

The City Record

Official Publication of the Council of the City of Cleveland



November the Twenty-Ninth, Two Thousand and Six

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Emily Lipovan
City Clerk, Clerk of Council

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Nina Turner.....	16204 Sunny Glen Avenue	44128
2	Robert J. White	9703 Cardwell Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson.....	2948 Hampton Road	44120
5	Phyllis E. Cleveland.....	2369 East 36th Street	44105
6	Patricia J. Britt.....	12402 Britton Drive	44120
7	Fannie M. Lewis.....	7416 Star Avenue	44103
8	Sabra Pierce Scott.....	1136 East 98th Street	44108
9	Kevin Conwell.....	10647 Ashbury Avenue	44106
10	Roosevelt Coats.....	1775 Cliffview Road	44112
11	Michael D. Polensek.....	17855 Brian Avenue	44119
12	Anthony Brancatelli.....	6924 Ottawa Road	44105
13	Joe Cimperman.....	3053 West 12th Street	44113
14	Joseph Santiago.....	3169 West 14th Street	44109
15	Brian J. Cummins.....	3104 Mapledale Avenue	44109
16	Kevin J. Kelley.....	6608 Woodhaven Avenue	44144
17	Matthew Zone.....	1228 West 69th Street	44102
18	Jay Westbrook.....	1278 West 103rd Street	44102
19	Dona Brady.....	1272 West Boulevard	44102
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Michael A. Dolan.....	16519 West Park Road	44111

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

MAYOR – Frank G. Jackson

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DEPT. OF ECONOMIC DEVELOPMENT – Brian A. Reilly, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Angel Guzman, Director

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 93

WEDNESDAY, NOVEMBER 29, 2006

No. 4851

CITY COUNCIL

MONDAY, NOVEMBER 27, 2006

The City Record

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Address all communications to

EMILY LIPOVAN

City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2006-2009

MONDAY—Alternating

9:30 A.M. — **Public Parks, Prop-
erty & Recreation Committee:** John-
son, Chair; White, Vice Chair; Bran-
catelli, Cummins, Kelley, Polensek,
Turner.

9:30 A.M. — **Health & Human Ser-
vices Committee:** Britt, Chair; Cleve-
land, Vice Chair; Conwell, Kelley,
Reed, Santiago, Westbrook.

11:00 A.M. — **Public Service Com-
mittee:** Brady, Chair; Turner, Vice
Chair; Cleveland, Cummins, John-
son, Polensek, Reed, Santiago,
White.

11:00 A.M. — **Legislation Commit-
tee:** Cleveland, Chair; Dolan, Vice
Chair; Cimperman, Lewis, Pierce
Scott, Reed, White.

MONDAY

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

TUESDAY

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

1:30 P.M. — **Employment, Affirma-
tive Action & Training Committee:**
Lewis, Chair; Santiago, Vice Chair;
Brancatelli, Coats, Conwell, John-
son, Turner.

WEDNESDAY—Alternating

10:00 A.M. — **Aviation & Trans-
portation Committee:** Kelley, Chair;
Westbrook, Vice Chair; Brancatelli,
Britt, Cleveland, Dolan, Turner.

10:00 A.M. — **Public Safety Com-
mittee:** Conwell, Chair; Brady, Vice
Chair; Britt, Coats, Cummins, Kel-
ley, Polensek, Santiago, Turner.

WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Com-
mittee:** Zone, Chair; Reed, Vice
Chair; Cleveland, Cummins, Dolan,
Kelley, Polensek, Santiago, West-
brook.

1:30 P.M. — **City Planning Com-
mittee:** Cimperman, Chair, West-
brook, Vice Chair, Conwell, Dolan,
Lewis, Reed, Zone.

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, November 27, 2006

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

Council Members present: Brady,
Brancatelli, Britt, Cimperman, Cleve-
land, Coats, Conwell, Cummins,
Johnson, Kelley, Lewis, Polensek,
Reed, Santiago, Pierce Scott, Swee-
ney, Turner, Westbrook, White and
Zone.

Also present were Mayor Frank G.
Jackson; Ken Silliman, Chief of
Staff; Darnell Brown, Chief Operat-
ing Officer; Valarie J. McCall, Chief
of Governmental Affairs; Tracy Y.
Martin, Chief of Education; Maureen
Harper, Chief of Communications;
Debra Linn Talley, Director of
Equal Opportunity; Rebecca Schal-
tenbrand, Legislative Affairs; Direc-
tors Triozzi, Dumas, Ciaccia, Smith,
Wasik, Carroll, Flask, Cox, Rush,
Hutchinson, Reilly, Fumich, Guz-
man, Griffin and Brown.

Pursuant to Ordinance No. 2926-76,
prayer was offered by Father Joh

Loejas of St. Eprepte Church,
located in Ward 19. Pledge of Alle-
giance.

MOTION

On the motion of Council Member
Brady, the reading of the minutes of
the last meeting were dispensed
with and the journal approved. Sec-
onded by Council Member Britt.

MAYOR'S APPOINTMENTS

File No. 2015-06.

November 22, 2006

The Honorable Martin J. Sweeney
City Council President
Cleveland City Council
601 Lakeside Avenue
Cleveland, Ohio 44114

The Honorable Roosevelt Coats
Chairman, Mayor's Appointments
Cleveland City Council
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Council President Sweeney and
Councilman Coats:

Included below is one additional
Mayor's nomination to be considered
at the Monday, November 27th meet-
ing of Cleveland City Council's
Mayor's Appointments Committee.

City Planning Commission
Norman Krumholz, Term Ending
11/2/2012

Community Relations Board
Stephanie Morrison Hrbek,
Term Ending 3/31/2008

Thank you in advance for your
cooperation.

Sincerely,
Frank G. Jackson
Mayor

Received.

COMMITTEE ON MAYOR'S APPOINTMENTS

File No. 2015-06-A.

November 27, 2006

To the Honorable Council of the
City of Cleveland

Ladies and Gentlemen:

Report of the Mayor's Appoint-
ment Committee's consideration of
the Mayor's Appointment to the City
Planning Commission.

We have before us the Mayor's Letter wherein he names his appointment to the City Planning Commission:

Norman Krumholz
(New Appointment - Term expires on November 2, 2012)

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chair
Sabra Pierce Scott
Martin J. Sweeney
Kevin J. Kelley
Jay Westbrook

Approved.

File No. 2015-06-B.

November 27, 2006

To the Honorable Council of the City of Cleveland

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Community Relations Board.

We have before us the Mayor's Letter wherein he names his appointment to the Community Relations Board.

Stephanie Morrison Hrbek
(New Appointment - Term expires on March 31, 2008)

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chair
Sabra Pierce Scott
Martin J. Sweeney
Kevin J. Kelley
Jay Westbrook

Approved.

FROM DEPARTMENT OF LIQUOR CONTROL

File No. 2023-06.
Re: New Application - 6555110 - 12333, Inc., d.b.a. Superior Food Mart, 12333 Superior Avenue. (Ward 19). Received.

File No. 2024-06.
Re: New Application - 5909754 - Michaels Deli & Beverage, Inc., d.b.a. Michaels Deli & Beverage, 2145 Broadview Road. (Ward 15). Received.

File No. 2025-06.
Re: New Application - 7974550 - Semaan Marketing, Inc., 3230 East 93rd Street. (Ward 5). Received.

File No. 2026-06.
Re: New Application - 5467713 - Mama's Lee Road Beverage, Inc., 4344 Lee Road. (Ward 1). Received.

File No. 2027-06.
Re: Transfer of Ownership Application - 1825701 - Crooked River

Deli, Inc., d.b.a. Crooked River Deli, 1672 Columbus Road, first floor. (Ward 13). Received.

File No. 2028-06.
Re: Transfer of Ownership Application - 7362695 - Rico, Inc., d.b.a. City Grill, 6416 Detroit Avenue, first floor and basement. (Ward 17). Received.

File No. 2029-06.
Re: Transfer of Location Application - 82007440001 - 6557 Broadway Avenue, Inc., d.b.a. Key Beverage & Liquor, 6542 Broadway Avenue. (Ward 12). Received.

File No. 2030-06.
Re: Transfer of Ownership and Location - 1747147 - Corner Alley, LLC, 402 Euclid Avenue. (Ward 13). Received.

File No. 2031-06.
Re: Liquor Agency Contract - 82007440001 - 6557 Broadway Avenue, Inc., d.b.a. Key Beverage & Liquor, 6542 Broadway Avenue. (Ward 12). Received.

File No. 2032-06.
Re: Liquor Agency Contract - 7974550 - Semaan Marketing, Inc., 3230 East 93rd Street. (Ward 5). Received.

STATEMENT OF WORK ACCEPTED

File No. 2033-06.
From the Department of Public Utilities - Contract No. 63853 - Great Lakes Construction Company, completed and accepted October 16, 2006. Received.

PLAT

File No. 2034-06.
Avenue District Townhomes - Plat. (Ward 13).
Approved by Public Service and City Planning Committees.
Without objection, plat approved.
Yeas 20. Nays 0.

CONDOLENCE RESOLUTIONS

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

Res. No. 2035-06 - Robert Lockwood, Jr.
Res. No. 2036-06 - Alice Marie Huey Samuel.
Res. No. 2037-06 - Rosalie DeVese Barkley.
Res. No. 2038-06 - Kenneth R. "Casey" Coleman.
Res. No. 2039-06 - C. Floyd Swoope.
Res. No. 2040-06 - Thomas Forbes.

CONGRATULATION RESOLUTIONS

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

Res. No. 2041-06 - Viktor Schreckengost.
Res. No. 2042-06 - State Industrial Products.

RECOGNITION RESOLUTION

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

Res. No. 2043-06 - Erin Huber.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 2005-06.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland provided such violation may result in incarceration, for the Cleveland Municipal Court for a period of one year, with one option to renew for an additional one-year period.

Whereas, in *Argersinger v. Hamlin* and *Scott v. Illinois*, the United States Supreme Court held that no indigent criminal defendant may be sentenced to a term of imprisonment unless he has been afforded the right to assistance of appointed counsel in his defense; and

Whereas, the City of Cleveland, through the Cleveland Municipal Court, is obligated to provide an indigent defendant appointed counsel in order to permit the imposition of a sentence including a term of imprisonment; and

Whereas, under Section 120.14 of the Revised Code, a county commission that has organized a county public defender commission may contract with any municipal corporation within the County served by the county public defender to provide legal representation on behalf of the municipal corporation; and

Whereas, the Cleveland Municipal Court, the district of which encompasses Bratenahl and the City of Cleveland, recommends that the Cuyahoga County Public Defender Commission should provide indigent defense; 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 Finance, on behalf of the Cleveland Municipal Court, is authorized to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided the violation may result in incarceration, for a period of one year beginning January 1, 2007, at an estimated cost of \$1,517,539, with one option to renew for an additional one-year period, payable from the fund or funds appropriated for this purpose in budget year 2007, Request No. 149973.

Section 2. That two percent (2%) of any payment received by the City and/or Cleveland Municipal Court from the financing of defense counsel for indigent persons shall be utilized by participants in a court exchange program between Cleveland Municipal Court and the Cleveland Municipal School District.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

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

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

Ord. No. 2006-06.

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

An emergency ordinance declaring the improvement of certain real property located in the City of Cleveland, Ohio to be a public purpose; declaring such property to be exempt from real property taxation; requiring annual service payments in lieu of taxes; acknowledging an ongoing blight study and finding the property to be in a blighted area of an impacted city in the event the blight study so finds and concludes; approving the execution of a Compensation Agreement; approving the execution of a Tax Increment Financing Agreement; establishing a Veterans Administration Urban Redevelopment Tax Increment Equivalent Fund; designating the uses for moneys deposited into the Veterans Administration Urban Redevelopment Tax Increment Equivalent Fund; providing related authorizations pursuant to Ohio Revised Code Sections 5709.41, 5709.42 and 5709.43.

