.W. hereinafter described.

Whereas, on the 20th day of July, 1994 the Council of the City of Cleveland adopted Resolution No. 1186-94 declaring its intention to vacate a portion of Eureka Court S.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1186-94 has been served upon the owners of all the property abutting Eureka Court S.W., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 7th day of April, 1999, the Board of Revision of Assessments approved the vacation of Eureka Court S.W., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Eureka Court S.W. (16.50 feet wide), extending Easterly from the Easterly line of Gehring Avenue (66.00 feet wide), to that portion of Eureka Court S.W. vacated by Council of the City of Cleveland by Ordinance Number 72358, passed on December 12, 1925, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of Eureka Court S.W. (16.50 feet wide), extending Easterly from the Easterly line of Gehring Avenue (66.00 feet wide), to that portion of Eureka Court S.W. vacated by the Council of the City of Cleveland by Ordinance Number 72358, passed on December 12, 1925, be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Cleveland Public Power equipment. The description of easement is as follows:

That portion of Eureka Court S.W. (16.50 feet wide), extending Easterly from the Easterly line of Gehring Avenue (66.00 feet wide), to that portion of Eureka Court S.W. vacated by the Council of the City of Cleveland by Ordinance Number 72358, passed on December 12, 1925.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with plans approved by the Commissioner of the Division of Cleveland Public Power of the City of Cleveland.

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

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

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 641-99.

By Councilman Johnson.

An emergency ordinance to vacate a portion of East 92nd Street hereinafter described.

Whereas, on the 12th day of October, 1998 the Council of the City of Cleveland adopted Resolution No.

1425-98 declaring its intention to vacate a portion of East 92nd Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1425-98 has been served upon the owners of all the property abutting East 92nd Street, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 7th day of April, 1999, the Board of Revision of Assessments approved the vacation of East 92nd Street, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating East 92nd Street, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of East 92nd Street, (50.00 feet wide); extending Southwesterly from the Southeasterly prolongation of the Southwesterly line of Sublot Number 4, to the Southeasterly prolongation of the Southwesterly line of Sublot Number 21 in the L. McCurdy Allotment as shown recorded in Cuyahoga County Map Records Volume 4, Page 51, be and the same is hereby vacated.

Section 2. That there be and is hereby reserved to the City of Cleveland an easement for existing Water Pollution Control, Water, Fire, Ameritech, and East Ohio Gas equipment. The description of the easement is as follows:

That portion of East 92nd Street, (50.00 feet wide); extending Southwesterly from the Southeasterly prolongation of the Southwesterly line of Sublot Number 21 in the L. McCurdy Allotment as shown recorded in Cuyahoga County Map Records Volume 4, Page 51.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with, plans approved by the Commissioner of the Division of Water Pollution Control, Division of Water, Division of Fire, Ameritech, and East Ohio Gas, of the City of Cleveland.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of East 92nd Street, herein provided by sending him a copy of this ordinance.

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

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 642-99.

By Councilman Jones.

An emergency ordinance to vacate a portion of the First Alley North of Miles Ave. and East of East 164th Street hereinafter described.

Whereas, on the 6th day of April, 1998 the Council of the City of Cleveland adopted Resolution No. 2155-97 declaring its intention to vacate a portion of the First Alley North of Miles Avenue and East of East 164th Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 2155-97 has been served upon the owners of all the property abutting the First Alley North of Miles Avenue and East of East 164th Street, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 7th day of April, 1999, the Board of Revision of Assessments approved the vacation of the First Alley North of Miles Avenue and East of East 164th Street, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating the First Alley North of Miles Avenue and East of East 164th Street, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of the First Alley (12 feet wide) North of Miles Avenue at its intersection with the Easterly line of East 164th Street (60 feet wide); thence Easterly to its intersection with the Northerly prolongation of the Westerly line of Sublot Number 42 in the Sorrento Park Subdivision as shown by the recorded plat in Volume 15, Page 13 of Cuyahoga County Records, be and the same is hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of all that portion of the First Alley North of Miles Avenue and East of East 164th Street, herein provided by sending him a copy of this ordinance.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 643-99.

By Councilman Melena.

An emergency ordinance to vacate a portion of West 62nd Place hereinafter described.

Whereas, on the 16th day of November, 1998 the Council of the City of Cleveland adopted Resolution No. 1615-98 declaring its inten-

tion to vacate a portion of West 62nd Place, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1615-98 has been served upon the owners of all the property, abutting West 62nd Place, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 7th day of April, 1999, the Board of Revision of Assessments approved the vacation of West 62nd Place, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating West 62nd Place, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of West 62nd Place (14.00 feet wide), extending Southerly from the Southerly line of Frontier Avenue S.W. (50.00 feet wide) to that portion of West 62nd Place vacated by the Council of the City of Cleveland by Ordinance Number 2226-92 passed January 25, 1993, be and the same is hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of all that portion of West 62nd Place, herein provided by sending him a copy of this ordinance.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 644-99.

By Councilman Melena.

An emergency ordinance to vacate a portion of West 62nd Place hereinafter described.

Whereas, on the 5th day of June, 1995 the Council of the City of Cleveland adopted Resolution No. 326-95 declaring its intention to vacate a portion of West 62nd Place, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 326-95 has been served upon the owners of all the property abutting West 62nd Place, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 7th day of April, 1999, the Board of Revision of Assessments approved the vacation of West 62nd Place, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating West 62nd Place, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of West 62nd Place (14.00 feet wide), extending Northerly from the Easterly prolongation of the Northerly line of Sublot Number 220 in the C. W. Davis Re-Allotment recorded in Volume 19, Page 19 of Cuyahoga County Records to the Southerly line of Gilbert Court S.W. (10.00 feet wide), be and the same is hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of all that portion of West 62nd Place, herein provided by sending him a copy of this ordinance.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 645-99.
By Councilman Westbrook.
An emergency ordinance to vacate a portion of Keith Court hereinafter described.

Whereas, on the 14th day of December, 1998 the Council of the City of Cleveland adopted Resolution No 1821-98 declaring its intention to vacate a portion of Keith Court, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1821-98 has been served upon the owners of all the property abutting Keith Court, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 7th day of April, 1999, the Board of Revision of Assessments approved the vacation of Keith Court, hereinafter, described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Keith Court, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of Keith Court (12.00 feet wide), extending Westerly from the Westerly line of West 91st Street (50.00 feet wide), to the Easterly line of West 93rd Street (50.00 feet wide), be and the same is hereby vacated.

Section 2. That there be and is hereby reserved to Ameritech an easement for existing equipment. The description of easement is as follows:

That portion of Keith Court (12.00 feet wide), extending Westerly from the Westerly line of West 91st Street (50.00 feet wide), to, the Easterly line of West 93rd Street (50.00 feet wide).

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

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

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

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 648-99.
By Councilmen Coats and Johnson
(by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the the Ohio Department of Public Safety for the 1999-2000 EMS-EMT Training Grant; and to enter into contract for the purchase of equipment and supplies needed to implement the program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$118,207.50, from the Ohio Department of Public Safety, to conduct the 1999-2000 EMS-EMT Training Grant, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 648-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Safety is authorized to enter into contract for such materials and equipment necessary to implement the program as described in the application contained in the File, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

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

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 649-99.
By Councilmen Coats and Johnson
(by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the the Ohio Department of Public Safety for the 1999-2000 Fire - Emergency Medical Services Grant; and to enter into contract for the purchase of equipment and supplies needed to implement the program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$201,820.00, from the Ohio Department of Public Safety, to conduct the 1999-2000 Fire - Emergency Medical Services Grant, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 649-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Safety is authorized to enter into contract for such materials and equipment necessary to implement the program as described in the application contained in the File, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 652-99.
By Councilmen Melena, Jones,
Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase real property for the expansion of Clark Recreation Center, for the Department of Parks, Recreation and Properties.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of expanding Clark Recreation Center:

5716 Clark Avenue
P.P.N.: 006-16-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 116 in J.M. Hoyt Subdivision of part of Original Brooklyn Township Lot No. 48 as shown by the recorded plat in Volume 3 of Maps, Page 15 of Cuyahoga County Records and being 40 feet front on the Northerly side of Clark Avenue and extending back of equal width 125 feet, as appears on said plat, be the same more or less, but subject to all legal highways.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of such property.

Section 3. That the consideration to be paid for such property shall not exceed its fair market value.

Section 4. That all costs of acquisition of land shall be paid from Fund No. 20 SF 343, Request No. 23273.

Section 5. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 656-99.
By Councilman Dolan.

An emergency ordinance authorizing the Mayor to enter into a Memorandum of Understanding with Fairview Hospital relative to its Expansion Plan.

Whereas, Fairview Hospital desires to modernize and expand its facility in the West Park neighborhood of the City of Cleveland, with such expansion being part of its Campus Plan; and

Whereas, the implementation of the Campus Plan has an impact on the surrounding neighborhood; and

Whereas, the City of Cleveland and Fairview Hospital have outlined the responsibilities and understanding of the parties in a Memorandum of Understanding; 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 any Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Mayor is authorized to enter into a

Memorandum of Understanding with Fairview Hospital relative to its Expansion Plan and implementation of its Campus Plan.

Section 2. That the Memorandum of Understanding authorized by Section 1 of this ordinance shall be substantially in the form as follows:

MEMORANDUM
of
UNDERSTANDING
between
THE CITY OF CLEVELAND
and
FAIRVIEW HOSPITAL

This Memorandum of Understanding ("MOU") is entered this _____ day of _____, 1999, by and between the City of Cleveland ("City"), a municipal corporation of the State of Ohio, by and through Michael R. White, Mayor and Fairview General Hospital ("FH"), 18101 Lorain Avenue, by and through its President.

RECITALS:

1. FH has operated a hospital in the West Park neighborhood of the City of Cleveland since 1955. FH desires to modernize and expand its facility by constructing and operating the ParkView Patient Care Center, a 171,000 square foot facility linked to the existing hospital facility ("FH Expansion Project").

2. Due to the FH Expansion Project, growth of the hospital, and other neighborhood concerns, additional parking and roadway reconfigurations are necessary. Such FH Expansion Project and neighborhood concerns have been addressed in a comprehensive plan ("Campus Plan"), developed by the hospital with consultation from the community; and accepted by the Cleveland City Planning Commission by Resolution No. 98-1106 on November 6, 1998. The Campus Plan, attached hereto as Exhibit A, maximizes use of hospital owned property, while at the same time buffering adjacent neighborhoods — thereby increasing homes values and improving the quality of life in the neighborhood by eliminating nonresidential traffic. The Campus Plan also relieves the burden placed on the municipal parking facility at Kamms Corner by hospital employees.

3. In order to implement the Campus Plan, the parties have made certain pledges concerning the issues of zoning, traffic circulation and parking.

4. The City of Cleveland and FH desire to set forth below the understanding that has been reached relative to the implementation of the Campus Plan; it is the intention of the parties to seek the appropriate legislation necessary to satisfy the agreements and pledges set forth herein.

In consideration of the foregoing and the mutual promises contained herein, the parties hereto agree as follows:

1. Residential Parcel Acquisitions. FH will acquire two residential parcels, located at the corner of Riverside Road and Fernshaw Avenue, known as Permanent Parcel Nos. 026-02-024 and 026-02-026, at fair market value. FH shall relocate or remove all structures on the

property necessary for the construction of a cul-de-sac at the westerly terminus of Fernshaw Avenue and shall offer to convey to the City such portions of the parcels as may be necessary for the cul-de-sac as discussed in paragraph 2 herein. Title to all portions of PPNs. 026-02-024 and 026-02-026 not needed for the construction and maintenance of the cul-de-sacs shall be transferred to the City of Cleveland's Land Bank and; FH shall ensure that the garage of PPN. 026-02-024 remains intact and is conveyed to the City. All real property transfers to the City are subject to legislation accepting the property.

2. Cul-de-sacs. FH shall construct a cul-de-sac, at their sole expense, at the westerly terminus of Fernshaw Avenue and shall construct, at their sole expense, a cul-de-sac at the northerly terminus of Riveredge Road. Construction of the cul-de-sacs shall commence immediately upon receipt of the necessary City permits, which shall be obtained within 60 days of acquisition of the property, unless delayed by the City; shall be completed no later than 60 days following commencement of construction; shall be in conformance with all City requirements; and shall conform with the Campus Plan in all respects.

3. Parking Facility. FH, immediately upon receipt of the necessary permits from the City, shall immediately expand the existing parking lot on FH property along Riveredge Road to a total of 400 spaces, inclusive of the spaces within the existing lot. The parties acknowledge that, subsequent to 2001, FH may seek to expand the Parking Facility by an additional 400 spaces, for a combined total of approximately 800 spaces. FH agrees that such additional parking shall be constructed below grade and within the existing property line, with the surface lot to remain at no more than 400 spaces. FH shall place restrictions on the Parking Facility to prohibit the surface of any parking deck from exceeding a height of five (5) feet above the crown of Riveredge Road. FH agrees that no ingress or egress to the parking facility shall be planned, developed, constructed, maintained and/or permitted along the southern, eastern, or western boundaries of the parking facility. Ingress and/or egress to the parking facility shall be planned, developed, constructed, maintained and/or permitted solely from Old Lorain Road, via a private access road adjacent to the cul-de-sac to be constructed at the westerly terminus of Fernshaw Avenue, as identified in Exhibit A.

FH shall comply with all of the requirements imposed by any conditional zoning map amendment passed by Cleveland City Council to allow FH to expand its existing parking as stated above.

4. Street Vacation. The City Council will consider legislation to vacate portions of Riveredge Road and Fernshaw Avenue for the construction, maintenance and operation by FH of a private access road to the Parking Facility and to vacate Groveland Court as consideration for the covenants herein.

5. Old Lorain Road Improvements. FH shall regrade and adjust Old Lorain Road as agreed with the Metroparks in October, 1998.

6. Landscape and Property Maintenance. FH shall, at its sole expense, provide and maintain landscaping, as approved by the City Planning Commission, within the boundaries of the Campus Plan area and the Neighborhood Park discussed in paragraph 7 herein.

7. Sale of Residential Properties and Neighborhood Park. FH covenants never to purchase, rent, lease or maintain a possessory interest in any residentially zoned real property on Riveredge Road, south of Fernshaw Avenue or on Fernshaw Avenue, unless specifically authorized herein. Further, FH shall sell residential lots owned by FH along Riveredge Road, as identified by the legal descriptions attached hereto as Exhibit B, excluding two (2) parcels currently maintained as a Neighborhood Park, known as Permanent Parcel Nos. 026-02-024 and 026-02-026. FH shall retain ownership of the Neighborhood Park and shall maintain the area in its natural, field-like condition.

For purposes of selling the other residential lots owned along Riveredge Road by FH, FH shall contract with a real estate agent with an office location in the Kamms Corner area. The purchase price shall not be less than fair market value, as determined by an independent appraiser selected by FH. FH shall use its continual best efforts to secure a purchaser(s) for the lots at an amount equal to or greater than fair market value. In the event, however, that the lots have not been purchased within two (2) years of the date they are first placed on the market, FH may maintain ownership of the lots. Any lot retained by FH after compliance with the terms of this article, shall be used solely for residential purposes by FH. FH shall ensure that a copy of each purchase offer is provided to the City Planning Commission and the Council member of Ward 21 within 5 business days of receipt by FH. FH shall inform the City Planning Commission and the Council member of Ward 21, in writing, whether the purchase offer has been accepted or rejected. In the event of a rejection, FH shall document the reasons therefore.

8. Deed Restrictions. With respect to the residential lots to be sold pursuant to paragraph 7 herein, FH shall ensure that the deeds for the properties shall contain a restriction prohibiting subdivision as well as a restriction prohibiting FH from reacquiring title to the properties.

9. Campus Plan and other Approvals. The FH shall work cooperatively with the appropriate City official to obtain the approvals and permits necessary to implement the Campus Plan and the FH Expansion Project.

10. Rights of Parties. The City and FH reserve the right to sue for performance of any obligation or promise to fulfill the understanding set forth herein.

11. Notices. All notices which may be proper or required hereunder shall be sent by regular mail, to the

following addresses or to such other address as either party may designate for such purpose:

To the City:
Michael R. White, Mayor
601 Lakeside Avenue
Cleveland, Ohio 44114

Michael A. Dolan, Councilman
601 Lakeside Avenue, Room 220
Cleveland, Ohio 44114

To the FH:
Dr. Louis Caravella, CEO
Fairview Hospital
18101 Lorain Avenue
Cleveland, Ohio 44111

12. Waivers. Any failure by either of the parties hereto to comply with any of the obligations, agreements, or conditions set forth herein may be waived only in writing by the other party; provided, however, that any such waiver shall not be deemed a waiver of any other obligations, agreements, or conditions contained herein.

13. Necessary Papers. Both of the parties agree to cooperate in the effectuation of the transactions that are subject of this MOU and to execute any and all additional documents and to take such additional action as shall be reasonably necessary or appropriate to accomplish the purpose and intent of this MOU.

14. Amendments/Entire Agreement. This MOU embodies the entire representations, warranties, agreements, and conditions in relation to the subject matter hereof and no representations, warranties, understandings or agreements, oral or otherwise, in relation thereto exist between the parties except as herein set forth. This MOU may be amended or terminated only by an instrument in writing duly executed by the parties after passage of legislation by the Council of the City of Cleveland.

15. Binding Effect. This MOU shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns; provided, however, that any assignment of the MOU by FH shall not relieve FH of its contractual liability hereunder.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed as of the date and year first appearing on page 1.

CITY OF CLEVELAND
By: _____

FAIRVIEW HOSPITAL
By: _____

The legal form and correctness of the within instrument is hereby approved.

CORNELL CARTER
Director of Law

By: _____
Date: _____

Exhibit A-Campus Plan

On file with Cleveland City Council

Exhibit B-Legal Descriptions

On file with Cleveland City Council

Section 3. That the Mayor and the Director of Law and other appropriate City officials are hereby authorized to file all papers and to execute all documents and take such other actions as may be necessary for the purpose of implementing the terms and conditions of this Memorandum of Understanding authorized in Section 1 of this ordinance.

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

Passed June 14, 1999.
Effective June 17, 1999, without the signature of the Mayor.

Ord. No. 716-99.
By Councilmen Willis, Robinson and Johnson (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 in the City of Independence on Brecksville Road to the City of Independence.

Whereas, the Commissioner of the Division of Water has requested the sale of City-owned property no longer needed for public use and located on Brecksville Road in the City of Independence; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer needed for public use:

Permanent Parcel No. 561-09-003
Situating in the City of Independence, County of Cuyahoga and State of Ohio and known as being part of Original Independence Township, Lot No. 1, Tract 2, West of the river and further bounded and described as follows:

Beginning in the West line of Brecksville Road (100 feet wide), as dedicated in Volume 130, Page 458 of Cuyahoga County Map Records at its intersection with the south line of land conveyed to S. and M.E. DiGeronimo by deed recorded in Volume 13113, Page 189 of the Cuyahoga County Deed Records;

Thence South 3° 29' 10" West 172.25 feet along the West line of Brecksville Road to a point of curve;

Thence continuing along the West line of Brecksville Road on an arc of 26.97' whose radius is 2914.79 feet and whose chord measures 26.97 feet and bears South 3° 13' 20" West to an iron pin and the principal place of beginning;

Thence continuing along the said West line of Brecksville Road on an arc of 323.48 feet whose radius is 2914.79 feet and whose chord measures 323.32 feet and bears South 0° 13' 18" East to an iron pin at the intersection with the Northeast line of Old Brecksville Road (66 feet wide);

Thence North 45° 48' 50" West along the Northeast line of Old Brecksville Road 213.64 feet to an angle point;

Thence continuing along the Northeast line of Old Brecksville Road North 15° 54' 40" West 194.60 feet to an iron pin;

Thence South 86° 27' 00" East 205.68 feet to the principal place of beginning and containing 1.000 acres of land, more or less, according to a survey by Vincent C. McGervey, professional engineer and surveyor #4289, July, 1982; and known as Sublot #2 in the Latrobe Subdivision.

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 City of Independence, at a price not less than fair market value as determined by the Board of Control.

Section 3. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the Board of Control or Director of Law protecting the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 724-99.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating or improving certain City-owned golf courses, including site improvements and appurtenances, and authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating, renovating or improving certain City-owned golf courses, including site improvements and appurtenances, for the

Division of Recreation, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 63 SF 001, Request No. 21262.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 725-99.
By Councilmen Britt, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at S110, 8106, 7902-8102 Central Avenue, 2312 East 82nd Street and 8112 Central Avenue to Fairfax Renaissance Development Corporation.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-27-092 as more fully described in Section 2 below, to Fairfax Renaissance Development Corporation.

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

P.P. No. 119-27-092

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the West-

erly half from front to rear of Sublot No. 20 in Harris and Andrew Janes Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3, Page 60 of Cuyahoga County Records; and being a parcel of land 25 feet front on the Southerly side of Central Avenue, and extending back 152.52 feet on the Westerly line, about 153.00 feet on the Easterly side, and having a rear line of 25 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-27-093 as more fully described in Section 4 below, to Fairfax Renaissance Development Corporation.

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

P.P. No. 119-27-093

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 19 in Harris and Andrew Janes Subdivision of part of Original One Hundred Acre Lot No. 407 as shown by the recorded plat in Volume 3, Page 60 of Cuyahoga County Records, and being 50 feet front on the Southerly side of Central Avenue and extending back 151.69 feet on the Westerly line, 152.52 feet on the Easterly line, and having a rear line of 50 feet, as appears by said plat, be the same more or less, but subject to all legal highways

Subject to Zoning Ordinances, if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-27-094, 119-27-095, 119-27-096 and 119-27-097 as more fully described in Section 6 below, to Fairfax Renaissance Development Corporation.

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

P.P. Nos. 119-27-094, 119-27-095, 119-27-096 and 119-27-097

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublots Nos. 13 to 18 both inclusive, in Harris and Andrew Jayne's Subdivision of part of Original One Hundred Acre Lot No. 407 as shown by the recorded plat in Volume 3 of Maps, Page 60 of Cuyahoga County Records, and being about 300 feet front on the Southerly side of Central Avenue, S.E., and extending back of equal width, 146.7 feet deep on the Westerly line about 151.69 feet deep on the Easterly line and about 300 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-27-114 as

more fully described in Section 8 below, to Fairfax Renaissance Development Corporation.

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

P.P. No. 119-27-114

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 21 in Harris and Andrew Jaynes' Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 60 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of East 82nd Street (formerly Edwards Avenue) at a point 120 feet Southerly from its intersection with the Southerly line of Central Avenue S.E.; thence Southerly along said Westerly line of East 82nd Street, 34 38/100 feet to the Southeastly corner of said Sublot No. 21; thence Westerly along the Southerly line of said Sublot, 52 feet to the Southwesterly corner thereof; thence Northerly along the Westerly line of said Sublot, 33 35/100 feet to a point on said line, 120 feet Southerly from its intersection with the Southerly line of Central Avenue S.E.; thence Easterly about 52 feet to the place of the beginning, as appears by said plat.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 21 in Harris and Andrew Jaynes' Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 60 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Westerly line of East 82nd Street (formerly Edwards Avenue), at a point 120 feet Southerly from its intersection with the Southerly line of Central Avenue, S.E., thence Westerly along the Northerly line of a parcel of land conveyed to Rebecca Battler and Sam Vinitzky by deed dated April 22, 1942 and recorded on October 2, 1942 in Volume 5468, Page 556 of Cuyahoga County Deed Records, 52 feet to a point distant 33.35 feet from the southwestly corner of said Sublot No. 21; thence Northerly along the Westerly line of said Sublot No. 21, 5 feet to the Southwesterly corner of a parcel of land conveyed to Jack Smith by Warranty Deed dated May 1, 1968 and recorded on May 14, 1968 in Volume 12319, Page 481 of Cuyahoga County Records; thence Easterly along said Southerly line of the parcel of land conveyed to Jack Smith, 52 feet to a point in the aforementioned Westerly line of East 82nd Street; thence Southerly along the Westerly line of East 82nd Street, 5 feet to the place of the beginning.

All of the above property being subject to restrictions, covenants, limitations, conditions, easements and rights of way, of record and running with the land, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Sup-

plies is hereby authorized to sell Permanent Parcel Nos. 119-27-091 and 119-27-138 as more fully described in Section 10 below, to Fairfax Renaissance Development Corporation.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 119-27-091

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 115 feet of Sublot No. 21 in Harris and Andrew Jaynes' Allotment of part of the Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 60 Cuyahoga County Records and being 52 feet 7 inches front on the Southerly side of Central Avenue, S.E., and extending back 115 feet deep along the Westerly side of East 82nd Street (formerly Edwards Avenue), as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 119-27-138

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 25 feet front to rear of Sublot No. 20 in Harris and Andrew Jaynes Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3, Page 60 of Cuyahoga County Records; and being 25 feet front on the Southerly side of Central Avenue and extending back 153.35 feet on the Easterly line, and about 153 feet on the Westerly line, and having a rear line of 25 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 11. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 12. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 13. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 14. 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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 726-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2170 West 20th Street to Jas R. Chura and Mary E. Chura.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 004-03-035 and 004-03-108 (Easterly parts), as more fully described in Section 2 below, to Jas R. Chura and Mary E. Chura.

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

P.P. No. 004-03-035 and 004-03-108

(Easterly parts)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 82.27 feet of Sublot No. 301 in the Willeyville Allotment of part of Original Brooklyn Township Lots Nos. 69 and 70 as shown by the recorded plat in Volume 2 of Maps, Page 16 of Cuyahoga County Records, and being a parcel of land 66 feet front on the Westerly side of West 20th Street (66 feet wide) and extending back of equal width along the Northerly line of Freeman Avenue, S.W. (66 feet wide), 82.27 feet, be the same more or less, but subject to all legal highways, easements, and restrictions of record.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain

such provisions as may be necessary to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 729-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for administrative expenses of the Code Enforcement and Demolition Programs.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year XXV from the United States Government; and

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$3,235,000 from Fund No. 14 SF 025, for the administrative expenses of the Code Enforcement and Demolition Programs in conjunction with the Community Development Block Grant Program, Year 17V, and pursuant to the following schedule:

Personnel	\$3,160,000
Other	75,000

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 733-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2829 East 82nd Street, S112, S116 and S120 Holton Avenue, and rear of 2835 East 81st Street to Roy Sears and Lettie C. Sears.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of

Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-28-027 as more fully described in Section 2 below, to Roy Sears and Lettie C. Sears.

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

P.P. No. 126-28-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 45.00 feet of the Westerly 35.00 feet of Sublot No. 3, in Walkey and Betts' Subdivision of part of Original One Hundred Acre Lot No. 432, as shown by the recorded plat in Volume 11 of Maps, Page 21 of Cuyahoga County Records and forming a parcel of land having a frontage of 45.00 feet on the Easterly side of East 82nd Street (formerly Chadwick Avenue), 50 feet wide, and extends back of equal width, 35.00 feet deep on the Northerly line and 35.00 feet deep on the Southerly line which is also the Northerly line of an alley (11 feet wide), as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-27-066 as more fully described in Section 4 below, to Roy Sears and Lettie C. Sears.

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

P.P. No. 126-27-066

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 12 in Yeakel and Hoffman Allotment of part of Original One Hundred Acre Lot No. 432 as shown by the recorded plat in Volume 6 of Maps, Page 12 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-27-067 as more fully described in Section 6 below, to Roy Sears and Lettie C. Sears.

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

P.P. No. 126-27-067

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 11 in Yeakel and Hoffman Allotment of part of Original One Hundred

Acre Lot No. 423 as shown by the recorded plat in Volume 6 of Maps, Page 12 of Cuyahoga County Records and being 41 feet, 11-3/4 inches front on the Southerly side of Holton Avenue, S.E., and extending back of equal width 130 feet deep and being 41.50 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-27-068 as more fully described in Section 8 below, to Roy Sears and Lettie C. Sears.

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

P.P. No. 126-27-068

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 1 in Walkey and Betts Subdivision of part of Original One Hundred Acre Lot No. 423 as shown by the recorded plat in Volume 11 of Maps, Page 21 of Cuyahoga County Records and being 39.57 feet front on the Southerly side of Holton Avenue, S.E., and extending back of equal width 125 feet deep and being 40.04 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 126-27-042 (Easterly part) and 126-27-043 as more fully described in Section 10 below, to Roy Sears and Lettie C. Sears.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 126-27-042 (Easterly part) and 126-27-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly part of Sublot No. 10 in Yeakel and Hoffman's Allotment of part of Original One Hundred Acre Lot No. 423, as shown by the recorded plat in Volume 6 of Maps, Page 12 of Cuyahoga County Records and being bounded and described as follows:

Beginning at the Northwesterly corner of said Sublot No. 10 in the Easterly line of East 81st Street, (50 feet wide); thence Easterly, along the Northerly line of said Sublot No. 10, about 92.71 feet to a point and the principal place of beginning of the parcel of land herein intended to be described; thence continuing Easterly, along said Northerly line of Sublot No. 10 about 81.56 feet to the Northeasterly corner thereof; thence Southerly, along the Easterly line of said Sublot No. 10, about 30 feet to the Northerly line of Holton Court S.E., (of various widths); thence Westerly, along the Northerly line of Holton Court, S.E., 10 feet to the Northwesterly corner therein; thence Southerly, along the Westerly line of said Holton Court, S.E., 5.0 feet to its intersection with the Southerly line of said Sublot No. 10 in the Yeakel and Hoffman Allotment; thence Westerly, along said

Southerly line of Sublot No. 10 about 71.56 feet to a point therein; said point being about 92.25 feet Easterly, measured along said Southerly line of Sublot No. 10 from the Easterly line of East 81st Street; thence Northerly, in a direct line 35 feet to the principal place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 11. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 12. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 13. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 14. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 734-99.
By Councilmen Patmon, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10509-11 Amor Avenue and 971-79 East 105th Street to MJC Gen Contractors Incorporated.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the

Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 109-12-011 and 109-12-012, as more fully described in Section 2 below, to MJC Gen Contractors Incorporated.

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

P.P. No. 109-12-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 370 and part of Sublot No. 1 in the Amor Subdivision of part of Original One Hundred Acre Lot No. 370 as shown by the recorded plat in Volume 30 of Maps, Page 1 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning at a point of intersection of the Easterly line of East 105th Street (formerly Doan Street), with Northerly line of Amor Avenue, N.E., (formerly Amor Avenue); thence Northerly along said Easterly line of East 105th Street, 91.95 feet thence Easterly on a line parallel to the Southerly line of said Sublot No. 1, 95 feet; thence Southerly on a line parallel to said Easterly line of East 105th Street, 91.95 feet to said Northerly line of Amor Avenue, N.E.; Westerly along said Northerly line of Amor Avenue, N.E., 95 feet to the place of beginning as appears by said plat.

Subject to restrictions recorded in Volume 1315, 513 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

P.P. No. 109-12-012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 370 and part of Sublots Nos. 1 and 8 in the Amor Subdivision of part of Original One Hundred Acre Lot No. 370 as shown by the recorded plat in Volume 30 of Maps, Page 1 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning on the Northerly side of Amor Avenue, N.E., (formerly Amor Street) at a point distant 20 feet Easterly from the Southwest corner of said Sublot No. 8; thence Northerly on a line parallel with the Westery line of said Sublot No. 8; a distance of 68.35 feet to the Northerly line of said Sublot No. 8; thence Westerly a distance of 60 feet along the Northerly line of said Sublot No. 8, and the prolongation of said Northerly line Westerly; thence Southerly on a line parallel with the Westery line of said Sublot No. 8 a distance of 68.38 feet to the Northerly line of Amor Avenue, N.E., thence Easterly and along said Northerly line of Amor N.E., a distance of 60 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordi-

nance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 735-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with 1889 West 25th Street Limited to provide economic development assistance to partially finance the acquisition of real property, the acquisition and renovation of the building, and the purchase of machinery and equipment, located at 1889 West 25th Street, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with 1889 West 25th Street Limited to provide economic development assistance to partially finance the acquisition of real property, the acquisition and renovation of the building, and the purchase of machinery and equipment, located at 1889 West 25th Street, Cleveland, Ohio.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 735-99-A.

Section 3. That the costs of said contract shall not exceed One Hundred Thousand Dollars (\$100,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 24308.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

Section 8. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 736-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Rialto Corporation to provide economic development assistance to partially finance the land and building acquisition and for the renovation of the Rialto Theater Building located at 1867-1873 West 25th Street, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Rialto Corporation to provide economic development assistance to partially finance the land and building acquisition and for the renovation of the Rialto Theater Building located at 1867-1873 West 25th Street, Cleveland, Ohio.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 736-99-A.