Whereas, Ohio Revised Code ("R.C.") Section 5709.41 provides that this Council may, under certain circumstances, declare improvement to parcels of real property located in the City of Cleveland (the "City") to be a public purpose, and thereby exempt a percentage of that improvement from real property taxation, provided the City has held fee title to such real property prior to the adoption of the ordinance providing for the exemption; and

Whereas, pursuant to R.C. Section 5709.41(C)(2), said exemption may exceed 75% of such improvement and be for a period of up to thirty (30) years with approval of the board of education of the city, local or exempted village school district within the territory of which the improvement is or will be located; and

Whereas, the real property shown on the map contained in File No. 2006-06-A, and incorporated herein by reference (the "Property") is located in the State of Ohio (the "State"), County of Cuyahoga (the "County"), and the City; and

Whereas, the current and future owners of the Property and/or any structures located thereon (each an "Owner" and collectively the "Owners") wish to develop the Property, provided that the appropriate development incentives are available to support this redevelopment; and

Whereas, Veterans Development, LLC (the "Developer"), in cooperation with the Cleveland-Cuyahoga County Port Authority (the "Port Authority"), desires to construct a domiciliary, office building, parking garage and related improvements on the Property for use by the Veterans Administration (the "VA Project"); and

Whereas, the Port Authority plans to issue bonds (the "Port Authority Bonds") to help finance certain VA Project costs, including certain public infrastructure improvements and related appurtenances; and

Whereas, in connection with the City's urban redevelopment efforts,

the City acquired the Property and conveyed the Property to the Developer; and

Whereas, this Council has determined that it is necessary and appropriate and in the best interests of the City to provide for service payments in lieu of real property taxes ("Service Payments," as further defined below) with respect to the Property pursuant to R.C. Section 5709.42; and

Whereas, the City, through its activities in connection with the VA Project and through other activities, has been and will continue to be engaged in urban redevelopment; and

Whereas, this Council desires to enter into a compensation agreement (the "Compensation Agreement") with the Board of Education of the Cleveland Municipal School District (the "School District"), which Compensation Agreement would provide for the payment of compensation by the City to the School District; and

Whereas, in connection with the negotiation of the Compensation Agreement, the Board of Education of the School District has agreed to waive the notice periods prescribed in R.C. Sections 5709.41 and 5709.83 and has approved a 100% exemption for the Property under R.C. Section 5709.41 for a period of thirty years; and

Whereas, an emergency exists in the usual daily operations of the City in that it is immediately necessary to approve tax exemptions for the Property for the preservation of the public health, peace, property and safety, that preservation being related to the City's need for the Developer to construct the VA Project on the Property to create new job opportunities immediately; 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. The VA Project, the improvement of the Property and the increase in assessed value of the Property after the acquisition of the Property by the City (an "Improvement" as defined in R.C. Section 5709.41 and which Improvement is further described in the summary placed in the above-mentioned file and incorporated by reference herein) are hereby declared to be a public purpose for purposes of R.C. Sections 5709.41 and 5709.42. One hundred percent (100%) of the Improvement is hereby exempted from real property taxation for a period commencing on the effective date of this Ordinance and ending at the end of a period of exemption of thirty (30) years. On such ending date, the Improvement shall cease to be a public purpose.

Section 2. This Council hereby acknowledges that a blight study is currently being conducted in regard to the Property, and if the blight study finds and concludes that the Property is in a blighted area of an impacted City this Council anticipates that it will find that the Property is in a blighted area of an impacted city, as those terms are used in R.C. Section 1728.01.

Section 3. As provided in R.C. Section 5709.42, the Owners are required hereby to make annual service pay-

ments in lieu of taxes to the County Treasurer with respect to the period in which the Improvement (or any part thereof) is exempt from real property taxation, on or before the final dates for payment of real property taxes. Each such payment (including interest and penalties) shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not exempt from taxation (the service payments in lieu of taxes, including any penalties and interest, are referred to herein as the "Payments in Lieu of Taxes"). Any late payments shall be subject to penalty and bear interest at the then current rate established under R.C. Sections 323.121 and 5703.47, as may be amended from time to time, or any successor provisions thereto, as the same may be amended from time to time. The County Treasurer shall remit all Payments in Lieu of Taxes, together with any associated roll back payments received in accordance with R.C. Section 319.302 (the "Property Tax Rollback Payments") in respect of the Improvement, to the City for deposit in the Veterans Administration Urban Redevelopment Tax Increment Equivalent Fund established in Section 4 hereof. Payments in Lieu of Taxes and Property Tax Rollback Payments are collectively referred to herein as the "Service Payments." This Council hereby authorizes the Mayor or the Director of Finance (the "Director") or other appropriate officers of the City to provide such information and certifications and execute and deliver, or accept delivery of, such instruments as are necessary and incidental to collect the Service Payments and to make such arrangements as are necessary and proper for payment of the Service Payments. The Service Payments shall be allocated and deposited in accordance with Sections 4 and 5 of this Ordinance.

No Owner shall, under any circumstances, be required in any tax year to both pay Service Payments with respect to an Improvement and reimburse local taxing authorities for the amount of real property taxes that would have been payable to local taxing authorities had the Improvement not been exempted from taxation pursuant to this Ordinance.

Section 4. This Council hereby establishes, pursuant to and in accordance with the provisions of R.C. Section 5709.43, the Veterans Administration Urban Redevelopment Tax Increment Equivalent Fund (the "Fund"), into which shall be deposited all of the Service Payments distributed to the City with respect to the Improvement to the Property by or on behalf of the County Treasurer, as provided in R.C. Section 5709.42, and hereby appropriates all of the moneys deposited in the Fund for the purposes specified in this Section 4. This Council authorizes and directs that such moneys shall be used annually (i) first, to make payments to the School District as described in Section 5 hereof, and (ii) second, to make principal (whether at maturity or by prior redemption) payments of and interest payments on the Port Authority Bonds, and to establish reserves for

such payments. To the extent moneys remain after the first two aforementioned uses, this Council authorizes and directs that such moneys shall be used, in no particular order, (i) to make payments to the Owners for capital improvements to the Property and for any other permissible purposes under Ohio law and the Ohio Constitution, (ii) to finance all or any portion of the Public Infrastructure Improvements described in the summary placed in the above-mentioned file, and (iii) for deposit into a general fund of the City, but not in an amount for any year that exceeds the property tax revenues that the City otherwise would have received that year but for the exemption set forth in this Ordinance.

The Fund shall remain in existence so long as Service Payments are collected and used for the aforesaid purposes, after which said Fund shall be dissolved in accordance with R.C. Section 5709.43(D). Upon dissolution, any incidental surplus money remaining in the Fund shall be disposed of as provided in R.C. Section 5709.43(D).

Section 5. In accordance with R.C. Section 5709.43(C), the City shall make annual payments to the School District as required by the Compensation Agreement (each such payment to be in the amount of 30.32% of the total Service Payments deposited into the Fund for that year).

Section 6. This Council hereby authorizes the Director or other appropriate officers of the City to take such actions as are necessary or appropriate to implement the transactions contemplated by this Ordinance, including the filing of one or more applications for exemption and any related forms in accordance with R.C. Section 5709.911.

Section 7. The Board hereby directs and authorizes the Director to prepare and enter into the Compensation Agreement, which Compensation Agreement shall provide for at least annual payments to the School District equal to 30.32% of the total service payments in lieu of taxes arising from the Property in connection with this Ordinance. This Council further hereby authorizes and directs the Director to make such arrangements as are necessary and proper for payments to be made to the School District pursuant to the Compensation Agreement.

Section 8. The Board hereby directs and authorizes the Director to prepare and enter into a Tax Increment Financing Agreement between the City and the Developer providing for the utilization of Service Payments as described in Section 4 hereof. This Council further hereby authorizes and directs the Director to make such arrangements as are necessary and proper for payments to be made pursuant to the Tax Increment Financing Agreement.

Section 9. The Mayor or the Director, or any other official, as appropriate, are each authorized and directed to sign any other documents, instruments or certificates and to take such actions as are necessary or appropriate to consummate or implement the actions described herein, or contemplated by this Ordinance, the Compensation Agreement or the Tax Increment Financing Agreement.

Section 10. Pursuant to R.C. Section 5709.41, the Director, or any other official, as appropriate, is hereby directed to deliver a copy of this Ordinance to the Director of the Department of Development of the State of Ohio within fifteen days after its passage. On or before March 31 of each year that the exemption set forth in Section 1 hereof remains in effect, the Mayor, the Director or other authorized officer of this City shall prepare and submit to the Director of the Department of Development of the State of Ohio the status report required under R.C. Section 5709.41(E).

Section 11. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any decision making bodies of the City that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements.

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

Referred to Directors of Economic Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 2007-06.

By Council Members Britt, Lewis, Pierce Scott and Sweeney (by departmental request).

An emergency ordinance to amend Section 5 of Ordinance No. 257-97, passed April 14, 1997, as amended by various ordinances, relating to expanding Economic Development Initiative Grant and Section 108 Funds for the operation of the Empowerment Zone Business Opportunity Program and to enter into contracts under this program.

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

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

Section 1. That Section 5 of Ordinance No. 257-97, passed April 14, 1997, as amended by Ordinance No. 587-99, passed June 7, 1999, Ordinance No. 905-01, passed June 11, 2001, Ordinance No. 2204-04, passed March 28, 2005, and Ordinance No. 2211-05, passed May 15, 2006, is amended to read as follows:

Section 5. That the contracting authority granted shall expire on December 31, 2009, the Director of Economic Development shall, within six months of the effective date of this ordinance, report to Council on activity of the Program, including, but not limited to, the number and value of contracts entered into and projects completed under the Program.

Section 2. That existing Section 5 of Ordinance No. 257-97, passed April 14, 1997, as amended by Ordinance

No. 587-99, passed June 7, 1999, Ordinance No. 905-01, passed June 11, 2001, Ordinance No. 2204-04, passed March 28, 2005, and Ordinance No. 2211-05, passed May 15, 2006, is repealed.

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

Referred to Directors of Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 2008-06.

By Council Member Sweeney (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 240-06, passed February 27, 2006, relating to one or more requirement contracts for the rental and laundry of work clothing, 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 title and Section 1 of Ordinance No. 240-06, passed February 27, 2006, are amended to read as follows:

An emergency ordinance authorizing the purchase by one or more requirement contracts of the rental and laundry of work clothing, for the various divisions of City government, for a period not to exceed five years.

Section 1. That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of five years for the necessary items of the rental and laundry of work clothing in the approximate amount as purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the existing title and Section 1 of Ordinance No. 240-06, passed February 27, 2006, are repealed.

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

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

Ord. No. 2009-06.

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

An emergency ordinance authorizing the Director of Public Health to lease property at 19200 Cranwood Parkway in Warrensville Heights, Ohio, from M.B.D. Realty, LLC, for a term not to exceed six months, for the public purpose of occupying space to store and maintain vehicles for the Cleveland House of Corrections.

Whereas, the City of Cleveland requires certain space located at 19200 Cranwood Parkway in Warrensville Heights, Ohio, for the public purpose of leasing space to store and maintain vehicles for the operation of the Cleveland House of Corrections; and

Whereas, M.B.D. Realty, LLC, has proposed to lease the space 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 Public Health is authorized to lease from M.B.D. Realty, LLC, approximately 4,000 square feet of space located at 19200 Cranwood Parkway in Warrensville Heights, Ohio (the "Premises").

Section 2. That the term of the lease shall commence and possession shall commence within twenty-four hours after execution and shall expire six months thereafter.

Section 3. That the rent for the lease shall be a base rate of \$2,600.00 per month, including utilities. The total lease shall not exceed \$15,600.00.

Section 4. That the lease may authorize the City to make improvements to the Premises under terms to be determined by the parties consistent with the public purpose or purposes of leasing space to store vehicles necessary for the operation of the Cleveland House of Corrections.

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 costs of the lease shall be paid from Fund No. 01-500302-636000, Request No. 157117.

Section 7. That the lease shall be prepared by the Director of Law.

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

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

Ord. No. 2010-06.

By Council Members White, Britt, Cimperman and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Health to lease space at property located at 9111 and 9119 Miles Avenue from Dominic Festa, or his designee, for a one-year period, with one option to renew for an additional year, for the public purpose of vehicle-storage parking for the Division of Air Quality, Department of Public Health, for a period of one year with one option to renew for an additional one-year period.