Section 3. That the costs of said contract shall not exceed One Hundred Twenty Thousand Three Hundred Fifty Dollars (\$120,350.00), and shall be paid from Fund No. 17 SF 008, Request No. 24309.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal

regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

Section 8. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 739-99.

By Councilmen Lewis, Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone contract with Aletha Gambrell dba Operation Hair to provide economic development assistance to partially finance capital improvements to property located at 1787 East 55th Street, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into an Empowerment Zone contract with Aletha Gambrell dba Operation Hair to provide economic development assistance to partially finance capital improvements to property located at 1787 East 55th Street, Cleveland, Ohio.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 739-99-A.

Section 3. That the costs of said contract shall not exceed \$99,000 and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 23762.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 18 SF 002.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited and expended from Fund No. 18 SF 004.

Section 7. That the Director of Law is hereby authorized to prepare

said contract and such other documents as may be appropriate to complete the transaction.

Section 8. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 784-99.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to execute an easement granting to Hathaway Brown School certain easement rights in property located in the City of Shaker Heights and declaring said easement rights no longer needed for public use.

Whereas, Hathaway Brown School has requested the Director of Parks, Recreation and Properties to convey certain easement rights in property located in the City of Shaker Heights; and

Whereas, Hathaway Brown School requires the easement rights to provide ingress and egress to and from school property; and

Whereas, the easement rights to be granted are no longer needed for public use; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that an easement interest in the following described property is no longer needed for public use:

A Portion of Parcel No. 733-37-001

ACCESS EASEMENT FOR

HATHAWAY BROWN SCHOOL

Situated in the City of Shaker Heights, County of Cuyahoga and State of Ohio, and known as being a part of City of Cleveland Parkway in the Van Swerigen Company's Subdivision No. 27, of part of Original Warrensville Township Lots Nos. 23, 24, 25, 34, and 35, as shown by the recorded plat in Volume 88 of Maps, Page 28 of Cuyahoga County Records more particularly bounded and described as follows:

Beginning on the Westerly line of Sherbrooke Road, to 60 feet in width, at its intersection with the Northerly line of land conveyed to East End School Association by deed dated April 22, 1924, and recorded in Volume 3209, Page 325 of Cuyahoga County Records, said point being a 5/8" capped iron pin set;

Course No. 1: thence Southwesterly along said Northerly line of land conveyed to East End School Association, said line being the arc of a circle deflecting to the right, 148.30 feet, said curved line having a radius of 2,000.00 feet and a chord which bears South 88°-51'-97" West

a distance of 148.26 feet to a punched bolt set in blacktop pavement;

Course No. 2: thence Southwesterly continuing along said Northerly line of land conveyed to East End School Association, said line being the arc of a circle deflecting to the left, 301.76 feet, said curved line having a radius of 4,200.00 feet and a chord which bears South 88°-55'-24" West a distance of 301.69 feet to a point;

Course No. 3: thence Northeasterly along the arc of a circle deflecting to the right, 154.10 feet, said curved line having a radius of 130.00 feet and chord which bears North 37°-00'-21" East a distance of 145.24 feet to a point;

Course No. 4: thence North 3°-35'-07" East, 148.93 feet to the Southerly line of North Park Boulevard, being of various widths;

Course No. 5: thence Southeasterly along said Southerly line of North Park Boulevard, said line being the arc of a circle deflecting to the right, 101.22 feet, said curved line having a radius of 420.00 feet and a chord which bears South 78°-26'-20" East a distance of 100.98 feet to a point;

Course No. 6: thence South 3°-35'-07" West, 134.92 feet to a point;

Course No. 7: thence Southeasterly along the arc of a circle deflecting to the right, 67.01 feet, said curved line having a radius of 130.00 feet and a chord which bears South 49°-01'-42" East a distance of 66.27 feet to a point;

Course No. 8: thence Southeasterly along the arc of a circle deflecting to the right, 65.41 feet, said curved line having a radius of 4,260.00 feet and a chord which bears South 89°-27'-30" East a distance of 65.41 feet to a point;

Course No. 9: thence Northeasterly along the arc to circle deflecting to the left, 117.04 feet, said curved line having a radius of 1,940.00 feet and a chord which bears North 89°-01'-53" East a distance of 117.01 feet to the Westerly line of aforementioned Sherbrooke Road;

Course No. 10: thence Southeasterly along said Westerly line of Sherbrooke Road, along the arc of a circle deflecting to the right, 65.95 feet, said curved line having a radius of 420.00 feet and a chord which bears South 27°-16'-41" East a distance of 65.89 feet to the place of beginning, containing 48,413 square feet of land (1.114 acres), according to a survey by Garrett & Associates, Inc., Registered Engineers and Surveyors, made in March, 1999, be the same more or less.

Bearings are to an assumed meridian and used to denote angles only.

Section 2. That the easement shall be non-exclusive and the purpose of the easement shall be for ingress and egress to and from Hathaway Brown School property.

Section 3. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described (non-exclusive) easement interest to Hathaway Brown School at a price of One Dollars (\$1.00).

Section 4. That the duration of the easement shall be permanent; that the easement may include reasonable access, ingress and egress rights; that the easement shall not be assignable without the consent of the Director; that the easement shall require the Grantee to indemnify the

City, provide reasonable insurance, maintain any Grantee improvements located within the easement, and pay any applicable taxes and assessments.

Section 5. That the conveyance referred to above shall be made by Official Deed of Easement prepared by the Director of Law and executed by the Director of Parks, Recreation and Properties on behalf of the City of Cleveland. The Deed of Easement shall contain such additional terms and conditions as are required to protect the interest of the parties. The Directors of Parks, Recreation and Properties and Law are authorized to execute such other documents, including without limitation, contracts for right of entry, as may be necessary to effect the construction of the improvement within the property described in Section 1.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.

Effective June 17, 1999.

Ord. No. 786-99.

By Councilmen Cintron, Jones, Robinson and Johnson (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 the southeast corner of West 41st Street and Train Avenue to Mark A. Rivera Productions, Inc.

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use located at the southeast corner of West 41st Street and Train Avenue; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer needed for public use:

Permanent Parcel No. 007-17-001

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots No. 1, 2, 3 and 4 as shown by the John Richner Subdivision of a part of Original Lot Number 53 and recorded in Volume 5 of Maps, Page 52 of Cuyahoga County Records and being bounded and described as follows:

Beginning at a point at the intersection of the Easterly line of West 41st Street (60 feet wide) and the Southerly line of Walworth Avenue S.W. (60 feet wide) now known as Train Avenue S.W., thence North 68°-04'-15" East, along the Southerly line of said Train Avenue S.W.,

431.32 feet to a point in the Southwesterly line of Richner Avenue, S.W. (60 feet wide and Varies) as established by the Richner Avenue S.W. and West 42nd Place Dedication Plat as shown by the recorded plat in Volume 128, Page 3 of Cuyahoga County Records; thence South 21°-55'-45" East, along the Westerly line of said Richner Avenue S.W. 14.14 feet to an angle point therein; thence South 57°-49'-25" West along a Northwesterly line of said Richner Avenue S.W. 433.83 feet to an angle point therein; thence South 79°-53'-00" West along a Northerly line of said Richner Avenue, S.W. 38.80 feet to its intersection with said Easterly line of West 41st Street; thence due North, along said, Easterly line of West 41st Street, 89.88 feet to the place of beginning, as appears by said plat, be the same more or less but subject to all legal highways.

LEGAL DESCRIPTION OF EXCEPTION NO. 1

Excepting therefrom the following described property:

Beginning at a point at the intersection of the easterly line of West 41st Street (60.00 feet wide), and the northerly line of Richner Avenue S.W. (60.00 feet wide and varies);

Thence Due North 53.57 feet to a point in the easterly line of West 41st Street;

Thence South 44°-48'-46" East, 61.40 feet to a point in the northerly line of Richner Avenue S.W.;

Thence South 57°-49'-25" West, 6.00 feet to an angle point in Richner Avenue S.W.;

Thence South 79°-53'-00" West, 38.50 feet to the point of beginning, and containing 1203 square feet of land, or 0.02761 acres, be the same more or less, but subject to all legal highways and easements of records.

LEGAL DESCRIPTION OF EXCEPTION #2

Beginning at a point at the intersection of the Easterly line of West 41st Street (60.00 feet wide) and the Northerly line of Richner Avenue S.W. (60.00 feet wide and varies);

Thence Due North 89.88 feet to the intersection of the Walworth Avenue S.W. (60.00 feet wide) now known as Train Avenue S.W.;

Thence North 68°-04'-15" East along the Southerly line or said Train Avenue S.W., 359.45 feet to the principal point of beginning of the premises intended to be described herein;

Thence along the arc of a curve deflecting to the right an arc distance of 39.88 feet, said curve having a radius of 13.46 feet, an included delta angle of 169°-45'-10" and a chord which bears South 27°-03'-10" East, 26.81 feet to a point on the Northerly line of Richner Avenue S.W.;

Thence North 57°-49'-25" East, 70.61 feet to an angle point in the Northerly line of Richner Avenue S.W.;

Thence North 21°-55'-45" West, 14.14 feet to the intersection of the Northerly line of Richner Avenue S.W. and the Southerly line of Train Avenue S.W.;

Thence South 68°-04'-15" West along the Southerly line of Train Avenue S.W., 71.87 feet to the principal point of beginning, and containing 1199 square feet of land, or 0.02752 acres, be the same more or less, but subject to all legal highways and easements of record.

LEGAL DESCRIPTION OF
RESTRICTED TRAFFIC
VISIBILITY AREA

Beginning at point at the intersection of the Southerly line of Walworth Avenue S.W. (60.00 feet wide) now known as Train Avenue S.W., and the Northerly line of Richner Avenue S.W. (60.00 feet wide and varies);

Thence South 68°-04'-15" West along the Southerly line of Train Avenue S.W., 110.00 feet to the original point of beginning of the premises intended to be described herein;

Thence North 68°-04'-15" East along the Southerly line of Train Avenue S.W., 38.13 feet;

Thence along the arc of a curve deflecting to the right an arc distance of 39.88 feet, said curve having a radius of 13.46 feet, an included delta angle of 169°-45'-10" and a chord which bears South 27°-03'-10" East, 26.81 feet to a point on the Northerly line of Richner Avenue S.W.;

Thence South 57°-49'-25" West along the Northerly line of Richner Avenue S.W. 39.39 feet;

Thence North 24°-54'-30" West, 33.76 feet to the principal point of beginning, and containing 1,421 square feet of land, or 0.03262 acres, be the same more or less, but subject to all legal highways and easements of record.

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 Mark A. Rivera Productions, Inc. at a price not less than fair market value as determined by the Board of Control.

Section 3. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the Board of Control or Director of Law protecting the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs, and a provision providing that the design of the initial new construction of two buildings and site improvements be submitted to the City Planning Commission for review.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 787-99.
By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an amendment to Contract No. 51195 with the Cuyahoga Metropolitan Housing Authority to extend the term of the lease, for the Department of Parks, Recreation and Properties.

Whereas, this ordinance constitutes an emergency measure provid-

ing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into an Amendment to Lease between the City and Cuyahoga Metropolitan Housing Authority ("CMHA"), City Contract No. 51195, to extend said lease term for an additional fifteen (15) years.

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

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

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

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 788-99.
By Councilmen Melena, Jones, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to lease property on Clark Avenue from Michalske Printing Company, for a term of ten years, with two options to renew for additional ten year terms, for the public purpose of developing additional parking for the Clark Recreation Center.

Whereas, the City of Cleveland requires certain property located on Clark Avenue for the public purpose of developing additional parking for the Clark Recreation Center; and

Whereas, Michalske Printing Company, has proposed to lease said property to the City of Cleveland; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to lease from Michalske Printing Company, certain property more fully described as follows:

Parcel No.: 006-16-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 117 in James M. Hoyt's Subdivision of part of Original Brooklyn Township Lot No. 48 as shown by the recorded plat in Volume 3 of maps, Page 15 of Cuyahoga County Records and being 40 feet front on the Northerly side of Clark Avenue S.W. and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 2. That the term of the lease authorized by Section 1 shall not exceed ten (10) years, with two (2) options exercisable by the Director of Parks, Recreation and Properties, to renew for two (2) additional ten-year terms, and cancellable upon thirty days written notice by said director.

Section 3. That the rent for the lease authorized by Section 1 shall be fair market value as determined by the Board of Control.

Section 4. That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the public purpose or purposes of developing additional parking for the Clark Recreation Center.

Section 5. That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

Section 6. That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

Section 7. That the Director of Parks, Recreation and Properties and the director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

Section 8. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 793-99.
By Councilmen Jackson, Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to expend Community Development Block Grant funds for the Community Response Unit.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 17V, from the United States Government; and

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

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

Section 1. That the Director of Public Safety is hereby authorized to expend Community Development Block Grant funds in the amount of \$1,000,000.00, from Fund No. 14 SC 025 RL 1283, for the operation of the Community Response Unit in conjunction with the Community Development Block Grant Program.

Section 2. That said Director and the Director of Community Development are hereby authorized to enter into a memorandum of understanding for this program.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 863-99.
By Councilmen Lewis, Jackson, Robinson and Johnson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1916 East 71st Street to Linda E. Highsmith.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 118-07-067, as more fully described in Section 2 below, to Linda E. Highsmith.

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

P.P. No. 118-07-067

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 19 feet of Sublot No. 235 and all of Sublot No. 236, in Streater and Adams' Re-Allotment of part of Original One Hundred Acre Lot Nos. 338 and 341, as shown by the recorded plat in Volume 13 of Maps, Pages 6 and 7 of Cuyahoga County Records, and being 59 feet on the Westerly side of East 71st Street (formerly Giddings Avenue), and about 128 feet and 7 inches in depth, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by

official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
Effective June XX, 1999.

Ord. No. 883-99.
By Councilman Britt.

An emergency ordinance authorizing the Director of Public Service to issue a permit to Fairfax Renaissance Development Corporation to encroach into the right-of-way of various locations in the Fairfax Neighborhood area with eleven (11) identification signs.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Fairfax Renaissance Development Corporation, 8520 Carnegie Avenue, Cleveland, Ohio 44106, its successors and assigns, for the construction, use and maintenance of eleven (11) freestanding metal signs and poles to identify the Fairfax Neighborhood area, and which signs will encroach into the public right-of-way in eleven (11) site locations which are more fully described as follows:

**FAIRFAX RENAISSANCE
DEVELOPMENT CORPORATION
SITE LOCATIONS FOR ELEVEN
(11) NEIGHBORHOOD
IDENTIFICATION SIGNS:**

1. Quincy Avenue at East 79th Street
2. Carnegie Avenue at East 79th Street
3. Euclid Avenue at East 79th Street
4. & 5. Chester Avenue at East 79th Street - 2-Locations
6. Cedar Avenue at East 89th Street
7. Chester Avenue at East 105th Street
8. Euclid Avenue at East 105th Street
9. Stokes Drive at Carnegie Avenue
10. Cedar Avenue at Stokes Boulevard
11. Quincy Avenue at East 90th Street

Section 2. That said banners will be placed within the public rights-of-way as aforesaid in Section 1, and said banners will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

Section 3. That the permit herein authorized shall be prepared by the

Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

Section 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 885-99.

By Councilmen Dolan, Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Service to enter into a fifth amendment to Contract No. 38890 with Pleasant Valley Enterprises for the lease of property located at 14550 Lorain Avenue.

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, any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary notwithstanding, the Director of Public Service is hereby authorized to enter into a fifth amendment to the Lease Agreement with Pleasant Valley Enterprises, City Contract No. 38890, for the lease of property at 14550 Lorain Avenue, to extend the term for one year so as to expire on September 15, 2000, and two one-year options exercisable by the Director of Parks, Recreation and Properties, to renew for two additional one-year terms, and cancelable upon thirty days written notice by said director. The rental for the lease of property for 2000 shall be \$71,000, and \$75,000 for each option year exercised and shall be paid from Fund No. 10 SF 401, Request No. 21366. This fifth amendment authorized herein shall be prepared by the Director of Law and shall contain such additional conditions and provisions as said director deems necessary to protect and benefit the public interest.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 886-99.

By Councilmen O'Malley, Sweeney, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase property for the ingress and egress to and from the Ridge Road Transfer Station, for the Division of Streets, Department of Public Service.

Whereas, this ordinance constitutes an emergency measure provid-

ing 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 of the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of the ingress and egress to and from the Ridge Road Transfer Station:

3741 Ridge Road
Permanent Parcel No. 013-08-001
Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Original Brooklyn Township, Lot No. 25 and is further bounded and described as follows:

Beginning at a 1" iron pin found at the intersection of the center line of Ridge Road S.W. (variable width) with the center line of Clinton Road S.W. (variable width).

Thence South 05° 32' 13" East, along said center line of Ridge Road S.W., a distance of 1169.06 feet to the Southerly line of Original Lot No. 26, said point marked by a 1" iron pin found North 89° 07' 35" West, along said Southerly line of Original Lot No. 26, a distance of 0.20 feet.

Thence South 89° 07' 35" East, along said Southerly line of Original Lot No. 26, a distance of 43.27 feet to the Easterly right of way line of said Ridge Road S.W., at the Southwesterly corner of Parcel "D" of land conveyed to the City of Cleveland by deed recorded in Volume 8689, Page 269 of Cuyahoga County Records and the principal place of beginning of the land herein described:

Course 1: Thence South 89° 07' 35" East, along the Southerly line of said Parcel "D", a distance of 38.20 feet;

Course 2: Thence South 53° 53' 29" West, a distance of 44.09 feet to the Easterly right of way line of Ridge Road S.W., as aforesaid;

Course 3: Thence North 05° 32' 13" West, along said Easterly right of way line of Ridge Road S.W., a distance of 26.69 feet to the principal place of beginning and containing 0.0116 Acres (507 Square Feet) of land according to a survey made by Thomas J. Neff, Jr. Registered Surveyor No. 7065-Ohio in October of 1998.

The subject area being part of Parcel #1 and Parcel #2 of land conveyed to DanMaur Investments Ltd. by deed recorded in Volume 95-08128, Page 34 of Cuyahoga County Records.

The basis of bearings for the area surveyed is North 05° 32' 13" West, as the center line of Ridge Road S.W., as assumed;

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

Section 2. That the Director of Public Service is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of such property.

Section 3. That the consideration to be paid for such property shall not exceed its fair market value.

Section 4. That all costs of acquisition of land shall be paid from Fund Nos. 20 SC 290, 20 SC 340, 20 SC 351 and 20 SC 295, Request No. 1300.

Section 5. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 887-99.
By Councilmen Sweeney, Jackson, Coats and Johnson (by departmental request).

An emergency ordinance appropriating funds obtained from Norfolk Southern and CSX; authorizing the Director of Public Service to employ professional consultants to perform architectural, engineering and other services necessary to design noise walls, landscaping and fencing; authorizing the Director of Economic Development to employ professional consultants to provide architectural and acoustical services for the insulation of homes; authorizing an agreement with Slavic Village Development Corporation; and authorizing the purchase by contract of equipment to respond to rail incidents involving hazardous materials for the Department of Public Safety.

Whereas, pursuant to Ordinance No. 978-98, passed June 8, 1998, this Council approved and ratified an agreement entered into by the Mayor with Norfolk Southern Corporation ("Norfolk Southern") which, among other things, required specified financial contributions from the railroad to the City for various purposes delineated in the agreement; and

Whereas, pursuant to Ordinance No. 1041-98, passed June 8, 1998, this Council approved and ratified an agreement entered into by the Mayor with CSX Corporation ("CSX") which, among other things, required specified financial contributions from the railroad to the City for various purposes delineated in the agreement; and

Whereas, this Council wishes to appropriate funds received in accordance with the agreements with Norfolk Southern and CSX for various purposes consistent with the agreements with the railroads; 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 this Council hereby appropriates funds received from Norfolk Southern and CSX pursuant to their agreements in the amount of One Million Nine Hundred Seventy-Two Thousand Three Hundred Twenty-Seven Dollars (\$1,972,327.00) from Fund Nos. 10 SF 525 and 10 SF 526, for the purposes of employing professional consultants to perform architectural, engineering and other services necessary to design noise walls, landscaping and fencing and to provide architectural and acoustical services for insulation of homes; providing hazmat training; autho-

rizing an agreement with Slavic Village Development Corporation to preserve and enhance the Mill Creek Waterfall; and acquiring equipment to respond to rail incidents involving hazardous materials, pursuant to the following schedule:

Personnel	-0-
Other Expenses	\$1,972,327

Section 2. That the Director of Public Service is hereby authorized and directed to employ by contract one or more professional architects, engineers, one or more firms of architects and engineers, and other consultants necessary for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to design noise walls, landscaping, fencing and other improvements adjoining rail lines.

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

Section 3. That the Director of Economic Development is hereby authorized and directed to employ by contract one or more professional architects, engineers, one or more firms of architects and engineers, and other consultants necessary for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide architectural and acoustical services for the insulation of homes.

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

Section 4. That the Director of Public Safety is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the purchase of equipment necessary to respond to rail incidents involving hazardous materials, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Fire, Department of Public Safety.

Section 5. That the Director of Economic Development is hereby authorized to enter into an agreement with Slavic Village Development Corporation to provide for the furtherance of proposals to preserve and enhance the Mill Creek Waterfall and to better incorporate the Mill Creek Waterfall into the Cleveland Metroparks.

Section 6. That the costs of the services and contracts herein contemplated shall be paid from Fund Nos. 10 SF 525 and 10 SF 526.

Section 7. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 889-99.
By Councilmen Cintron, Jones, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase real property for the expansion of Greenwood Playground, for the Department of Parks, Recreation and Properties.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of expanding Greenwood Playground:

PERMANENT PARCEL NO. 007-06-060

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Sublot No. 1 and part of Sublot No. 58 in Jonah P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of West 40th Street, at a point distant Northerly 24.5 ft. from its intersection with the most Southerly line of said Sublot No. 58; thence Northerly 0.5 ft. along the said Easterly line of West 40th Street, to an inner-corner of said Sublot No. 58; thence Westerly 20 ft. along the Southerly line of said Sublot No. 58, which is also the Northerly line of West 40th Street, to the Southwesterly corner of said Sublot No. 58; thence Northerly 25 feet along the Easterly line of West 40th Street, to the Northwest-erly corner of said Sublot No. 58; thence Easterly along the Northerly line of said Sublot No. 58 and along the Northerly line of said Sublot No. 1, to a point distant Westerly 80 ft. from its intersection with the West-erly line of West 38th Street; thence Southerly parallel with the said Westerly line of West 38th Street, to a point distant Northerly 24.5 ft. at right angles from the Southerly line of said Sublot No. 1; thence West-erly parallel with the Southerly line of said Sublot No. 1, to the place of beginning, as appears by said plat, be the same more or less, but sub-ject to all legal highways.

Parcel No.: 007-06-083
Exhibit "A"

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 2 in J. P. Hill's Allotment of part of Original Brooklyn Town-

ship Lot No. 53, as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records, bounded and described as follows:

Beginning at the intersection of Northerly line of Bailey Avenue, S.W., with the Westerly line of West 38th Street, (formerly Mechanics Street); thence Northerly along the Westerly line of West 38th Street, 50 feet 1 inch to the Northerly line of Sublot No. 2; thence Westerly along the Northerly line of Sublot No. 2, 79 feet 2.5 inches to the Northeast-erly corner of land conveyed to Frank Bede and Ethel Bede by Deed dated June 11, 1943, and recorded in Vol-ume 5609, Page 284 of Cuyahoga County Records; thence Southerly along the Easterly line of land so conveyed to Frank Bede and Ethel Bede about 50.04 feet to the South-esterly corner thereof; thence East-erly along the Southerly line of Sublot No. 2, which is also the Northerly line of Bailey Avenue S.W., 82 feet to the place of begin-ning, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No.: 007-06-084

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the East-erly 80 feet of Sublot No. 1 in Jonah P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53 as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuya-hoga County Records and being 50 feet 1 inch front on the Westerly side of West 38th Street (formerly Mechanics Street), and extending back of equal width 80 feet, as appears by said plat be the same more or less, but subject to all legal highways.

Parcel No. 007-06-101

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 1 and part of Sublot No. 58 in Jonah P. Hill's Subdivision of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of West 40th Street at a point distant Northerly 24.5 feet from its inter-section with the most Southerly line of said Sublot No. 58, thence Southerly 24.50 feet along the said Easterly line of West 40th Street to its intersection with the most Southerly line of said Sublot No. 58; thence Easterly along the most Southerly line of said Sublot No. 58, and along the Southerly line of said Sublot No. 1 to a point distant Westerly 80 feet from its intersection with the West-erly line of West 38th Street; thence Northerly parallel with the said Westerly line of West 38th Street; to a point distant Northerly 24.5 feet at right angles from the Southerly line of said Sublot No. 1; thence West-erly parallel with the Southerly line of said Sublot No. 1 to the place of beginning, be the same more or less, but subject to all legal highways.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such property and to employ and pay all fees for title companies, sur-veys, escrows, appraisers, environ-mental audits, and all other costs necessary for the acquisition of such property.

Section 3. That the consideration to be paid for such property shall not exceed its fair market value.

Section 4. That all costs of acqui-sition of land shall be paid from Fund No. 20 SF 354, Request No. 3301

Section 5. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 891-99.
By Councilmen Jones, Robinson and Johnson (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 in the Village of Cuyahoga Heights, Ohio adjacent to the Inter-state 77 exit ramp and East 71st Street in the Village of Cuyahoga Heights.

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use and located in the Village of Cuyahoga Heights, Ohio adjacent to the Interstate 77 exit ramp and East 71st Street in the Village of Cuya-hoga Heights; and

Whereas, this ordinance consti-tutes an emergency measure provid-ing for the usual daily operation of a municipal department; now, there-fore,

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

Section 1. That notwithstanding and as an exception to the provi-sions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer needed for public use:

**TRACT NO. 1
CITY-OWNED LAND ADJACENT TO
INTERSTATE 77 EXIT RAMP AND
EAST 71ST STREET IN THE
VILLAGE OF CUYAHOGA
HEIGHTS**

Situated in the Village of Cuya-hoga Heights, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred (100) acre Lot No. 301 and part of Original Independence Township Lots Nos. 5 and 24 in Tract No. 1, East of the River and further bound-ed and described as follows:

Beginning at a 5/8" iron pin found on the Westerly line of East 71st Street, width varies, at the South-westerly line of the Seneca Hills Subdivision No. 1 as shown on the plat recorded in Volume 184 Page 53 of Cuyahoga County Map Records;

Thence South 10° 44' 52" West along the Westerly line of East 71st Street 228.12 feet to a 5/8" iron pin set;

Thence North 79° 15' 08" West along a Northerly line of East 71st Street, 17.00 feet to a 5/8" iron pin set at a point of curvature on the Westerly line of East 71st Street;

Thence along the curved West-erly line of East 71st Street deflecting to the left, an arc of 273.50 feet, said curve having a radius of 1482.39 feet

and a chord that bears South 05° 27' 44" West, 273.12 feet to a 5/8" iron pin set at the intersection of the Westerly line of East 71st Street and the Southeasterly line of the Willow Freeway-Brecksville Road Extension (U.S. Route 21), width varies;

Thence North 25° 49' 18" West along the Southeasterly line of Willow Freeway-Brecksville Road Extension, 174.51 feet to a 5/8" iron pin set at a point of curvature;

Thence along the curved Southeasterly line of Willow Freeway-Brecksville Road Extension deflecting to the right, an arc of 265.49 feet, said curve having a radius of 5629.58 feet and a chord that bears North 24° 28' 13" West, 265.47 feet to a 5/8" iron pin set on the Southwesterly line of aforesaid Seneca Hills Subdivision No. 1;

Thence North 70° 51' 47" East along the Southwesterly line of the Seneca Hills Subdivision No. 1, 287.08 feet to the point of beginning and containing 1.3602 acres of land as calculated and described by North Coast Engineering & Surveying Co., Inc. in October, 1998, be the same, more or less, but subject to all legal highways.

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 Village of Cuyahoga Heights at a price not less than fair market value as determined by the Board of Control.

Section 3. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the Board of Control or Director of Law protecting the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 892-99.
By Councilmen Jones, Robinson and Johnson (by departmental request).

An emergency ordinance determining to proceed to control blight and disease of shade trees by removing, planting, trimming, watering and creating or excavating cutouts for shade trees in and along the public rights-of-way in portions of the City of Cleveland; and adopting the assessments.

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 it is hereby determined to proceed to control blight

and disease of shade trees by removing, planting, trimming, watering and creating or excavating cutouts for shade trees (collectively, "Tree Maintenance") in and along the streets of the 1997 Tree Maintenance District as established in Resolution No. 929-98, adopted October 12, 1998 (the "Resolution of Necessity").

Section 2. That said Tree Maintenance shall be performed in accordance with the provisions of the Resolution of Necessity, and with the plans, specifications, profiles and estimates heretofore approved and filed in the office of the Clerk of Council.

Section 3. That it is further determined that the portion of the cost of said Tree Maintenance to be assessed against benefited property shall be assessed in the amount, manner and number of installments as provided for in the Resolution of Necessity.

Section 4. That the cost of said Tree Maintenance shall be paid, prior to the collection of assessments, from Fund No. 10 SF 200. Proceeds of the assessments levied hereinafter shall be deposited to Fund No. 10 SF 200.

Section 5. That the list of assessments for the cost of said Tree Maintenance reported to this Council and now on file in the office of the Clerk of Council, and aggregating \$167,580.00 and as approved by the Assessments Equalization Board heretofore appointed by Resolution No. 535-99, adopted March 29, 1999, as amended by Ordinance No. 597-99, passed April 12, 1999, the report of which Board was approved by Resolution No. _____, adopted _____, 1999, be and the same are hereby adopted and confirmed as final assessments.

Section 6. That the several amounts of the final assessments are hereby assessed and levied on the lots and lands benefited and to be charged therewith in the 1999-2000 Tree Maintenance District as set forth in the Resolution of Necessity.

Section 7. That it is determined that the assessments do not exceed the special benefits resulting from the improvement, and do not exceed any statutory limitation.

Section 8. That the Clerk of Council is directed to continue on file in her office a list of the assessments and the description of the lots and lands.

Section 9. That the total assessment against each lot and parcel of land shall be payable in cash to the Commissioner of Assessments and Licenses of the City within thirty (30) days after the passage of this ordinance or, at the option of the property owner assessed, in one (1) annual installment. All assessments and installments which have not been paid at the expiration of the thirty (30) day period shall be certified by the Clerk of Council to the County Auditor, to be placed by him on the tax duplicate and collected the same as other taxes, as provided by law.

Section 10. That the Clerk of this Council is hereby directed to deliver a certified copy of this ordinance to the County Auditor within fifteen (15) days after the passage of this ordinance as required by Section 319.61 of the Revised Code.

Section 11. That the Clerk of this Council is directed to cause notice of the levy of the assessments herein to be filed with the County Audi-

tor within twenty (20) days following the passage of this ordinance.

Section 12. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 893-99.
By Councilmen Polensek, Jones, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a property for the expansion of Humphrey Park located at 16003 Damon Avenue, for the Division of Property Management, Department of Parks, Recreation and Properties.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of expanding Humphrey Park:

Permanent Parcel No. 113-13-022
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Westerly 15 feet of Sublot No. 419 and the Easterly 10 feet of Sublot No. 420 in Eastwood Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 31 of Maps, Page 27 of Cuyahoga County Records; Said Westerly 15 feet of Sublot No. 419 and Easterly 10 feet of Sublot No. 420 together form a parcel of land having a frontage of 25 feet on the Northerly line of Damon Avenue, N.E. (formerly Nansen Street), extending back 101-63/100 feet deep on the Westerly line 101-57/100 feet deep on the Easterly line, and having a rear line of 25.02, as appears by said plat, be the same more or less but subject to all legal highways.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of such property.

Section 3. That the consideration to be paid for such property shall not exceed its fair market value.

Section 4. That all costs of acquisition of land shall be paid from Fund No. 20 SF 330, Request No. 1299.

Section 5. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 894-99.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the State of Ohio, Department of Natural Resources for the Round 6 NatureWorks Program; determining the method of making the public improvement of rehabilitating Mercedes Cotner Park and authorizing the Director of Parks, Recreation and Properties to enter into contract with the making of such improvement, payable from the grant proceeds.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to apply for and accept a grant from the State of Ohio, Department of Natural Resources, for the Round 6 NatureWorks Program, for the purposes set forth in the project description and according thereto; that the Director of Parks, Recreation and Properties is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the project description for said grant.

Section 2. That the project description for said grant, File No. 894-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide twenty-five percent (25%) of the total project cost from Fund No. 20 SF 354.

Section 3. That pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating Mercedes Cotner Park for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 4. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 5. That the cost of said improvement hereby authorized shall be paid from the grant proceeds pursuant to Section 1 of this ordinance and cash from matching funds committed pursuant to Section 2 of this ordinance.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 895-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with 1501 Companies, LTD., to provide economic development assistance to partially finance the land and building acquisition and the demolition of three distressed homes located at 1501 Abbey Avenue, Cleveland, Ohio 44113.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with 1501 Companies, LTD., to provide economic development assistance to partially finance the land and building acquisition and the demolition of three distressed homes located at 1501 Abbey Avenue, Cleveland, Ohio 44113.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 895-99-A.

Section 3. That the costs of said contract shall not exceed Ninety-Nine Thousand Dollars (\$99,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 1002.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

Section 8. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 896-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance to amend Section 2 of Ordinance No. 1181-97, passed June 16, 1997, as amended by Ordinance No. 424-99, passed March 29, 1999, relating to economic development assistance contracts with Glenville Development Corporation and University Circle Incorporated.

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

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

Section 1. That Section 2 of Ordinance No. 1181-97, passed June 16, 1997, as amended by Ordinance No. 424-99, passed March 29, 1999, is hereby amended to read as follows:

Section 2. That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1181-97-C.

Section 2. That existing Section 2 of Ordinance No. 1181-97, passed June 16, 1997, as amended by Ordinance No. 424-99, passed March 29, 1999, 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 897-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Vesper Corporation, and/or a wholly-owned subsidiary thereof, to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to assist in acquiring machinery and equipment and constructing a facility, to be located at 3249 East 80th Street, East 79th to East 80th Streets, including the vacated Avrina Avenue, Cleveland, Ohio, located in the Cleveland Area Enterprise Zone.

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone

contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, Vesper Corporation, and/or a wholly-owned subsidiary thereof (the "Enterprise") has proposed to acquire machinery and equipment and to construct a manufacturing facility to be located at 3249 East 80th Street, East 79th to East 80th Streets, including the vacated Avrina Avenue in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property and real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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

Section 1. That this Council hereby approves the application of Vesper Corporation, and/or a wholly-owned subsidiary thereof for enterprise zone incentives on the basis that Vesper Corporation, and/or a wholly-owned subsidiary thereof, is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Vesper Corporation, and/or a wholly-owned subsidiary thereof to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to assist in acquiring machinery and equipment and constructing a facility, to be located at 3249 East 80th Street, East 79th to East 80th Streets, including the vacated Avrina Avenue, Cleveland, Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 897-99-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

Section 4. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from fund No. 17 SF 305, Loan Fees Fund.

Section 5. That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.

Effective June 17, 1999.

Ord. No. 946-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of disposal of debris at landfills, for the Divisions of Water Pollution Control, Water and Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of the disposal of debris at landfills in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Divisions of Water Pollution Control, Water and Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 3912) (RL 24062)

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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 947-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide design services of a heating, ventilating and air conditioning system at Burke Lakefront Airport.

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

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

Section 1. That the Director of Port Control is hereby authorized to employ by contract one or more design consultants or one or more firms of design consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design a heating, ventilating and air conditioning system at Burke Lakefront Airport.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 60 SF 119, Request No. 8206.

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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 948-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide design services necessary for improvements and modifications to ingress and egress at Cleveland Hopkins International Airport.

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

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

Section 1. That the Director of Port Control is hereby authorized to employ by contract one or more design consultants or one or more firms of design consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional ser-

vices necessary to provide design services necessary for improvements and modifications to ingress and egress at Cleveland Hopkins International Airport.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 60 SF 121, Request No. 8205.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 949-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to install and maintain fencing, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary for the installation and maintenance of fencing in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which pur-

chase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8203)

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 951-99.
By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Service to apply for and accept a grant from the Ohio Department of Transportation for the Eagle Avenue Bridge and Alternative Analysis Study; and to authorize said director to employ one or more professional consultants to perform the study.

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

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

Section 1. That the Director of Public Service is hereby authorized to apply for and accept a grant in the amount of \$500,000, from the Ohio Department of Transportation, to conduct the Eagle Avenue Bridge and Alternative Analysis Study (the "Study"), for the purposes set forth in the application and according thereto; that the Director of Public Service is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 951-99-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$100,000, payable from Fund No. 20 SF 334, is hereby approved in all respects.

Section 3. That the Director of Public Service is hereby authorized to employ by contract 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 perform the Study.

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

tor of Public Service, and certified by the Director of Finance.

Section 4. That the costs for such services herein contemplated shall be paid from the proceeds of the grant accepted pursuant to Section 1 of this ordinance and from the cash matching funds identified in Section 2 of this ordinance.

Section 5. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 952-99.
By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of cleaning and hygiene supplies, for the Division of Correction, Department of Public Health, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Health is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of cleaning and hygiene supplies in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Correction, Department of Public Health. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 6758)

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 956-99.

By Councilmen Coats, Zone and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 173.21 thereof, relating to Police Review Board.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 173.21 thereof, to read as follows:

Section 173.21 Police Review Board

The salaries of the members of the Police Review Board shall be six thousand eight hundred dollars (\$6,800.00) per annum, except that the member designated by the Mayor as Chairman shall receive additional compensation of five hundred dollars (\$500.00) per annum.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 963-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with Cleveland Housing Network, or its designee, to provide development loan assistance in the form of a Community Development Block Grant float loan for the purchase, rehabilitation or construction of low income rental housing.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with Cleveland Housing Network, or its designee, to provide development loan assistance in the form of a Community Development Block Grant float loan in the amount of \$3,500,000.00 for the purchase, rehabilitation or construction of low income rental housing in the City of Cleveland.

Section 2. That the terms of said loan shall be determined by the Director of Community Development in accordance with regulations, state and local law, and said Director is authorized to amend said terms from time to time, as he deems necessary to remain consistent with said laws and regulations.

Section 3. That the cost of said contract shall be paid from Fund No. 14 SC 810, Request No. 1289.

Section 4. That the Director of Community Development shall obtain an irrevocable, unconditional letter of credit to secure repayment of said loan. Any security instrument shall be approved by the Director of Law.

Section 5. That the Director of Community Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in the CDBG fund.

Section 6. That the Director of Community Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from the CDBG fund.

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction authorized hereunder.

Section 8. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 965-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with the HOPE Gardens, Inc., fiscal agent for the Summer Sprout Program, to operate a community gardening program.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with the HOPE Gardens, Inc., fiscal agent for the Summer Sprout Program, to operate a community gardening program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$106,800.00, and shall be paid from Fund No. 14 SF 025, Request No. 1286.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 966-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with Cleveland Housing Network, or its designee, for the acquisition, rehabilitation, or construction of low income housing units.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with Cleveland Housing Network, or its designee, for the acquisition, rehabilitation, or construction of housing units affordable to lower income households through the lease-purchase program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$2,000,000.00, and shall be paid from Fund Nos. 13 SC 885, Request No. 1288.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 971-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Mark A. Rivera Productions, Inc. to provide economic development assistance to partially finance the land acquisition, site improvements and construction of facility at West 41st Street between Train Avenue and Richner Avenue, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Mark A. Rivera Productions, Inc. to provide economic development assistance to partially finance the land acquisition, site improvements and construction of facility at West 41st Street between Train Avenue and Richner Avenue, Cleveland, Ohio.

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 971-99-A.

Section 3. That the costs of said contract shall not exceed Forty Two Thousand Six Hundred Dollars (\$42,600.00), and shall be paid from Fund No. 17 SF 008, Request No. 1003.

Section 4. That the Director of Economic Development is hereby

authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

Section 8. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 972-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Neighborhood Development Investment Fund contract with Lin's Omni World, to provide economic development assistance to partially finance the acquisition and renovation of the CMF Building located at 3167 Fulton Road, Cleveland, Ohio 44109.

Whereas, through Ordinance No. 56-94, passed June 13, 1994, the City established the Neighborhood Development Investment Program and the Neighborhood Development Investment Fund (NDIF) for the purpose of stimulating the development of major opportunities for job creation, retention, and expansion in the City's neighborhoods; 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, subject to the provisions of Section 8 of this Ordinance, the Director of Economic Development is hereby authorized to enter into a Neighborhood Development Investment Fund contract with Lin's Omni World, to provide economic development assistance to partially finance the acquisition and renovation of the CMF Building located at 3167 Fulton Road, Cleveland, Ohio 44109.

Section 2. That the terms of said contract shall comply with the requirements of the Neighborhood Development Investment Program and NDIF, as set forth in Section 1 of Ordinance No. 56-94 passed June

13, 1994, and shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 972-99-A.

Section 3. That the costs of said contract shall not exceed One Million Dollars (\$1,000,000.00), and shall be paid from Fund No. 10 SF 501, RL 1001.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of such loan and to deposit said monies in Fund No. 10 SF 502.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

Section 8. That, prior to entering into any contract authorized herein, the Director of Finance is required and hereby is directed to certify that un-appropriated funds equal to the contract amount set forth in Section 3 of this ordinance have been collected by the City and are available to be allocated to such contract.

Section 9. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 973-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Lin's Omni World to provide for a ten year abatement for certain real estate taxes as an incentive to expand its facilities to the CMF Building, located at 3167 Fulton Road, Cleveland, Ohio, 44136, in the Cleveland Area Enterprise Zone.

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised

Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, Lin's Omni World (the "Enterprise") has proposed to expand its facilities to the CMF Building, located at 3167 Fulton Road, Cleveland, Ohio, 44136, in the Cleveland Area Enterprise Zone in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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

Section 1. That this Council hereby approves the application of Lin's Omni World for enterprise zone incentives on the basis that Lin's Omni World is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Lin's Omni World to provide for a ten (10) year abatement for certain real estate taxes as an incentive to expand its facilities to the CMF Building, located at 3167 Fulton Road, Cleveland, Ohio, 44136, in the City of Cleveland; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 973-99-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

Section 4. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from fund No. 17 SF 305, Loan Fees Fund.

Section 5. That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it

shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 974-99.
By Councilmen Rybka, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance to amend the title, Section 1 and Section 2 of Ordinance No. 1886-98, passed December 14, 1998, relating to a contract to partially finance the acquisition and renovation of real property, located at 5700 Broadway Avenue, Cleveland, Ohio.

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

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

Section 1. That the title, Section 1 and Section 2 of Ordinance No. 1886-98, passed December 14, 1998, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Timothy Messer to provide economic development assistance to partially finance the acquisition and renovation of real property, located at 5700 Broadway Avenue, Cleveland, Ohio.

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Timothy Messer to provide economic development assistance to partially finance the acquisition and renovation of real property located at 5700 Broadway Avenue, Cleveland, Ohio.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Executive summary contained in File No. 1886-98-B.

Section 2. That the existing title, Section 1 and Section 2 of Ordinance No. 1886-98, passed December 14, 1998, 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 975-99.
By Councilmen Sweeney, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a Neighborhood Development Investment Fund contract with Coral Puritas Limited Partnership, to provide economic development assistance to partially finance the renovation of Puritas Park Plaza and the construction of a free standing drug store, to be located at 14015 and 14141 Puritas Avenue, Cleveland, Ohio.

Whereas, through Ordinance No. 56-94, passed June 13, 1994, the City established the Neighborhood Development Investment Program and the

ment Fund (NDIF) for the purpose of stimulating the development of major opportunities for job creation, retention, and expansion in the City's neighborhoods; 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, subject to the provisions of Section 8 of this Ordinance, the Director of Economic Development is hereby authorized to enter into a Neighborhood Development Investment Fund contract with Coral Puritas Limited Partnership, to provide economic development assistance to partially finance the renovation of Puritas Park Plaza and the construction of a free standing drug store, to be located at 14015 and 14141 Puritas Avenue, Cleveland, Ohio.

Section 2. That the terms of said contract shall comply with the requirements of the Neighborhood Development Investment Program and NDIF, as set forth in Section 1 of Ordinance No. 56-94 passed June 13, 1994, and shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 975-99-A.

Section 3. That the costs of said contract shall not exceed One Million Dollars (\$1,000,000.00) and shall be paid from Fund No. 10 SF 501, RL 1004.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of such loan and to deposit said monies in Fund No. 10 SF 502.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

Section 8. That, prior to entering into any contract authorized herein, the Director of Finance is required and hereby is directed to certify that un-appropriated funds equal to the contract amount set forth in Section 3 of this ordinance have been collected by the City and are available to be allocated to such contract.

Section 9. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 976-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Campus Movers, Inc. to provide for a ten year abatement for certain real estate taxes as an incentive to construct a new facility at 2160 West 106th Street, Cleveland, Ohio, in the Cleveland Area Enterprise Zone.

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, Campus Movers, Inc. (the "Enterprise") has proposed to construct a new facility at 2160 West 106th Street, Cleveland, Ohio, in the Cleveland Area Enterprise Zone in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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

Section 1. That this Council hereby approves the application of Campus Movers, Inc. for enterprise zone incentives on the basis that Campus Movers, Inc. is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Campus Movers, Inc. to provide for a ten (10) year abatement for certain real estate taxes as an incentive to construct a new facility at 2160 West 106th Street, Cleveland, Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 976-99-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

Section 4. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the max-

imum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from fund No. 17 SF 305, Loan Fees Fund.

Section 5. That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 995-99.

By Councilman Dolan.

An emergency ordinance authorizing the Director of Economic Development to enter into an Amendment to an Enterprise Zone Agreement with PPG, or its designee, to provide assistance to retain a shipping and warehouse facility at 3800 West 143rd Street in the Cleveland Enterprise Zone.

Whereas, pursuant to Ordinance No. 1176-97 authorized by Cleveland City Council, the Director of Economic Development entered into an Enterprise Zone Agreement with PPG or its designee, to provide for abatement of certain tangible personal property and real estate taxes for a period not to exceed ten years as an incentive to relocate a shipping and warehouse facility from Strongsville to 3800 West 143rd Street in the Cleveland Enterprise Zone; and

Whereas, the City of Cleveland desires to provide financial assistance to PPG or its designee to retain and preserve job opportunities at the facility located in the Cleveland Enterprise Zone; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to preserve job opportunities and to advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost, now, therefore,

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

Section 1. That the Director of Economic Development is authorized to enter into an Amendment to the Enterprise Zone Agreement, authorized by Cleveland City Council pursuant to Ordinance No. 1176-97, to provide assistance in retaining a manufacturing facility and a shipping and warehouse facility at 3800 West 143rd Street, Cleveland, Ohio. The Amendment shall be in accordance with the terms as set forth in the Executive Summary to be contained in a file to be provided to Council no later than 30 days following introduction of this legislation.

Section 2. That the Director of Law shall prepare and approve said Amendment and that the Amendment shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 1015-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contracts with various non-profit development corporations to provide grants to small, neighborhood-based street clubs, block clubs and other community improvement groups to implement the Cityworks Program.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contracts with various nonprofit development corporations to provide grants to small neighborhood based street clubs, block clubs and other community improvement groups to implement the Cityworks Program.

Section 2. That the aggregate cost of said contracts shall be in an amount not to exceed \$250,000.00, and shall be paid from Fund No. 14 SC 025, Request No. 1287.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1016-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with various agencies to provide social service programs.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with the following agencies to provide social service programs:

A Cultural Exchange
ACCESS-Ohio
Allegheny West Conference Corporation of Seventh-Day Adventists/Better Living Center
Alta Social Settlement House
American Sickle Cell Anemia Association
Bellflower Center For Prevention of Child Abuse, Inc.
Boys and Girls Clubs of Cleveland (Broadway)
Boys and Girls Clubs of Cleveland (Mt. Pleasant)

Boys and Girls Clubs of Cleveland (West Side)

Brooklyn Memorial Community Youth Center

Catholic Charities Services Corp./Hispanic Senior Center

Catholic Charities Services Corp./Martin DePorres Center

Catholic Youth and Community Service Corporation/Cleveland Mediation Center

Center for Families and Children

Center for the Prevention of Domestic Violence

Cleveland Police Athletic League

Cleveland Women, Inc.

Collinwood Community Services Center

Community Re-Entry (New Life Center)

Community Re-Entry, Inc.

Community Relations Board

Community Socialization Program

Cornerstone Connection

Cory Senior Citizens Program, Inc.

Custom Enrichment

Delta Tutoring and Nutrition Program, Inc.

Department of Public Safety/Greater Cleveland Roundtable

East End Neighborhood House

EBC's Fery Development Corporation

El Barrio

Esperanza, Inc.

Garden Valley Neighborhood House

GLAD Center, Inc.

Golden Age Centers of Greater Cleveland, Inc.

Goodrich-Gannett Neighborhood Center

Greater Cleveland Neighborhood Centers Association

Greater Cleveland Neighborhood Centers Association/Schools as a Neighborhood Resource

Guardian House Shelter, Inc., a.k.a. G.B.C.

Harambee: Services to Black Families

Harvard Community Services Center

Hijos de Borinquen Spanish American Center

Hunger Network of Greater Cleveland

Karamu House, Inc.

Lexington-Bell Community Center

M.C. Chatman Center for Humanitarian Services

Marotta Montessori Schools of Cleveland

Merrick House

Mum-Ford Incorporated

National Federation of the Blind of Ohio

Near West Side Multi-Service Corporation/May Dugan

New Cleveland Food Basket

Nottingham Youth Center, Inc.

Old Brooklyn United Services Assn., Inc.

Phillis Wheatley Association, Inc.

Senior Citizens Resources, Inc.

Senior Outreach Services

Services For Independent Living, Inc.

Spanish American Committee for a Better Community

Starting Point (Child Care Resource Center of Cuyahoga County)

The Chorale

The Neighborhood Counseling Service

The Salvation Army

The Salvation Army (Tremont)

Vietnamese Community

Vocational Guidance Services

Werner Community Outreach, Inc.

West Side Community House

West Side Ecumenical Ministry

West Side Multi Service Corporation-Consortium

YMCA - Broadway Branch

YMCA - Downtown/West Side Branches

YMCA - Glenville Branch

YMCA - Midtown East Branch

YMCA - West Park Branch

Section 2. That the City Departments implementing the Community Development Block Grant social service programs are hereby authorized to enter into contract with non-profit agencies providing social services.

Section 3. That the aggregate cost of the contracts authorized in Sections 1 and 2 of this ordinance shall be in an amount not to exceed \$3,000,000.00, and shall be paid from Fund No. 14 SC 024 and SC 025, Request No. 1293.

Section 4. That each agency which receives funding from Community Development to provide social services shall have staff members trained in HIV prevention.

Section 5. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1017-99.
By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contracts with various housing development entities, or their designees, to implement the Housing Trust Fund Program, for costs associated with various housing activities.

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

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

Section 1. That the Director of Community Development is hereby authorized to expend funds and to enter into contracts with various housing development entities, or their designees, including those listed below, for the purpose of implementing the Housing Trust Fund Program:

A.F.F.O.R.D., Inc.
Amistad Development Corporation
Buckeye Area Development Corporation
Cleveland Action to Support Housing
Charge Development Company
Cleveland Restoration Society
Detroit-Shoreway Community Development Organization
Fairfax Renaissance Development Corporation
FAMICOS Foundation
Glenville Development Corporation
Hough Area Partners in Progress
Multiple Sclerosis Association
New Village Corporation
Northeast Shores Development Corporation
Northeastern Neighborhood Development Corporation
Ohio City Near West Development Corporation
Old Brooklyn Community Development Corporation
Rysar Properties
Slavic Village Development
St. Clair Superior Coalition
Tremont West Development Corporation
Union Miles Development Corporation
Zaremba Cleveland Communities

Section 2. Eligible activities under the Housing Trust Fund Program include new construction, rehabilita-

tion, site preparation, site acquisition, predevelopment activities and financial assistance to home buyers.

Section 3. That the cost of said contracts shall be in an amount not to exceed \$4,003,000.00, and shall be paid from Federal HOME Grant Fund No. 13 SC 885 and Community Development Block Grant Fund No. 14 SC 025, Request No. 1294.

Section 4. That the Director of Community Development is authorized to accept monies in repayment of loans authorized in this ordinance and to deposit those monies in Fund No. 14 and to utilize said repayments and other program income in a revolving fund for making additional expenditures under this program.

Section 5. That the City is hereby authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of fees under the City's Housing Trust Fund Program.

Section 6. That the Director of the Department of Community Development be and is hereby authorized to enter into forbearance agreements with any recipient of a validly existing loan, administered by the City under the City's Housing Trust Fund Program.

Section 7. That the Director of Community Development is hereby authorized to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited to and expended from Fund No. 14.

Section 8. That the Director of Community Development is hereby authorized to identify a process for providing assistance to new homeowners and condominium owners who are recipients of loans administered by the City's Housing Trust Fund Program.

Section 9. That if a project that has been identified for funding under the Housing Trust Fund Program does not go forward or the funds identified are not used in full, the funds may not be decertified without notifying the Councilmember in whose ward the project is located.

Section 10. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1018-99.
By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with various agencies to provide housing, commercial, industrial and real estate development activities.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with the

following agencies to provide housing, commercial, industrial and real estate development activities:

City-wide Development Assistance Program

Cleveland Neighborhood Development Corporation
Cleveland Restoration Society
Cleveland Tenants Organization
Hispanic Business Association
Living in Cleveland Center
Lutheran Housing Corporation:
Tool Loan Program
Lutheran Housing Corporation:
Furnace Repair Program
Neighborhood Housing Services of Cleveland, Inc.
United Labor Agency

CDC Competitive Grant Program

Amistad Development Corporation
Bellaire Puritas Development Corporation
Buckeye Area Development Corporation
Burten, Bell, and Carr Development Corporation
Clark Metro Development Corporation
Collinwood Community Services Center/Collinwood Area Development Corporation
Collinwood Village Development Corporation/Waterloo Trade Association
Cudell Improvement, Inc.
Detroit Shoreway Community Development Organization
Fairfax Renaissance Development Corporation
Famicos Foundation
Flats Oxbow Association
Glenville Development Corporation
Historic Gateway Development Corporation
Historic Warehouse District Development Corporation
Hough Area Partners in Progress, Inc.
Kamms Corner Development Corporation
Midtown Corridor, Inc.
Miles Ahead, Inc.
Mt. Pleasant Now Development Corporation
Nolasco Housing Corporation
Northeast Shores Development Corporation
Northeastern Neighborhood Development Corporation
Ohio City Near West Development Corporation
Old Brooklyn Community Development Corporation
Shaker Square Development Corporation
Slavic Village Development Corporation
Southeast Improvement Association
St. Clair-Superior Coalition
Tremont West Development Corporation
Union Miles Development Corporation
Westown Community Development Corporation
Section 2. That the cost of said contracts shall be in an amount not to exceed \$2,200,000.00, and shall be paid from Fund Nos. 14 SC 024 and 14 SC 025, Request No. 1291.
Section 3. That the Director of Community Development is authorized to accept program income and use this and other program income to finance additional housing, commercial, industrial and real estate development activities.
Section 4. That the Director of Community Development is authorized to enter into or amend contracts with the agencies administering the housing, commercial, industrial and real estate activities that

generated program income in an amount not to exceed that generated program income and to be paid from the revolving fund in Fund 14.

Section 5. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1019-99.
By Councilmen Jackson and Johnson (by departmental request).
An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various social service agencies, community development or local development corporations and private for profit entities and to enter into or amend memorandums of understanding with various City of Cleveland departments to implement the City's community development programs and to expend funds for the operation of programs administered by the Department of Community Development.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year XXV, from the United States Government; and

Whereas, the Council of the City of Cleveland has approved the Year XXV Community Development Block Grant Plan as set forth in File No. 135-99-A, pursuant to Ordinance No. 135-99, passed March 15, 1999; and

Whereas, in prior Block Grant years, the Council has approved Block Grant Plans; and

Whereas, the Block Grant Plans as approved commit funds to Neighborhood Development Activities ("NDA"), which are CDBG eligible activities proposed by the various Council members; and

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

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

Section 1. That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to enter into or amend contracts with various social services agencies, community development or local development corporations and private for profit entities for activities and programs that are eligible under the Community Development Block Grant ("CDBG") Program and are consistent with the City's Community Development objectives and policies.

Section 2. That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to enter into or amend memorandums of understanding with various City departments to implement activities and programs that are eligible under the CDBG Program and are consistent with the City's Community Development objectives and policies.

Section 3. That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to expend NDA funds for the operation of programs administered by the Department of Community Development, including all related services, and to enter into contract under those programs.

Section 4. That prior to entering into or amending those contracts or memorandums of understanding, or expending any funds, the Director of Community Development shall receive written approval from the Councilmember whose ward line item is to fund the activity or program, provided that the amount for such activity or program does not exceed the amount allocated for the Councilmember's ward pursuant to the relevant Community Development Block Grant plan.

Section 5. That the cost of the contracts, memorandums of understanding and expenditures for the programs administered by the Department of Community Development shall not exceed \$6,300,000 and shall be paid from Fund Nos. 14 SC 021, 14 SC 022, 14 SC 023, 14 SC 024 and SC 025.

Section 6. That the Director of Community Development is authorized to accept program income and to deposit that program income in Fund No. 14 to be used as a revolving fund to finance the eligible NDA programs that generated the program income.

Section 7. That the Director of Community Development is authorized to enter into or amend contracts with the entities administering the NDA program that generated the program income in an amount not to exceed that generated program income and to expend funds for the programs administered by the Department of Community Development that generated program income in an amount not to exceed that generated program income, all to be paid from the revolving fund in Fund 14.

Section 8. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1056-99.
By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to employ one or more professional architects and engineers to prepare plans, specifications and other bidding documents for capital improvements to the West Side Market, its surrounding district, and the East Side Market, and its surrounding districts.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to employ by contract one or more architects and engineers or one or more firms of architects and engineers 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 prepare plans, specifications and other bidding documents for capital improvements to the West Side Market, its surrounding district, and the East Side Mar-

ket, and its surrounding districts, including a contract relating to streetscape improvements for the East Side Market in an amount not to exceed \$50,000.

The selection of said architects and engineers for such services shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties for the purpose of compiling such a list. Prior to award of such contract or contracts, written notification listing all responses to the canvass, including a list of all subcontractors, together with the price listed in each response, shall be provided to the Clerk of Council and to the Chairman of the Committee on Public Parks, Property and Recreation by the Director of Parks, Recreation and Properties. A copy of the proposal of the successful respondent(s) shall also be provided to the Clerk and Chairman prior to award by the Board of Control. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Parks, Recreation and Properties, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 20 SF 320, Request No. 7617.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1057-99.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of computers and related hardware equipment, for the various divisions of City government.

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

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

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

a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 3050)

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 June 14, 1999.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1058-99.
By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various on-road vehicles and off-road equipment, including labor and materials necessary for vehicle rehabilitation, for the various divisions of City government.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various on-road vehicles and off-road equipment, including labor and materials necessary for vehicle rehabilitation, as such vehicles and equipment are described in File No. 1058-99-A, in the estimated sum of \$9,706,832.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 1788)

Section 3. That pursuant to Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative

agreements using state procedures. The Director of Public Service may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to effectuate such cooperative efforts, and may enter into contract with the vendors selected through that cooperative process.

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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1059-99.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing by requirement contract the purchase, lease or lease with option to purchase of various electronic devices, including ancillary equipment, and materials for service and maintenance, for the Division of Information Systems Services, Department of Finance, for a period not to exceed two years.

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

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

Section 1. That the Director of Finance is hereby authorized to make a written requirement contract for the purchase, lease or lease with option to purchase, exercisable at the option of the Director of Finance, of various electronic devices necessary for voice data, audio, video products and services, including ancillary equipment, and materials for service and maintenance, in accordance with the Charter and the codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years in the approximate amount as purchased during the preceding term, to be purchased or procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Information Systems Services, Department of Finance. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase or procurement thereunder, which purchase or procurement, together with all subsequent purchases and procurements; shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 7802)

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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1060-99.
By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the U.S. Environmental Protection Agency and the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment; and authorizing said director to enter into contracts for the purchase of services, equipment and supplies necessary to implement the program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept grants in the approximate amounts of \$697,054 from the U.S. Environmental Protection Agency and \$1,111,534 from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment in accordance with the purposes set forth in the respective grant contracts (the "Program"); that the Director of Public Health is hereby authorized to accept civil penalties up to the amount of \$30,000 which may be due to the City under the Program; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to apply for and receive the funds under said grants; and that said funds be appropriated for the purposes set forth in the proposed contracts for said grants.

Section 2. That the proposed contracts for said grants, File No. 1060-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the approximate sum of \$369,800, from Fund Nos. 01-500601-6090100, 01-500602-6090100, 01-500601-6090100, and 01-500602-6090100, in order to receive the grant from the U.S. Environmental Protection Agency and the Ohio Environmental Protection Agency.

Section 3. That the Director of Public Health is hereby authorized to enter into contracts for the purchase of services, equipment, and supplies necessary to implement the Program, and that said contracts are payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance. The Director of Public Health shall submit a monthly report concerning the expenditure of funds pursuant to this ordinance to the Council Committee on Public Health.

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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1063-99.**By Councilmen Westbrook and Johnson (by departmental request).****An emergency ordinance authorizing the Director of Port Control to make alterations and modifications in Contract No. 51196, for asbestos abatement of the Speedwalk Building with Coleman Trucking, Inc. for the Department of Port Control.**

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

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

Section 1. That the Director of Director of Port Control is hereby authorized to make the following alterations and modifications in Contract No. 51196 with Coleman Trucking, Inc. for asbestos abatement of the Speedwalk Building, for the Department of Port Control:

CONTRACT NO. 51196 - SUBSIDIARY NO. 1
ASBESTOS ABATEMENT OF THE SPEEDWALK BUILDING

SUBSIDIARY ADDITIONS

1. Removal of cementitious material underneath orange penny tile	\$ 10,709.00
2. Cutting of beams in order to remove asbestos laden fire-proofing	984.00
3. Removal of windows and sheet metal cladding to access asbestos containing fire-proofing	2,513.00
4. Removal of transite pipe	1,323.00
5. Removal of asbestos containing fire-proofing at Speedwalk Building lobby that was uncovered during demolition	4,471.00
6. Disposal of asbestos contaminated radiant heating panels	+ 1,000.00
	\$ 21,000.00
Subsidiary Additions	\$ 21,000.00

Original Contract Amount	\$ 460,600.00
Subsidiary Additions	+ 21,000.00
	\$ 481,600.00
REVISED CONTRACT AMOUNT	\$ 481,600.00

which alteration has been recommended in writing by the said Director of Port Control, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Port Control and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$21,000.00, to be paid from Fund Nos. 60 SF 114 and 60 SF 106.

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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1064-99.**By Councilmen Westbrook and Johnson (by departmental request).****An emergency ordinance authorizing the purchase by requirement contract for the layout, printing and distribution of online and printed publications, including the flight guide; and authorizing the Director to employ one or more professional consultants to provide services necessary for the design, layout, printing, and/or marketing, advertising and designing services for various publications for the Department of Port Control, for a period not to exceed two years.**

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items for the layout, printing and distribution of online and printed publications, including the flight guide in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereof the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8208)

Section 3. That the Director of Port Control is hereby authorized to employ by contract 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 for the design, layout, printing,

and/or other marketing, advertising and designing services for various publications, for the Department of Port Control.

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

Section 4. That the costs for such service herein contemplated shall be paid from Fund No. 60 SF 001, Request No. 8208.

Section 5. 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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1065-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of the rental of heavy duty equipment and operators, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of the rental of heavy duty equipment and operators in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8202)

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 June 14, 1999.
 Effective June 17, 1999.

Ord. No. 1066-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of bunker gear suits, suspenders, hood helmets, visors and bunker boots, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter

and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of bunker gear suits, suspenders, hood helmets, visors and bunker boots in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8201)

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 June 14, 1999.
 Effective June 17, 1999.

Ord. No. 1067-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide accounting services necessary to conduct audits of various lessees and concessionaires.

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

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

Section 1. That the Director of Port Control is hereby authorized to employ by contract one or more certified public accountant or one or more firms of certified public accountants 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 accounting services necessary to conduct audits of various lessees and concessionaires.

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

vices shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 60 SF 001, Request No. 8209.

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 June 14, 1999.
 Effective June 17, 1999.

Ord. No. 1068-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of fire extinguishing agents, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of fire extinguishing agents in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24870)

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 June 14, 1999.
 Effective June 17, 1999.

Ord. No. 1069-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to apply asphalt, concrete and tack coat to repair roadways and runways, including delivery, spreading, grinding and compacting, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary to apply asphalt, concrete and tack coat to repair roadways and runways, including delivery, spreading, grinding and compacting, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8204)

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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1070-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of pharmaceutical supplies, for the Division of Correction, Department of Public Health.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 06756)

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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1071-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair or replace fire hydrants, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to repair or replace fire hydrants in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all

items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24061)

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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1072-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice; Office of Community Oriented Policing Services for the 1999 Troops to COPS Program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$60,763.76, from the U.S. Department of Justice; Office of Community Oriented Policing Services, to conduct the 1999 Troops to COPS Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1072-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1073-99.