Whereas, the City of Cleveland requires certain space located at 9111 and 9119 Miles Avenue for the public purpose of leasing space for vehicle-storage parking for the Division of Air Quality; and

Whereas, Dominic Festa, or his designee, has proposed to lease the space 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 Chapter 183 and in accordance with Section 183.01 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Health is authorized to lease from Dominic Festa, or its designee, approximately 9,000 square feet of space located at 9111 and 9119 Miles Avenue necessary to store approximately 50 vehicles.

Section 2. That the term of the lease authorized shall be for a one-year period, with one option to renew for an additional one-year period, exercisable by the Director of Public Health. The renewal shall be in the amount of \$9,300 or less.

Section 3. That the rent for the lease term authorized shall be \$9,300, plus allocable utility, operating and maintenance costs.

Section 4. That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties with the public purpose or purposes of leasing approximately 50 parking spaces necessary to store vehicles for the Division of Air Quality.

Section 5. That the cost of the lease shall be paid from Fund No. 19 SF 481, Request No. 155298.

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 Public Health and the Director of Law, and other appropriate City officials, are authorized to execute other documents and certificates, and take other actions that 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.

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

Ord. No. 2011-06.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to maintain and repair elevators at various city health centers, 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 authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period not to exceed two years of the necessary items of labor and materials necessary to maintain and repair elevators at various city health centers, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Health, Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 157113)

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

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

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

Ord. No. 2012-06.

By Council Members Britt and Sweeney (by departmental request). An emergency ordinance authorizing the purchase by one or more requirement contracts of salting and snowplowing parking lots, walkways, and sidewalks at City health centers and the Public Health Administration Building, 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 authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of salting and snowplowing parking lots, walkways, and sidewalks at City health centers and the Public Health Administration Building, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Health, Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 157114)

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

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

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

Ord. No. 2013-06.

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

An emergency ordinance to amend Section 187.16 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1850-02, passed November 11, 2002, relating to the James H. Walker Construction Management Training Course and other training courses and 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 Section 187.16 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1850-02, passed November 11, 2002, is amended to read as follows:

Section 187.16 Training Courses and Development Activities

(a) The Director of the Office of Equal Opportunity is authorized to conduct the James H. Walker Construction Management Training Course up to twice annually, to conduct other training and facilitate and coordinate development activities authorized by and consistent with Section 123.08 of the codified ordinances, and to fix and collect registration fees from training seminar or activity participants.

(b) The Director of the Office of Equal Opportunity is authorized to make purchases and enter into one or more agreements under the Charter including relevant Codified Ordinances for training and development materials, supplies, refreshments, graduation dinners, and, if necessary, rental of a site for a course or activity.

(c) The Director of the Office of Equal Opportunity shall deposit the registration fees collected from participants in the training courses or activities into the MBE/FBE Educational Program Account. All expenditures made under this section shall be paid from registration fees collected, which are appropriated for these purposes, and from funds appropriated for the use of the Office of Equal Opportunity.

Section 2. That existing Section 187.16 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1850-02, passed November 11, 2002, is repealed.

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

Referred to Directors of Office of Equal Opportunity, Finance, Law; Committees on Employment, Affirmative Action and Training, Legislation, Finance.

FIRST READING EMERGENCY ORDINANCE READ IN FULL AND PASSED**Ord. No. 2022-06.**

By Council Member Reed.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Friends of Mt. Pleasant to stretch banners and lights on CPP utility poles along Luke Easter Park; Kinsman Road, between East 93rd & East 154th; and at Kingsbury, from December 21, 2006 to January 20, 2007.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Friends of Mt. Pleasant to install, maintain and remove banners and lights on CPP utility poles along Luke Easter Park; Kinsman Road, between East 93rd & East 154th; and at Kingsbury, inclusive from December 21, 2006 to January 20, 2007. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED**Res. No. 2014-06.**

By Council Member Cimperman.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 1027 Fairfield Avenue, and repealing Resolution No. 1769-06, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to Fairfield Market, Inc., DBA Fairfield Market,

1027 Fairfield Avenue, Cleveland, Ohio 44113, Permanent No. 2621019, by Resolution No. 1769-06 adopted by the Council on October 23, 2006; and

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

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

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

Section 1. That objection to a C2 and C2X Liquor Permit to Fairfield Market, Inc., DBA Fairfield Market, 1027 Fairfield Avenue, Cleveland, Ohio 44113, Permanent Number 2621019 be and the same is hereby withdrawn and Resolution No. 1769-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 2016-06.

By Council Members Sweeney, Cummins, Kelley and White.

An emergency resolution calling upon the English and Irish governments to take immediate steps necessary to bring to fullness the promises of the All Ireland institutions called for and envisioned by the Good Friday Agreement; requesting the Irish government to formally study the implications of a United Ireland and outline steps fundamental to restore the Irish Nation and publicly report their finding and plans; and respectfully suggesting that the Irish government move without delay to further the peaceful healing of the Irish nation by granting duly elected northern MP's "Speaking Rights" in the Irish parliament and expand the voting rights for the Irish President to the citizens of the six counties of the North of Ireland.

Whereas, Ireland and its people are an ancient and distinct nation; and

Whereas, Ireland is an island nation that has throughout her history been comprised of 32 counties, artificially divided into a 26 county (the Irish Republic) and a 6 county (Northern Ireland) unit in the 1920's; and

Whereas, this artificial, forced division of the Irish Nation was designed to be a transitory answer to the 1920's issues; and

Whereas, history has demonstrated that the Irish people have the right and responsibility to govern themselves; and

Whereas, human and civic rights derive "their just powers from the consent of the governed" and are best guaranteed by the people's freely instituted, duly elected and independent government; and

Whereas, the Irish Republic has the fastest growing economy in the European Economic Union and a unified, independent Irish economy is the most effective way to sustain such dynamic growth and the most fair and impartial path to extend the benefits of such growth to all Ireland; and

Whereas, a unified, independent Irish Police Service and Justice System is most likely to be effective, fair and impartial; and

Whereas, a unified, independent Irish society is most likely to provide for the social and practical needs of its people; and

Whereas, the historic Good Friday Agreement, negotiated with American support, and ratified by the English and Irish governments, as well as a vote of the entire island of Ireland, includes provisions for achieving a United Ireland through purely democratic and peaceful means and provides for the development of North/South Institutions and cross-border cooperation; and

Whereas, this City and the United States have greatly benefited from the contributions of the sons and daughters of Ireland and Cleveland City Council wishes to promote the peace and prosperity for all Ireland; and

Whereas, the democratic reunification of Ireland is the ultimate roadmap to peace and prosperity for the Irish nation and people; and

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

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

Section 1. That this Council hereby calls upon the English and Irish governments to take immediate steps necessary to bring to fullness the promises of the All Ireland institutions called for and envisioned by the Good Friday Agreement.

Section 2. That this Council further requests the Irish government to formally study the implications of a United Ireland and outline steps fundamental to restore the Irish Nation and publicly report their finding and plans.

Section 3. That this Council further respectfully suggests that the Irish government move without delay to further the peaceful healing of the Irish nation by granting duly elected northern MP's "Speaking Rights" in the Irish parliament and expand the voting rights for the Irish President to the citizens of the six counties of the North of Ireland.

Section 4. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the Ambassador for the Republic of Ireland and the Ambassador for the United Kingdom in Washington, D.C.

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.

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 2017-06.

By Council Member Cimperman. An emergency resolution withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit at 620 Frankfort Avenue, and repealing Resolution No. 1489-06, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a D5 and D6 Liquor Permit to 620 Frankfort, LLC, 620 Frankfort Avenue, Cleveland, Ohio 44113, Permanent No. 8202241, by Resolution No. 1489-06 adopted by the Council on September 11, 2006; and

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

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

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

Section 1. That objection to a D5 and D6 Liquor Permit to 620 Frankfort, LLC, 620 Frankfort Avenue, Cleveland, Ohio 44113, Permanent Number 8202241 be and the same is hereby withdrawn and Resolution No. 1489-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 2018-06.

By Council Member Coats. An emergency resolution withdrawing objection to the transfer of liquor license of a D1, D2, D3 and D3A Liquor Permit at 18310 Euclid Avenue and repealing Resolution No. 1695-06, objecting to said transfer.

Whereas, this Council objected to the transfer of liquor license of a D1, D2, D3 and D3A Liquor Permit to JC & RW Enterprises, Inc., DBA Euclid Green Lanes, 18310 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 4261287 by Resolu-

tion No. 1695-06 adopted by the Council on October 9, 2006; and

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

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

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

Section 1. That objection to a D1, D2, D3 and D3A Liquor Permit to JC & RW Enterprises, Inc., DBA Euclid Green Lanes, 18310 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 4261287 be and the same is hereby withdrawn and Resolution No. 1695-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 2019-06.

By Council Member Conwell.

An emergency resolution objecting to a New C1 Liquor Permit at 12333 Superior Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at 12333, Inc., DBA Superior Food Mart, 12333 Superior Avenue, Cleveland, Ohio 44106, Permanent Number 6555110; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at 12333, Inc., DBA Superior Food Mart, 12333 Superior Avenue, Cleveland, Ohio 44106, Permanent Number 6555110; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 2020-06.

By Council Member Johnson.

An emergency resolution withdrawing objections to the renewal of a C2 and C2X Liquor Permit at 12916 Forest Avenue, and repealing Resolution Nos. 1335-05 and 1224-06, objecting to said renewal.

Whereas, this Council objected to a C2 and C2X Liquor Permit to T & J Beverage Company, DBA T & J Beverage Store, 12916 Forest Avenue, Cleveland, Ohio 44120 by Resolution No. 1335-05 adopted by the Council on July 13, 2005 and Resolution No. 1224-06 adopted by the Council on August 9, 2006; and

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

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

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

Section 1. That objections to a C2 and C2X Liquor Permit to T & J Beverage Company, DBA T & J Beverage Store, 12916 Forest Avenue, Cleveland, Ohio 44120, Permanent Number 87731650005 be and the same

is hereby withdrawn and Resolution Nos. 1335-05 and 1224-06, containing such objections, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 2021-06.

By Council Member Lewis.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 2045 East 21st Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Kabat & Cull, Inc., DBA Peabody's Concert Club & Patio, 2045 East 21st Street, Cleveland, Ohio 44115, Permanent Number 4425551 to Downunder Entertainment, LLC, DBA Peabody's Entertainment, 2045 East 21st Street, Cleveland, Ohio 44115, Permanent Number 2293436; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of

Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Kabat & Cull, Inc., DBA Peabody's Concert Club & Patio, 2045 East 21st Street, Cleveland, Ohio 44115, Permanent Number 4425551 to Downunder Entertainment, LLC, DBA Peabody's Entertainment, 2045 East 21st Street, Cleveland, Ohio 44115, Permanent Number 2293436; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 880-06.

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

An emergency ordinance to amend Section 605.031 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 695-05, passed July 13, 2005, relating to aggressive solicitation.

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Public Safety, Legislation, Finance; when amended as follows:

1. In Section 1, at amended Section 605.031(b)(9), line 1, strike "or"; at 605.031(b)(10), line 1, strike the period and insert the following new subdivision:

(11) On a public street, by intentionally or recklessly blocking the safe or free passage of a person or vehicle.

2. In Section 1, at amended Section 605.03, strike division (d) in its entirety and insert the following:

"(d) The Director of Public Safety shall report to this Council by December 31 of each year on the enforcement activity under this section that occurred in the twelve-month period prior to the report, or such longer period as may be necessary to cover all enforcement

activity since the last report. The first report shall be made in 2007. Each report shall include, without limitation, the hours of time expended by the Division of Police in enforcement, the total number of cases, and the gender, race, and age of each offender."

Amendments agreed to.
The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 2.

Those voting yea: Council Members Sweeney, Brady, Brancatelli, Britt, Cimperman, Cleveland, Coats, Conwell, Cummins, Johnson, Lewis, Pierce Scott, Polensek, Reed, Santiago, Turner, Westbrook and Zone.

Those voting nay: Council Members Kelley and White.

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

Ord. No. 1439-06.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Business Aircraft Center for office space at Cleveland Burke Lakefront Airport, for the Department of Port Control, for the period of one year with a one-year option to renew.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, lines 6 and 7, strike "one year with a one-year option to renew" and insert **"two years"**.

2. In Section 1, lines 7 and 8, strike "one-year period with a one-year option to renew," and insert **"two year period"**.

Amendments agreed to.
The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

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

Ord. No. 1721-06.

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

An emergency ordinance to amend Section 2 of Ordinance No. 991-04, passed June 7, 2004, relating to a Concession Agreement with Airport Marketing Income, LLC for special events promotion, marketing and advertising.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, line 2, strike "Section 2" and insert **"the title and Sections 2 and 3"**.

2. In Section 1, line 1, after "That" strike "Section 2" and insert **"the title and Sections 2 and 3"** and strike "is" and insert **"are"**.

3. In Section 1, before amended Section 2 insert the following:

"An emergency ordinance authorizing the Director of Port Control to enter into a concession Agreement with Airport Marketing Income, LLC for special events' promotion, marketing, and advertising for the Department of Port Control, for a period of two years."

4. In Section 1, after amended Section 2 insert the following:

"Section 3. That the term of the Agreement shall be for two years, commencing on the Agreement's effective date. The Agreement shall be cancelable on the director's thirty-day written notice. The director will report at the end of each calendar year to the Clerk of Council and the Chair of the Aviation and Transportation Committee regarding initiatives conducted under the Agreement."

5. In Section 2, line 1, after "That" strike "existing Section 2" and insert **"the existing title and Sections 2 and 3"**; and in line 2, strike "is" and insert **"are"**.

Amendments agreed to.
The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

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

Ord. No. 1722-06.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from United States Department of Justice, COPS Office, for the COPS Interoperable Communications Technology Program; authorizing the purchase by one or more requirement contracts of materials, equipment, supplies, and services needed to implement the grant; and authorizing the Director to employ one or more professional consultants to implement the grant.

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1754-06.

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

An emergency ordinance to amend Section 4 of Ordinance No. 8-05, passed January 31, 2005, relating to professional services for marketing and advertising services, materials and equipment necessary to promote the Cleveland Hopkins International and Burke Lakefront Airports.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1863-06.

By Council Members Britt and Sweeney (by departmental request). An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2007 Cardiovascular Health Program.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1864-06.

By Council Members Britt and Sweeney (by departmental request). An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2007 Immunization Action Plan Program.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1865-06.

By Council Members Britt and Sweeney (by departmental request). An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from Cuyahoga County Solid Waste District for the 2007 Solid Waste Disposal Program.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1866-06.

By Council Members Britt and Sweeney (by departmental request). An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2007 Tobacco Control Program.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1867-06.

By Council Members Britt and Sweeney (by departmental request). An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2007 Federal AIDS Prevention Program; and to enter into contract with various agencies to implement the program.

Approved by Directors of Public Health, Finance, Law; Passage rec-

ommended by Committees on Health and Human Services, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1868-06.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from Research Triangle Institute, Inc. for the Research Triangle Program; authorizing the director to enter into one or more requirement contracts of materials, equipment, supplies, and services needed to implement the grant; and authorizing the director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1869-06.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the 2007 Ohio Department of Health for the STD Control Program.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1870-06.

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

An emergency ordinance to amend the title of Ordinance No. 941-06, passed June 12, 2006; to supplement the ordinance by adding new Sections 8, 9, and 10; and to renumber existing Sections 8, 9, 10, and 11 to new Sections 11, 12, 13, and 14, relating to a grant from the Ohio Environmental Protection Agency for the operation of the Division of Air Quality.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1953-06

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into one or more contracts with Alltel Communications for professional services necessary to provide data services and maintenance on mobile computer interfaces for a period of

one year with two one-year options to renew.

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance; when amended as follows:

1. In the title, lines 7 and 8, strike "with two one-year options to renew".

2. In Section 1, lines 3 and 4, strike "with two one-year options to renew exercisable by the Director of Finance,".

Amendments agreed to.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

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

THIRD READING ORDINANCE PASSED

Ord. No. 1282-06.

By Council Members Cimperman, Kelley, Cleveland and Sweeney (by departmental request).

An ordinance to amend Sections 350.01, 350.03, 350.06, 350.07, and 350.10, of the Codified Ordinances of Cleveland, Ohio, 1976, as amended or enacted by various ordinances relating to wall murals; to amend Section 341.021, as amended, relating to the airport land protective district; to enact new Sections 350.161 and 350.162 of the codified ordinances relating to wall murals; and to authorize the City to enter into a lease with Clear Channel Outdoor to erect a billboard on land at Cleveland Hopkins International Airport.

Read third time in full. Passed. Yeas 20. Nays 0.

MOTION

By Council Member Brady, seconded by Council Member Britt, and unanimously carried that the absence of Council Member Michael A. Dolan, be and is hereby authorized.

MOTION

The Council Meeting adjourned at 8:18 p.m. to meet Monday, December 4, 2006 at 7:00 p.m. in the Council Chambers.



City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

November 22, 2006

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, November 22, 2006, at 10:30 a.m. with Mayor Jackson presiding.

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

Absent: None.

Others: Jim Hardy, Commissioner, Purchases and Supplies.

Debra Linn Talley, Director, Office of Equal Opportunity.

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

Resolution No. 534-06.

By Director Dumas.

Whereas, Board of Control Resolution No. 522-06, adopted November 15, 2006, received, approved, and ordered filed the report of the Commissioner of Purchase & Supplies for the sale of scrap, personal property, and by-products, during the month of November 2006 in the amount of \$49,698.40; and

Whereas, Resolution No. 522-06 incorrectly stated the total amount of the sales of scrap, personal property, and by-products; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 522-06, adopted by this Board November 15, 2006, receiving, approving, and ordering filed the report of the Commissioner of Purchase & Supplies for the sale of scrap, personal property, and by-products, during the month of November 2006 is amended by substituting "\$47,698.40" for "\$49,698.40", where appearing.

Be it further resolved that all other terms of Resolution No. 522-06 not expressly amended above shall remain unchanged and in full force and effect.

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

Nays: None.

Absent: None.

Resolution No. 535-06.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Professional Electric Products Co. Inc. for an estimated quantity of wood poles and cross-arms, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years beginning with the date of execution of a contract, received on September 8, 2006, under the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$2,616,288.95 (Net, 30 Days), is approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or

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

Requisition No. 168039

which shall be certified against the contract in the sum of \$131,000.00.

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

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

Nays: None.

Absent: None.

Resolution No. 536-06.

By Director Wasik.

Resolved, by the Board of Control of the City of Cleveland that the bid of Kurtz Brothers, Inc. for an estimated quantity of disposal of construction and demolition debris, 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 October 18, 2006, under the authority of Ordinance No. 303-06, passed March 20, 2006, which on the basis of the estimated quantity would amount to approximately \$79,200.00, is affirmed and approved as the lowest and best bid, and the Director of Public Service is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 130699

which shall be certified against the contract in the sum of (\$20,000.00).

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

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

Nays: None.

Absent: None.

Resolution No. 537-06.

By Director Flask.

Resolved by the Board of Control of the City of Cleveland that the bid of Schwartz Uniform, for an estimated amount of various Police Uniform and Supplies, items 2, 7-9, 11-13, 15, 17-22, 27, 28, 35, 35A, 35B, 36, 36A, 37, 38, 41, 43, 44, 45-47, 49-74, 76, 78, 79, 80, 80A, 82, 83, 85, 86-98, 100, 100A, 101, 101A, 102-107, 109, 110, 111, 111A, 111B, 111C, 111D, 111E, 112-118, 124, 126, 127, 128, 129, 130, 132-139, 154-157, 164 and 165, for the Division

of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on August 31, 2006, under the authority of Section No. 135.06 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount \$905,395.00, is affirmed and approved as the lowest and best bid, and the Director of Public Safety is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 173037

as specified,

which shall be certified against such contract in the sum of \$45,325.00.

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

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

Nays: None.

Absent: None.

Resolution No. 538-06.

By Director Flask.

Resolved by the Board of Control of the City of Cleveland that the bid of Shuttlers Uniform, for an estimated amount of various Police Uniform and Supplies, items 1, 14, 16, 77, 99, 99A, 141 and 153, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on August 31, 2006, under the authority of Section No. 135.06 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount \$165,575.00, is affirmed and approved as the lowest and best bid, and the Director of Public Safety is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 173036

as specified,

which shall be certified against such contract in the sum of \$8,401.25.

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

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

Nays: None.

Absent: None.

Resolution No. 539-06.

By Director Flask.

Resolved by the Board of Control of the City of Cleveland that the bid of Atwells Police & Fire Equipment, for an estimated amount of various Police Uniform and Supplies, items 10, 120, 120A, 122, 123, 152 and 163, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on August 31, 2006, under the authority of Section No. 135.06 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount \$233,407.50, is affirmed and approved as the lowest and best bid, and the Director of Public Safety is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 173033

as specified, which shall be certified against such contract in the sum of \$11,705.00.

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

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

Nays: None.

Absent: None.

Resolution No. 540-06.

By Director Flask.

Resolved by the Board of Control of the City of Cleveland that the bid of Standard Law Enforcement, for an estimated amount of various Police Uniform and Supplies, items 3, 4, 5, 6, 23, 24, 24A, 25, 26, 29, 31, 32, 33, 34, 39, 39A, 40, 42, 48, 108, 120B, 120C, 121, 125 and 131, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on August 31, 2006, under the authority of Section No. 135.06 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount \$161,757.40, is affirmed and approved as the lowest and best bid, and the Director of Public Safety is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 173035

as specified, which shall be certified against such contract in the sum of \$8,098.00.

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

against the contract.

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

Nays: None.

Absent: None.

Resolution No. 541-06.

By Director Flask.

Resolved by the Board of Control of the City of Cleveland that the bid of Cleveland Uniform, for an estimated amount of various Police Uniform and Supplies, items 84, 119 and 119A, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on August 31, 2006, under the authority of Section No. 135.06 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount \$33,200.00, is affirmed and approved as the lowest and best bid, and the Director of Public Safety is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 173034

as specified, which shall be certified against such contract in the sum of \$1,671.00.

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

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

Nays: None.

Absent: None.

Resolution No. 542-06.

By Director Flask.

Be it resolved by the Board of Control of the City of Cleveland that the bid of BP Britches DBA Christopher's, for an estimated amount of various Police Uniform and Supplies, items 30, 75 and 81, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on August 31, 2006, under the authority of Section No. 135.06 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount \$28,200.00, is affirmed and approved as the lowest and best bid, and the Director of Public Safety is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 173032

as specified, which shall be certified against such contract in the sum of \$1,425.00.

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

Be it further resolved by the Board of Control that the employment of the following subcontractors by Allstate Industrial is approved:

<u>Subcontractor</u>	<u>Amount</u>
<u>MBE/FBE</u>	
Allstate Industrial	
MBE	\$920.00 - 3.26%

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

Nays: None.

Absent: None.

Resolution No. 543-06.

By Director Cox.

Resolved, by the Board of Control of the City of Cleveland that the bid of Consolidated Electrical Distributors, Inc., d.b.a. Leader Electric Supply Company for an estimated quantity of electrical supplies, for the Division of Property Management, Department of Parks, Recreation and Properties, for the period of one (1) year, received October 13, 2006, under the authority of Ordinance No. 883-06, passed June 13, 2006, which on the basis of the estimated quantity would amount to \$100,000.00, is affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the requirement contract of the following:

Requisition No. 169517

which shall be certified against the contract in the sum of \$25,000.00.

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

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

Nays: None.

Absent: None.

Resolution No. 544-06.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland that all bids received on July 12, 2006, for Tony Brush Park Site Improvements, for the Department of Parks, Recreation & Properties, pursuant to the authority of Ordinance No. 2151-03, passed by the Council of the City of Cleveland on December 15, 2003, are rejected.

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

Nays: None. Absent: None.

Resolution No. 545-06.