By Councilmen Westbrook, Zone and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 183.044 thereof, relating to concession agreements with airlines for promotions at Cleveland Hopkins International Airport and Burke Lakefront Airport.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 183.044 thereof to read as follows:

Section 183.044 Concession Agreements with Airlines for Promotions at Cleveland Hopkins International Airport and Burke Lakefront Airport

Notwithstanding and as an exception to Section 183.04 and Section 185.041, the Director of Port Control may enter into concession agreements with any airline that has leased space at Cleveland Hopkins International Airport or Burke Lakefront Airport for promotions from within the airline's exclusive leased space. The airline shall pay to the Department of Port Control a fee of one thousand dollars (\$1,000) per month for the privilege of using the airport for any promotional activity. In the conduct of any such promotional activity, the airline shall adhere to all terms and conditions of its lease for use of space at the airport and shall abide by all rules and regulations as may be promulgated by the Director regarding promotional activities.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1074-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Elgin sweeper parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement con-

tract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of Elgin sweeper parts, including labor to install if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24171)

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1075-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of burials for indigent dead, for the Division of Health, Department of Public Health, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Health is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of burials for indigent dead in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Health, Department of Public Health. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by

separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 06757)

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1076-99.

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the George Gund Foundation for the Workshops for Youth Program.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to apply for and accept a grant in the amount of \$18,000, from the George Gund Foundation, to conduct the Workshops For Youth Program, for the purposes set forth in the program description and according thereto; that the Director of Parks, Recreation and Properties is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the program description for said grant.

Section 2. That the program description for said grant, File No. 1076-99-A, made a part hereof an if fully rewritten herein, is hereby approved in all respects.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1077-99.**By Councilman Johnson (by departmental request).****An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.**

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

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

Section 1. That the Director of Finance is hereby authorized to pay as Moral Claims the sums set forth opposite and names of the following claimants and charged against the fund numbers opposite the names of the claimants:

<u>Claimant</u>	<u>Claim No.</u>	<u>Amount</u>	<u>Division</u>	<u>Fund</u>
Allan J. Kovach	10635	\$ 40.00	Water Pollution Control	54 SF 001
Norma Stiner	10637	1,700.00	Water Pollution Control	54 SF 001
Debra Lee Hopkins	10646	532.50	Water Pollution Control	54 SF 001
Emil J. Nagy	10667	279.00	Water Pollution Control	54 SF 001
Ann M. Lazor	10676	149.00	Water Pollution Control	54 SF 001
Monica Crawley	10689	150.00	Water Pollution Control	54 SF 001
Hunt Products, Inc.	10701	809.00	Water Pollution Control	54 SF 001
Rosaline & Michael Darnell	10703	1,500.00	Water Pollution Control	54 SF 001
Ikram Syed, M.D.	10709	1,500.00	Water Pollution Control	54 SF 001
Jack Stanley	10726	1,500.00	Water Pollution Control	54 SF 001
Wiloma Minor	10732	290.00	Water Pollution Control	54 SF 001
Louise Penn	10727	900.00	Water Pollution Control	54 SF 001
Elinor Schambach	10738	185.00	Water Pollution Control	54 SF 001
Michael L. Davis	10626	263.80	Police	01-600202-672000
Eva Colon	10633	98.00	Police	01-600202-672000
Tyree M. McGee	10644	116.00	Police	01-600202-672000
Carmen & Elizabeth Rivera	10651	175.00	Police	01-600202-672000
Narbin Cross	10654	500.00	Police	01-600202-672000
Keith Ford	10664	45.00	Police	01-600202-672000
Tracy L. Mayfield	10708	68.00	Police	01-600202-672000
George Padgett	10711	606.00	Police	01-600202-672000
Pamela Gibson	10718	84.00	Police	01-600202-672000
Darlene & Bobby Sullen	10725	2,766.22	Police	01-600202-672000
Darrol McCladdie, Jr.	10733	620.52	Police	01-600202-672000
Charles Blakney	10741	603.00	Police	01-600202-672000
MBI Products Co.	10653	1,000.00	Fire	01-600302-672000
Doria R. Coleman	10670	250.00	Fire	01-600302-672000
Ossie Willform	10735	597.06	Fire	01-600302-672000
Solon Industrial Grinding	10723	300.16	Emergency Medical Service	01-600402-672000
East Ohio Gas	10672	348.00	Park Maintenance (Urban Forestry)	01-701204-672000
Kenneth Dahl	10705	2,213.23	Park Maintenance (Urban Forestry)	01-701204-672000
Ameritech	10737	1,154.55	Park Maintenance (Urban Forestry)	01-701204-672000
William Rivera	10673	250.00	Property Management	01-701101-672000
Louis J. Zaleyel	10706	45.00	Convention Center & Stadium (West Side Market)	67 SF 500
Jerry C. Chucray	10707	43.96	Convention Center & Stadium (West Side Market)	67 SF 500
West Park Bakery	10660	250.00	Streets	10 SF 401
Deven Dukes	10686	337.92	Streets	10 SF 401
Fay Beltchen	10731	16.04	Waste Collection	01-400303-672000
Mary E. Williams	10641	1,000.00	Cleveland Municipal Court	01-011501-672000
Vicktor Askew	10743	124.00	Municipal Clerk of Courts	01-011601-672000
Charlene Meter	10679	287.73	Environment	01-500606-672000

Section 2. That the authority of the Director of Finance to pay the amounts set forth in Section 1 of this ordinance is conditioned upon a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance.**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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1081-99.

By Councilmen Jones, Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding of the Kerruish Park Stormwater Project and increase the capacity of the basin and repair of the spillway structure; to accept state funding from the Ohio Public Works Commission therefor; determining the method of making the public improvement of constructing the Project; authorizing the Director of Public Utilities to enter into contract for the making of such improvement; authorizing said director to employ one or more firms of engineers and other professional consultants to provide professional services for the implementation of the Project; authorizing said director to apply and pay for permits, licenses and other authorizations required for the Project; and authorizing said director to purchase, lease or otherwise acquire easements and other interests in real property as required for the Project.

Whereas, pursuant to Article VIII, Section 2k of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

Whereas, pursuant to Section 164.03 of the Revised Code, the District One Public Works Integrating Committee has been created to evaluate applications for state financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

Whereas, pursuant to Section 164.05 of the Ohio Revised Code, the Ohio Public Works Commission has been created to accept and approve applications for state financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

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

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

Section 1. That the Mayor is hereby authorized to apply to the District One Public Works Integrated Committee for Ohio Public Works Commission grant and loan funds to finance the following infrastructure capital improvement project: Kerruish Park Stormwater Project and to increase the capacity of the basin and repair of the spillway structure (the "Project").

Section 2. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$2,430,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of the Project, including without limitation, all necessary appurtenances; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive said grant funds; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grants.

Section 3. That the Mayor is hereby authorized to accept loan funds from the Ohio Public Works Commission to finance the capital improvement of the Project, including without limitation, all appurte-

nances; that the Mayor is hereby authorized to enter into a loan agreement with the Ohio Public Works Commission for the repayment of said loan funds, which agreement shall be substantially in the same form as the agreement in File No. 1081-99-A and shall contain such additional terms as are acceptable to the Director of Law to protect the public interest. The Mayor is further authorized to file all papers to execute all documents necessary to receive the funds under said loan agreement; and said loan funds are hereby appropriated for the purposes set forth in the loan agreement.

Section 4. That upon execution of the loan agreement, the Director of Public Utilities is authorized to repay the loan funds to the Ohio Public Works Commission in accordance with the terms and conditions of the loan agreement, from the operating revenues of the Division of Water Pollution Control.

Section 5. That upon acceptance of said grant and loan funds from the Ohio Public Works Commission, the Director of Public Utilities may enter into agreements with the communities of Beachwood, Highland Hills, North Randall, Shaker Heights, Warrensville Heights, Garfield Heights, and Maple Heights for the reimbursement of funds to the City of Cleveland for each community's share of the cost of the Project.

Section 6. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing the Project, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 7. That the Director of Public Utilities is hereby authorized and directed to enter into a contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis. Notwithstanding any provisions in Chapter 185 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the contract shall contain such requirements as are contained in the Project grant agreement with the Ohio Public Works Commission which will finance the above public improvement.

Section 8. That the Director of Public Utilities is hereby authorized and directed to employ by contract one or more firms of engineers and other professional 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 make the above improvements.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Utilities from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Public Utilities for the

purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract hereby authorized shall be prepared by the Director of Public Utilities, and certified by the Director of Finance.

Section 9. That the Director of Public Utilities is hereby authorized and directed to apply and pay for such permits, licenses, or other authorizations required by any regulating entity or other public authority to perform the work authorized by this ordinance.

Section 10. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Utilities is hereby authorized to purchase, lease or otherwise acquire easements, fee interests, licenses, permits and other rights or interests in real property necessary for the public improvement authorized by Section 6 of this ordinance. All interests in real property beyond current control shall be acquired only upon the approval of Council.

Section 11. That the Director of Public Utilities is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire said rights or interests in real property and to employ title companies, surveyors, escrow agents, appraisers, environmental consultants, field service consultants and other consultants necessary for the acquisition or use of the rights or interests in real property authorized by Section 10 of this ordinance.

Section 12. That the cost of said improvement and all other expenditures authorized by this ordinance shall be paid from Fund No. 54 SF 252, Request No. 1877, and from the fund and subfunds to which are credited the proceeds of grants and loans received from the Ohio Public Works Commission for the purpose of making the public improvement of constructing the Project.

Section 13. 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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1083-99.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Public Service to issue a permit to Felder Properties Limited to encroach into the right-of-way of West Lakeside Avenue N.W. with various streetscape improvements.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Felder Properties Limited, its successors and assigns, for the

construction, use and maintenance of streetscape improvements which include planters, benches, curbs, walkways, bollards, decorative lights, gates and fencing, sidewalk improvements and parking within the right-of-way of West Lakeside Avenue at the locations more fully described herein:

LEGAL DESCRIPTION/SOUTH RAMP PCL. "A" PUBLIC AREA FELDER PROPS. LTD.

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and bounded and described as follows:

Beginning at the intersection of the centerlines of West Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence South 34°-05'-25" East along the centerline of West 6th Street, 49.50 feet to the easterly prolongation of the southerly line of West Lakeside Avenue;

Thence South 55°-59'-00" West along the easterly prolongation of the southerly line of West Lakeside Avenue, 14.50 feet to the principal point of beginning of the premises herein described;

Thence along the arc of a curve deflecting to the left, an arc of 54.36 feet, said curve having a radius of 40.45 feet and a chord that bears North 70°-59'-20" West, 50.36 feet to a point;

Thence South 68°-27'-38", West, 75.52 feet to a point;

Thence South 71°-57'-05", West, 8.19 feet to a point;

Thence South 68°-35'-45" West, 184.09 feet to a point on the northwesterly line of West Lakeside Avenue;

Thence South 55°-59'-00", West along the northwesterly line of West Lakeside Avenue, 250.35 feet to a point;

Thence South 34°-03'-55" East, 99.00 feet to a point on the westerly prolongation of the southerly line of West Lakeside Avenue;

Thence North 55°-59'-00" East along the westerly prolongation and the southerly line of West Lakeside Avenue, 541.81 feet to the principal point of beginning and containing 1.0075 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Section 2. That said streetscape improvements shall be placed within the public right-of-way as aforesaid in Section 1, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

Section 3. That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

Section 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1084-99.

By Councilmen Coats and Johnson.

An emergency ordinance to extend the retirement dates of Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor, for a one year period for the Division of Police, Department of Public Safety.

Whereas, Section 135.07 of the Codified Ordinances of Cleveland, Ohio, 1976, provides that members of the Division of Police in the Department of Public Safety, attaining the age of sixty-five years, upon written request of the Police Chief, shall continue on active duty on a year-to-year basis subject to the approval of the Department of Public Safety and this Council; and

Whereas, Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor, possess great wealth of knowledge and expertise and have proved invaluable in attaining the goals of the Division of Police, Department of Public Safety; and

Whereas, the Director of Public Safety has approved the continuation on active duty for Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor; 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 Officer Emil Cielec of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 20, 1999, and that such continuation is hereby approved by this Council.

Section 2. That Lieutenant Michael O'Malley of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on June 30, 1999, and that such continuation is hereby approved by this Council.

Section 3. That Lieutenant Edward Lentz of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 14, 1999, and that such continuation is hereby approved by this Council.

Section 4. That Detective Arssie Taylor of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 26, 1999, and that such continuation is hereby approved by this Council.

Section 5. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1085-99.

By Councilmen Coats, Zone and Johnson (by departmental request).

An emergency ordinance to amend Section 135.50 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2752-91, passed January 27, 1992, relating to the application and acceptance of an annual Marine Patrol grant.

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 135.50 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2752-91, passed January 27, 1992, is hereby amended to read as follows:

Section 135.50 Application and Acceptance of Annual Marine Patrol Grant

The Director of Public Safety is hereby authorized to apply for and accept annual grants from the Ohio Department of Natural Resources to conduct the City's marine patrol program, provided that the proceeds of each grant shall not exceed fifty thousand dollars (\$50,000) and provided further that the City will match this amount in salaries and/or equipment used by the marine patrol program as a condition to receiving the grant. The Director is further authorized to file all papers and execute all documents necessary to receive the funds under said grants and, upon acceptance of said grants and grant funds shall be appropriated for the purposes set forth in the grant agreement. The Director shall notify the Clerk of Council of the making of any grant application or the acceptance of any grant pursuant to this section.

Section 2. That existing Section 135.50 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2752-91, passed January 27, 1992, 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1086-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice - Office of Community Oriented Policing Services (COPS) for the 1999 COPS - School Based Partnership Grant; and to enter into contract for professional services necessary for survey development and evaluation and for the purchase of equipment and supplies needed to implement the program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$94,418.16, from the U.S. Department of Justice - Office of Community Oriented Policing Services (COPS), to conduct the 1999 COPS - School Based Partnership Grant, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1086-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Safety is hereby authorized to employ by contract one or more consultants or firm 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 for survey development and evaluation as described in the application contained in the File. The survey shall include members of the City-wide Student Council, Youth Summit, Cleveland City Council, Summit on Education and Safety Division, and other entities involved in youth safety activities in the City of Cleveland.

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

Section 4. That the Director of Public Safety is authorized to enter into contract for such computer equipment, software and related supplies necessary to implement the Program as described in the application contained in the File, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis.

Section 5. That the cost of the contracts authorized above are payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 1088-99.
By Councilmen Sweeney, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Mayor and the Directors of Parks, Recreation and Properties and Economic Development to enter into a Purchase Agreement with Cartech Company, Ltd. for 10.593 acres of City-owned property located in the Village of Highland Hills, with an option to Gliatech to purchase an additional 5.16 acres within the first five years.

Whereas, the City of Cleveland ("City") desires to develop Cleveland Enterprise Park on approximately 120 acres of land ("Zone") situated in the Village of Highland Hills ("Village") along Harvard Road between Green and Northfield Roads ("Property"), in accordance with a Master Plan for the commercial development of the Property; and

Whereas, the City, pursuant to the authority of Ordinance No. 1235-95, passed October, 23, 1995, and the Village, pursuant to the authority of Ordinance Nos. 1995-20, passed August 14, 1995, and Ordinance No. 1995-28, passed December 13, 1995, entered into a Joint Development Economic Zone Agreement ("J.D.A.") for the Zone; and

Whereas, the J.D.A. requires the City and Village to share income tax revenue such that the City will receive seventy-five percent (75%) of net income taxes of employees relocated to the Zone from the City and fifty percent (50%) of net income taxes of all other employees within the Zone; and

Whereas, Cartech Company, Ltd. ("Cartech"), an Ohio Limited Liability Company, has proposed to purchase from the City 10.593 acres of land in order to construct a multi-story office building to serve as the corporate headquarters for Gliatech, Inc. ("Gliatech"), a Delaware Corporation, which Gliatech estimates will house 117 Gliatech employees; and

Whereas, Gliatech, in consideration for payment of \$32,250.00 annually, plus other valuable consideration, will be granted an option to purchase an additional 5.16 acres of land on which it may construct a second multi-story office building to serve a similar purpose; and

Whereas, Gliatech projects a need to expand its operations within the Zone within the next three years, resulting in an estimated total of 252 Gliatech employees; and

Whereas, the portions of the Property to be sold or optioned for sale to Cartech and Gliatech are no longer needed for public use; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 1834 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor of the City of Cleveland and the Directors of Parks, Recreation and Properties and Economic Development are authorized to enter into a Project Agreement to sell the following described property (together, the "Sale Parcels") to Cartech for development of an office building, to be leased to Gliatech, which property is

determined to be no longer needed for public use:

All of Parcel No. 4 (8.953 acres) and all of Parcel No. 8 (1.640 acres), as shown on Cleveland Enterprise Park Re-Subdivision Phase I Plat recorded at Volume 295, pages 88 & 89 of Cuyahoga County Map Records.

The Project Agreement shall include the terms and conditions set forth in the Executive Summary contained in File No. 1088-99-A.

Section 2. That the Project Agreement shall provide that Cartech shall have an option to purchase the following described property ("Option Parcel"), which option expires at the end of the "Option Period" which shall be the first 5 years from the date of the recording of conveyance of the Sale Parcel from the City to Cartech ("Conveyance Date"), which property is determined to be no longer needed for public use:

All of Parcel No. 5 (5.16 acres), as shown on Cleveland Enterprise Park Re-Subdivision Phase I Plat recorded at Volume 295, pages 88 & 89 of Cuyahoga County Map Records.

Section 3. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the Sale Parcels described in Section 1 of this ordinance to Cartech, for development for Gliatech, at a price of not less than One Hundred Twenty-five Thousand Dollars (\$125,000.00) per acre of the Sale Parcels, which the Council determines to be the fair market value of the Sale Parcels, taking into account all restrictions, and encumbrances placed by the City in the deed of conveyance.

Section 4. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the Option Parcel to Gliatech during the Option Period, at a price of not less than One Hundred Twenty-five Thousand Dollars (\$125,000.00) per acre, which this Council determines to be the fair market value of the Option Parcel during the Option Period, taking into account all restrictions and encumbrances placed by the City of Cleveland in the deed of conveyance.

Section 5. That the conveyances to Cartech and Gliatech shall be made by official quitclaim deed to be prepared by the Director of Law and executed by the Mayor and the Commissioner of Purchases and Supplies on behalf of the City of Cleveland, which quitclaim deed shall contain such provisions as deemed necessary by the Director of Law to protect the public interest.

Section 6. That all proceeds from the sale of the Sale Parcels and the Option Parcel shall be paid into Fund No. 17 SF 684, to be credited toward costs of certain infrastructure, roads and utilities to the Zone and Property.

Section 7. That the Project Agreement shall be prepared by the Director of Law, and shall contain a provision requiring Cartech to complete construction of a multi-story office building to serve as Gliatech's corporate headquarters on Parcel No. 4 of the Sale Parcels within three (3) years of the Conveyance Date, or the Sale Parcels shall revert to the City. The Project Agreement shall further contain a provision requiring Gliatech to complete construction of a third multi-story office building to serve a similar purpose

on the Option Parcel within five (5) years from the date of conveyance of the Option Parcel to Gliatech, or the Option Parcel shall revert to the City.

Section 8. That the Project Agreement may also provide for the City to pay the cost of site preparation and the cost of installation of certain infrastructure, roads, and utilities, including relocation of utilities, within the Zone, which costs shall be paid out of Fund No. 17 SF 684.

Section 9. That it is hereby determined to make such public improvements to the Property and Zone as are necessary and desirable to prepare the same for proposed development as contemplated in the Project Agreement, which public improvements may include, without limitation, building demolition, environmental testing and materials disposal, construction and installation of paving, curbing, gutters, grading, excavation, drainage, walls, sewers, piping, manholes, catch basins, lighting, utilities, landscaping, streetscaping, traffic signals, signage, sidewalks, erosion controls, subbases, bike paths, and spillways ("Improvements"), for the Department of Public Service Division of Engineering and Construction, and/or the Department of Economic Development, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis and/or gross-price basis for the Improvements.

Section 10. That the Director of Economic Development and/or Public Service are hereby authorized to enter into a contract or contracts for the making of the Improvements with the lowest responsible bidder or bidders after competitive bidding upon a unit basis and/or gross-price basis for the Improvements, provided, however, that each separate trade and each distinct components part of the Improvements may be treated as a separate improvement, and each, or any combination of such trades or components may be the subject of a separate contract upon a unit basis or gross-price basis.

Section 11. That the Mayor, and/or the Directors of Economic Development and/or Public Service are hereby authorized to enter into an agreement with the Village of Highland Hills within which the City of Cleveland agrees to pay the local matching share commitment for any grants or loans received from the Ohio Public Works Commission ("OPWC") and/or the Ohio Department of Development ("ODOD") for the financing of the Improvements to the Property and Zone, and in which the Village of Highland Hills and the City determine the administration of said grants or loans received from the OPWC and/or the ODOD. Said agreement shall be prepared by the Director of Law of the City of Cleveland, and shall contain such terms and conditions as the Director of Law determines are necessary or appropriate to protect the interests of the City, including a provision whereby the City must approve all plans for the construction of the Improvements to be funded by the OPWC and/or the ODOD, and the local matching share commitment.

Section 12. That the Project Agreement shall require Cartech and/or Gliatech, as applicable, to use best efforts, consisting of their cooperation with programs offered by the

City's Human Resources Division ("Division") and agreeing to receive and review resumes from applicants through the Division subject to economic restraints of the project and the right of Cartech and/or Gliatech, as applicable, to make final employment decisions, to achieve objectives related to construction and employment for City economic development initiatives, to include: awarding 30% of construction contracts and supplier and purchase orders to certified Minority Business Enterprises ("MBE"); awarding 10% of construction contracts and supplier purchase orders to certified Female Business Enterprises ("FBE"); hiring minorities for 16.1% of construction jobs; hiring women for 6.9% of construction jobs; hiring Cleveland residents for 50% of construction jobs; hiring minorities for 33% of the permanent jobs created at the Sale Parcels and Option Parcel; and hiring Cleveland residents for 50% of the permanent jobs created at the Sale Parcels and Option Parcel.

Section 13. That the Mayor and Directors of Law, Parks, Recreation and Properties, and Economic Development are authorized to prepare and execute easements to Cleveland Electric Illuminating Company, East Ohio Gas Company, Ameritech Ohio Corporations, and Viacom Cablevision of Cleveland, or Village designated successor cable television franchisee, their successors and assigns, to provide necessary services to the Zone, and a temporary easement for purposes of ingress and egress to the Sale Parcel to Cartech and Gliatech.

Section 14. That the Mayor, Directors of Law, Parks, Recreation and Properties and Economic Development are authorized to execute such documents, instruments, and certificates, including, without limitation, easements to Cartech and/or Gliatech, and take such other actions as are necessary or appropriate to effectuate and carry out the terms of the Project Agreement authorized pursuant to this ordinance; provided, however, that the terms of the Project Agreement as contained in File No. 1088-99-A shall not be amended without the prior legislative approval of the Council of the City of Cleveland.

Section 15. That the Mayor, Directors of Law, Parks, Recreation and Properties and Economic Development are authorized to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, engineering and architectural consultants, and other professional services necessary or appropriate to effectuate and carry out the terms of the Project Agreement authorized pursuant to this ordinance, and to effectuate site preparation and the installation of the infrastructure, roads and utilities, including utilities relocation, associated with the Zone. These fees shall be paid from Fund No. 17 SF 305.

Section 16. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1089-99.

By Councilmen Cimperman, Cintron, Melena, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at on scattered sites located on Elton Avenue, Dudley Avenue, West 76th Street, West 42nd Street, Seymour Avenue and West 33rd Street to Cleveland Housing Network Limited Partnership XVI.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 006-07-022 as more fully described in Section 2 below, to Cleveland Housing Network Limited Partnership XVI.

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

P.P. No. 006-07-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 589 in James M. Hoyt's Subdivision of part of Original Brooklyn Township Lots Nos. 28 and 33, as shown by the recorded plat in Volume 3 of Maps, Page 37 of Cuyahoga County Records, and forming a parcel of land 35 feet front on the Southerly side of Elton Avenue and extending back between parallel lines 126 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 006-05-082 as more fully described in Section 4 below, to Cleveland Housing Network Limited Partnership XVI.

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

P.P. No. 006-05-082

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 697 in James M. Hoyt's Subdivision of part of Original Brooklyn Township Lots Nos. 28 and 33, as shown by the recorded plat in Volume 3 of Maps, Page 37 of Cuyahoga County Records and forming a parcel of land 35 feet front on the Northerly side of Dudley Avenue, N.W., and extending back between parallel

lines 126 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 002-02-037 as more fully described in Section 6 below, Cleveland Housing Network Limited Partnership XVI.

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

P.P. No. 002-02-037

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 116 in W.J. Gordon's Allotment of part of Original Brooklyn Township Lots Nos. 29 and 30, as shown by the recorded plat in Volume 17 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Westerly side of West 76th Street (formerly Salisbury Avenue), and extending back of equal width 110 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 002-02-041 as more fully described in Section 8 below, to Cleveland Housing Network Limited Partnership XVI.

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

P.P. No. 002-02-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 112 in W.J. Gordon's Allotment of part of Original Brooklyn Township Lots Nos. 29 and 30, as shown by the recorded plat in Volume 17 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Westerly side of West 76th Street, and extending back of equal width 110 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-01-058 as more fully described in Section 10 below, to Cleveland Housing Network Limited Partnership XVI.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 007-01-058

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 84 and part of Sublot No. 83 in the Mueller and Meyer's Peach Orchard Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 3 of Maps, Page 7 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Westerly line of West 42nd Street (formerly Orchard Street) at the Northeastly corner of land conveyed to Irme and Emilin Markovics by deed dated July 31, 1913 and recorded in Volume 1420, Page 412 of Cuyahoga County Records; thence Northerly along the said Easterly line of West 42nd Street, 46.17 feet to its point of intersection with the Southeastly line of Lorain Court, S.W.; thence Southwesterly along the said Southeastly line of Lorain Court, S.W. 124.52 feet to a point of intersection with the Easterly line of a 12 foot alley (which is also the Westerly line of said Sublot No. 83); thence Southerly along said Westerly line of said Sublot No. 83, 23.33 feet to the Southwesterly corner thereof; thence Easterly along the Southerly line of said Sublot No. 83, 27 feet to the Southwesterly corner of land conveyed to Irme and Emilin Markovics as aforesaid; thence Northerly along the Westerly line of land so conveyed to Irme and Emilin Markovics 19 feet; thence Northeasterly along the Northwestly line of land so conveyed to Irme and Emilin Markovics 22.59 feet; thence Easterly along the Northerly line of land conveyed to Irme and Emilin Markovics as aforesaid, 66 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-01-059 as more fully described in Section 12 below, to Cleveland Housing Network Limited Partnership XVI.

Section 12. That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P.P. No. 007-01-059

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 83 in the Peach Orchard Subdivision of part of Original Brooklyn Township Lot No. 52 as shown by the recorded plat in Volume 3 of Maps, Page 7 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of West 42nd (formerly Orchard Street), at a point 0.5 feet Southerly from the Northeastly corner of said Sublot No. 83; thence Southerly along said Westerly line of West 42nd Street, 29.50 feet to the Southeastly corner of said Sublot; thence Westerly along the Southerly line of said Sublot, 86 feet; thence Northerly parallel with the said Westerly line of West 42nd Street, 19 feet; thence Northeastly 22.59 feet to a point 66 feet Westerly from the place of beginning; thence Easterly 66 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-19-031 as more fully described in Section 14 below, Cleveland Housing Network Limited Partnership XVI.

Section 14. That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P.P. No. 007-19-031

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 330 in the H. Stone's Addition of part of Original Brooklyn Township Lots Nos. 53 and 68, as shown by the recorded plat in Volume 1 of Maps, Page 41 of Cuyahoga County Records and being 50 feet front on the Northerly side of Seymour Avenue and extending back of equal width, 132 feet deep to Mill Court, S.W. (14 feet wide) in the rear, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-19-032 as more fully described in Section 16 below, Cleveland Housing Network Limited Partnership XVI.

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

P.P. No. 007-19-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 23 feet front to rear of Sublot No. 331 in Hiram Stone's Addition Subdivision of part of Original Brooklyn Township Lot No. 53 and 68, as shown by the recorded plat in Volume 1 of Maps, Page 41 of Cuyahoga County Records and being 23 feet front on the Northerly side of Seymour Avenue and extending back of equal width 132 feet, and being 23 feet wide in the rear along the Southerly line of Mill Court, be the same more or less, but subject to all legal highways.

Easement recorded in Volume 6402, Page 321 of Cuyahoga County Records.

Easement recorded in Volume 6402, Page 325 of Cuyahoga County Records.

Zoning ordinances, if any.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-24-093 as more fully described in Section 18 below, Cleveland Housing Network Limited Partnership XVI.

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

P.P. No. 007-24-093

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 174 in Hiram Stone's Additional of part of Original Brooklyn Township Lots Nos. 53 and 68, as shown by the recorded plat in Volume 1, Pages 41 and 42 of Cuyahoga County Records and being 50 feet front on the Northerly side of Seymour Avenue, S.W., and extending back of equal width 132 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-24-094 as more fully described in Section 20 below, Cleveland Housing Network Limited Partnership XVI.

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

P.P. No. 007-24-094

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 30 feet of Sublot No. 173 in Hirman's Stone's Allotment by the recorded plat in Volume 1 of Maps, Page 41 of Cuyahoga County Records, and being 30 feet front on the Northerly side of Seymour Avenue, S.W., and extending back between parallel lines 132 feet to a 14 feet alley, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-08-071 (westerly half) and 007-08-173 as more fully described in Section 22 below, to Cleveland Housing Network Limited Partnership XVI.

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

P.P. No. 007-08-071 (Westerly part and all of P.P. No. 007-08-173)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 77.67 feet of the Southerly 32.00 feet of Sublot No. 267 in the Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70 as shown by the recorded plat in Volume 11 of Maps, Page 26 of Cuyahoga County Records and being 32.00 feet front on the Easterly line of West 34th Place (16 feet wide) and extending back between parallel lines, 77.67 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-08-072 as more fully described in Section 24 below, to Cleveland Housing Network Limited Partnership XVI.

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

P.P. No. 007-08-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northwesterly 1/2 of Sublot No. 268 in Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70 as shown by the recorded plat of said Subdivision in Volume 2 of Maps, Page 17 of Cuyahoga County Records and being 32 feet front on the Southwesterly side of West 33rd Street

(formerly Green Street), and extending back between parallel lines 153 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-08-073 as more fully described in Section 26 below, to Cleveland Housing Network Limited Partnership XVI.

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

P.P. No. 007-08-073

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 32 feet of the Easterly 97 feet of Sublot No. 268 in Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70, as shown by the recorded plat in Volume 11 of Maps, Page 26 of Cuyahoga County Records and being 32 feet front on the Westerly side of West 33rd Street, (formerly Green Street) and extending back of equal width 97 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-08-049 as more fully described in Section 28 below, to Cleveland Housing Network Limited Partnership XVI.

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

P.P. No. 007-08-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 28 feet of Sublot No. 256 in Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70, as shown by the recorded plat in Volume 11 of Maps, Page 26 of Cuyahoga County Records, and being 28 feet front on the Easterly side of West 33rd Street, and extending back about 127 feet deep to the Westerly line of West 33rd Place, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-08-050 as more fully described in Section 30 below, Cleveland Housing Network Limited Partnership XVI.

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

P.P. No. 007-08-050

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 256 in Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 50, 69 and 70 in said City, as shown by

the recorded plat in Volume 11 of Maps, Page 26 of Cuyahoga County Records and bounded and described as follows: Beginning at the North-west corner of said Sublot No. 256; thence Southerly 36 feet along the Easterly line of West 33rd Street to a point 28 feet Northerly from the Southwesterly corner of said Sublot; thence Easterly and parallel with the Southerly line of said lot to the Easterly line of said lot, being also the Westerly line of West 33rd Place; thence Northerly along the Westerly line of West 33rd Place to the North-east corner of said lot; thence Westerly 120 feet 9.5 inches to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 31. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 123-20-052 as more fully described in Section 32 below, to Cleveland Housing Network Limited Partnership XVI.

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

P.P. No. 123-20-052

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 12 in P.D. and N.P. Glazier's Allotment of part of Original One Hundred Acre Lot No. 324, as shown by the recorded plat of said Allotment in Volume 4 of Maps, Page 40 of Cuyahoga County Records, and being 33 feet front on the Westerly side of Nursery Avenue, N.E., (formerly Orchard Street), and extending back between parallel lines 133 feet, as appears by said plat.

Section 33. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 34. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 35. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 36. 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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1090-99.
By Councilman Cimperman.
An emergency ordinance authorizing the Director of Economic Development to enter into an Amendment to Lease Agreement No. 46890 between the City and the County of Cuyahoga to modify the leased premises; authorizing said director to enter into an Amendment to Lease Agreement No. 46861 between the City and Lakeside 425 Limited Partnership to modify the leased premises; and authorizing said director to enter into a lease with Felder Properties, Ltd. to lease a portion of the same premises to Felder Properties, Ltd.

Whereas, pursuant to Ordinance No. 1389-93, passed July 11, 1993, the Director of Economic Development, on behalf of the City of Cleveland, was authorized to lease from the County of Cuyahoga, certain property owned by the County of Cuyahoga, Permanent Parcel No. 101-08-009, and to lease to Lakeside 425 Limited Partnership that same property, which was no longer needed for any public use other than the provision of parking; and

Whereas, the City of Cleveland entered into a lease agreement, City Contract No. 46890, with the County of Cuyahoga; and

Whereas, the City of Cleveland entered into a lease agreement, City Contract No. 46861, with Lakeside 425 Limited Partnership; and

Whereas, the City desires to facilitate the provision of additional parking and the development of a hotel on those premises; and

Whereas, the City desires to enter into an amendment to Lease Agreement No. 46890 between the City and the County of Cuyahoga, to lease certain additional property from the County of Cuyahoga, and to enter into an amendment to Lease Agreement No. 46861 between the City of Cleveland and Lakeside 425 Limited Partnership, and to enter into a lease with Felder Properties, Ltd. to lease a portion of the same premises to Felder Properties, Ltd.; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Economic Development is hereby authorized to enter into an Amendment to Lease Agreement No. 46890 between the City and the County of Cuyahoga to modify the leased premises to a revised parcel as described by the legal description as follows:

48 Space Secured Parking Area ("Parcel C")

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 34° 05' 25" West along the centerline of West 6th Street, 212.26 feet to a point;

Thence North 55° 54' 35" East, 37.55 feet to a point and the principal point of beginning of the premises herein described;

Thence North 35° 18' 04" East, 109.76 feet to a point;

Thence North 30° 05' 33" East, 128.52 feet to a point;

Thence North 80° 10' 48" East, 27.22 feet to a point;

Thence South 59° 54' 27" East, 27.10 feet to a point;

Thence South 06° 55' 52" East, 29.13 feet to a point;

Thence South 30° 05' 33" West, 111.67 feet to a point;

Thence South 33° 04' 20" West, 19.32 feet to a point;

Thence South 35° 18' 04" West, 96.82 feet to a point;

Thence South 55° 59' 00" West, 20.11 feet to a point;

Thence North 54° 41' 56" West, 36.12 feet to a point;

Thence North 34° 01' 00" West, 23.27 feet to the principal point of beginning and containing 0.3875 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc. in April of 1999, be the same more or less, but subject to all legal highways.

South Ramp Parking Area
 Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence South 55° 59' 00" West along the centerline of Lakeside Avenue, 305.98 feet to a point;

Thence North 34° 01' 00" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the principal point of beginning of the premises herein described;

Thence South 68° 35' 45" West, 256.59 feet to a point;

Thence South 34° 03' 55" East, 56.03 feet to a point on the Westerly prolongation of the Northwesterly line of Lakeside Avenue;

Thence North 55° 59' 00" East along the Northwesterly line of Lakeside Avenue, 250.35 feet to the principal point of beginning and containing 0.1610 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Northwest Building Corner
 Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 55° 59' 00" East along the centerline of Lakeside Avenue, 265.97 feet to a point;

Thence North 34° 05' 25" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the Southeasterly corner of land so conveyed to Felder Properties, Ltd. by deed dated January 12, 1999 and recorded in Document No. 19901121219 of Cuyahoga County Records;

Thence continuing North 34° 05' 25" West along the Northeasterly line of land so conveyed to Felder Properties, Ltd., 132.00 feet to the Northeasterly corner thereof and the principal point of beginning of the premises herein described;

Thence South 55° 59' 00" West along the Northwesterly line of land so conveyed to Felder Properties,

Ltd., and the Southwesterly prolongation thereof, 126.04 feet to a point;

Thence North 35° 18' 04" East, 22.48 feet to a point

Thence North 33° 04' 20" East, 19.32 feet to a point;

Thence North 30° 05' 33" East, 96.86 feet to a point on the Northwesterly prolongation of the Southwesterly line of land conveyed to Felder Properties, Ltd., by deed dated January 6, 1999 and recorded in Document No. 19990106005 of Cuyahoga County Records;

Thence South 34° 05' 25" East along the Northwesterly prolongation and the Southwesterly line of land so conveyed to Felder Properties, Ltd., 57.76 feet to the principal point of beginning and containing 0.0800 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Hotel Drop-off Area
 Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 55° 59' 00" East along the centerline of Lakeside Avenue, 146.50 feet to a point;

Thence North 34° 05' 25" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the principal place of beginning of the premises herein described;

Thence South 55° 59' 00" West along the Northwesterly line of Lakeside Avenue; 81.66 feet to a point;

Thence South 79° 44' 23" West, 16.77 feet to a point on the Northwesterly line of West 6th Street;

Thence North 34° 05' 25" West along the Northeasterly line of West 6th Street, 98.99 feet to a point;

Thence North 55° 59' 00" East, 20.85 feet to a point;

Thence North 35° 18' 04" East, 74.34 feet to a point;

Thence North 55° 59' 00" East, 6.57 feet to a point on the Westerly line of land conveyed to Felder Properties, Ltd., by deed dated January 12, 1999 and recorded in Document No. 19901121219 of Cuyahoga County Records;

Thence South 34° 05' 25" East along the Westerly line of land so conveyed to Felder Properties, Ltd., 132.00 feet to the Southwesterly corner thereof and the principal place of beginning and containing 0.2592 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999; be the same more or less, but subject to all legal highways.

Summit Avenue Service Area
 Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 34° 05' 25" West along the centerline of West 6th Street, 223.99 feet to a point;

Thence North 55° 54' 35" East, 49.50 feet to a point on the Easterly line of West 6th Street;

Thence along the arc of a curve deflecting to the left an arc of 33.80 feet, said curve having a radius of 208.23 feet, and a chord that bears North 33° 17' 59" East, 33.77 feet to a point;

Thence North 28° 38' 57" East, 121.98 feet to a point;

Thence along the arc of a curve deflecting to the right, an arc of 87.76 feet, said curve having a radius of 278.51 feet, and a chord that bears North 37° 40' 34" East, 87.39 feet to a point of tangency and the principal point of beginning of the premises herein described;

Thence South 62° 39' 30" East, 74.91 feet to a point on the Northwesterly line of land conveyed to Felder Properties, Ltd., by deed dated January 6, 1999 and recorded in Document No. 199901060005 of Cuyahoga County Records;

Thence North 24° 59' 17" East along the Northwesterly line of land so conveyed, 54.49 feet to the Northeastly corner thereof;

Thence North 34° 05' 03" West, 14.53 feet to a point;

Thence South 55° 59' 00" West, 6.21 feet to a point;

Thence North 54° 27' 51" West, 27.69 feet to a point;

Thence along the arc of a curve deflecting to the left, an arc of 66.93 feet, said curve having a radius of 278.51 feet and a chord that bears South 53° 35' 16" West, 66.77 feet to the principal point of beginning and containing 0.0812 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Summit Avenue Sidewalk Area

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 34° 05' 25" West along the centerline of West 6th Street, 223.99 feet to a point;

Thence North 55° 54' 35" East, 49.50 feet to a point on the Easterly line of West 6th Street and the principal point of beginning of the premises herein described;

Thence South 34° 05' 25" East along the Easterly line of West 6th Street, 7.24 feet to a point;

Thence North 35° 18' 04" East, 96.99 feet to a point

Thence North 30° 05' 33" East, 128.52 feet to a point;

Thence North 80° 10' 48" East, 27.22 feet to a point;

Thence South 59° 54' 27" East, 27.10 feet to a point

Thence South 06° 55' 52" East, 29.13 feet to a point;

Thence South 30° 05' 33" West, 14.80 feet to a point;

Thence South 34° 05' 25" East, 9.48 feet to the Northwesterly corner of land conveyed to Felder Properties, Ltd., by deed dated January 6, 1999 and recorded in Document No. 199901060005 of Cuyahoga County Records;

Thence along the Northwesterly line of land so conveyed to Felder Properties, Ltd., along the arc of a curve deflecting to the right, an arc of 39.93 feet, said curve having a radius of 1037.50 feet and a chord that bears North 25° 12' 36" East, 39.93 feet to a point of tangency;

Thence North 24° 59' 17" East along the Northwesterly line of land so conveyed, 8.89 feet to a point;

Thence North 62° 39' 30" West, 74.91 feet to a point;

Thence along the arc of a curve deflecting to the left, an arc of 87.76 feet to a point, said curve having a radius of 278.51 feet, and a chord that bears South 37° 40' 34" West, 87.39 feet to a point of tangency;

Thence South 28° 38' 57" West, 121.98 feet to a point;

Thence along the arc of a curve deflecting to the right an arc of 33.80 feet, said curve having a radius of 208.23 feet, and a chord that bears South 33° 17' 59" West, 33.77 feet to a point on the Easterly line of West 6th Street and the principal point of beginning and containing 0.0923 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Lakeside Extension Parking Area

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 34° 05' 25" West along the centerline of West 6th Street, 28.03 feet to a point;

Thence South 55° 59' 00" West and parallel with the centerline of Lakeside Avenue, 21.60 feet to a point and the principal point of beginning of the premises herein described;

Thence South 69° 51' 30" West, 73.70 feet to a point;

Thence South 68° 38' 05" West, 474.66 feet to a point;

Thence North 33° 59' 23" West, 42.65 feet to a point;

Thence North 56° 02' 00" East, 269.24 feet to a point of curvature;

Thence along the arc of a curve deflecting to the right, an arc of 131.02 feet, said curve having a radius of 295.04 feet and a chord that bears North 68° 45' 17" East, 129.94 feet to a point of compound curvature;

Thence along the arc of a curve deflecting to the right, an arc of 106.30 feet, said curve having a radius of 1002.49 feet and a chord that bears South 84° 30' 49" East, 106.25 feet to a point of compound curvature;

Thence along the arc of a curve deflecting to the right, an arc of 61.95 feet, said curve having a radius of 160.32 feet and a chord that bears South 81° 22' 45" East, 61.56 feet to a point;

Thence South 34° 05' 25" East, 42.88 feet to the principal point of beginning and containing 1.0166 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in April of 1999, be the same more or less, but subject to all legal highways.

Section 2. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Economic Development is hereby authorized to enter into an Amendment to Lease Agreement No. 46861 between the City and Lakeside 425 Limited Partnership to modify the leased premises to a revised parcel as

described by the legal description as follows:

48 Space Secured Parking Area ("Parcel C")

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 34° 05' 25" West along the centerline of West 6th Street, 212.26 feet to a point;

Thence North 55° 54' 35" East, 37.55 feet to a point and the principal point of beginning of the premises herein described;

Thence North 35° 18' 04" East, 109.76 feet to a point;

Thence North 30° 05' 33" East, 128.52 feet to a point;

Thence North 80° 10' 48" East, 27.22 feet to a point;

Thence South 59° 54' 27" East, 27.10 feet to a point;

Thence South 06° 55' 52" East, 29.13 feet to a point;

Thence South 30° 05' 33" West, 111.67 feet to a point;

Thence South 33° 04' 20" West, 19.32 feet to a point;

Thence South 35° 18' 04" West, 96.82 feet to a point;

Thence South 55° 59' 00" West, 20.11 feet to a point;

Thence North 54° 41' 56" West, 36.12 feet to a point;

Thence North 34° 01' 00" West, 23.27 feet to the principal point of beginning and containing 0.3875 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc. in April of 1999, be the same more or less, but subject to all legal highways.

South Ramp Parking Area

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence South 55° 59' 00" West along the centerline of Lakeside Avenue, 305.98 feet to a point;

Thence North 34° 01' 00" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the principal point of beginning of the premises herein described;

Thence South 68° 35' 45" West 256.59 feet to a point;

Thence South 34° 03' 55" East, 56.03 feet to a point on the Westerly prolongation of the Northwesterly line of Lakeside Avenue;

Thence North 55° 59' 00" East along the Northwesterly line of Lakeside Avenue, 250.35 feet to the principal point of beginning and containing 0.1610 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Section 3. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Economic Development is hereby authorized to lease to Felder Properties, Ltd. the real property as described by the legal description as follows:

South Ramp Parking Area

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence South 55° 59' 00" West along the centerline of Lakeside Avenue, 305.98 feet to a point;

Thence North 34° 01' 00" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the principal point of beginning of the premises herein described;

Thence South 68° 35' 45" West, 256.59 feet to a point;

Thence South 34° 03' 55" East, 56.03 feet to a point on the Westerly prolongation of the Northwesterly line of Lakeside Avenue;

Thence North 55° 59' 00" East along the Northwesterly line of Lakeside Avenue, 250.35 feet to the principal point of beginning and containing 0.1610 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Northwest Building Corner

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 55° 59' 00" East along the centerline of Lakeside Avenue, 265.97 feet to a point;

Thence North 34° 05' 25" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the Southeasterly corner of land so conveyed to Felder Properties, Ltd. by deed dated January 12, 1999 and recorded in Document No. 19901121219 of Cuyahoga County Records;

Thence continuing North 34° 05' 25" West along the Northeasterly line of land so conveyed to Felder Properties, Ltd., 132.00 feet to the Northeasterly corner thereof and the principal point of beginning of the premises herein described;

Thence South 55° 59' 00" West along the Northwesterly line of land so conveyed to Felder Properties, Ltd., and the Southwesterly prolongation thereof, 126.04 feet to a point;

Thence North 35° 18' 04" East, 22.48 feet to a point;

Thence North 33° 04' 20" East, 19.32 feet to a point;

Thence North 30° 05' 33" East, 96.86 feet to a point on the Northwesterly prolongation of the Southwesterly line of land conveyed to Felder Properties, Ltd., by deed dated January 6, 1999 and recorded in Document No. 19990106005 of Cuyahoga County Records;

Thence South 34° 05' 25" East along the Northwesterly prolongation and the Southwesterly line of land so conveyed to Felder Properties, Ltd., 57.76 feet to the principal point of beginning and containing 0.0800 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Hotel Drop-off Area

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 55° 59' 00" East along the centerline of Lakeside Avenue, 146.50 feet to a point;

Thence North 34° 05' 25" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the principal place of beginning of the premises herein described;

Thence South 55° 59' 00" West along the Northwesterly line of Lakeside Avenue, 81.66 feet to a point;

Thence South 79° 44' 23" West, 16.77 feet to a point on the Northeasterly line of West 6th Street;

Thence North 34° 05' 25" West along the Northeasterly line of West 6th Street, 98.99 feet to a point;

Thence North 55° 59' 00" East, 20.85 feet to a point;

Thence North 35° 18' 04" East, 74.34 feet to a point;

Thence North 55° 59' 00" East, 6.57 feet to a point on the Westerly line of land conveyed to Felder Properties, Ltd., by deed dated January 12, 1999 and recorded in Document No. 199901121219 of Cuyahoga County Records;

Thence South 34° 05' 25" East along the Westerly line of land so conveyed to Felder Properties, Ltd., 132.00 feet to the Southwesterly corner thereof and the principal place of beginning and containing 0.2592 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999; be the same more or less, but subject to all legal highways.

Summit Avenue Service Area

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 34° 05' 25" West along the centerline of West 6th Street, 223.99 feet to a point;

Thence North 55° 54' 35" East, 49.50 feet to a point on the Easterly line of West 6th Street;

Thence along the arc of a curve deflecting to the left an arc of 33.80 feet, said curve having a radius of 208.23 feet, and a chord that bears North 33° 17' 59" East, 33.77 feet to a point;

Thence North 28° 38' 57" East, 121.98 feet to a point;

Thence along the arc of a curve deflecting to the right, an arc of 87.76 feet, said curve having a radius of 278.51 feet, and a chord that bears North 37° 40' 34" East, 87.39 feet to a point of tangency and the principal point of beginning of the premises herein described;

Thence South 62° 39' 30" East, 74.91 feet to a point on the Northwesterly line of land conveyed to Felder Properties, Ltd., by deed dated January 6, 1999 and recorded in Document No. 199901060005 of Cuyahoga County Records;

Thence North 24° 59' 17" East along the Northwesterly line of land so conveyed, 54.49 feet to the Northeasterly corner thereof;

Thence North 34° 05' 03" West, 14.53 feet to a point;

Thence South 55° 59' 00" West, 6.21 feet to a point;

Thence North 54° 27' 51" West, 27.69 feet to a point;

Thence along the arc of a curve deflecting to the left, an arc of 66.93 feet, said curve having a radius of 278.51 feet and a chord that bears South 53° 35' 16" West, 66.77 feet to the principal point of beginning and containing 0.0812 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Summit Avenue Sidewalk Area

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 34° 05' 25" West along the centerline of West 6th Street, 223.99 feet to a point;

Thence North 55° 54' 35" East, 49.50 feet to a point on the Easterly line of West 6th Street and the principal point of beginning of the premises herein described;

Thence South 34° 05' 25" East along the Easterly line of West 6th Street, 7.24 feet to a point;

Thence North 35° 18' 04" East, 96.99 feet to a point;

Thence North 30° 05' 33" East, 128.52 feet to a point;

Thence North 80° 10' 48" East, 27.22 feet to a point;

Thence South 59° 54' 27" East, 27.10 feet to a point;

Thence South 06° 55' 52" East, 29.13 feet to a point;

Thence South 30° 05' 33" West, 14.80 feet to a point;

Thence South 34° 05' 25" East, 9.48 feet to the Northwesterly corner of land conveyed to Felder Properties, Ltd., by deed dated January 6, 1999 and recorded in Document No. 199901060005 of Cuyahoga County Records;

Thence along the Northwesterly line of land so conveyed to Felder Properties, Ltd., along the arc of a curve deflecting to the right, an arc of 39.93 feet, said curve having a radius of 1037.50 feet and a chord that bears North 25° 12' 36" East, 39.93 feet to a point of tangency;

Thence North 24° 59' 17" East along the Northwesterly line of land so conveyed, 8.89 feet to a point;

Thence North 62° 39' 30" West, 74.91 feet to a point;

Thence along the arc of a curve deflecting to the left, an arc of 87.76 feet to a point, said curve having a radius of 278.51 feet, and a chord that bears South 37° 40' 34" West, 87.39 feet to a point of tangency;

Thence South 28° 38' 57" West, 121.98 feet to a point;

Thence along the arc of a curve deflecting to the right an arc of 33.80 feet, said curve having a radius of 208.23 feet, and a chord that bears South 33° 17' 59" West, 33.77 feet to a point on the Easterly line of West 6th Street and the principal point of beginning and containing 0.0923 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Lakeside Extension Parking Area
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 34° 05' 25" West along the centerline of West 6th Street, 28.03 feet to a point;

Thence South 55° 59' 00" West and parallel with the centerline of Lakeside Avenue, 21.60 feet to a point and the principal point of beginning of the premises herein described;

Thence South 69° 51' 30" West, 73.70 feet to point;

Thence South 68° 38' 05" West, 474.66 feet to a point;

Thence North 33° 59' 23" West, 42.65 feet to a point;

Thence North 56° 02' 00" East, 269.24 feet to a point of curvature;

Thence along the arc of a curve deflecting to the right, an arc of 131.02 feet, said curve having a radius of 295.04 feet and a chord that bears North 68° 45' 17" East, 129.94 feet to a point of compound curvature;

Thence along the arc of a curve deflecting to the right, an arc of 106.30 feet, said curve having a radius of 1002.49 feet and a chord that bears South 84° 30' 49" East, 106.25 feet to a point of compound curvature;

Thence along the arc of a curve deflecting to the right, an arc of 61.95 feet, said curve having a radius of 160.32 feet and a chord that bears South 81° 22' 45" East, 61.56 feet to a point;

Thence South 34° 05' 25" East, 42.88 feet to the principal point of beginning and containing 1.0166 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in April of 1999, be the same more or less, but subject to all legal highways.

Section 4. That the rent for the real property described in Section 3 shall be for One Dollar (\$1.00) per year; that the lease shall be for a term not to exceed fifty (50) years as determined by the Director of Economic Development; that the lease shall be for a term equal to the term of the leases described in Sections 1 and 2; that the lease shall be for the purpose of the provision of a public open space and the provision of parking; that the lease shall provide that Felder Properties, Ltd. include the requirement to use best efforts to achieve the following construction contract and construction job goals:

Construction Contracts	33-1/3% MBE; 10% FBE
Construction Jobs	25% Minority; 10% Female; 40% Residents

and that the lease shall contain any other provisions that the Director of Economic Development and Director of Law deem necessary to protect the public interest and effect the purpose of hotel development.

Section 5. That the Directors of Economic Development and Law, and other appropriate City officials, are hereby authorized to execute any other documents and certifi-

cates, and take any other actions as may be necessary or appropriate to effect the Amendments to Leases and lease authorized pursuant to this ordinance.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.

Effective June 17, 1999.

Ord. No. 1091-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with the Cleveland Neighborhood Development Corporation to continue the administration of the Cleveland Industrial Retention Initiative.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into contract with the Cleveland Neighborhood Development Corporation ("CNDC") to provide the professional services necessary to administer the Cleveland Industrial Retention Initiative ("CIRI") for CIRI participants, in the total sum of Three Hundred Thirty Thousand Dollars (\$330,000.00) payable from Fund No. 17 SF 008, Request No. 1009, for the Department of Economic Development. The Director shall make a progress report on the CIRI program to the Community and Economic Development Committee three (3) months following the passage of this legislation.

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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1135-99.

By Councilman Britt.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Buckeye Area Development Corporation (BADC) to hire a community organizer for a period of one year.

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

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

Section 1. That the Director of Community Development is autho-

rized to enter into an agreement with Buckeye Area Development Corporation (BADC) to hire a community organizer to assist with matters in Ward 6.

Section 2. That the costs of said contract shall be in an amount not to exceed Sixty Five Thousand Dollars (\$65,000.00) 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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1136-99.

By Councilman Britt.

An emergency ordinance authorizing the Director of Public Service to issue a permit to the Western Reserve Historical Society to stretch a banner on utility poles at the corner of Petrarca Road and Stokes Boulevard near the BP Gas Station from June 24, 1999 to July 24, 1999, inclusive, to publicize the Western Reserve Historical Society's Negro/Hispanic Baseball Legends Celebration.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Western Reserve Historical Society to install, maintain and remove one (1) banner at Petrarca Road and Stokes Boulevard for the period from June 24, 1999 to July 24, 1999, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to the issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed June 14, 1999.

Effective June 17, 1999.

Ord. No. 1137-99.**By Councilman Cimperman.**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2492 and 2494 West 7th Street to Cleveland Housing Network.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 004-17-034 and 004-17-035, as more fully described in Section 2 below, to Cleveland Housing Network.

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

P.P. No. 004-17-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 159 in William Slade Jr. Subdivision of part of Original Brooklyn Township Lot No. 87, as shown by the recorded plat in Volume 1 of Maps, Page 23 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southwesterly line of West 7th Street, formerly University Street; at the most Easterly corner of said Sublot No. 159, thence Northwesterly along said Southwesterly line of West 7th Street, 33 feet, thence Southwesterly along a line parallel with the Southeasterly line of said Sublot No. 159, 156 feet, thence Southeasterly along a line parallel with said Southwesterly line of West 7th Street, 33 feet to the Southeasterly line of said Sublot No. 159, thence Northeasterly along said Southeasterly line of Sublot No. 159, 156 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 004-17-035

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 159 in William Slade Jr.'s Allotment on University Heights (so-called), bounded and described as follows:

Beginning on the Westerly line of West 7th Street at the Northerly corner of said Sublot No. 159; thence running Southeasterly along the

Westerly line of West 7th Street, S.W., 33 feet; thence Southwesterly parallel with the Northerly line of said Sublot No. 159, 156 feet; thence Northwesterly parallel with the West 7th Street, 33 feet to the Northerly line of said Sublot No. 159; thence Northeasterly along the Northerly line of said Sublot No. 159; 156 feet to the place of beginning, being a parcel of land 33 feet in the width and 156 feet in depth, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.

Effective June 23, 1999.

Ord. No. 1138-99.**By Councilman Cimperman.**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2482 and 2498 West 7th Street to Greater Cleveland Habitat for Humanity Incorporated.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

a municipal department; now, therefore,

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 004-17-031 and 004-17-036, as more fully described in Section 2 below, to Greater Cleveland Habitat for Humanity Incorporated.

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

P.P. No. 004-17-031

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southeasterly half of the Northeasterly 141 feet of Sublot No. 161 in William Slade, Jr.'s sub of part of Original Brooklyn Township Lot No. 87, as shown by the recorded plat in Volume 1 of Maps, Page 23 of Cuyahoga County Records, and being 33 feet front on the Southwesterly side of West 7th Street, (formerly University Street), and extending back of equal width 141 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 004-17-036

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northwesterly half of Sublot No. 158 in William Slade Jr.'s Allotment of 106 acres of land in Original Brooklyn Township Lot No. 87, as shown by the recorded plat in Volume 1 of Maps, Page 23 of Cuyahoga County Records, and being 33 feet front on the Southwesterly side of West 7th Street (formerly University Street) and extending back of equal width 226 feet deep to the Northeasterly line of Thurman Avenue, S.W., (formerly Thurman Street), as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
Effective June 23 1999.

Ord. No. 1139-99.

By Councilman Cintron.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Clark Metro Development Corporation to purchase the former Paris Art Theater located at 3153 West 25th Street and to purchase or lease a vehicle.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement(s) with Clark Metro Development Corporation to purchase the former Paris Art Theater located at 3153 West 25th Street and to purchase or lease a vehicle equipped with a snow plow.

Section 2. That the costs of said contract(s) shall be in an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00) 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1140-99.

By Councilman Cintron.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1900 West 47th Street; 4710 and 4708 Bridge Avenue; 2068 West 45th Street; 3216 Walton Avenue to A.F.F.O.R.D. Incorporated.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, adminis-

tered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 002-35-114 as more fully described in Section 2 below, to A.F.F.O.R.D. Incorporated.

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

P.P. No. 002-35-114

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 46 feet from front to rear of Sublot No. 266 in Benedict and Root Allotment of part of Original Brooklyn Township Lots Nos. 48 and 49, as shown by the recorded plat in Volume 1 of Maps, Page 13 of Cuyahoga County Records, and being a parcel of land 46 feet front on the Westerly side of West 47th Street and extending back of equal width 126 feet along the Northerly line of Bridge Court, N.W., to the Easterly side of West 48th Place, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 002-35-195 as more fully described in Section 4 below, to A.F.F.O.R.D. Incorporated.

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

P.P. No. 002-35-195

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 33 feet of Sublots Nos. 267 and 268 in Benedict and Root's Subdivision of part of Original Brooklyn Township Lots Nos. 48 and 49, as shown by the recorded plat in Volume 1 of Maps, Page 13 of Cuyahoga County Records, and together forming a parcel of land 33 feet front on the Northerly side of Bridge Avenue, N.W., (formerly Bridge Street), and extending back between parallel lines 120 feet to the Southerly side of Bridge Court, N.W., (formerly Second Alley), as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordina-

nances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 002-35-196 as more fully described in Section 6 below, to A.F.F.O.R.D. Incorporated.

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

P.P. No. 002-35-196

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 33 feet of the Westerly 1/2 of Sublots Nos. 267 and 268 in Benedict and Root's Allotment of part of Original Brooklyn Township Lots Nos. 48 and 49, as shown by the recorded plat in Volume 1 of Maps, Page 13 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 33 feet on the Northerly side of Bridge Avenue, N.W., (formerly Bridge Street), and extending back between parallel lines 120 feet, to an alley in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 006-20-078 as more fully described in Section 8 below, to A.F.F.O.R.D. Incorporated.

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

P.P. No. 006-20-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 76 in Taylor and Hoyt's Allotment of part of Original One Hundred Acre Lots Nos. 48 and 49, as shown by the recorded plat in Volume 1 of Maps, Page 20 of Cuyahoga County Records. Said Sublot No. 76 has a frontage of 40 feet on the Westerly side of West 45th Street (formerly Taylor Street), extends back between parallel lines 125 feet to the Easterly side of West 46th Place (14 feet wide), as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 006-20-081 as more fully described in Section 10 below, to A.F.F.O.R.D. Incorporated.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 006-20-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 73 in Taylor and Hoyt's Subdivision of part of Original Brooklyn

Township Lots Nos. 48 and 49 as shown by the recorded plat in Volume 1 of Maps, Page 20 of Cuyahoga County Records and being 40 feet front on the Westerly side of West 45th Street and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-21-076 as more fully described in Section 12 below, to A.F.F.O.R.D. Incorporated.

Section 12. That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P.P. No. 007-21-076

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 50 feet of the Easterly 84 feet of Sublot No. 384 in Hiram Stone Addition of part of Original Brooklyn Township Lots Nos. 53 and 68 as shown by the recorded plat in Volume 1 of Maps, Page 41 of Cuyahoga County Records, and being 50 feet front on the Northerly side of Walton Avenue, S.W., and extending back of equal width 180 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 13. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 14. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 15. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 16. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1141-99.

By Councilman Cintron.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3007, 3003 Wade Avenue; corner of Wade and West 30th Street and 3001 Seymour Avenue to Greater Cleveland Habitat for Humanity.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 007-24-078, 007-24-079, 007-24-080 and 007-26-016, as more fully described in Section 2 below, to Greater Cleveland Habitat for Humanity.

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

P.P. No. 007-24-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 185 in H. Stone's Addition of a part of Original Brooklyn Township Lots Nos. 53 and 68 as shown by the recorded plat in Volume 1 of Maps, Page 41 of Cuyahoga County Records, and being 50 feet front on the Southerly side of Wade Avenue, S.W. and extending back between parallel lines 132 feet to a 14 foot alley known as Mill Court, S.W., as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P.P. No. 007-24-079

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 25 feet of Sublot No. 184 in Hiram Stone's Addition of part of Original Brooklyn Township Lots Nos. 53 and 68 as shown by the recorded plat in Volume 1 of Maps, Page 41 of Cuyahoga County Records and being 25 feet front on the Southerly side of Wade Avenue and extending back of equal width 132 width 132 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

(Note: Tax duplicate for this parcel shows property as being the East half of Sublot No. 184 when it is really the West half of Sublot No. 184).

Subject to Zoning Ordinances, if any.

P.P. No. 007-24-080

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 25 feet of Sublot No. 184 in H. Stone's Addition, of part of Original Brooklyn Township Lots Nos. 53 and 68, as shown by the recorded plat in Volume 1 of Maps, Page 41 of Cuyahoga County Records, and being 25 feet front on the Southerly side of Wade Avenue, S.W., and extending back of equal width 132 feet along the Westerly side of West 30th Street, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P.P. No. 007-26-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 160 in Hiram Stone's Addition of part of Original Brooklyn Township Lots Nos. 53 and 68, as shown by the recorded plat in Volume 1 of Maps, Pages 41 and 42 of Cuyahoga County Records and being 50 feet front on the Southerly side of Seymour Avenue, S.W., and extending back of equal width 122.42 feet along the Westerly side of West 30th Street, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 1142-99.**By Councilman Cintron.**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4509 Franklin Avenue to Charles H. Joseph.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 002-36-158, as more fully described in Section 2 below, to Charles H. Joseph.

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

P.P. No. 002-36-158

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 50 and 51 in Jacob Perkins Allotment of part of Original Brooklyn Township Lot Nos. 50 and 51, as shown by the recorded plat in Volume 1 of Maps, Page 19 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the Northeasterly corner of said Sublot No. 50 it being the intersection of the Westerly line of West 45th Street (formerly Lamartine Street) and the Southeasterly line of Franklin Boulevard, N.W. (formerly Prospect Street); thence South 70 degrees 40' 00" West 91.60 feet to the most Westerly corner of said Sublot No. 51; thence South 19 degrees 20' 00" East 78.00 feet along Southwesterly line of said Sublot No. 51 to a point; thence North 75 degrees 54' 17" East 62.17 feet to a point in said Westerly line of West 45th Street; thence North 0 degrees 11' 33" West 88.62 feet, along said Westerly line of West 45th Street to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordi-

nance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 1143-99.**By Councilmen Coats and Johnson (by departmental request).**

An emergency ordinance authorizing the Director of Public Safety to enter into contract without competitive bidding with Ameritech for the purchase of enhanced 9-1-1 system equipment, for the Divisions of Police, Fire and Emergency Medical Service, Department of Public Safety.