By Director Rush. Whereas, under 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 the Program, the City has acquired Permanent Parcel No. 116-09-029 located at East 155th Street in Ward 11; 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, Collinwood Nottingham Villages Development Corporation, abutting/adjacent landowner, has proposed to the City to purchase and develop the parcel; and

Whereas, the following conditions exist:

- 1. The member of Council from Ward 11 has consented to the proposed sale; 2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Collinwood Nottingham Villages Development Corporation for the sale and development of Permanent Parcel No. 116-09-029 located at East 155th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of the 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 the Program.

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

Nays: None. Absent: None.

JEFFREY B. MARKS, Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

REYNALDO GALINDO, President

CIVIL SERVICE NOTICE

ANNOUNCEMENTS - 2006 12/8/06 - 12/14/06

Table with 3 columns: Announcement No., Type Exam, Classification. Rows 64-68 listing various positions like Accountant Supervisor, Asst. City Comptroller, etc.

PROOF OF CITY RESIDENCY

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

gency. Acceptable categories include, but are not limited to, the following:

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

Utility bills bearing the property address and your name.

Post Office change of address form properly date stamped.

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

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

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

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

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

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

The following are examples of unacceptable categories of proof:

- Library cards. Voter registration cards. Birth certificates. Notarized letters or affidavits. Social Security card. Rental receipts from independent party without cancelled checks or money order receipt.

APPROVED C.S.C MINUTES ANNOUNCEMENT NO. 64

ACCOUNTANT SUPERVISOR (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$23,647.11 - \$67,691.52 per Year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, DECEMBER 8, 2006 UNTIL 4:30 P.M. ON THURSDAY, DECEMBER 14, 2006.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P. M. ON THURSDAY, DECEMBER 14, 2006.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

DUTIES OF THE POSITION

Under general direction, supervises a major accounting work section. Prepares accounting policy and procedure recommendations. Advises City departments concerning accounting procedures related to their areas of responsibility. Supervises accountants and clerical workers. Initiates new procedures throughout the City of Cleveland pertaining to a major accounting section. Prepares, verifies, and corrects financial statements. Monitors capital projects and other accounts. Assists in balancing accounts as necessary. Provides training to users of computerized financial systems as needed. Approves financial statements and audit work papers for a major accounting area. Approves all bank investment reconciliations. Performs other job related duties as required.

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

A High School Diploma or GED is required. A Bachelor's Degree in Accounting, Finance, Business/Public Relations or related field is required. Five (5) years of full time paid progressively responsible accounting experience, two (2) years of which are supervisory, is required. Must have a working knowledge of Microsoft Office Suites and have the ability to use and train staff in various accounting software packages as well as People Soft.

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

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and

resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 65

ASSISTANT CITY COMPTROLLER (NON-COMP)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$41,312.22 - \$106,048.80 per Year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, DECEMBER 8, 2006 UNTIL 4:30 P.M. ON THURSDAY, DECEMBER 14, 2006.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, DECEMBER 14, 2006.

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

EXAMINATION INFORMATION

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

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

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

DUTIES OF THE POSITION

Under the direction of the City Comptroller, develops and maintains the accuracy of the City accounting system control. Assists the City Comptroller reconciling inter-fund accounts payable and receivable. Organizes and maintains the City property control system. Monitors

grant expenditures and cash activities. Prepares periodic financial reports and statements. Assists the City Controller in coordinating the external audit associated with the city-wide accounting policies and procedures. Oversees certain billing functions on behalf of the City of Cleveland. Assists City Comptroller in managing all divisional staff. Performs other job related duties as directed by the City Comptroller or by ordinance.

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

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Finance, Accounting or related field from a four year accredited College or University is required. Five (5) years of full time paid progressively responsible financial management experience in government is required. Must have a working knowledge of Microsoft Office Suites. Must possess excellent written, verbal communication and management skills. A CPA is preferred.

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

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 66

ASSISTANT COMMISSIONER OF NEIGHBORHOOD DEVELOPMENT (Non-Comp)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$26,273.96- \$83,395.52 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, DECEMBER 8, 2006 UNTIL 4:30 P.M. ON THURSDAY, DECEMBER 14, 2006.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, DECEMBER 14, 2006.

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

EXAMINATION INFORMATION

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

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

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

DUTIES OF THE POSITION

Under administrative direction, assists in overseeing the operations of Neighborhood Development. Ensures divisional compliance with City, State, and Federal requirements. Manages special and other projects as assigned. Serves as Commissioner in his/her absence. Performs other job related duties as required.

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

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Business Administration, Real Estate, or Public Administration from a four (4) year accredited College or University is required, a Master's Degree is preferred. Five (5) years of full time paid experience managing housing development programs is required. A valid State of Ohio Driver's License is required.

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

ments, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 67

INVESTMENT MANAGER (NON-COMPETITIVE)

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

SALARY

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

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, DECEMBER 8, 2006 UNTIL 4:30 P.M. ON THURSDAY, DECEMBER 14, 2006.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, DECEMBER 14, 2006.

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

EXAMINATION INFORMATION

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

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

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

DUTIES OF THE POSITION

Under general direction, invests City funds in accordance with established rules and regulations. Forecasts sources and uses of City Funds. Develops and maintains cash management and investment policies and procedures. Performs other job related duties as required.

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

A High School Diploma or GED is required. A Bachelor's Degree in Business Administration, Finance, Accounting, or Public Administration from an accredited four (4) year College or University is required. Two (2) years of full time paid experience in cash and investment management with an emphasis in short and long term investment analysis is required.

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

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 68

SR. BUDGET AND MANAGEMENT ANALYST (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an OPEN examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$26,273.96 - \$73,035.04 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service

Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, DECEMBER 8, 2006 UNTIL 4:30 P.M. ON THURSDAY, DECEMBER 14, 2006.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, DECEMBER 14, 2006

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

DUTIES OF THE POSITION

Under general direction, performs responsible and complex professional and administrative budget analysis, projections, and preparation. Researches and prepares annual operating budgets including anticipated revenue, capital budgets, and projected expenditures. Monitors and analyzes financial operations and prepares status reports of budgetary issues and concerns for the City as required. Monitors outside agencies for operating costs to assist management with long-term planning related to local issues, tax revenue, costs, and other required analysis. Supervises less senior employees. Performs other job related as required.

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

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Finance, Accounting, Business/Public Administration, or closely related field from a four (4) year accredited College or University is required. Four (4) years of full time paid experience in a governmental Finance, Budget, or Management related field which must include one (1) year of supervisory experience, is required. (Substitution: Two (2) years of full time relative budgetary experience may be substituted for each year of college education lacking.) Must be computer proficient and have a knowledge of various financial reporting software packages. A valid State of Ohio Driver's License is required.

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

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

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

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

AN EQUAL OPPORTUNITY EMPLOYER

REYNALDO GALINDO,
President

November 29, 2006

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, DECEMBER 11, 2006

9:30 A.M.

Calendar No. 06-236: 12912 Hoy Avenue (Ward 2)

Crystal Poole, owner, appeals to establish use as a Type A day care an existing 2 1/2-story frame dwelling house, situated on a 40' x 123.24' parcel located in a One-Family District on the south side of Hoy Avenue at 12912 Hoy Avenue; subject to the limitations of Section 337.02(f)(3)(C), the proposed use may not be less than a 30' distance from any adjoining premises in a Residence District not used for a similar purpose and requires approval of the Board of Zoning Appeals to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgment of the Board the building and use are appropriately located and designed and will meet a community need without adversely affecting the neighborhood.

Calendar No. 06-237: 3238 West 48th Street (Ward 14)

Maria Ortuzar, owner, appeals to park a 10' x 18' commercial truck on a 40' x 125' corner parcel located in a Two-Family District on the southwest corner of West 48th Street and Field Court at 3238 West 48th Street; subject to the restrictions of 337.23B(10), the proposed commercial truck parking is not allowed in a Residence District and contrary to Section 337.23(a) accessory parking shall be located on the rear half of the lot and the placement is within the front half of the lot at 57' and on the rear third of a corner lot the building line shall be not less than 10' in a Residence District, as stated in Section 357.05(b)(1) of the Codified Ordinances.

Calendar No. 06-239: 13448 Puritas Avenue (Ward 20)

The Cuyahoga Metropolitan Housing Authority, owner, appeals to erect three duplex housing units in an existing, legal nonconforming, residential development, situated on acreage in an A1 One-Family District on the north side of Puritas Avenue at 13448 Puritas Avenue; as proposed, the one-story duplex units are contrary to Section 357.10 that requires for large scale housing development there be at least a 45' distance between the buildings and only 14' is proposed; and the expansion of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

Calendar No. 06-240: 12210 Mayfield Road (Ward 6)

Grace Corbo, owner, appeals to erect a 1,853 square foot addition to an existing two-story mixed use building, situated on a 50' x 175' corner parcel located in a General Retail Business District on the southeast corner of Mayfield and Murray Hill Roads at 12210 Mayfield Road; contrary to Section 349.04(f) there are no additional parking spaces and 8 are required with the building addition, with the 7 spaces shown on the plan being displaced by the addition, resulting in a total off-street parking requirement of 15 spaces; and no landscape is proposed, where a 6' wide landscape strip is required between the parking lot and Fairview Court as stated in Section 352.10 of the Codified Ordinances.

Calendar No. 06-244: 3545 Ridge Road (Ward 16)

Chin and Arnold Properties, LLC, owner, appeal to install a double faced pole sign identifying a shopping center and 5 tenants on an irregular shaped parcel, located in a Semi-Industry District on the east side of Ridge Road at 3545 Ridge Road; subject to the limitations of Section 350.14(d)(1) in the Sign Regulations and for purposes of this Chapter, 3 or more retail businesses located on a single lot and served by common parking or common vehicular entrances shall be classified as a "shopping center" and shall be permitted 1 free standing identification sign and 1 wall identification sign in addition to other permitted signs. In accordance with the regulations of Subsection (1) for the Display of Information, each shopping center identification sign shall display only the name of the center and the name of not more than 1 business located within the center; except that, with approval of the council member whose ward is affected as expressed by an ordinance or resolution of Council for any shopping center with retail floor area exceeding 150,000 square feet, excluding "outlots" with separate free-standing signs, such sign may display the names of not more than 2 businesses located within the center, as stated in Section 350.14(d)(1) of the Codified Ordinances.

Calendar No. 06-245: 3881 West 134th Street (Ward 20)

Clyde Gazda, owner, appeals to install a 4' tall and 6' tall chain link fence in the actual front yard of a 40' x 150' parcel located in a B1 Two-Family District on the east side of West 134th Street at 3881 West 134th Street; contrary to the Fence Regulations and Section 358.04(c)(1), a chain link fence is proposed and only ornamental fences that do not exceed 4' in height are permitted in a residential district, as stated in Section 358.04(a) of the Codified Ordinances.

Calendar No. 06-192: 3708 Whitman Avenue (Ward 13)

Junaid Hasan, owner, appeals to change the use of an existing dwelling and store building to a single family residence situated on a 30' x 103.5' corner parcel, located in a Two-Family District on the northeast corner of Whitman Avenue and West 38th Street at 3708 Whitman Avenue; contrary to Section 355.05, the lot width is 30 feet and 40 feet is required and the maximum gross floor area is 1,950 square feet instead of 4,800 square feet; and no interior side yard shall be less than a width of 5 feet on a corner lot occupied by a dwelling, nor less than a width of 3 feet for an interior lot, nor shall the aggregate width of side yards on the same premises be less than 10 feet, as stated in Section 357.09(2)B of the Codified Ordinances. (Filed 9-14-06; Dismissed 11-13-06; Reinstated 11-20-06)

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 27, 2006

At the meeting of the Board of Zoning Appeals on Monday, November 27, 2006, the following appeals were heard by the Board:

The following appeals were **Approved**:

Calendar No. 06-225: 2243-45 Edgehill Road

Lillian Kuri appealed to erect a three-story, two dwelling units structure in an RA3 Townhouse District; subject to condition.

Calendar No. 06-229: 2165 West 6th Street

Jeffrey Kennedy appealed to erect a three-story two family dwelling in a Multi-Family District.

The following appeals were **Denied**:

Calendar No. 06-226: 3827 East 71st Street

Vendetta Brown appealed to change from a store to a carry out restaurant the front first floor of a one and two story building in a Multi-Family District.