Whereas, the immediate acquisition of enhanced 9-1-1 system equipment is necessary to insure coordination with other safety system improvements and to resolve any Year 2000 compliance issues; and

Whereas, in order to coordinate the enhanced 9-1-1 system with the county-wide emergency response network, the enhanced 9-1-1 system equipment can only be obtained from one source; and

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Ameritech. The Director of Public Safety is hereby authorized to make a written contract with said Ameritech upon the basis of its proposal dated April 28, 1999, for the design, implementation and maintenance of an enhanced 9-1-1 emergency response system, including PBX, E911, call center solution, voice mail and network, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Divisions of Police, Fire, and Emergency Medical Services, Department of Public Safety.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund Nos. 20 SF 320, 20

SF 300, 20 SF 191 and 13 SF 909, Request No. 3655.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1144-99.**By Councilman Johnson (by departmental request).**

An emergency ordinance authorizing the Director of Finance, on behalf of the Clerk of Courts, to apply for and accept a grant from the Cleveland Foundation for the Achieve Global Program; and to enter into contract with Achieve Global to implement the program.

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

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

Section 1. That the Director of Finance, on behalf of the Clerk of Courts, is hereby authorized to apply for and accept a grant in the amount of \$40,000, from the Cleveland Foundation, to conduct the Achieve Global Program, for the purposes set forth in the application and according thereto; that the Director of Finance, on behalf of the Clerk of Courts, is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1144-99-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$20,000, payable from Fund No. 01-011601-6032000, Request No. 5405, is hereby approved in all respects.

Section 3. That the Director of Finance, on behalf of the Clerk of Courts, is hereby authorized to enter into contract with Achieve Global for the implementation of the program as described in the application contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to this ordinance and from any cash matching funds identified in Section 2 of this ordinance.

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

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 1145-99.

By Councilman Johnson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with CPPA - Civilian; and amending Section 10 of Ordinance No. 520-99, passed March 29, 1999, relating to compensation for various classifications.

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 in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with CPPA — Civilian which contains the terms set forth in File No. 1145-99-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

Section 2. That Section 10 of Ordinance No. 520-99, passed March 29, 1999, is hereby amended to read as follows:

Section 10. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Bilingual Communication Specialist	\$22,109.00	\$30,076.10
2. Police Radio Dispatcher	22,111.98	32,930.76
3. Police Safety Aide	18,752.70	23,444.62
4. Safety Telephone Operator	20,546.93	25,463.06

Section 3. That existing Section 10 of Ordinance No. 520-99, passed March 29, 1999, is hereby repealed.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1146-99.

By Councilman Jones.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Miles Ahead Development Corporation to hire two community organizers for a period of one year.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Miles Ahead Development Corporation to hire two community organizers for a period of one year.

Section 2. That the costs of said contract shall be in an amount not to exceed Seventy Thousand Dollars (\$70,000.00) 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1147-99.

By Councilman Jones.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Blue Note Lounge to stretch banners at Lee Road and Judson Drive on utility poles (by separate permission) for the period of July 26, 1999 to August 16, 1999 inclusive, publicizing their Rib Burn-Off on Sunday, August 8, 1999.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Blue Note Lounge to install, maintain and remove banners from Lee Road and Judson Drive on utility poles (by separate permission) for the period of July 26, 1999 through August 16, 1999 inclusive, publicizing its Rib Burn-Off event on Sunday, August 8, 1999, and which banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner

will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed June 14, 1999.
Effective June 21, 1999, without the signature of the Mayor.

Ord. No. 1148-99.

By Councilman Lewis.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Lutheran Housing Corporation to expand its home repair program in Ward 7.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Lutheran Housing Corporation to expand its home repair program in Ward 7.

Section 2. That the costs of said contract shall be in an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1149-99.
By Councilman Lewis.

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone contract with Tyson Food Group, Ltd. to provide economic development assistance to partially finance the construction and purchase of equipment for its operation at the corner of Linwood Avenue and East 55th St.

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

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

Section 1. That, provided agreement is reached as to terms specified in Section 2 hereof, the Director of Economic Development is authorized to enter into an Empowerment Zone contract with Tyson Food Group, Ltd. to provide economic development assistance to partially finance the construction and purchase of equipment for its operation at the corner of Linwood Avenue and East 55th Street.

Section 2. That the terms of said loan shall be in accordance with and subject to the approval of the Cleveland City-wide Development Corporation and the underwriting requirements of Section 108 loan programs of the Cleveland Empowerment Zone Loan Program.

Section 3. That the costs of said contract shall be paid from Fund Nos. 18 SF 001 and 003.

Section 4. That the Director of Economic Development is authorized and directed to accept collateral in order to secure repayment of the loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 18 SF 002.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and to expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited and expended from Fund No. 18 SF 004.

Section 7. 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 8. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1150-99.

By Councilman Lewis.

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone contract with NorthEast Ohio Neighborhood Health Services, Inc. to provide economic development assistance to partially finance the purchase of equipment and facility improvements for operations at its health centers in the City of Cleveland.

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

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

Section 1. That, provided agreement is reached as to terms specified in Section 2 hereof, the Director of Economic Development is authorized to enter into an Empowerment Zone contract with NorthEast Ohio Neighborhood Health Services, Inc. to provide economic development assistance to partially finance the purchase of equipment and facility improvements for its operations at its health centers in the City of Cleveland.

Section 2. That the terms of said loan shall be in accordance with and subject to the approval of the Cleveland City-wide Development Corporation and the underwriting requirements of Section 108 loan programs of the Cleveland Empowerment Zone Loan Program.

Section 3. That the costs of said contract shall be paid from Fund Nos. 18 SF 001 and 003.

Section 4. That the Director of Economic Development is authorized and directed to accept collateral in order to secure repayment of the loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 18 SF 002.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and to expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited and expended from Fund No. 18 SF 004.

Section 7. 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 8. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1151-99.

By Councilman Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1855, 1861 and 1867 East 66th Street to Brenda W. King and Mansfield Frasier.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 118-05-043, 118-05-044 and 118-05-099, as more fully described in Section 2 below, to Brenda W. King and Mansfield Frasier.

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

P.P. No. 118-05-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bounded and described as follows:

Being part of Sublot No. 29 in the Stevens and Cass' Re-Subdivision of Sublot No. 1 and of Sublots Nos. 3 to 20 inclusive in Stone, Johnson and Bates Subdivision of part of Original One Hundred Acre Lot No. 338, as shown by the recorded plat in Volume 15 of Maps, Page 12 of Cuyahoga County Records, and being 45 feet front on the Easterly side of East 66th Street, (formerly Dunham Avenue), and extending back of equal width 130 feet along the Southerly side of Hough Avenue, N.E., as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 118-05-044

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 120 feet of Sublot No. 30 in the Stevens and Cass Re-Subdivision of part of Original One Hundred Acre Lot No. 338 as shown by the recorded plat in Volume 15 of Maps, Page 12 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 66th Street and extending back between parallel lines 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 118-05-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 105 feet of Sublot No. 31 in the Steven and Cass Re-Subdivision of part of Original One Hundred Acre Lot No. 338, as shown by the recorded plat in Volume 15 of Maps, Page 12 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 66th Street and extending back between parallel lines 105 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1152-99.

By Councilman Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1576, 1580, 1584 East 84th Street to Korsandra Steven.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 106-22-140, 106-22-141, 106-22-142, as more fully described in Section 2 below, to Korsandra Steven.

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

P.P. No. 106-22-140

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: As part of Original One Hundred Acre Lot No. 391 and bounded and described as follows:

Beginning on the Westerly line of East 84th Street (formerly Van Ness Avenue), as shown by the recorded plat in Volume 19 of Maps, Page 20 of Cuyahoga County Records, at a point 752.17 feet Southerly, measured along said Westerly line of East 84th Street from its point of intersection with the Southerly line of Wade Park Avenue, N.E., (formerly Wade Park Avenue); thence Southerly along said Westerly line of East 84th Street, 40 feet; thence Westerly along a line parallel to said Southerly line of Wade Park Avenue, N.E., 102 feet; Northerly along a line parallel to said Westerly line of East 84th Street, 40 feet; Easterly along a line parallel to said Southerly line of Wade Park Avenue, N.E., 102 feet to the place of beginning, and being further known as Parcel No. 93 in L.M. Southern's Proposed Wade Park Allotment of part of Original One Hundred Acre Lot Nos. 383 and 391.

Also subject to Zoning Ordinances, if any.

P.P. No. 106-22-141

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 391 and bounded and described as follows:

Beginning on the Westerly line of East 84th Street (formerly Van Ness Avenue) at a point 792.17 feet Southerly (measured along said Westerly line) from its point of intersection with the Southerly line of Wade Park Avenue, N.E.; thence Southerly along said Westerly line of East 84th Street, 30 feet; thence Westerly on a line parallel to the said Southerly line of Wade Park Avenue, N.E., 102 feet; thence Northerly on a line parallel to the said Westerly line of East 84th Street, 30 feet; thence Easterly 102 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P.P. No. 106-22-142

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 391 and bounded and described as follows:

Beginning in the Westerly line of East 84th Street (formerly Van Ness Avenue) at a point 822-17/100 feet Southerly from the Southerly line of Wade Park Avenue, N.E.; thence Southerly along the Westerly line of East 84th Street, 33 feet; thence Westerly parallel with the Southerly line of Wade Park Avenue, N.E., 102 feet; thence

Northerly parallel with the Westerly line of East 84th Street 33 feet; thence Easterly parallel with the Southerly line of Wade Park Avenue, N.E., 102 feet to the place of beginning, and being further known as Parcel No. 294 in L.M. Southern's Proposed Wade Park Allotment of part of Original One Hundred Acre Lot Nos. 383 and 391, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.

Effective June 17, 1999.

Ord. No. 1153-99.

By Councilman Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 5618 and 5616 Whittier Avenue to James Shabazz and Betty Shabazz.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ord-

nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 104-18-068 and 104-18-069, as more fully described in Section 2 below, to James Shabazz and Betty Shabazz.

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

P.P. No. 104-18-068

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 8 in Sweesey et. al. Re-Subdivision of part of Original East Cleveland Township Lot No. 340 as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records and being 40 feet front on the Southerly side of Whittier Avenue and extending back 142.73 feet on the Westerly line, 142.72 feet on the Easterly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P.P. No. 104-18-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 6 in W.C. Sweesey, and others' Re-Allotment of R.L. Willard, Guardian of Lena Baisch Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Whittier Avenue, N.E., (formerly Sixth Avenue), and extending back of equal width of 142 73/100 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 1154-99.
By Councilmen Lewis and Cimperman.

An emergency ordinance to amend Section 1 of the Ordinance No. 747-97, passed April 26, 1999 relating to the feasibility study for the Richman Brothers Complex.

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. 747-99 passed April 26, 1999, is hereby amended to read as follows:

Section 1. That the Director of Economic Development is hereby authorized to hire a consultant or firm of consultants, as approved in writing by the President of Council, to undertake a feasibility study for the Richman Brothers Complex project, including but not limited to the feasibility of utilizing the facility for municipal, county governmental and court-related services, and that this feasibility study shall be completed as expeditiously as possible. A copy of the feasibility report shall be provided to the President of Council upon completion. The cost of the feasibility study shall not exceed Fifty Thousand Dollars (\$50,000.00) and shall be paid from Fund 17 SF 008.

Section 2. That existing Section 1 of Ordinance No. 747-99 passed April 26, 1999, 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 June 14, 1999.
Effective June 23, 1999, without the signature of the Mayor.

Ord. No. 1155-99.
By Councilman Melena.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cudell Improvement, Inc. to provide a matching grant for security services for the Edgewater Homeowner's Association.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Cudell Improvement, Inc. to provide a matching grant for citizen-based security activities for the Edgewater Homeowner's Association.

Section 2. That the costs of said contract shall be in an amount not to exceed Fifty Thousand Dollars (\$50,000.00) 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1156-99.
By Councilman Melena.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cudell Improvement, Inc. for an Exterior Home Repair Loan program.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Cudell Improvement, Inc. for an Exterior Home Repair Loan program for residents to make needed exterior home repairs.

Section 2. That the costs of said contract shall be in an amount not to exceed Fifty Thousand Dollars (\$50,000.00) 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1157-99.
By Councilman Melena.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Stockyard Re-development Organization for an Exterior Home Repair Loan program.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Stockyard Re-development Organization for an Exterior Home Repair Loan program for residents to make needed exterior home repairs.

Section 2. That the costs of said contract shall be in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1158-99.

By Councilman Patmon.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Cleveland Cultural Garden Federation to stretch banners along MLK Blvd. on utility poles (by separate permission) for the period of September 3, 1999 through September 13, 1999, inclusive, publicizing the annual One World Day Celebration.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Cleveland Cultural Garden Federation, to install, maintain and remove banners on utility poles (by separate permission), from MLK, Jr. Drive at N. of Parkgate (W), N. of Parkgate (E), S. of Parkgate (E), S. of Parkgate (E), N. of Ansel (E), N. of Ansel (E), S. of Ansel in triangle; none of the foregoing poles have any numbers or identification tags; for the period of September 3, 1999 to September 13, 1999 inclusive, publicizing the annual One World Day celebration; which banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed June 14, 1999.
Effective June 17, 1999.

Ord. No. 1159-99.

By Councilman Robinson.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Lutheran Housing Corporation to expand its home repair program in Ward 3.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Lutheran Housing Corporation to expand its home repair program in Ward 3.

Section 2. That the costs of said contract shall be in an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1160-99.

By Councilman Robinson.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cleveland Community Building Initiative to institute a Youth Landscaping Training Program in Ward 3.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Cleveland Community Building Initiative to institute a Youth Landscaping Training Program in Ward 3.

Section 2. That the costs of said contract shall be in an amount not to exceed Seventy-Four Thousand Dollars (\$74,000.00) 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1161-99.

By Councilman Robinson.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Murtis H. Taylor Multi-Service Center to assist with the Family Resource Center and the Adult Community Mental Health program.

Whereas, this ordinance constitutes an emergency measure provid-

ing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Murtis H. Taylor Multi-Service Center to assist with the Family Resource Center and the Adult Community Mental Health program.

Section 2. That the costs of said contract shall be in an amount not to exceed Fifty-Four Thousand Dollars (\$54,000.00) 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1162-99.

By Councilmen Robinson and White.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the New Cleveland Food Basket Program to purchase a van.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the New Cleveland Food Basket Program to purchase a van.

Section 2. That the costs of said contract shall be in an amount not to exceed Seventeen Thousand Six Hundred Dollars (\$17,600.00) and shall be paid from Fund No. 10 SF 166; Five Thousand Dollars (\$5,000.00) shall be encumbered from Ward 2 and Twelve Thousand Six Hundred Dollars (\$12,600.00) shall be encumbered from Ward 3.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1163-99.**By Councilman Rybka.**

An emergency ordinance determining the method of making the public improvement of replacing or repairing sidewalks and driveway aprons and authorizing the Director of Public Service to proceed with said improvement by the direct employment of the necessary labor and the purchase or rental of the necessary supplies, materials and equipment.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of replacing or repairing sidewalks and driveway aprons, as contained in File No. 1163-99-A, attached hereto, for the Department of Public Service, by the direct employment of the necessary labor and the purchase or rental of the necessary supplies and materials for the making of such improvement, with a separate accounting as to each improvement so made.

Section 2. That the Director of Public Service is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the items comprising the necessary supplies and materials for said improvement, including the rental of necessary equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Public Safety.

Section 3. That the costs of said improvement shall not exceed One Hundred Thirty Four Thousand Dollars (\$134,000.00) and shall be paid from Fund No. 10 SF 166.

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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1164-99.**By Councilman White.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Southeast Improvement Association to enhance neighborhood security and to promote development in Ward 2 of the City of Cleveland.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Southeast Improvement Association to enhance neighborhood security and to promote development in Ward 2 of the City of Cleveland.

Section 2. That the costs of said contract shall be in an amount not to exceed Fourteen Thousand Dollars (\$14,000.00) 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 June 14, 1999.

Effective June 17, 1999.

Ord. No. 1165-99.**By Councilman Willis.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Western Reserve Historical Society to stretch a banner at the corner of Patrarca Rd. & Stokes Blvd. on utility poles (by separate permission) for the period of June 24, 1999 through July 24, 1999 inclusive, publicizing their special event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Western Reserve Historical Society to install, maintain and remove a banner on utility poles (by separate permission), at the corner of Patrarca Road and Stokes Boulevard, near the BP Gasoline Station; Pole Number MELP 88449 and Pole Number MELP 88420; for the period of June 24, 1999 to July 24, 1999, inclusive, publicizing their special event, and which banner shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed June 14, 1999.

Effective June 17, 1999.

Ord. No. 1166-99.**By Councilman White.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Mystic Knights to stretch a banner at Miles Avenue on utility poles (by separate permission) for the period of July 2, 1999 to August 2, 1999 inclusive, publicizing their special event.

Whereas, this ordinance constitutes an emergency measure provid-

ing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Mystic Knights, 11417 Miles Avenue, Cleveland, Ohio 44105, to install, maintain and remove banners from 11407 Miles Avenue (N) and on 11404 Miles Avenue (S) on utility poles, both utility poles have no tags or numbers, (by separate permission) for the period of July 2, 1999 through August 2, 1999 inclusive, publicizing their special event, and which banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed June 14, 1999.

Effective June 17, 1999.

Ord. No. 1167-99.**By Councilmen Sweeney and Johnson (by departmental request).**

An emergency ordinance to amend Section 7 of Ordinance No. 505-99, passed May 10, 1999 and Section 33 of Ordinance No. 619-98, passed June 15, 1998, relating to sidewalk laying, re-laying and repairing.

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 7 of Ordinance No. 505-99 passed May 10, 1999 and Section 33 of Ordinance No. 619-98, passed June 15, 1998, are hereby amended to read, respectively, as follows:

Section 7. That the cost of the improvements hereby authorized shall be paid from Fund Nos. 10 SF 116, 20 SF 322, 11 SF 401, 20 SF 341 and 10 SF 034 and from the fund to which are credited the proceeds of the sale of general obligation bonds issued for the purpose which include the above improvement, Request No. 24533. It is the intent of this council that the districts be assessed for the improvements authorized in Section I hereof pursuant to the assessment process which will be submitted by the Director of Finance upon conclusion of the work, and that all or a portion of the monies collected as a result of said assessment be used to reimburse the appropriate account.

Section 33. That the costs of the improvements or contracts hereby authorized shall be paid from Fund Nos. 10 SF 116, 20 SF 322, 11 SF 401, 14 SF 021, 14 SF 022, 14 SF 023 and 14 SF 024.

Section 2. That existing Section 7 of Ordinance No. 505-99, passed May 10, 1999 and Section 33 of Ordinance No. 619-98, passed June 15, 1998, 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1168-99.
By Councilmen Sweeney and Johnson (by departmental request).
An emergency ordinance authorizing the Director of Public Service to enter into an agreement with the City of Warrensville Heights in order to make the public improvement of rehabilitating Garden Avenue.

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

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

Section 1. That the Director of Public Service is hereby authorized to enter into an agreement with the City of Warrensville Heights in order to make the public improvement of rehabilitating Garden Avenue (the "Improvement"). The agreement shall provide that the City of Warrensville Heights and the City of Cleveland shall each pay its share of the Improvement for the portion of Garden Avenue in its respective municipality. The Agreement shall be prepared by the Director of Law and shall contain such additional terms and conditions as are necessary to protect the public interest.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1169-99.
By Councilmen Sweeney and Johnson (by departmental request).
An emergency ordinance authorizing the Director of Public Service to cause payment of the City of Cleveland's share to the City of Lakewood for the cost of repair and rehabilitation of a portion of Lakewood Heights Boulevard.

Whereas, in Ordinance No. 2039-91, passed December 9, 1991, this Council gave consent to the Director of Transportation, City of Lakewood, for the cost of repair and rehabilitation of Lakewood Heights Boulevard (the "Improvement"); and

Whereas, this Council authorized the City to cooperate with the City of Lakewood in the cost of the Improvement; and

Whereas, the City's share of the cost of the Improvement is currently estimated to be \$180,000; 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 this Council hereby authorizes payment to the City of Lakewood of the City's share of the cost of repair and rehabilitation of a portion of Lakewood Heights Boulevard, from Fund No. 20 SF 342, Request No. 21976.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1170-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide design services for the rehabilitation of Concourse C overlay.

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

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

Section 1. That the Director of Port Control is hereby authorized to employ by contract one or more design consultants or one or more firms of design consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the rehabilitation of Concourse C overlay.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, 60 SF 265, and any existing or future revenue bonds, grant proceeds and PFC authorizations, Request No. 8216.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1171-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance determining the method of making the public improvement of constructing a baggage claim area, and authorizing the Director of Port Control to enter into contract for the making of such improvement; and authorizing said director to employ design consultants to provide professional services necessary to design the improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing a baggage claim area, for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Port Control is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the Director of Port Control is hereby authorized to employ by contract one or more design consultants or one or more firms of design consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the public improvement authorized herein.

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

Section 4. That the cost of the professional services and the improvement authorized herein shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, 60 SF 265, and any existing or future revenue bonds, grant proceeds and PFC authorizations, Request No. 8217.

Section 5. 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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1172-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance preferring certain representations for purposes of the Trust Indenture from the City of Cleveland to the Chase Manhattan Trust Company, National Association, as successor trustee and authorizing the Director of Port Control to apply to the bond trustee for land release.

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 City acknowledges, states and affirms, pursuant to Article IX of the Trust Indenture from the City of Cleveland to the Chase Manhattan Trust Company, National Association, as successor trustee, dated November 1, 1976, as amended, that the City desires and requests that a certain portion of its land heretofore subject to the Trust Indenture be released and removed from all obligations under said Trust Indenture. Further, the City acknowledges, states and affirms that it is not in default under said Indenture; that release of such land is necessary in order to serve the public purpose of economic development; and that certain public improvements will be constructed on the land to be released, including public roads and public utilities.

The land to be released is described as follows:

PROPOSED
CLEVELAND BUSINESS
PARK - WEST
PARCEL B

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of The C and D Southwest Subdivision I as recorded in Volume 174, Page 34 of Cuyahoga County Records and part of The C and D Southwest Subdivision II as recorded in Volume 184, Page 72 of Cuyahoga County Records. The parcel is further known as being part of Section No. 4 of Original Rockport Township, and bounded and described as follows:

Beginning at an iron pin in a monument box at the intersection of the centerline of Rocky River Drive and the Easterly extension of the Southerly line of the Homeway Subdivision as recorded in Volume 70, Page 27 of Cuyahoga County Records;

Thence North 89° 05' 54" West along the Southerly line of The Homeway Subdivision as aforesaid, 1576.71 feet to an angle point;

Thence North 89° 17' 53" West, 1957.49 feet to a point being the principal place of beginning;

Thence South 03° 23' 16" East, 164.28 feet to a point;

Thence 39.34 feet along the arc of a circle deflecting to the right, having a radius of 200.00 feet whose chord bears North 85° 04' 00" East, a distance of 39.28 feet;

Thence South 89° 17' 53" East, 19.92 feet to a point;

Thence South 00° 42' 07" West, 160.00 feet to a point;

Thence North 89° 17' 53" West, 33.32 feet to a point;

Thence South 44° 44' 23" West, 38.20 feet to a point;

Thence South 00° 55' 46" West, 648.79 feet to a point;

Thence South 89° 03' 42" East, 476.52 feet to a point;

Thence South 00° 55' 46" West, 143.46 feet to a point;

Thence North 89° 04' 14" West, 636.52 feet to a point;

Thence South 00° 55' 46" West, 196.37 feet to a point;

Thence North 89° 04' 14" West, 215.00 feet to a point;

Thence 133.52 feet along the arc of a circle deflecting to the right, having a radius of 85.00 feet whose chord bears North 44° 04' 14" West a distance of 120.21 feet;

Thence North 89° 04' 14" West, 163.48 feet to a point;

Thence North 00° 55' 46" East, 254.85 feet to a point;

Thence North 89° 04' 14" West, 133.00 feet to a point;

Thence South 00° 55' 46" West, 75.00 feet to a point;

Thence North 89° 04' 14" West, 221.92 feet to a point;

Thence North 09° 06' 27" West, 75.23 feet to a point;

Thence North 11° 11' 06" West, 43.67 feet to a point;

Thence North 28° 32' 28" West, 46.37 feet to a point;

Thence North 00° 56' 48" East, 86.60 feet to a point;

Thence North 00° 56' 48" East, 479.88 feet to a point;

Thence North 36° 28' 43" East, 113.65 feet to a point;

Thence South 29° 13' 42" East, 4.40 feet to a point;

Thence North 46° 54' 01" East, 213.84 feet to a point;

Thence South 86° 22' 19" East, 211.15 feet to a point;

Thence North 01° 06' 06" East, 118.00 feet to a point;

Thence South 89° 17' 53" East, 577.78 feet to a point and the principal place of beginning, containing within said boundaries 1,203,439 square feet (27.6272 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

PROPOSED
CLEVELAND BUSINESS
PARK - WEST
PARCEL C

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of the Riverside Park Subdivision as recorded in Volume 71, Page 30 of Cuyahoga County Records and part of The Home Gardens Allotment as recorded in Volume 67, Page 35 Cuyahoga County Records. The parcel is further known as being part of Section No. 3 and Section No. 4 of Original Rockport Township, and bounded and described as follows:

Beginning at an iron pin found in a monument box at the intersection of the centerline of Rocky River Drive and the Easterly extension of the Southerly line of the Homeway Subdivision as recorded in Volume 70, Page 27 of Cuyahoga County Records;

Thence North 89° 05' 54" West along the Easterly extension of the Southerly line of The Homeway Subdivision as aforesaid, 43.93 feet to a point on the Westerly right of way line of Rocky River Drive;

Thence South 25° 19' 31" West along the Westerly right of way line of Rocky River Drive (80 feet wide),

716.57 feet to a point and the principal place of beginning;

Thence continuing along the Westerly right of way line of Rocky River Drive South 25° 19' 31" West, 813.37 feet to a point;

Thence South 58° 08' 31" West, 33.17 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence North 89° 04' 14" West, 27.69 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence South 31° 50' 28" East, 26.83 feet to a point;

Thence South 25° 19' 31" West, 216.91 feet to a point;

Thence South 58° 07' 51" West, 33.28 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence North 89° 04' 14" West, 27.66 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence South 31° 44' 41" East, 26.89 feet to a point;

Thence South 25° 19' 31" West, 88.16 feet to a point;

Thence South 25° 02' 26" West, 224.14 feet to a point;

Thence South 54° 55' 23" West, 36.44 feet to a point;

Thence South 00° 57' 10" West, 25.00 feet to a point;

Thence North 89° 02' 50" West, 21.90 feet to a point;

Thence South 00° 57' 10" West, 25.00 feet to a point;

Thence 34.17 feet along the arc of a circle deflecting to the right, having a radius of 20.00 feet whose chord bears South 23° 54' 03" East a distance of 30.16 feet;

Thence South 25° 02' 26" West, 190.22 feet to a point;

Thence North 89° 27' 34" West, 179.02 feet to a point;

Thence South 02° 23' 04" West, 35.16 feet to a point;

Thence South 73° 16' 00" West, 98.98 feet to a point;

Thence South 84° 29' 35" West, 41.08 feet to a point;

Thence North 25° 19' 31" East, 1374.85 feet to a point;

Thence North 89° 04' 14" West, 1981.22 feet to a point;

Thence North 00° 55' 46" East, 143.46 feet to a point;

Thence South 89° 04' 14" East, 428.08 feet to a point;

Thence North 01° 58' 06" East, 351.93 feet to a point;

Thence South 89° 04' 47" East a distance of 2046.06 feet to a point being the principal place of beginning, containing within said boundaries 1,349,656 square feet (30.9838 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

Section 2. That the Director of Port Control is authorized to apply to the Chase Manhattan Trust Company, National Association, as successor trustee, for release of the land described in Section 1, pursuant to the Trust Indenture, dated November 1, 1976, as amended.

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 June 14, 1999.
Effective June 17, 1999.

Ord. No. 1173-99.
By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with various entities to provide services under Titles II and III of the Job Training Partnership Act and authorizing the Director of Personnel and Human Resources to enter into contract with Orion Consulting to assist with Workforce Investment Act compliance.

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

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

Section 1. That the Director of Personnel and Human Resources is authorized to enter into contract with Towards Employment for the delivery of adult and youth employment and training services under Title II of the Job Training Partnership Act, in an amount not to exceed \$850,000.

Section 2. That the Director of Personnel and Human Resources is authorized to enter into contract with United Labor Agency for the delivery of adult and youth employment and training services under Title III of the Job Training Partnership Act, in an amount not to exceed \$825,477.

Section 3. That the Director of Personnel and Human Resources is authorized to enter into contracts with the American Red Cross, Brentley Institute, Cleveland Industrial Training, Cuyahoga Community College, Total Tech/Breakwall, Westside Institute of Technology for the delivery of adult and youth employment and training services under Title II of the Job Training Partnership Act, in an total aggregate amount not to exceed \$512,500.

Section 4. That the Director of Personnel and Human Resources is authorized to enter into contract with Orion Consulting for professional services necessary to assist with Workforce Investment Act compliance, based upon their proposal dated June 1, 1999, in the estimated sum of \$182,000, for the Department of Personnel and Human Resources.

Section 5. That the cost of all contracts authorized herein shall be paid from Fund Nos. 15 SF 091, 15 SF 092, 15 SF 093, 15 SF 094, 15 SF 095, 15 SF 096, and 15 SF 100, Request Nos. 8908, 8911, 9109, 9113, 9114, 9115, 9123, 9124, 9125 and 9126.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.
 Effective June 17, 1999.

Ord. No. 1174-99.
By Councilmen White and Johnson (by departmental request).

An emergency ordinance to amend the title, Section 1 and Section 2 of Ordinance No. 1039-99, passed June 7, 1999, relating to contracts for delivery of the Summer Youth Employment Program under the Job Training Partnership Act.

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

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

Section 1. That the title, Section 1 and Section 2 of Ordinance No. 1039-99, passed June 7, 1999, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contracts with the Cleveland Municipal School District, Cleveland Initiative for Education and the Cleveland Public Theater for delivery of the Summer Youth Employment Program under the Job Training Partnership Act.

Section 1. That the Director of Personnel and Human Resources is hereby authorized to enter into contracts with the following service deliverers in amounts not to exceed those listed below, for the administration and delivery of the Summer Youth Employment Program, Title II Part B:

Cleveland Municipal School District	\$2,784,000
Cleveland Initiative for Education	\$ 146,000
Cleveland Public Theater	\$ 60,000

Section 2. That the cost of the contracts authorized above shall not exceed \$2,990,000.00, and shall be paid from Fund No. 15 SF 094, Request Nos. 08994 and 9000.

Section 2. That the existing title, Section 1 and Section 2 of Ordinance No. 1039-99, passed June 7, 1999, are hereby repealed.

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

Passed June 14, 1999.
 Effective June 17, 1999.

Ord. No. 1191-99.
By Councilman Cimperman.

An emergency ordinance consenting to and approving the issuance of a permit for the Race for Wishes on July 24, 1999, sponsored by Hermes Race Systems.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Race for Wishes, on July 24, 1999, sponsored by Hermes Race Systems, starting on Euclid and E. 13th, north on E. 13th to Lakeside, Lakeside to E. 9th, E. 9th to Erieside, Erieside to W. 3rd, W. 3rd to Lakeside, Lakeside to E. 13th, E. 13th

to Euclid, Euclid to E. 17th, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed June 14, 1999.
 Effective June 17, 1999.

Ord. No. 1192-99.
By Councilman Melena.

An emergency ordinance consenting to and approving the issuance of a permit for a 5K Run and Walk for Pride on June 19, 1999, sponsored by Hermes Race Systems.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the 5K Run and Walk for Pride, on June 19, 1999, sponsored by Hermes Race Systems, with the route beginning at Cliff Drive to Edgewater, Edgewater to Park, Rest of route in the Park, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed June 14, 1999.
 Effective June 17, 1999.