Calendar No. 06-228: 4514 South Hills Drive

Paul Moreland appealed to erect a one-story metal carport in the rear

yard of a dwelling house in a One-Family District.

Calendar No. 06-159: 485 East 140th Street

John Masseria and Wade Park Properties, Ltd., owner, and Michael Steele, prospective purchaser, appealed to change to a used car sales lot the use of an existing building in split zoning between General Retail Business and Multi-Family Districts.

The following appeal was **Withdrawn**:

None.

The following appeal was **Dismissed**:

Calendar No. 06-227: 2287 East 105th Street

Blasé Pietrafese, owner, and Anita Lillard, prospective tenant, appealed to change from a store to a commercial kitchen and the storage of hot dog vending supplies and equipment the use of an existing building in a Local Retail Business District.

The following appeal was **Postponed**:

Calendar No. 06-204: 944 East 152nd Street postponed to January 16, 2007.

In Executive Session on November 27, 2006, the following appeals heard by the Board on November 20, 2006 were adopted and approved.

The following appeals were **Approved**:

Calendar No. 06-222: 11607 Honeydale Avenue

Eadie Scott appealed to establish use of an existing two-story building as a fourteen bed boarding house for senior citizens in a Local Retail Business District.

Calendar No. 06-223: 2057 West 85th Street

Alejandro and Mayda Santos appealed to build a 10.8' x 14' one-story bathroom addition to a one family dwelling in a Two-Family District.

The following appeal heard by the Board on August 21, 2006 was adopted and approved by the Board on November 27, 2006:

The following appeal was **Approved**:

Calendar No. 06-148: 940 East 72nd Street

LLLJ, Ltd. and Liberatore Noce appealed to construct a one-story pre-manufactured building in a General Industry District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

2175

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

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

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Monday, December 11, 2006
9:00 a.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Monday, December 11, 2006, at 9:00 a.m., to consider the following ordinances now pending in the Council:

Ord. No. 1549-06.

By Council Member Coats.

An ordinance changing the Use Districts of parcels bounded by Deise Avenue, Maxwell Avenue, Aspinwall Avenue, E. 140th Street and including portions of Cobalt Avenue and Saranac Road as shown on the attached map from Semi-Industry and General Industry to Residence Industry (Map Change Number 2192, Sheet 7).

Ord. No. 1765-06.

By Council Member Polensek.

An ordinance to change the zoning of property on the south side of Shawnee Avenue near the intersection of Neff Road and East 185th Street to a Two Family Residential District (Map Change No. 2197, Sheet No. 7).

Ord. No. 1885-06.

By Council Member Zone.

An ordinance to change the Use District of land located on the northwest corner of West 65th Street and Storer Avenue, south of Clark Avenue from General Retail Business to a Shopping Center District (Map Change Number 2195, Sheet 2).

Ord. No. 1895-06.

By Council Members Britt, Pierce Scott and Conwell.

An ordinance establishing the University Circle Design District (UCDD) (Map Change No. 2198, Sheet Numbers 4, 8 & 9).

Ord. No. 1896-06.

By Council Member Cleveland.

An ordinance to change the Use, Area and Height District of a parcel of land on the south side of Saint Catherine Avenue near East 93rd Street shown shaded on the attached map from Two Family Residential, a 'B' Area District and a '1' Height District to a General Retail Business District, a 'C' Area District and a '2' Height District (Map Change No. 2200, Sheet 6).

Ord. No. 1897-06.

By Council Member Coats.

An ordinance to change the Use and Area Districts of land on the east side of East 150th Street north

of Saint Clair Avenue from a Two Family Residential District, a 'B' Area District to a Multi-Family Residential District and a 'C' Area District (Map Change No. 2201, Sheet 7).

Ord. No. 1898-06.

By Council Members Cummins and Cimperman.

An ordinance to change zoning of land on vacated Jennings Road north of Beltline Street south of Interstate 71 from a Two Family Residential District a 'B' Area District and a '1' Height District to a Unrestricted Industry District, an 'A' Area District and a '3' Height District (Map Change No. 2202, Sheet No. 6).

Ord. No. 1973-06

By Council Member Coats.

An ordinance to change the Use, Area and Height Districts of the rear half of a parcel of land on the north side of Euclid Avenue east of Avalon Road to a Multi-Family Residential District, a 'D' Area District and a '3' Height District (Map Change Number 2205, Sheet 7).

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

Joseph C. Cimperman

Chairman

Committee on City Planning

November 29, 2006 and December 6, 2006

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or

submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

THURSDAY, DECEMBER 7, 2006

Johnson Park Station Fence Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1513-05, passed by the Council of the City of Cleveland, October 17, 2005.

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

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, NOVEMBER 30, 2006 AT 10:00 A.M., BURKE LAKEFRONT AIRPORT, 1ST FLOOR CONFERENCE ROOM, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.

November 22, 2006 and November 29, 2006

WEDNESDAY, DECEMBER 13, 2006

Asphalt for Runways, Taxiways, Ramps and Roadways, for the Various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 1445-06, passed by the Council of the City of Cleveland, October 9, 2006.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, DECEMBER 1, 2006 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

November 22, 2006 and November 29, 2006

THURSDAY, DECEMBER 14, 2006

Miscellaneous Sized Steel Plates, for the Various Divisions of Finance, Department of Finance, as authorized by Ordinance No. 1620-06, passed by the Council of the City of Cleveland, October 23, 2006.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, DECEMBER 7, 2006 AT 10:30 A.M., CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

November 22, 2006 and November 29, 2006

FRIDAY, DECEMBER 15, 2006

Cleveland Public Power Ridge Road Substation Feeder Extension, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1625-06, passed by the Council of the City of Cleveland, October 16, 2006.

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

THERE WILL BE A MANDATORY PRE-BID MEETING, MONDAY, DECEMBER 4, 2006 AT 11:00 A.M., CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

November 22, 2006 and November 29, 2006

FRIDAY, DECEMBER 15, 2006

Labor and Materials Necessary to Maintain and Repair Elevators, Escalators and Moving Walkways, for the Various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 1633-06, passed by the Council of the City of Cleveland, October 30, 2006.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, DECEMBER 8, 2006 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, MAIN CONFERENCE ROOM, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

November 29, 2006 and December 6, 2006

WEDNESDAY, DECEMBER 20, 2006

Demolition and Site Improvements of Memphis School, for the Department of Building and Housing, as authorized by Ordinance No. 757-06, passed by the Council of the City of Cleveland, April 24, 2006.

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

THERE WILL BE A MANDATORY PRE-BID MEETING, TUESDAY, DECEMBER 12, 2006 AT 10:00 A.M., DEPARTMENT OF BUILDING & HOUSING ROOM 509, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

13.8kV Transformers, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A MANDATORY PRE-BID MEETING, WEDNESDAY, DECEMBER 13, 2006 AT 10:00 A.M., CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

November 29, 2006 and December 6, 2006

THURSDAY, DECEMBER 21, 2006

Four Chilled Water Coils, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1061-06, passed by the Council of the City of Cleveland, September 25, 2006.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, TUESDAY, DECEMBER 12, 2006 AT 9:00 A.M., CLEVELAND CONVENTION CENTER, 500 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

November 29, 2006 and December 6, 2006

WEDNESDAY, DECEMBER 27, 2006

Consolidated Maintenance Facility - Phase 2-A-1H210, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 1635-06, passed by the Council of the City of Cleveland, October 9, 2006.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, DECEMBER 14, 2006 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT ENGINEERING BUILDING 6C-24C, CONFERENCE ROOM, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

November 29, 2006 and December 6, 2006

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 1975-06.

By Council Member Cleveland.
An emergency resolution objecting to a Liquor Agency Contract located at 3230 East 93rd Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for a Liquor Agency Contract at Semaan Marketing, Inc., 3230 East 93rd Street, Cleveland, Ohio 44104, Permanent Number 7974550; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a Liquor Agency Contract at Semaan Marketing, Inc., 3230 East 93rd Street, Cleveland, Ohio 44104, Permanent Number 7974550; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted November 20, 2006.

Effective November 27, 2006.

Res. No. 1976-06.

By Council Member Cleveland.
An emergency resolution withdrawing objection to a New C1 Liquor Permit at 7500 Euclid Avenue and repealing Resolution No. 1142-06, objecting to said permit.

Whereas, this Council objected to a New C1 Liquor Permit to 7500 Euclid Avenue by Resolution No. 1142-06 adopted by the Council on July 12, 2006; and

Whereas, this Council wishes to withdraw its objection to the above permit and consents to said 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 a New C1 Liquor Permit to Aldi, Inc., Ohio, DBA Aldi 66, 7500 Euclid Avenue, Cleveland, Ohio 44103, Permanent Number 01007780680, be and the same is hereby withdrawn and Res-

olution No. 1142-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit 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 November 20, 2006.

Effective November 27, 2006.

Res. No. 1977-06.

By Council Member Cleveland.
An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 3314 East 93rd Street and repealing Resolution No. 1554-06, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to Ronee Murray Davis, DBA Dee & Vee's Beverage, 3314 East 93rd Street, Cleveland, Ohio 44104, Permanent No. 1977502, by Resolution No. 1554-06 adopted by the Council on September 18, 2006; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to Ronee Murray Davis, DBA Dee & Vee's Beverage, 3314 East 93rd Street, Cleveland, Ohio 44104, Permanent No. 1977502, be and the same is hereby withdrawn and Resolution No. 1554-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted November 20, 2006.

Effective November 27, 2006.

Res. No. 1978-06.

By Council Member Pierce Scott.
An emergency resolution withdrawing objection to the transfer of ownership of C1 and C2 Liquor Permit at 1258 East 105th Street and repealing Resolution No. 1013-06, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to Soad 105, Inc., 1258 East 105th Street, Cleveland, Ohio 44108, Permanent No. 8341824, by Resolution No. 1013-06

adopted by the Council on June 5, 2006; and

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

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

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

Section 1. That objection to a C1 and C2 Liquor Permit to Soad 105, Inc., 1258 East 105th Street, Cleveland, Ohio 44108, Permanent Number 8341824, be and the same is hereby withdrawn and Resolution No. 1013-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted November 20, 2006.
Effective November 27, 2006.

Res. No. 1979-06.

By Council Member Santiago.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 3315 Clark Avenue, and repealing Resolution No. 1349-06 objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 3315 Clark Corporation, DBA Clark Convenience Food Plus, 3315 Clark Avenue, Cleveland, Ohio 44109, Permanent No. 8922858, by Resolution No. 1349-06 adopted by the Council on August 9, 2006; and

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

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

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

Section 1. That objection to a C1 and C2 Liquor Permit to 3315 Clark Corporation, DBA Clark Convenience Food Plus, 3315 Clark Avenue, Cleveland, Ohio 44109, Permanent No. 8922858 be and the same is hereby withdrawn and Resolution No. 1349-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted November 20, 2006.
Effective November 27, 2006.

Ord. No. 1295-05.

By Council Member Britt.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Quincy and Keyes Avenues and East 79th Street to Fairfax Renaissance Development Corporation.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-01-004 as more fully described 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. 126-01-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Westerly 186.89 feet of Sublot Nos. 90 and 91 in Rogers, O'Brien, McNamara and McGinness Subdivision of a part of Original One Hundred Acre Lot No. 415, as shown by the recorded plat in Volume 4 of Maps, Page 9 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of East 79th Street (formerly East Madison Avenue) at the Northwest corner of said Sublot No. 91; thence Southerly along the Easterly line of East 79th Street 85 feet to the Southwest corner of said Sublot No. 90; thence Easterly along the Southerly line of said Sublot No. 90, 186.89 feet to a point; thence Northerly and with the Easterly line of East 79th Street; 85 feet to the Northerly line of said Sublot No. 91; thence Westerly along Northerly line of Sublot No. 91, 186.89 feet to the place of beginning, 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. 126-01-007 as more fully described below to Fairfax Renaissance Development Corporation.

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

P. P. No. 126-01-007

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Sublot No. 88 in Rogers O'Brien, McNamara and McGinness' Re-Allotment of part of Keyes and McGinness' Re-Allotment of part of Keyes and Edwards Allotment of Original One Hundred Acre Lot No. 415, as shown by the recorded plat of said Re-Allotment in Volume 4, Page 9, of Cuyahoga County Records, bounded as follows:

Beginning in the Northerly line of Keyes Avenue, S.E., at a point distant Easterly 52.81 feet from the intersection of said Northerly line of Keyes Avenue, S.E., with the Easterly line of East 79th Street; thence Northerly parallel with the Easterly line of East 79th Street, 40.00 feet; thence Easterly parallel with the Northerly line of Keyes Avenue, S.E., 57.19 feet; thence Southerly parallel with the Easterly line of East 79th Street, 40.00 feet to the Northerly line of Keyes Avenue, S.E.; thence Westerly along the Northerly line of Keyes Avenue, S.E., 57.19 feet to the beginning, according to the Survey of Charles W. Root, Registered Professional Engineer and Surveyor, be the same more or less, but subject to all legal highways.

Also 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. 126-01-116 as more fully described below, to Fairfax Renaissance Development Corporation.

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

P. P. No. 126-01-116

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly one-half of Sublot No. 49 in Keyes and Edwards' Subdivision of part of Original One Hundred Acre Lot No. 415, as shown by the recorded plat in Volume 4 of Maps, Page 8 of Cuyahoga County Records, and being 25 feet front on the Southerly side of Quincy Avenue S.E., (formerly Wade Street), and extending back 200 feet 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. 126-01-117 as more fully described, to Fairfax Renaissance Development Corporation.

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

P. P. No. 126-01-117

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly half of Sublot No. 50 in Keyes and Edwards Subdivision of part of Original One Hundred Acre Lot No. 415, as shown by the recorded plat in Volume 4 of Maps, Page 8 of Cuyahoga County Records, and

being 30 feet 8-1/2 inches front on the Southerly side of Quincy Avenue, S.E., and extending back of equal width 200 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 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. 126-01-125 as more fully described below, to Fairfax Renaissance Development Corporation.

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

P. P. No. 126-01-125

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 87 in Rogers, O'Brien, McNamara and McGinnis Subdivision of part of Original One Hundred Acre Lot No. 415, as shown by the recorded plat in Volume 4 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Northerly side of (formerly Sherman Avenue, S.E.), now Keyes Avenue, S.E., and extending back of equal width, 130 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-01-136 as more fully described below, to Fairfax Renaissance Development Corporation.

Section 12. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-01-136

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and further known as being part of Sublot No. 77 in Rogers, O'Brien, McNamara and McGinnis Allotment of part of Original One Hundred Acre Lot No. 415 as shown by the recorded plat in Volume 4 of Maps, Page 9 of Cuyahoga County Records and described as follows:

Beginning at a point in the Northerly line of Sherman Avenue, S.E. now known as Keyes Avenue, S.E., 38 feet Westerly from the Southeasterly corner of said Sublot No. 77; thence in a Northerly direction on a line parallel to the Westerly line of said Sublot No. 77, 87 feet; thence Westerly on a line parallel to the Northerly line of said Sherman Avenue, S.E., now known as Keyes Avenue, S.E., 26 feet to a point in the Westerly line of said Sublot No. 77, distant 87 feet from the Northerly line of Sherman Avenue, S.E.; now known as Keyes Avenue, S.E., thence Southerly along the Westerly line of said Sublot No. 77, 87 feet to the Northerly line of said Sherman Avenue, S.E. now known as Keyes Avenue, S.E.; thence Easterly along the Northerly line of said Sherman Avenue, S.E., now known as Keyes Avenue, S.E., a distance of 26 feet to the place of

beginning, be the same more 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. 126-01-175 as more fully described below, to Fairfax Renaissance Development Corporation.

Section 14. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-01-175

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as Westerly 1/2 of Sublot No. 49 in Keyes and Edwards' Subdivision of part of Original One Hundred Acre Lot No. 415, as shown by the recorded plat in Volume 4 of Maps, Page 8 of Cuyahoga County Records, and being 25 feet front on the Southerly side of Quincy Avenue, S.E., (formerly Wade Street) and extending back between parallel lines 200 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 126-01-180 as more fully described below, to Fairfax Renaissance Development Corporation.

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

P. P. No. 126-01-180

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No.5 in the proposed Taylor Re-Subdivision of part of Sublots Nos. 90 and 91 in the Rogers, O'Brien, McNamara and McGinnis Allotment as recorded in Volume 4 of Maps, Page 9 of Cuyahoga County Records, and being bounded and described as follows:

Beginning at a point 212.66 feet Easterly of the Southwesterly corner of Sublot No. 90; thence Northerly 85 feet to an iron pipe set; thence Easterly 26.05 feet to an iron pipe set; thence Southerly 85 feet to an iron pipe set; thence Westerly 26.05 feet to the place of beginning as surveyed by Julian C. Madison, registered surveyor, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to easement recorded in Volume 9409, Page 648 of Cuyahoga County Records.

Also Subject to Zoning Ordinances, if any.

Section 17. 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 18. 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 19. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 20. 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 November 20, 2006.
Effective November 27, 2006.

Ord. No. 1130-06.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Lexington Avenue to Pamela Yvette Campbell.

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). 106-16-038, as more fully described below, to Pamela Yvette Campbell.

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

P. P. No. 106-16-038

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 22 in The Thomas Bolton Estate Subdivision of part of Original One Hundred Acre Lot Nos. 339 and 342, as shown by the recorded plat in Volume 22 of Maps, Page 26

of Cuyahoga County Records, and bounded and described as follows:

Beginning at the intersection of the East line of East 71st Street (formerly Giddings Avenue), with the Northerly line of Lexington Avenue N.E. (formerly Lexington Avenue), thence Easterly along said Northerly line of Lexington Avenue, N.E. 36 feet to the Southeastly corner of said Sublot No. 22; thence Northerly along the Easterly line of said Sublot No. 22, 109-21/100 feet to the Southerly line of land conveyed by Robert Collister and Ellen R. Collister, husband and wife, to Dennis Oliver Pike and Percy Venning by deed dated February 21, 1914, and recorded in Volume 153, Page 539 of Cuyahoga County Records; thence Westerly along said Southerly line of said line so conveyed to Dennis Oliver Pike and Percy Venning, 36 feet to the Easterly line of East 71st Street, thence Southerly along said Easterly line of East 71st Street, 109-16/100 feet to the place of beginning, as appears by said plat.

Also subject to zoning ordinances, if any.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1257-06.
By Council Members Zone and Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more contracts of fire and extended insurance coverage for various locations, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of three 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 authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: fire and extended insurance coverage for various locations within the Division of Cleveland Public Power for a period of three years, to be purchased by the Commissioner of Purchases and Supplies for a gross price, for the Department of Public Utilities.

Section 2. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director Public Utilities may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into contract or contracts with the vendors selected through that cooperative process.

Section 3. That the cost of the contract or contracts authorized shall be paid from Fund No. 58 SF 001, Request No. 158147.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1260-06.
By Council Members Zone and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to implement Phase II and Phase III of the Human Resource Enhancement Program, 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 Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement Phase II and Phase III of the Human Resource Enhancement Program, for the Division of Water, including but not limited to, the implementation of selected pilot programs and staff training recommended under Phase I of the Human Resource Enhancement Program, and full implementation of recommended programs and development of a support plan for current and future employees.

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

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 52 SF 001, Request No. 163834.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1283-06.
By Council Members Cimperman, Cleveland and Sweeney (by departmental request).

An emergency ordinance to amend Section 343.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2215-96, passed April 7, 1997, relating to local retail business district.

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 343.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2215-96, passed April 7, 1997, is amended as follows:

Section 343.01 Local Retail Business District

(a) "Local Retail District" means a business district in which such uses are permitted as are normally required for the daily local retail business needs of the residents of the locality only.

(b) Permitted Buildings and Uses. The following buildings and uses are permitted in a Local Retail Business District; and no buildings or premises shall hereafter be erected, altered, used, arranged or designed to be used, in whole or in part for other than one or more of the following specified uses, and there shall be no display of goods in front of a setback building line.

(1) Except as otherwise provided in this Zoning Code, all uses permitted in the Multi-Family District and as regulated in that district, except that "kindergartens, day nurseries and children's boarding homes" shall be permitted without the requirement for a specified setback from an adjoining premises in a Residence District not used for a similar purpose.

(2) Retail business for local or neighborhood needs to the following limited extent:

A. The sale of baked goods, confectionery, dairy products, delicatessen, fruits, vegetables, groceries, meats.

B. The sale of dry goods and variety merchandise, excluding department stores.

C. The sale of men's and boy's furnishings, shoes, hats, women's ready-to-wear, furs, millinery, apparel, accessories.

D. The sale of china, floor covering, hardware, household appliances, radios, paint, wallpaper, materials and objects for interior decorating.

E. The sale of books, magazines and newspapers, including adult book stores subject to Section 347.07, cigars, drugs, flowers, gifts, music, photographic goods, sporting goods, stationery.

F. Eating places, lunch rooms, restaurants, cafeterias and places for the sale and consumption of soft drinks, juices, ice cream and beverages, but excluding buildings which provide entertainment or dancing and buildings in which beer and intoxicating liquor are sold for consumption on the premises, provided such building for the sale of beer or intoxicating liquor is within 500 feet of the boundary of a parcel of real estate having situated thereon a school, church, library, nonprofit recreational or community center building or public playground.

G. Service establishments: barber or beauty shops, custom tailors, laundry agencies, self-service laundries, hand laundries, shoe repair, ice stations and dry cleaning, pressing or tailoring shops in which not more than five persons are engaged in such work or business at any one time, and in which only nonexplosive and nonflammable solvents are used and no work is done on the premises for retail outlets elsewhere and pet shops, provided noise and odors are effectively confined to the premises. As used in this division (b)(2)G., "pet shops" does not include businesses which board dogs and cats overnight or any pet hospital.

(3) Business offices: banks, real estate, insurance and other similar offices, and the offices of the architectural, clerical, engineering, legal, dental, medical or other established recognized professional, but excluding morticians, undertakers and funeral directors, in which only such personnel are employed as are customarily required for the practice of such business or profession.

(4) Automotive services: public garages, provided they conform to the applicable provisions of Sections 343.19 to 343.21 and Chapter 349; and parking lots which conform to the provisions of division (c) of Section 349.13, except that permission from the Board of Zoning Appeals shall not be required.

(5) Charitable institutions not for correctional purposes.

(6) Signs: permitted in accordance with the requirements of Chapter 350.

(7) Other main uses: any other neighborhood store, shop or service similar to the uses listed in this division in type of goods or services sold, in business hours, in the number of persons or cars to be attract-

ed to the premises and in effect upon the adjoining Residence Districts.

(8) Accessory uses, only to the extent necessary normally accessory to the limited types of neighborhood service use permitted under this division.

Section 2. That existing Section 343.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2215-96, passed April 7, 1997, is repealed.

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

Passed November 20, 2006.

Effective November 27, 2006.

Ord. No. 1287-06.

By Council Members Polensek, Brancatelli, Coats, Brady, Zone, Santiago, Reed and Turner.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 618.01 to 618.02 and 618.99 relating to liquor permit manager registry.

Whereas, liquor permit holders may not structure business arrangements to insulate the permit owner, or applicant for a permit transfer, from responsibility for conduct that occurs on the liquor permit premises; and

Whereas, Cleveland City Council may raise an objection to applications for a liquor permit issuance, ownership transfer, or renewal where the applicant, or manager of the applicant, has operated a liquor permit business in a manner that demonstrates disregard for the law; and

Whereas, Cleveland City Council may raise an objection to applications for a liquor permit issuance, renewal, or transfer when the permit premises interferes with the public decency, sobriety, peace, or good order of the surrounding neighborhood; and

Whereas, Cleveland City Council finds that liquor permit holders enter into management agreements with individuals to assume active day-to-day supervisory authority over the permit premises' operations and personnel without Division of Liquor Control oversight; and

Whereas, Cleveland City Council finds that liquor permit owners attempt to transfer liquor permits to persons responsible for the management of the day-to-day operations of liquor permit premises; and

Whereas, Cleveland City Council is entitled to a complete hearing upon the advisability of the issuance, renewal, transfer of ownership, or transfer of location of a class C or D liquor permit; and

Whereas, Cleveland City Council is denied a complete hearing upon the advisability of the issuance, transfer, or renewal of liquor permits when applicants responsible for the day-to-day activities on the liquor permit premises are not

accountable for the liquor permit business operations; 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 Codified Ordinances of the City of Cleveland are supplemented by enacting new Sections 618.01 to 618.02 and 618.99 to read as follows:

**CHAPTER 618
LIQUOR PERMIT
MANAGER REGISTRY**

Section 618.01 Definitions

(a) "Person" means an individual, firm, partnership, association, corporation, company, or business of any kind.