COUNCIL COMMITTEE MEETINGS

NO MEETINGS

Index

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
 Bold type in sections indicates amendments

9-1-1 Service

Enhanced 9-1-1 system equipment — Safety Department (O 1143-99) **1354**

Banners

Mystic Knights — banner — special event (O 1166-99) **1360**
 One World Day Celebration — banners — Cleveland Cultural Garden Federation
 (O 1158-99) **1359**
 Rib Burn-off — banners — Blue Note Lounge (O 1147-99) **1355**
 Western Reserve Historical Society — banner — special event (O 1165-99) **1360**
 Western Reserve Historical Society's Negro/Hispanic Baseball Legends Celebration — banner
 — Western Reserve Historical Society (O 1136-99) **1350**

Block Grants

Community Development Block Grant — Code Enforcement and Demolition Programs
 (O 729-99) **1317**
 Community Response Unit — Community Development Block Grant (O 793-99) **1321**

Board of Control - Baldwin Water Works Plant

Design and implementation of improvements to Baldwin Water Works Plant - contract
 pursuant to Ord. 68-98 and 94-99 to Malcolm Pirnie, Inc. - Division of Water, Dept.
 of Public Utilities (BOC Res. 355-99) 1292

Board of Control - Cleveland Business Park

Sell parcels - pursuant to Ord. 1242-95 to Cleveland Business Park, Ltd. (BOC Res. 375-99) 1295

Board of Control - Cleveland Hopkins International Airport Division

Shoe shine stand, install, operate and maintain - concession agreement pursuant to Ord.
 1014-90 to Fins & Feathers Seafood and Poultry Market, Inc., d.b.a.
 English Concessions (Cleveland Shines) - Division of Cleveland Hopkins International
 Airport, Dept. of Port Control (BOC Res. 365-99) 1293

Board of Control - Cleveland Public Power Division

Roofs, labor and materials to repair - amend BOC Res. 654-98 - Division of Cleveland
 Public Power, Dept. of Public Utilities (BOC Res. 359-99) 1292
 Streetlighting materials - contract pursuant to C.O. Sec. 129.26 to Wesco Distribution,
 Inc. - Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 362-99) 1293
 Streetlighting materials - pursuant to C.O. Sec. 129.26 - all bids rejected - Division
 of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 361-99) 1293

Board of Control - Community Development Department

Cleveland Housing Network Limited Partnership XVI - various parcels (Wards 13, 14 and 17)
 pursuant to Ord. 1089-99 (BOC Res. 374-99) 1295
 West 98th Street, 3412 (Ward 18) - PPN 017-20-102 (northerly half) - to Philip M. Pack
 and Ruby A. Pack (BOC Res. 369-99) 1294
 West 98th Street (Ward 18) - PPN 017-20-102 (southerly half) - to Don L. Emery and Mary
 G. Emery (BOC Res. 368-99) 1294

Board of Control - Concession Agreement

Shoe shine stand, install, operate and maintain - concession agreement pursuant to Ord.
 1014-90 to Fins & Feathers Seafood and Poultry Market, Inc., d.b.a.
 English Concessions (Cleveland Shines) - Division of Cleveland Hopkins International
 Airport, Dept. of Port Control (BOC Res. 365-99) 1293

Board of Control - Economic Development Department

Sell parcels - pursuant to Ord. 1242-95 to Cleveland Business Park, Ltd. (BOC Res. 375-99) 1295

Board of Control - Finance Department

Copiers (analog), rental of - contract pursuant to Ord. 1065-98 and 172-99 to Comdoc, Inc. - Dept. of Finance (BOC Res. 370-99) 1294
Jacobsen mower parts - contract pursuant to Ord. 709-99 to Baker Vehicle Systems, Inc. - Dept. of Finance (BOC Res. 354-99) 1291
Pre-sort mail service - contract pursuant to Ord. 272-99 to T Group Communications - Dept. of Finance (BOC Res. 353-99) 1291
Sell parcels - pursuant to Ord. 1242-95 to Cleveland Business Park, Ltd. (BOC Res. 375-99) 1295

Board of Control - Land Reutilization Program

Cleveland Housing Network Limited Partnership XVI - various parcels (Wards 13, 14 and 17) pursuant to Ord. 1089-99 (BOC Res. 374-99) 1295
West 98th Street, 3412 (Ward 18) - PPN 017-20-102 (northerly half) - to Philip M. Pack and Ruby A. Pack (BOC Res. 369-99) 1294
West 98th Street (Ward 18) - PPN 017-20-102 (southerly half) - to Don L. Emery and Mary G. Emery (BOC Res. 368-99) 1294

Board of Control - Land Reutilization Program (Ward 13)

Cleveland Housing Network Limited Partnership XVI - various parcels (Wards 13, 14 and 17) pursuant to Ord. 1089-99 (BOC Res. 374-99) 1295

Board of Control - Land Reutilization Program (Ward 14)

Cleveland Housing Network Limited Partnership XVI - various parcels (Wards 13, 14 and 17) pursuant to Ord. 1089-99 (BOC Res. 374-99) 1295

Board of Control - Land Reutilization Program (Ward 17)

Cleveland Housing Network Limited Partnership XVI - various parcels (Wards 13, 14 and 17) pursuant to Ord. 1089-99 (BOC Res. 374-99) 1295

Board of Control - Land Reutilization Program (Ward 18)

West 98th Street, 3412 (Ward 18) - PPN 017-20-102 (northerly half) - to Philip M. Pack and Ruby A. Pack (BOC Res. 369-99) 1294
West 98th Street (Ward 18) - PPN 017-20-102 (southerly half) - to Don L. Emery and Mary G. Emery (BOC Res. 368-99) 1294

Board of Control - Land Sales

Sell parcels - pursuant to Ord. 1242-95 to Cleveland Business Park, Ltd. (BOC Res. 375-99) 1295

Board of Control - Leases

75 Erieview Building - extend lease pursuant to Ord. 1262-97 and BOC Res. 618-97 with Turquoise Investors, L.P. - Dept. of Public Utilities (BOC Res. 360-99) 1292

Board of Control - Nottingham Water Works Plant

Design and implementation of improvements to Nottingham Water Works Plant - contract pursuant to Ord. 68-98 and 94-99 to Dresser & McKee - Division of Water, Dept. of Public Utilities (BOC Res. 356-99) 1292

Board of Control - Port Control Department

Air conditioning systems, labor and materials to maintain and repair - contract pursuant to Ord. 2002-98 to Gardiner Service Company - Dept. of Port Control (BOC Res. 364-99) 1293
Shoe shine stand, install, operate and maintain - concession agreement pursuant to Ord. 1014-90 to Fins & Feathers Seafood and Poultry Market, Inc., d.b.a. English Concessions (Cleveland Shines) - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 365-99) 1293

Board of Control - Professional Service Contracts

Design and implementation of improvements to Baldwin Water Works Plant - contract pursuant to Ord. 68-98 and 94-99 to Malcolm Pirnie, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 355-99).....	1292
Design and implementation of improvements to Nottingham Water Works Plant - contract pursuant to Ord. 68-98 and 94-99 to Dresser & McKee - Division of Water, Dept. of Public Utilities (BOC Res. 356-99).....	1292

Board of Control - Public Improvement Contracts

Distribution mains - Area 99-1 and 99-2, cleaning and cement mortar lining of - contract pursuant to Ord. 545-98 to Terrace Construction Co., Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 358-99).....	1292
Distribution mains - Area 99-4, 99-5 and 99-6, cleaning and cement mortar lining of - contract pursuant to Ord. 545-98 to Utilicon Corporation - Division of Water, Dept. of Public Utilities (BOC Res. 357-99).....	1292

Board of Control - Public Service Department

Endloader - contract pursuant to Ord. 1074-98 to Southeastern Equipment Company, Inc. - Dept. of Public Service (BOC Res. 367-99).....	1294
Solid waste, direct haul from areas served by Oakwood Village transfer station - contract pursuant to Ord. 317-99 to U.S.A. Waste of Ohio, Inc. - Division of Waste Collection and Disposal, Dept. of Public Service (BOC Res. 366-99).....	1293

Board of Control - Public Utilities Department

75 Erieview Building - extend lease pursuant to Ord. 1262-97 and BOC Res. 618-97 with Turquoise Investors, L.P. - Dept. of Public Utilities (BOC Res. 360-99).....	1292
Design and implementation of improvements to Baldwin Water Works Plant - contract pursuant to Ord. 68-98 and 94-99 to Malcolm Pirnie, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 355-99).....	1292
Design and implementation of improvements to Nottingham Water Works Plant - contract pursuant to Ord. 68-98 and 94-99 to Dresser & McKee - Division of Water, Dept. of Public Utilities (BOC Res. 356-99).....	1292
Distribution mains - Area 99-1 and 99-2, cleaning and cement mortar lining of - contract pursuant to Ord. 545-98 to Terrace Construction Co., Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 358-99).....	1292
Distribution mains - Area 99-4, 99-5 and 99-6, cleaning and cement mortar lining of - contract pursuant to Ord. 545-98 to Utilicon Corporation - Division of Water, Dept. of Public Utilities (BOC Res. 357-99).....	1292
Repair parts for pumps, small engines and saws - amend BOC Res. 199-99 - Division of Water, Dept. of Public Utilities (BOC Res. 371-99).....	1295
Roofs, labor and materials to repair - amend BOC Res. 654-98 - Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 359-99).....	1292
Streetlighting materials - contract pursuant to C.O. Sec. 129.26 to Wesco Distribution, Inc. - Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 362-99).....	1293
Streetlighting materials - pursuant to C.O. Sec. 129.26 - all bids rejected - Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 361-99).....	1293
Water plant residuals, hauling and disposal of - pursuant to Ord. 1944-98 - all bids rejected - Division of Water, Dept. of Public Utilities (BOC Res. 373-99).....	1295

Board of Control - Purchases and Supplies Division

Sell parcels - pursuant to Ord. 1242-95 to Cleveland Business Park, Ltd. (BOC Res. 375-99).....	1295
---	------

Board of Control - Requirement Contracts

Air conditioning systems, labor and materials to maintain and repair - contract pursuant to Ord. 2002-98 to Gardiner Service Company - Dept. of Port Control (BOC Res. 364-99).....	1293
Copiers (analog), rental of - contract pursuant to Ord. 1065-98 and 172-99 to Comdoc, Inc. - Dept. of Finance (BOC Res. 370-99).....	1294
Endloader - contract pursuant to Ord. 1074-98 to Southeastern Equipment Company, Inc. - Dept. of Public Service (BOC Res. 367-99).....	1294
Jacobsen mower parts - contract pursuant to Ord. 709-99 to Baker Vehicle Systems, Inc. - Dept. of Finance (BOC Res. 354-99).....	1291
Pre-sort mail service - contract pursuant to Ord. 272-99 to T Group Communications - Dept. of Finance (BOC Res. 353-99).....	1291
Repair parts for pumps, small engines and saws - amend BOC Res. 199-99 - Division of Water, Dept. of Public Utilities (BOC Res. 371-99).....	1295
Roofs, labor and materials to repair - amend BOC Res. 654-98 - Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 359-99).....	1292
Solid waste, direct haul from areas served by Oakwood Village transfer station - contract pursuant to Ord. 317-99 to U.S.A. Waste of Ohio, Inc. - Division of Waste Collection and Disposal, Dept. of Public Service (BOC Res. 366-99).....	1293
Streetlighting materials - contract pursuant to C.O. Sec. 129.26 to Wesco Distribution, Inc. - Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 362-99).....	1293

Board of Control - Waste Collection and Disposal Division

Solid waste, direct haul from areas served by Oakwood Village transfer station - contract pursuant to Ord. 317-99 to U.S.A. Waste of Ohio, Inc. - Division of Waste Collection and Disposal, Dept. of Public Service (BOC Res. 366-99) 1293

Board of Control - Water Division

Design and implementation of improvements to Baldwin Water Works Plant - contract pursuant to Ord. 68-98 and 94-99 to Malcolm Pirnie, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 355-99)..... 1292
 Design and implementation of improvements to Nottingham Water Works Plant - contract pursuant to Ord. 68-98 and 94-99 to Dresser & McKee - Division of Water, Dept. of Public Utilities (BOC Res. 356-99)..... 1292
 Distribution mains - Area 99-1 and 99-2, cleaning and cement mortar lining of - contract pursuant to Ord. 545-98 to Terrace Construction Co., Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 358-99)..... 1292
 Distribution mains - Area 99-4, 99-5 and 99-6, cleaning and cement mortar lining of - contract pursuant to Ord. 545-98 to Utilicon Corporation - Division of Water, Dept. of Public Utilities (BOC Res. 357-99) 1292
 Repair parts for pumps, small engines and saws - amend BOC Res. 199-99 - Division of Water, Dept. of Public Utilities (BOC Res. 371-99) 1295
 Water plant residuals, hauling and disposal of - pursuant to Ord. 1944-98 - all bids rejected - Division of Water, Dept. of Public Utilities (BOC Res. 373-99) 1295

Board of Zoning Appeals - Report

Denison Avenue, 9614, (Ward 18) - Robert P. Gillespie, owner - appeal postponed to 7/12/99 on 6/21/99 (Cal. 99-129) 1297
 East 105th Street, 744, (Ward 8) - Glenville Church of God, owner, c/o Rev. Charles Goodman, and John Rakauskas, agent - appeal postponed to 7/19/99 on 6/21/99 (Cal. 99-110)..... 1297
 East 128th Street, 3232, (Ward 4) - Mount Pleasant United Methodist Church, owner and Community United Headstart, c/o Gale Thomas, and John Rakaukas, agent - appeal heard on 6/21/99 (Cal. 99-123) 1297
 East 49th Street, 3435, (Ward 12) - T & R Builders, c/o Tom Reeves, owner - appeal postponed to 7/19/99 on 6/21/99 (Cal. 99-105) 1297
 East 76th Street, 996, (Ward 8) - Rockefeller West III, owner, c/o Jamie Blackson and Jessica Smocer, agents - appeal granted and adopted on 6/21/99 (Cal. 99-114)..... 1297
 East 97th Street, 4164, (Ward 2) - Christopher Brown, owner - appeal withdrawn on 6/21/99 (Cal. 99-106)..... 1297
 Lake Avenue, 7818, (Ward 17) - Gregory Gianvito, owner - appeal withdrawn on 6/21/99 (Cal. 99-122)..... 1297
 Literary Road, 611, (Ward 13) - Tremont Ridge Phase I, Limited Partnership, owner, c/o Keith Sutton - appeal heard on 6/21/99 (Cal. 99-124) 1297
 Madison Avenue, 10519, (Ward 18) - John F. McManus, owner - appeal heard on 6/21/99 (Cal. 99-125)..... 1297
 Pearl Road, 4220, (Ward 15) - John Lozios, owner, and Zarembo Group, LLC, c/o John Wojtila, agent, and CVS Pharmacy, purchaser - appeal heard on 6/21/99 (Cal. 99-121) 1296
 Simon Avenue, 8202, (Ward 8) - Rockefeller West III, owner, c/o Jamie Blackson and Jessica Smocer, agents - appeal granted and adopted on 6/21/99 (Cal. 99-115) 1297
 West 14th Street, 2619-2621, (Ward 13) - Jack Wilcox, owner and The Gathering, tenant, c/o Bill Henderson - appeal heard on 6/21/99 (Cal. 99-130) 1297
 West 28th Street, 2030, (Ward 14) - St. Ignatius High School, owner, c/o Peter Hendler, Director of Plan Services - appeal heard on 6/21/99 (Cal. 99-127) 1297

Board of Zoning Appeals - Schedule

Bell, Ronald - - appeal to be heard on 7/6/99 (Cal. 99-160) 1296
 Railway Avenue, 403, (Ward 13) - Tremont Ridge, Phase I, Limited Partnership, owner, c/o Keith Sutton - appeal to be heard on 7/6/99 (Cal. 99-143) 1296
 Railway Avenue, 407, (Ward 13) - Tremont Ridge, Phase I, Limited Partnership, owner, c/o Keith Sutton - appeal to be heard on 7/6/99 (Cal. 99-142) 1296
 Railway Avenue, 411, (Ward 13) - Tremont Ridge, Phase I, Limited Partnership, owner, c/o Keith Sutton - appeal to be heard on 7/6/99 (Cal. 99-141) 1296
 Railway Avenue, 415, (Ward 13) - Tremont Ridge, Phase I, Limited Partnership, owner, c/o Keith Sutton - appeal to be heard on 7/6/99 (Cal. 99-140) 1296
 Railway Avenue, 419, (Ward 13) - Tremont Ridge, Phase I, Limited Partnership, owner, c/o Keith Sutton - appeal to be heard on 7/6/99 (Cal. 99-139) 1296
 West 5th Street, 2149, (Ward 13) - Michael McBride, owner - appeal to be heard on 7/6/99 (Cal. 99-144) 1296
 Williams, Sr., Timothy - - appeal to be heard on 7/6/99 (Cal. 99-145)..... 1296

Buckeye Area Development Corporation

Buckeye Area Development Corporation (BADC) - community organizer - Community Development (O 1135-99)..... 1350

Burke Lakefront Airport

Design a heating, ventilating, air conditioning system — consultants — Burke Lakefront Airport (O 947-99)	1327
Promotions of credit cards at Cleveland Hopkins International Airport and Burke Lakefront Airport — New Section 183.044 (O 1073-99).....	1339

CSX Transportation

Norfolk Southern and CSX funds — noise Walls, landscaping and fencing - Service Dept. — insulation of homes - Economic Development — equipment to respond to rail incidents involving hazardous materials — Safety Department (O 887-99)	1323
--	------

Chase Manhattan Trust Company

Bond trustee for land release — Trust Indenture Chase Manhattan Trust Company, National Association — Port Control (O 1172-99)	1362
--	------

City of Cleveland Bids

Asbestos removal - Phase V - Division of Cleveland Hopkins International Airport, Department of Port Control - per Ord. 1283-97 - bid due July 2, 1999 (advertised 6/16/99 and 6/23/99)	1297
Breathing air cascade system, repair and/or replace - Division of Fire, Department of Public Safety - per Ord. 1954-98 - bid due July 8, 1999 (advertised 6/16/99 and 6/23/99)	1298
Building materials - used paving bricks - Department of Finance - per Ord. 705-99 - bid due July 16, 1999 (advertised 6/16/99 and 6/23/99)	1298
Compaq Alpha workstations / accessories - Division of Water, department of Public Utilities - per Ord. 2166-98 - bid due July 7, 1999 (advertised 6/16/99 and 6/23/99)	1298
Dewatered residuals - Division of Water, Department of Public Utilities - per Ord. 1936-96 - bid due June 30, 1999 (advertised 6/16/99 and 6/23/99)	1297
Flight Guide, design, layout, printing and distribution of - Department of Port Control - per Ord. 1064-99 - bid due July 9, 1999 (advertised 6/16/99 and 6/23/99)	1298
Golf carts for highland and Seneca golf courses, rental of - Division of Recreation, Department of Parks, Recreation and Properties - per Ord. 101-99 - bid due June 30, 1999 (advertised 6/16/99 and 6/23/99)	1297
Hoses and nozzles, replacement for various engines - Division of Fire, Department of Public Safety - per Ord. 1954-98 - bid due July 8, 1999 (advertised 6/16/99 and 6/23/99)	1298
Hydroseeder - Department of Public Service - per Ord. 1074-98 - bid due July 9, 1999 (advertised 6/23/99 and 6/30/99)	1298
IBM tape drive, controller and associated cables and software - Department of Public Safety - per Ord. 2058-98 - bid due July 7, 1999 (advertised 6/23/99 and 6/30/99)	1298
Metering equipment - sheet metal fabrication - Division of Cleveland Public Power, Department of Public Utilities - per C.O. Sec. 129.26 - bid due July 8, 1999 (advertised 6/23/99 and 6/30/99)	1298
Meters and metering equipment (Electric Watt-Hour Meters/Sealing Devices) - Division of Cleveland Public Power, Department of Public Utilities - per C.O. Sec. 129.26 - bid due July 8, 1999 (advertised 6/16/99 and 6/23/99)	1298
Meters and metering equipment (Solid State Watt-Hour Meters) - Division of Cleveland Public Power, Department of Public Utilities - per C.O. Sec. 129.26 - bid due July 8, 1999 (advertised 6/16/99 and 6/23/99)	1298
Paint and paint materials - Department of Finance - per Ord. 711-99 - bid due July 9, 1999 (advertised 6/16/99 and 6/23/99)	1298
Residential Sound Insulation Program (RSIP) 1999, Group C-99 - Division of Cleveland Hopkins International Airport, Department of Port Control - per Ord. 469-98 - bid due July 7, 1999 (advertised 6/16/99 and 6/23/99)	1298
Service fittings - Division of Water, Department of Public Utilities per C.O. Sec. 129.25 - bid due July 16, 1999 (advertised 6/23/99 and 6/30/99)	1298
Uniforms - Division of Building and Housing, Department of Community Development - per Ord. 134-99 - bid due July 16, 1999 (advertised 6/23/99 and 6/30/99).....	1298

City Planning Commission

Authorizing the Director of Public Service to issue a permit to the Mallorca Restaurant to encroach into the public right-of-way at 1390 West 9th Street with an entrance canopy with supports (O 313-99)	1305
Authorizing the real property as part of the Land Reutilization Program and located at 7814 Myron Avenue, N.E., to Tom P. Rushton and Evelyn Rushton (O 328-99)	1306

Authorizing the sale of real property as part of the Land Reutilization Program and located at 6712 Lawnview Avenue to Christine Moton (O 326-99) 1305

Authorizing the sale of real property as part of the Land Reutilization Program and located at 1893 East 69th Street to Evelyn Collins (O 513-99)..... 1307

To amend Section 1 and 7 of Ordinance No. 1786- 97, passed September 22, 1997, relating to the rehabilitation of Grayton Road access and spine road leading to Cleveland Business Park Phase II (O 506-99) 1307

City of Shaker Heights

Hathaway Brown School — easement granting — City of Shaker Heights — Parks, Recreation and Properties Department (O 784-99) 1319

Cityworks Program

Cityworks Program — community improvements groups — grants — Community Development (O 1015-99) 1332

Clark Metro Development Corporation

Paris Art Theater — purchase — Clark Metro Development Corporation — Community Development (O 1139-99)..... 1352

Clark Recreation Center

Clark Recreation Center — expansion — Parks, Recreation and Properties Department (O 652-99) 1312

Clark Recreation Center — lease property - parking — Michalske Printing Company — Parks, Recreation and Properties Department (O 788-99)..... 1321

Cleveland Business Park - West

Cleveland Business Park, Ltd. — City owned property located north of Cleveland Hopkins Airport — sell — release from Trust Indenture — Purchases and Supplies Department (O 589-99) 1308

Enterprise Zone Agreement with HMI Industries, Inc., for a ten year abatement for certain tangible personal property and real estate taxes - Cleveland Business Park - West (O 590-99) 1309

Cleveland Food Basket Program

New Cleveland Food Basket Program — van — Community Development (O 1162-99) 1359

Cleveland Foundation

Achieve Global Program — grant — Cleveland Foundation (O 1144-99) 1354

Cleveland Hopkins International Airport

Authorizing the Director of Port Control to enter into a Lease By Way of Concession with Continental Airlines, Inc. for use and occupancy of certain space in the Primary Hanger at Cleveland Hopkins International Airport (O 411-99) 1306

Cleveland Business Park, Ltd. — City owned property located north of Cleveland Hopkins Airport — sell — release from Trust Indenture — Purchases and Supplies Department (O 589-99) 1308

Ingress and egress at Cleveland Hopkins International Airport — professional consultants — improvements and modifications (O 948-99)..... 1327

Promotions of credit cards at Cleveland Hopkins International Airport and Burke Lakefront Airport — New Section 183.044 (O 1073-99)..... 1339

Cleveland Housing Network

Acquisition, rehabilitation, or construction of low income housing units — Cleveland Housing Network (O 966-99)..... 1329

Elton Avenue, Dudley Avenue, West 76th Street, West 42nd Street, Seymour Avenue and West 33rd Street — sale of real property — Cleveland Housing Network (O 1089-99)..... 1344

Purchase, rehabilitation or construction of low income rental housing — Cleveland Housing Network — Community Development Block Grant float loan (O 963-99)..... 1329

West 7th Street, 2492 and 2494 — sale — Cleveland Housing Network (O 1137-99) 1351

Cleveland Neighborhood Development Corporation

Cleveland Industrial Retention Initiative — administration — Cleveland Neighborhood Development Corp. (O 1091-99)	1350
---	-------------

Cleveland Public Power

Disposal of debris at landfills — Water Pollution Control, Water and Cleveland Public Power Divisions (O 946-99)	1327
--	-------------

Code Enforcement & Demolition Program

Community Development Block Grant — Code Enforcement and Demolition Programs (O 729-99)	1317
---	-------------

Codified Ordinances

Marine Patrol grant — annual application and acceptance — Section 135.50 (O 1085-99)	1342
Ordinance No. 1441-96, passed September 30, 1996, amended — penalty for violations of the Zoning Code. (O 1306-97)	1302
Promotions of credit cards at Cleveland Hopkins International Airport and Burke Lakefront Airport — New Section 183.044 (O 1073-99)	1339
Section 173.21 - new - Police Review Board (O 956-99)	1329
Section 3103.99, as amended by Ordinance No. 1443-96, passed September 30, 1996 — relating to penalty for violations to Building Code. (O 1308-97)	1303
Section 367.99, as amended by Ordinance No. 1442-96, passed, passed September 30, 1996 — relating to penalty for violation of Housing Code (O 1307-97)	1302
To supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 531.81 and 535.46 relating to various charges for the Division of Water (O 309-99)	1305

Community Development

Acquisition, rehabilitation, or construction of low income housing units — Cleveland Housing Network (O 966-99)	1329
Amor Avenue, 10509-11 and East 105th Street, 971-79 — MJC Gen Contractors Incorporated — Land Reutilization Program (O 734-99)	1318
Authorizing the real property as part of the Land Reutilization Program and located at 7814 Myron Avenue, N.E., to Tom P. Rushton and Evelyn Rushton (O 328-99)	1306
Authorizing the sale of real property as part of the Land Reutilization Program and located at 1893 East 69th Street to Evelyn Collins (O 513-99)	1307
Authorizing the sale of real property as part of the Land Reutilization Program and located at 6712 Lawnview Avenue to Christine Moton (O 326-99)	1305
Buckeye Area Development Corporation (BADC) — community organizer — Community Development (O 1135-99)	1350
Central Ave., 8110, 8106, 7902-8102, 2312 East 82nd Street, 8112 Central Ave. — Fairfax Renaissance Development Corporation — Land Reutilization Program (O 725-99)	1315
City's community development programs — City of Cleveland Departments — Community Development (O 1019-99)	1334
Cityworks Program — community improvements groups — grants — Community Development (O 1015-99)	1332
Community Development Block Grant — Code Enforcement and Demolition Programs (O 729-99)	1317
Community Response Unit — Community Development Block Grant (O 793-99)	1321
Community gardening program — Summer Sprout Program — HOPE Gardens, Inc. (O 965-99)	1329
East 66th St., 1855, 1861, and 1867 — sale — Brenda W. King and Mansfield Frasier (O 1151-99)	1356
East 71st Street, 1916 — sale or real property — Linda E. Highsmith (O 863-99)	1322
East 82nd Street, 2829, Holton Avenue, 8112, 8116 and 8120, East 81st Street 2835 rear — Roy Sears and Lettie C. Sears — Land Reutilization Program (O 733-99)	1317
East 84th St., 1576, 1580, and 1584 — sale — Korsandra Steven (O 1152-99)	1357
Edgewater Homeowner's Association — grant — Cudell Improvement, Inc. (O 1155-99)	1358
Elton Avenue, Dudley Avenue, West 76th Street, West 42nd Street, Seymour Avenue and West 33rd Street — sale of real property — Cleveland Housing Network (O 1089-99)	1344
Enhance neighborhood security — promote development in Ward 2 — Southeast Improvement Association (O 1164-99)	1360
Exterior Home Repair Loan program — Cudell Improvement, Inc. (O 1156-99)	1358
Exterior Home Repair Loan program — Stockyard Re-development Organization (O 1157-99)	1358
Family Resource Center — Adult Community Mental Health program — assist — Murtis H. Taylor Multi-Service Center (O 1161-99)	1359

Franklin Avenue, 4509 — sale — Charles H. Joseph (O 1142-99) 1354

Home repair program in Ward 3 — Lutheran Housing Corporation (O 1159-99) 1359

Housing Trust Fund Program — Community Development (O 1017-99) 1333

Housing, commercial, industrial and real estate development activities — Community Development (O 1018-99) 1333

Lutheran Housing Corp. — home repair program in Ward 7 (O 1148-99) 1355

Miles Ahead Development Corporation — two community organizers — Community Development (O 1146-99) 1355

New Cleveland Food Basket Program — van — Community Development (O 1162-99) 1359

Paris Art Theater — purchase — Clark Metro Development Corporation — Community Development (O 1139-99) 1352

Purchase, rehabilitation or construction of low income rental housing — Cleveland Housing Network — Community Development Block Grant float loan (O 963-99) 1329

Section 3103.99, as amended by Ordinance No. 1443-96, passed September 30, 1996 — relating to penalty for violations to Building Code. (O 1308-97) 1303

Section 367.99, as amended by Ordinance No. 1442-96, passed, passed September 30, 1996 — relating to penalty for violation of Housing Code (O 1307-97) 1302

Social service programs — Community Development (O 1016-99) 1332

Wade Ave., 3007, 3003, Seymour Ave., 3001 — Sale — Greater Cleveland Habitat for Humanity (O 1141-99) 1353

West 20th Street, 2170 — Jas R. Chura and Mary E. Chura — Land Reutilization Program (O 726-99) 1316

West 47th St., 1900, Bridge Ave., 4710 and 4708, West 45th St., 2068, Walton Ave., 3216 — sale — A.F.F.O.R.D., Inc. (O 1140-99) 1352

West 7th Street, 2482 and 2498 — sale — Greater Cleveland Habitat for Humanity Inc. (O 1138-99) 1351

West 7th Street, 2492 and 2494 — sale — Cleveland Housing Network (O 1137-99) 1351

Whittier Ave., 5618 and 5616 — sale — James Shabazz and Betty Shabazz (O 1153-99) 1357

Youth Landscaping Training Program in Ward 3 — Cleveland Community Building Initiative (O 1160-99) 1359

Community Development Float Loan

Purchase, rehabilitation or construction of low income rental housing — Cleveland Housing Network — Community Development Block Grant float loan (O 963-99) 1329

Contracts

City's community development programs — City of Cleveland Departments — Community Development (O 1019-99) 1334

Housing Trust Fund Program — Community Development (O 1017-99) 1333

Housing, commercial, industrial and real estate development activities — Community Development (O 1018-99) 1333

Lorain Avenue, 14550 — fifth amendment to Contract No. 38890 — Pleasant Valley Enterprise — Service Department (O 885-99) 1322

Neighborhood Development Investment Fund — contract HMI Industries, Inc. — Cleveland Business Park - West — Economic Development Department — \$1,000,000.00 (O 588-99) 1308

Rialto Theater Building — renovation — Economic Development Department (O 736-99) 1319

Social service programs — Community Development (O 1016-99) 1332

Speedwalk Building — asbestos abatement — Coleman Trucking, Inc. — Port Control (O 1063-99) 1336

West 25th Street, 1889 — building, machinery and equipment — finance — Economic Development Department (O 735-99) 1318

Cudell Improvement, Inc.

Edgewater Homeowner's Association — grant — Cudell Improvement, Inc. (O 1155-99) 1358

Exterior Home Repair Loan program — Cudell Improvement, Inc. (O 1156-99) 1358

Cuyahoga County

Felder Properties, Ltd. - Lakeside 425 Limited Partnership - Cuyahoga County — Amendment to Lease Agreements Economic Development (O 1090-99) 1347

Cuyahoga County Port Authority

Enter into an amendment to Common Area Maintenance Agreement No. 48828 between the Cleveland-Cuyahoga County Port Authority, the Rock and Roll Hall of Fame and Museum, Inc. and the Great Lakes Museum of Science (O 261-99) 1304

Cuyahoga Metropolitan Housing Authority

Cuyahoga Metropolitan Housing Authority — amendment to lease contract — Parks, Recreation and Properties Department (O 787-99).....	1321
--	-------------

District One Public Works Integrating Committee

Kerruish Park Stormwater Project — District One Ohio Public Works Integrating Committee — Mayor (O 1081-99)	1341
--	-------------

Division of Correction

Cleaning and hygiene supplies — Correction Division (O 952-99).....	1328
Pharmaceutical supplies — Correction Division (O 1070-99)	1338

Easements

Hathaway Brown School — easement granting — City of Shaker Heights — Parks, Recreation and Properties Department (O 784-99)	1319
--	-------------

East Side Market Project

West Side Market - East Side Market — capital improvements — Parks, Recreation and Properties (O 1056-99)	1334
--	-------------

Economic Development Department

Abbey Avenue, 1501 — demolition of three distressed homes — 1501 Companies, LTD — economic development assistance (O 895-99)	1326
Aletha Gambrell dba Operation Hair, 1787 East 55th Street — economic development assistance — Economic Development Department — Empowerment Zone (O 739-99)	1319
Amend Section 2 of Ordinance No. 1181-97 — Glenville Development Corporation and University Circle Incorporated — economic development assistance (O 896-99).....	1326
Amend title, Section 1 and 2 of Ordinance No. 1886-98 — 5700 Broadway Avenue (O 974-99)	1331
CMF Building - 3167 Fulton Rd — Neighborhood Development Investment Fund — Lin's Omni World (O 972-99)	1330
CMF Building - 3167 Fulton Rd. — Enterprise Zone Agreement — ten year abatement — Lin's Omni World (O 973-99).....	1330
Cartech Company, Ltd. — Purchase Agreement — Village of Highland Hills — 10.593 acres (O 1088-99)	1343
Cleveland Business Park, Ltd. — City owned property located north of Cleveland Hopkins Airport — sell — release from Trust Indenture — Purchases and Supplies Department (O 589-99)	1308
Cleveland Industrial Retention Initiative — administration — Cleveland Neighborhood Development Corp. (O 1091-99)	1350
East 80th St., 3249, East 79th to East 80th, Avrina Ave. — Enterprise Zone Agreement — Vesper Corporation — Economic Development (O 897-99)	1326
Enterprise Zone Agreement with HMI Industries, Inc., for a ten year abatement for certain tangible personal property and real estate taxes - Cleveland Business Park - West (O 590-99)	1309
Felder Properties, Ltd. - Lakeside 425 Limited Partnership - Cuyahoga County — Amendment to Lease Agreements Economic Development (O 1090-99)	1347
Neighborhood Development Investment Fund — contract HMI Industries, Inc. — Cleveland Business Park - West — Economic Development Department — \$1,000,000.00 (O 588-99)	1308
Norfolk Southern and CSX funds — noise Walls, landscaping and fencing - Service Dept. — insulation of homes - Economic Development — equipment to respond to rail incidents involving hazardous materials — Safety Department (O 887-99)	1323
NorthEast Ohio Neighborhood Health Service, Inc. — Empowerment Zone — Economic Development (O 1150-99).....	1356
Puritas Park Plaza renovation — free standing drug store construction — Neighborhood Development Investment Fund — Coral Puritas Limited Partnership (O 975-99)	1331
Rialto Theater Building — renovation — Economic Development Department (O 736-99)	1319
Richman Brothers Complex — feasibility study — amend Section 1 of Ord. No. 747-97 (O 1154-99)	1358
Tyson Food Group, Ltd. — Empowerment Zone contract — Linwood Ave. and East 55th St. (O 1149-99)	1356

West 106th Street, 2160 new facility — Campus Movers, Inc. — Enterprise Zone Agreement (O 976-99) 1331

West 143rd Street, 3800 — retain a shipping and warehouse facility — PPG (O 995-99) 1332

West 25th Street, 1889 — building, machinery and equipment — finance — Economic Development Department (O 735-99) 1318

West 41st Street — Land acquisition, site improvements and construction — Mark A. Rivera Productions, Inc. (O 971-99) 1329

Emergency Medical Service

1999-2000 EMS - EMT Training Grant — grant — Ohio Department of Public Safety (O 648-99) 1312

1999-2000 Fire - Emergency Medical Services Grant — grant — Ohio Department of Public Safety (O 649-99) 1312

Empowerment Zone

Aletha Gambrell dba Operation Hair, 1787 East 55th Street — economic development assistance — Economic Development Department — Empowerment Zone (O 739-99) 1319

NorthEast Ohio Neighborhood Health Service, Inc. — Empowerment Zone — Economic Development (O 1150-99) 1356

Tyson Food Group, Ltd. — Empowerment Zone contract — Linwood Ave. and East 55th St. (O 1149-99) 1356

Encroachments

Authorizing the Director of Public Service to issue a permit to the Mallorca Restaurant to encroach into the public right-of-way at 1390 West 9th Street with an entrance canopy with supports (O 313-99) 1305

Enterprise Zone Agreement

CMF Building - 3167 Fulton Rd. — Enterprise Zone Agreement — ten year abatement — Lin's Omni World (O 973-99) 1330

East 80th St., 3249, East 79th to East 80th, Avrina Ave. — Enterprise Zone Agreement — Vesper Corporation — Economic Development (O 897-99) 1326

Enterprise Zone Agreement with HMI Industries, Inc., for a ten year abatement for certain tangible personal property and real estate taxes - Cleveland Business Park - West (O 590-99) 1309

West 106th Street, 2160 new facility — Campus Movers, Inc. — Enterprise Zone Agreement (O 976-99) 1331

West 143rd Street, 3800 — retain a shipping and warehouse facility — PPG (O 995-99) 1332

Environment Division

Environment Division — grants — U.S. Environmental Protection Agency - Ohio Environmental Protection Agency (O 1060-99) 1335

Fairfax Renaissance Development Corporation

Central Ave., 8110, 8106, 7902-8102, 2312 East 82nd Street, 8112 Central Ave. — Fairfax Renaissance Development Corporation — Land Reutilization Program (O 725-99) 1315

Fairfax Renaissance Development Corporation — eleven (11) identification signs — Public Service Department (O 883-99) 1322

Finance Department

Achieve Global Program — grant — Cleveland Foundation (O 1144-99) 1354

Authorizing the Director of Port Control to enter into a Lease By Way of Concession with Continental Airlines, Inc. for use and occupancy of certain space in the Primary Hanger at Cleveland Hopkins International Airport (O 411-99) 1306

Authorizing the Director of Public Service to issue a permit to the Mallorca Restaurant to encroach into the public right-of-way at 1390 West 9th Street with an entrance canopy with supports (O 313-99) 1305

Authorizing the real property as part of the Land Reutilization Program and located at 7814 Myron Avenue, N.E., to Tom P. Rushton and Evelyn Rushton (O 328-99) 1306

Authorizing the sale of real property as part of the Land Reutilization Program and located at 6712 Lawnview Avenue to Christine Moton (O 326-99) 1305

Authorizing the sale of real property as part of the Land Reutilization Program and located at 1893 East 69th Street to Evelyn Collins (O 513-99)	1307
CPPA - Civilian — amend Section 10 of Ordinance No. 520-99 (O 1145-99)	1355
Computer and hardware equipment — purchase (O 1057-99)	1334
Electronic devices, ancillary equipment — lease - Information Systems Services Division (O 1059-99)	1335
Moral Claims — Finance Department (O 1077-99)	1340
To amend Section 1 and 7 of Ordinance No. 1786- 97, passed September 22, 1997, relating to the rehabilitation of Grayton Road access and spine road leading to Cleveland Business Park Phase II (O 506-99)	1307
To supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 531.81 and 535.46 relating to various charges for the Division of Water (O 309-99)	1305
George Gund Foundation	
Workshops for Youth Program — grant — George Gund Foundation (O 1076-99)	1339
Glenville Development Corporation	
Amend Section 2 of Ordinance No. 1181-97 — Glenville Development Corporation and University Circle Incorporated — economic development assistance (O 896-99)	1326
Golf Courses	
Golf Courses — public improvement — Parks, Recreation and Properties Department (O 724-99)	1315
Grants	
1999 COPS - School Based Partnership Grant — grant — U.S. Department of Justice (O 1086-99)	1342
1999 Troops to COPS Program — grant — U.S. Department of Justice (O 1072-99)	1338
1999-2000 EMS - EMT Training Grant — grant — Ohio Department of Public Safety (O 648-99)	1312
1999-2000 Fire - Emergency Medical Services Grant — grant — Ohio Department of Public Safety (O 649-99)	1312
Achieve Global Program — grant — Cleveland Foundation (O 1144-99)	1354
Cityworks Program — community improvements groups — grants — Community Development (O 1015-99)	1332
Eagle Avenue Bridge and Alternative Analysis Study — grant — Ohio Department of Transportation (O 951-99)	1328
Edgewater Homeowner's Association — grant — Cudell Improvement, Inc. (O 1155-99)	1358
Environment Division — grants — U.S. Environmental Protection Agency - Ohio Environmental Protection Agency (O 1060-99)	1335
Mercedes Cotner Park rehabilitation — Round 6 NatureWorks Program — grant — Department of Natural Resources — Parks, Recreation and Properties Department (O 894-99)	1326
Workshops for Youth Program — grant — George Gund Foundation (O 1076-99)	1339
Great Lakes Museum of Science	
Enter into an amendment to Common Area Maintenance Agreement No. 48828 between the Cleveland-Cuyahoga County Port Authority, the Rock and Roll Hall of Fame and Museum, Inc. and the Great Lakes Museum of Science (O 261-99)	1304
Greater Cleveland Habitat	
Wade Ave., 3007, 3003, Seymour Ave., 3001 — Sale — Greater Cleveland Habitat for Humanity (O 1141-99)	1353
West 7th Street, 2482 and 2498 — sale — Greater Cleveland Habitat for Humanity Inc. (O 1138-99)	1351
Greenwood Playground	
Greenwood Playground — expansion — Parks, Recreation and Properties Department (O 889-99)	1324

HMI Industries, Inc.

Enterprise Zone Agreement with HMI Industries, Inc., for a ten year abatement for certain
 tangible personal property and real estate taxes - Cleveland Business Park - West
 (O 590-99) **1309**

Neighborhood Development Investment Fund — contract HMI Industries, Inc. — Cleveland
 Business Park - West — Economic Development Department — \$1,000,000.00
 (O 588-99) **1308**

Health Division

Burials for indigent dead — Health Division (O 1075-99) **1339**

Cleaning and hygiene supplies — Correction Division (O 952-99)..... **1328**

Environment Division — grants — U.S. Environmental Protection Agency - Ohio
 Environmental Protection Agency (O 1060-99)..... **1335**

Pharmaceutical supplies — Correction Division (O 1070-99) **1338**

Hermes Race Systems

5K Run and Walk for Pride — permit — Hermes Race Systems (O 1192-99)..... **1363**

Race for Wishes — permit — Hermes Race Systems (O 1191-99)..... **1363**

House Bill

Fees charged by municipalities — utility companies — Ohio General Assembly — reject
 House Bill 283 (R 1175-99)..... **1299**

Housing Trust Fund Program

Housing Trust Fund Program — Community Development (O 1017-99) **1333**

Humphrey Park

Humphrey Park, 16003 Damon Avenue — expansion — Property Management Division
 (O 893-99) **1325**

Information System Services Division

Electronic devices, ancillary equipment — lease - Information Systems Services Division
 (O 1059-99) **1335**

Job Training Partnership Act

Summer Youth Employment Program — amend title, Section 1 and 2 of Ordinance No. 1039-99
 (O 1174-99) **1363**

Titles II and III of Job Training Partnership Act — Workforce Investment Act compliance
 — Orion Consulting — Personnel (O 1173-99) **1363**

Lakewood

Lakewood Heights Boulevard — cause payment — Cleveland to Lakewood (O 1169-99)..... **1361**

Land Reutilization Program

Amor Avenue, 10509-11 and East 105th Street, 971-79 — MJC Gen Contractors Incorporated
 — Land Reutilization Program (O 734-99)..... **1318**

Authorizing the real property as part of the Land Reutilization Program and located at
 7814 Myron Avenue, N.E., to Tom P. Rushton and Evelyn Rushton (O 328-99) **1306**

Authorizing the sale of real property as part of the Land Reutilization Program and
 located at 1893 East 69th Street to Evelyn Collins (O 513-99)..... **1307**

Authorizing the sale of real property as part of the Land Reutilization Program and
 located at 6712 Lawnview Avenue to Christine Moton (O 326-99) **1305**

Central Ave., 8110, 8106, 7902-8102, 2312 East 82nd Street, 8112 Central Ave. — Fairfax
 Renaissance Development Corporation — Land Reutilization Program (O 725-99) **1315**

East 66th St., 1855, 1861, and 1867 — sale — Brenda W. King and Mansfield Frasier
 (O 1151-99) **1356**

East 71st Street, 1916 — sale or real property — Linda E. Highsmith (O 863-99) **1322**

East 82nd Street, 2829, Holton Avenue, 8112, 8116 and 8120, East 81st Street 2835 rear
 — Roy Sears and Lettie C. Sears — Land Reutilization Program (O 733-99) **1317**

East 84th St., 1576, 1580, and 1584 — sale — Korsandra Steven (O 1152-99) **1357**

Elton Avenue, Dudley Avenue, West 76th Street, West 42nd Street, Seymour Avenue and West 33rd Street — sale of real property — Cleveland Housing Network (O 1089-99).....	1344
Franklin Avenue, 4509 — sale — Charles H. Joseph (O 1142-99)	1354
Wade Ave., 3007, 3003, Seymour Ave., 3001 — Sale — Greater Cleveland Habitat for Humanity (O 1141-99)	1353
West 20th Street, 2170 — Jas R. Chura and Mary E. Chura — Land Reutilization Program (O 726-99)	1316
West 47th St., 1900, Bridge Ave., 4710 and 4708, West 45th St., 2068, Walton Ave., 3216 — sale — A.F.F.O.R.D., Inc. (O 1140-99)	1352
West 7th Street, 2482 and 2498 — sale — Greater Cleveland Habitat for Humanity Inc. (O 1138-99)	1351
West 7th Street, 2492 and 2494 — sale — Cleveland Housing Network (O 1137-99)	1351
Whittier Ave., 5618 and 5616 — sale — James Shabazz and Betty Shabazz (O 1153-99)	1357

Lease Agreement

Execute lease agreements — Hough Multi-Service Center — Parks, Recreation and Properties Department (O 2192-97).....	1303
Felder Properties, Ltd. - Lakeside 425 Limited Partnership - Cuyahoga County — Amendment to Lease Agreements Economic Development (O 1090-99)	1347

Leases

Electronic devices, ancillary equipment — lease - Information Systems Services Division (O 1059-99)	1335
---	------

Liquor Permits

East 185th Street, 656-58 (Ward 11) — Withdrawing objection to transfer of ownership (R 1193-99)	1300
East 55th Street, 1745 (Ward 7) — Withdrawing objection to renewal (R 1194-99)	1300
Hayden Avenue, 1165 (Ward 10) — Withdrawing objection to stock transfer (R 1196-99)	1300
West 140th Street, 4050 (Ward 20) — Withdrawing objection to transfer of ownership (R 1195-99)	1300

Lutheran Housing Corporation

Home repair program in Ward 3 — Lutheran Housing Corporation (O 1159-99)	1359
Lutheran Housing Corp. — home repair program in Ward 7 (O 1148-99)	1355

Mayor

Fairview Hospital — Expansion Plan — Mayor (O 656-99)	1313
Kerruish Park Stormwater Project — District One Ohio Public Works Integrating Committee — Mayor (O 1081-99)	1341

Memoranda of Understanding

City's community development programs — City of Cleveland Departments — Community Development (O 1019-99).....	1334
Fairview Hospital — Expansion Plan — Mayor (O 656-99)	1313

Mercedes Cotner Park

Mercedes Cotner Park rehabilitation — Round 6 NatureWorks Program — grant — Department of Natural Resources — Parks, Recreation and Properties Department (O 894-99)	1326
--	------

Moral Claims

Moral Claims — Finance Department (O 1077-99)	1340
---	------

Motor Vehicle Maintenance Division

Elgin Sweeper parts — Motor Vehicle Maintenance Division (O 1074-99)	1339
--	------

Murtis Taylor Center

Family Resource Center — Adult Community Mental Health program — assist — Murtis H. Taylor Multi-Service Center (O 1161-99).....	1359
--	------

Natural Resources Department

Mercedes Cotner Park rehabilitation — Round 6 NatureWorks Program — grant — Department of Natural Resources — Parks, Recreation and Properties Department (O 894-99) **1326**

Neighborhood Development Investment Fund

CMF Building - 3167 Fulton Rd — Neighborhood Development Investment Fund — Lin's Omni World (O 972-99) **1330**
 Neighborhood Development Investment Fund — contract HMI Industries, Inc. — Cleveland Business Park - West — Economic Development Department — \$1,000,000.00 (O 588-99) **1308**
 Puritas Park Plaza renovation — free standing drug store construction — Neighborhood Development Investment Fund — Coral Puritas Limited Partnership (O 975-99) **1331**

Norfolk Southern Railroad

Norfolk Southern and CSX funds — noise Walls, landscaping and fencing - Service Dept. — insulation of homes - Economic Development — equipment to respond to rail incidents involving hazardous materials — Safety Department (O 887-99) **1323**

Ohio Department of Transportation

Eagle Avenue Bridge and Alternative Analysis Study — grant — Ohio Department of Transportation (O 951-99) **1328**

Parks, Recreation and Properties Department

Cartech Company, Ltd. — Purchase Agreement — Village of Highland Hills — 10.593 acres (O 1088-99) **1343**
 Clark Recreation Center — expansion — Parks, Recreation and Properties Department (O 652-99) **1312**
 Clark Recreation Center — lease property - parking — Michalske Printing Company — Parks, Recreation and Properties Department (O 788-99) **1321**
 Control blight and disease of shade trees — Parks, Recreation and Properties Department (O 892-99) **1325**
 Cuyahoga Metropolitan Housing Authority — amendment to lease contract — Parks, Recreation and Properties Department (O 787-99) **1321**
 Enter into an amendment to Common Area Maintenance Agreement No. 48828 between the Cleveland-Cuyahoga County Port Authority, the Rock and Roll Hall of Fame and Museum, Inc. and the Great Lakes Museum of Science (O 261-99) **1304**
 Execute lease agreements — Hough Multi-Service Center — Parks, Recreation and Properties Department (O 2192-97) **1303**
 Golf Courses — public improvement — Parks, Recreation and Properties Department (O 724-99) **1315**
 Greenwood Playground — expansion — Parks, Recreation and Properties Department (O 889-99) **1324**
 Hathaway Brown School — easement granting — City of Shaker Heights — Parks, Recreation and Properties Department (O 784-99) **1319**
 Humphrey Park, 16003 Damon Avenue — expansion — Property Management Division (O 893-99) **1325**
 Mercedes Cotner Park rehabilitation — Round 6 NatureWorks Program — grant — Department of Natural Resources — Parks, Recreation and Properties Department (O 894-99) **1326**
 Village of Cuyahoga Heights — sell City-owned property — East 71st Street and Interstate 77 exit ramp — Purchases and Supplies Commissioner (O 891-99) **1324**
 West 41st Street and Train Avenue — sell City-owned property — Mark A. Rivera Production, Inc. (O 786-99) **1320**
 West Side Market - East Side Market — capital improvements — Parks, Recreation and Properties (O 1056-99) **1334**
 Workshops for Youth Program — grant — George Gund Foundation (O 1076-99) **1339**

Permits

5K Run and Walk for Pride — permit — Hermes Race Systems (O 1192-99) **1363**
 Authorizing the Director of Public Service to issue a permit to the Mallorca Restaurant to encroach into the public right-of-way at 1390 West 9th Street with an entrance canopy with supports (O 313-99) **1305**
 Mystic Knights — banner — special event (O 1166-99) **1360**
 One World Day Celebration — banners — Cleveland Cultural Garden Federation (O 1158-99) **1359**

Race for Wishes — permit — Hermes Race Systems (O 1191-99).....	1363
Rib Burn-off — banners — Blue Note Lounge (O 1147-99).....	1355
Western Reserve Historical Society — banner — special event (O 1165-99).....	1360
Western Reserve Historical Society's Negro/Hispanic Baseball Legends Celebration — banner — Western Reserve Historical Society (O 1136-99).....	1350

Personnel Department

CPPA - Civilian — amend Section 10 of Ordinance No. 520-99 (O 1145-99).....	1355
Summer Youth Employment Program — amend title, Section 1 and 2 of Ordinance No. 1039-99 (O 1174-99).....	1363
Titles II and III of Job Training Partnership Act — Workforce Investment Act compliance — Orion Consulting — Personnel (O 1173-99).....	1363

Pleasant Valley Enterprises

Lorain Avenue, 14550 — fifth amendment to Contract No. 38890 — Pleasant Valley Enterprise — Service Department (O 885-99).....	1322
---	------

Police Division

Cielec, Emil Officer, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor — extend retirement (O 1084-99).....	1342
--	------

Police Review Board

Section 173.21 - new - Police Review Board (O 956-99).....	1329
--	------

Port Control Department

Accounting Services — Port Control (O 1067-99).....	1337
Asphalt, concrete and tack coat — delivery, spreading, grinding and compacting — Port Control (O 1069-99).....	1338
Authorizing the Director of Port Control to enter into a Lease By Way of Concession with Continental Airlines, Inc. for use and occupancy of certain space in the Primary Hanger at Cleveland Hopkins International Airport (O 411-99).....	1306
Baggage claim area construction — Port Control (O 1171-99).....	1361
Bond trustee for land release — Trust Indenture Chase Manhattan Trust Company, National Association — Port Control (O 1172-99).....	1362
Bunker gear, suits, suspenders, hood helmets, visors and bunker boots — Port Control (O 1066-99).....	1337
Concourse C overlay rehabilitation — professional consultants — Port Control (O 1170-99).....	1361
Design a heating, ventilating, air conditioning system — consultants — Burke Lakefront Airport (O 947-99).....	1327
Fencing — Divisions — Port Control Department (O 949-99).....	1328
Fire extinguishing agents — Port Control (O 1068-99).....	1337
Heavy duty equipment and operators — Port Control (O 1065-99).....	1337
Ingress and egress at Cleveland Hopkins International Airport — professional consultants — improvements and modifications (O 948-99).....	1327
Layout, printing, and/or marketing advertising and design — Port Control (O 1064-99).....	1336
Promotions of credit cards at Cleveland Hopkins International Airport and Burke Lakefront Airport — New Section 183.044 (O 1073-99).....	1339
Speedwalk Building — asbestos abatement — Coleman Trucking, Inc. — Port Control (O 1063-99).....	1336
To amend the title, Section 1 and Section 2 of Ordinance No. 1279-97, passed May 11, 1998, relating to employing one or more professional consultants to provide engineering services necessary to design the relocation of Brook Park Road (O 30-99).....	1304

Property Management Division

Humphrey Park, 16003 Damon Avenue — expansion — Property Management Division (O 893-99).....	1325
---	------

Purchases and Supplies Department

City of Independence - Brecksville Road — sell— Board of Control (O 716-99).....	1314
Cleveland Business Park, Ltd. — City owned property located north of Cleveland Hopkins Airport — sell — release from Trust Indenture — Purchases and Supplies Department (O 589-99).....	1308

Greenwood Playground — expansion — Parks, Recreation and Properties Department (O 889-99)	1324
Village of Cuyahoga Heights — sell City-owned property — East 71st Street and Interstate 77 exit ramp — Purchases and Supplies Commissioner (O 891-99)	1324
West 41st Street and Train Avenue — sell City-owned property — Mark A. Rivera Production, Inc. (O 786-99)	1320

Puritas Park Plaza

Puritas Park Plaza renovation — free standing drug store construction — Neighborhood Development Investment Fund — Coral Puritas Limited Partnership (O 975-99)	1331
--	------

Real Estate

Cleveland Business Park, Ltd. — City owned property located north of Cleveland Hopkins Airport — sell — release from Trust Indenture — Purchases and Supplies Department (O 589-99)	1308
Enterprise Zone Agreement with HMI Industries, Inc., for a ten year abatement for certain tangible personal property and real estate taxes - Cleveland Business Park - West (O 590-99)	1309

Resolutions — Miscellaneous

Fees charged by municipalities — utility companies — Ohio General Assembly — reject House Bill 283 (R 1175-99)	1299
Welfare law limiting single, childless, unemployed workers to only 3 months of food stamps every 3 years — Governor of Ohio — waiver (R 1176-99)	1299

Richman Brothers Complex

Richman Brothers Complex — feasibility study — amend Section 1 of Ord. No. 747-97 (O 1154-99)	1358
--	------

Ridge Road Transfer Station

Ridge Road Transfer Station — purchase property for the ingress and egress to and from — Streets Division (O 886-99)	1322
---	------

Rock and Roll Hall of Fame and Museum

Enter into an amendment to Common Area Maintenance Agreement No. 48828 between the Cleveland-Cuyahoga County Port Authority, the Rock and Roll Hall of Fame and Museum, Inc. and the Great Lakes Museum of Science (O 261-99)	1304
---	------

Safety Department

1999 COPS - School Based Partnership Grant — grant — U.S. Department of Justice (O 1086-99)	1342
1999 Troops to COPS Program — grant — U.S. Department of Justice (O 1072-99)	1338
1999-2000 EMS - EMT Training Grant — grant — Ohio Department of Public Safety (O 648-99)	1312
1999-2000 Fire - Emergency Medical Services Grant — grant — Ohio Department of Public Safety (O 649-99)	1312
Cielec, Emil Officer, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor — extend retirement (O 1084-99)	1342
Community Response Unit — Community Development Block Grant (O 793-99)	1321
Enhanced 9-1-1 system equipment — Safety Department (O 1143-99)	1354
Marine Patrol grant — annual application and acceptance — Section 135.50 (O 1085-99)	1342
Norfolk Southern and CSX funds — noise Walls, landscaping and fencing - Service Dept. — insulation of homes - Economic Development — equipment to respond to rail incidents involving hazardous materials — Safety Department (O 887-99)	1323
Section 173.21 - new - Police Review Board (O 956-99)	1329

Salaries

CPPA - Civilian — amend Section 10 of Ordinance No. 520-99 (O 1145-99)	1355
--	------

Service Department

Authorizing the Director of Public Service to issue a permit to the Mallorca Restaurant to encroach into the public right-of-way at 1390 West 9th Street with an entrance canopy with supports (O 313-99)	1305
Eagle Avenue Bridge and Alternative Analysis Study — grant — Ohio Department of Transportation (O 951-99)	1328
East 13th Street — vacate (R 978-99)	1299
Elgin Sweeper parts — Motor Vehicle Maintenance Division (O 1074-99)	1339
Fairfax Renaissance Development Corporation — eleven (11) identification signs — Public Service Department (O 883-99)	1322
Garden Avenue — public improvement — City of Warrensville Heights (O 1168-99)	1361
Groveland Avenue — Vacate (R 1078-99)	1299
Lakewood Heights Boulevard — cause payment — Cleveland to Lakewood (O 1169-99)	1361
Lorain Avenue, 14550 — fifth amendment to Contract No. 38890 — Pleasant Valley Enterprise — Service Department (O 885-99)	1322
Mystic Knights — banner — special event (O 1166-99)	1360
Norfolk Southern and CSX funds — noise Walls, landscaping and fencing - Service Dept. — insulation of homes - Economic Development — equipment to respond to rail incidents involving hazardous materials — Safety Department (O 887-99)	1323
One World Day Celebration — banners — Cleveland Cultural Garden Federation (O 1158-99)	1359
Rib Burn-off — banners — Blue Note Lounge (O 1147-99)	1355
Ridge Road Transfer Station — purchase property for the ingress and egress to and from — Streets Division (O 886-99)	1322
Sally Avenue — vacate (R 742-99)	1298
Shepard Court S.E. — vacate (R 741-99)	1298
Sidewalk laying, re-laying and repairing — amend Section 7 of Ord. No. 505-99 and Section 33 of Ord. No. 619-98 (O 1167-99)	1360
Sidewalks and driveway aprons — public improvement — Service Department (O 1163-99)	1360
To amend Section 1 and 7 of Ordinance No. 1786- 97, passed September 22, 1997, relating to the rehabilitation of Grayton Road access and spine road leading to Cleveland Business Park Phase II (O 506-99)	1307
Vehicle rehabilitation — on-road and off-road equipment (O 1058-99)	1335
West Lakeside Avenue N.W. — right-of-way — Felder Properties Limited (O 1083-99)	1341
Western Reserve Historical Society — banner — special event (O 1165-99)	1360
Western Reserve Historical Society's Negro/Hispanic Baseball Legends Celebration — banner — Western Reserve Historical Society (O 1136-99)	1350

Shade Trees

Control blight and disease of shade trees — Parks, Recreation and Properties Department (O 892-99)	1325
--	------

Sidewalks

Sidewalk laying, re-laying and repairing — amend Section 7 of Ord. No. 505-99 and Section 33 of Ord. No. 619-98 (O 1167-99)	1360
Sidewalks and driveway aprons — public improvement — Service Department (O 1163-99)	1360

Signs

Fairfax Renaissance Development Corporation — eleven (11) identification signs — Public Service Department (O 883-99)	1322
---	------

Southeast Improvement Association

Enhance neighborhood security — promote development in Ward 2 — Southeast Improvement Association (O 1164-99)	1360
---	------

Streets - Vacation

East 13th Street — vacate (R 978-99)	1299
East 84th Place — Vacate a portion (O 639-99)	1310
East 92nd Street — Vacate a portion (O 641-99)	1310
Elk Avenue, N. E. (Ward 8) — vacate a portion (O 1233-98)	1303
Eureka Courts S. W. - Vacate a portion (O 640-99)	1310
First Alley North of Miles Ave. and East of East 164th Street - Vacate a portion (O 642-99)	1311

Groveland Avenue — Vacate (R 1078-99)..... **1299**
 Keith Court - Vacate (O 645-99) **1312**
 Sally Avenue — vacate (R 742-99)..... **1298**
 Shepard Court S.E. — vacate (R 741-99)..... **1298**
 West 62nd Place - Vacate a portion (O 643-99)..... **1311**
 West 62nd Place - Vacate a portion (O 644-99)..... **1311**

Streets Division

Ridge Road Transfer Station — purchase property for the ingress and egress to and from
 — Streets Division (O 886-99)..... **1322**

Summer Employment Program

Summer Youth Employment Program — amend title, Section 1 and 2 of Ordinance No. 1039-99
 (O 1174-99) **1363**

Summer Sprout Program

Community gardening program — Summer Sprout Program —HOPE Gardens, Inc.
 (O 965-99) **1329**

U.S. Department of Justice

1999 COPS - School Based Partnership Grant — grant — U.S. Department of Justice
 (O 1086-99) **1342**
 1999 Troops to COPS Program — grant — U.S. Department of Justice (O 1072-99)..... **1338**

University Circle, Inc.

Amend Section 2 of Ordinance No. 1181-97 — Glenville Development Corporation and
 University Circle Incorporated — economic development assistance (O 896-99)..... **1326**

Utilities Department

City of Independence - Brecksville Road — sell— Board of Control (O 716-99) **1314**
 Disposal of debris at landfills — Water Pollution Control, Water and Cleveland Public
 Power Divisions (O 946-99)..... **1327**
 Fire hydrants — Water Division (O 1071-99)..... **1338**
 Kerruish Park Stormwater Project — District One Ohio Public Works Integrating Committee
 — Mayor (O 1081-99) **1341**
 Lakeside Avenue, 1440 — purchase site — multiple- use City facility — Water Division
 — Utilities Department (O 1108-96)..... **1301**
 To supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections
 531.81 and 535.46 relating to various charges for the Division of Water (O 309-99) **1305**

Vesper Corporation

East 80th St., 3249, East 79th to East 80th, Avrina Ave. — Enterprise Zone Agreement —
 Vesper Corporation — Economic Development (O 897-99) **1326**

Village of Cuyahoga Heights

Village of Cuyahoga Heights — sell City-owned property — East 71st Street and Interstate
 77 exit ramp — Purchases and Supplies Commissioner (O 891-99) **1324**

Village of Highland Hills

Cartech Company, Ltd. — Purchase Agreement — Village of Highland Hills — 10.593 acres
 (O 1088-99) **1343**

Warrensville Heights

Garden Avenue — public improvement — City of Warrensville Heights (O 1168-99) **1361**

Water Division

Disposal of debris at landfills — Water Pollution Control, Water and Cleveland Public Power Divisions (O 946-99)..... **1327**

Fire hydrants — Water Division (O 1071-99)..... **1338**

Lakeside Avenue, 1440 — purchase site — multiple- use City facility — Water Division — Utilities Department (O 1108-96)..... **1301**

To supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 531.81 and 535.46 relating to various charges for the Division of Water (O 309-99)..... **1305**

Water Pollution Control Division

Disposal of debris at landfills — Water Pollution Control, Water and Cleveland Public Power Divisions (O 946-99)..... **1327**

West Side Market

West Side Market - East Side Market — capital improvements — Parks, Recreation and Properties (O 1056-99) **1334**

Youth Landscaping Training Program

Youth Landscaping Training Program in Ward 3 — Cleveland Community Building Initiative (O 1160-99) **1359**