(b) "Liquor permit business" means an establishment granted the privilege to conduct liquor sales pursuant to a class C or D liquor permit issued by the Division of Liquor Control.

(c) "Liquor permit owner" means any person who owns a class C or D liquor permit issued by the Division of Liquor Control.

(d) "Liquor permit manager" means any person who engages a liquor permit owner to assume active charge of the day-to-day management of a liquor permit business and has a financial interest in the net profits derived from the operation of the liquor permit business or receives any compensation directly proportionate to the revenue generated from the liquor permit business.

Section 618.02 Registration of Liquor Permit Owners and Liquor Permit Managers; Fee

(a) Each liquor permit owner that engages a liquor permit manager shall register with the Clerk of Cleveland City Council using forms designated by the Clerk of Cleveland City Council for this purpose, and shall provide the name of the liquor permit owner, the name of the liquor permit manager, the location of the liquor permit business, the liquor permit number for the liquor permit business, the date the liquor permit owner transferred operational control over the liquor permit business to the liquor permit manager, whether the engagement the liquor permit manager is pursuant to a bona fide sale of the liquor permit business, the date the bona fide sale of the liquor permit business is expected to be consummated, and any other information as Clerk of Cleveland City Council shall require.

(b) Each liquor permit manager shall register with the Clerk of Cleveland City Council using forms designated by the Clerk of Cleveland City Council for this purpose, and shall provide the name of the liquor permit manager, the name of the liquor permit owner, the location of the liquor permit business, the liquor permit number for the liquor permit business, the date the liquor permit manager will assume, or assumed, operational control over the liquor permit business, whether the engagement is pursuant to a bona fide purchase of the liquor permit business, the date the bona fide purchase of the liquor

permit business is expected to be consummated, and any other information as the Clerk of Cleveland City Council shall require.

(c) Each liquor permit owner and liquor permit manager shall initially register with in 30 days of the effective date of this section. Each liquor permit owner that engages a liquor permit manager after the effective date of this section shall initially register not later than 10 days after the date the liquor permit manager is engaged. Each liquor permit manager that is engaged after the effective date of this section shall initially register not later than 10 days after the date of engagement by the liquor permit owner.

(d) After the initial registration required by division (c) of this section, each liquor permit owner and liquor permit manager shall re-register between June 15 and July 15, inclusive, of each calendar year after the calendar year in which the initial registration is made.

(e) Each liquor permit owner shall pay a fee of one hundred dollars (\$100.00) for each registration or re-registration required by this section.

(f) Each liquor permit manager shall pay a fee of one hundred dollars (\$100.00) for each registration or re-registration required by this section.

(g) No person shall fail to register or re-register as liquor permit owner or liquor permit manager as required by this section.

Section 618.99 Penalty

Whoever violates division (g) of Section 618.02 is guilty of a misdemeanor of the first degree. Each day of a continuing violation shall be deemed a separate offense.

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

Passed November 20, 2006.

Effective November 27, 2006.

Ord. No. 1437-06.

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

An emergency ordinance to amend Section 676.04 of the Codified Ordinances of Cleveland, Ohio 1976, as amended by Ordinance No. 2393-02, passed February 3, 2003, relating to junk and secondhand dealers license fees.

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 676.04 of the Codified Ordinances of Cleveland, Ohio 1976, as amended by Ordinance No. 2393-02, passed February 3, 2003, is amended as follows:

Section 676.04 License Fees

The operator of a junk cart shall pay an annual license fee of twenty-five dollars (\$25.00) for each junk cart operated. Every junk dealer shall pay an annual license fee of two hundred twenty dollars (\$220.00) for each place of business licensed. Every scrap metal processor shall pay an annual license fee of two hundred twenty dollars (\$220.00) for each place of business licensed. All junk cart licenses, junk dealer licenses, and scrap metal processor licenses shall be issued as of September 1 and expire on August 31 next succeeding the date of issuance.

Section 2. That existing Section 676.04 of the Codified Ordinances of Cleveland, Ohio 1976, as amended by Ordinance No. 2393-02, passed February 3, 2003, is repealed.

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

Passed November 20, 2006.

Effective November 27, 2006.

Ord. No. 1459-06.

By Council Member Cleveland.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 55th Street to Carey Holdings, Inc.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 124-12-020, as more fully described below, to Carey Holdings, Inc.

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

P. P. No. 124-12-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a Westerly part of Sublot Nos. 8 and 9 in the J.A. Ensign's Subdivision of part of Original One Hundred Acre Township Lot No. 328 as shown by the recorded plat in Volume 4 of Maps, Page 6 of Cuyahoga County Records, together forming a parcel of land having a frontage of 55 feet

on the Easterly side of East 55 Street (80 feet wide), extending back between parallel lines of 105 feet along the Northerly side of Ensign Avenue (45 feet wide) to the Westerly line of land conveyed to Suzette Morris, Iris M. Morris and Anthony J. Morris by deed dated April 11, 1975 and recorded in Volume 13822, Page 501 of Cuyahoga County Records, and containing 0.1326 acres of land, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed November 20, 2006.

Effective November 27, 2006.

Ord. No. 1546-06.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials needed to provide landscaping and weed control services, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one or two year period of labor and materials need-

ed to provide landscaping and weed control services, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Utilities is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Utilities by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 158158)

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

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1576-06.

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

An emergency ordinance authorizing the Director of Public Utilities to apply for and accept grants from various entities to implement the Security Improvement Project; authorizing the Director to apply for and accept grants from the Ohio Emergency Management Agency for security improvements to the Baldwin and Crown Water Treatment Plants in conjunction with the Security Improvement Project; authorizing the purchase by one or more requirement contracts of materials, equipment, supplies, or services needed to implement the Project; determining the method of making the public improvement of implement the Pro-

ject; and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement to implement the Project.

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

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

Section 1. That the Director of Public Utilities is authorized to apply for and accept grants from various entities to conduct the Security Improvement Project. That the Director is further authorized to file all papers and execute all documents necessary to receive the funds under this ordinance, and on acceptance of the funds by the director, they shall be appropriated for the purposes contained in this ordinance.

Section 2. That the Director of Public Utilities is authorized to apply for and accept grants in the approximate amount of \$50,000 each, and any other funds that may become available during the grant term from the Ohio Emergency Management Agency to conduct security improvements to the Baldwin and Crown Water Treatment Plants in conjunction with the Security Improvement Project Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 3. That the summary for the grant, File No. 1576-06-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 4. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements during the grant term of the necessary items of materials, equipment, supplies, or services needed to implement one or more grants accepted under this ordinance in conjunction with the Security Improvement Project, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 5. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and

Supplies under a requisition against the contract or contracts certified by the Director of Finance.

Section 6. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Utilities may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 7. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement needed to implement one or more grants accepted under this ordinance in conjunction with the Security Improvement Project, for the Division of Water, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 8. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 9. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds which are accepted under this ordinance.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1624-06.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with AGT International, Inc. for professional services necessary to provide a software subscription and maintenance program of IRTH software for the Ohio Utilities Protection Service Processing application, for a period of 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 authorized to enter into one or more contracts with AGT International, Inc. for pro-

fessional services necessary to provide a software subscription and maintenance program of IRTH software for the Ohio Utilities Protection Service Processing application in the total sum of \$41,137.50, for the Division of Water, Department of Public Utilities, for a period of two years. The contract or contracts shall be paid from Fund No. 52 SF 001, Request No. 171405.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1626-06.
By Council Members Zone and Sweeney (by departmental request).
An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials needed to test, evaluate, repair, or replace roofs and appurtenances, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years of the necessary items of labor and materials needed to test, evaluate, repair, or replace roofs and appurtenances, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Utilities is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Utilities by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director

of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 171408)

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

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1627-06.
By Council Members Zone and Sweeney (by departmental request).
An emergency ordinance authorizing the purchase by one or more requirement contracts of various types of valves, actuators, and appurtenances, and labor and materials necessary to maintain and repair various types of valves, actuators, and appurtenances, 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 authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one or two year period of the necessary items of various types of valves, actuators, and appurtenances, and labor and materials necessary to maintain various types of valves, actuators, and appurtenances, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Utilities is authorized to enter into one or more

contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Utilities by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 171354)

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

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1636-06.
By Council Member Cummins.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on West 23rd Street to Valerie R. Frederecks and Bradley D. Frederecks.

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). 009-02-188, as more fully described below, to Valerie R. Frederecks and Bradley D. Frederecks.

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

P. P. No. 009-02-188

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and described as follows to wit: And known as being part of Sublots Nos. 47, 48 and 49, in Moses Fish and Other's Subdivision of part of Original Brooklyn Township Lot No. 65 as shown by the recorded Plat in Volume V of Deeds, Page 257 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of West 23rd Street, 44 feet wide, at the Southwesterly corner of Jacob Schneider's Re-Allotment, of part of said Moses Fish and Others' Subdivision of a part of Original Brooklyn Township, Lot No. 65 and recorded in Volume 12 of Maps, Page 35 of Cuyahoga County Records; thence Easterly 141.97 feet along the Southerly line of said Jacob Schneiders' Re-Allotment to a point; thence Southerly 43.745 feet parallel with said Easterly line of West 23rd Street to a point; thence Westerly 142 feet parallel with the Northerly line of Fuller, Kain, and Krochles' Allotment, of part of Original Brooklyn Township Lot No. 65, to a point in said Easterly line of West 23rd Street, thence Northerly 42.73 feet along said Easterly line of West of 23rd Street, 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 including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1637-06.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 65th Street to Johann Wheeler and Evelyn Wheeler.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 106-08-022, as more fully described below, to Johann Wheeler and Evelyn Wheeler.

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

P. P. No. 106-08-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 2 and the Northerly 8 feet and one inch of Sublot No. 4 in Samuel B. Strang Allotment of part of Original One Hundred Acre Lot No. 341, as shown by the recorded plat in Volume 3 of Maps, Page 46 of Cuyahoga County Records and together forming a parcel of land 36 feet 11 inches front on the Easterly side of East 65th Street (formerly Norwood Street) and extending back between parallel lines 132 feet and 4 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Easement contained in the instrument dated May 28, 1919 and recorded in Volume 2240, Page 504 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1638-06.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 79th and Hough to Robert Earl Denson.

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). 118-09-001, as more fully described below, to Robert Earl Denson.

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

P. P. No. 118-09-001

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Block "A" in George M. Spangler's Subdivision of part of Original One Hundred Acre Lot Nos. 339 and 342, as shown by the recorded plat in Volume 25 of Maps, Page 22 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the point of intersection of the Westerly line of East 79th Street (formerly East Madison Avenue), with the Southerly line of Hough Avenue, N.E.; (formerly Hough Avenue); thence Southerly along said Westerly line of East

79th Street, 84 feet; thence Westerly on a line parallel to said Southerly line of Hough Avenue, N.E. 130 feet; thence Northerly on a line parallel to said Westerly line of East 79th Street, 84 feet to the Southerly line of Hough Avenue, N.E.; thence Easterly along said Southerly line of Hough Avenue, N.E., 130 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Together with the benefit of a certain easement reserved in a deed from Arthur M. Gordon and wife to Parker Shackelton, dated November 6, 1913, and recorded in Volume 1531, Page 119, of the Records of Deeds of Cuyahoga County, Ohio; but subject to easement for a driveway over the Southerly 14 feet of the premises herein described, reserved in the deed from Arthur M. Gordon to The Amdon Realty and Investment Company, dated March 26, 1915, and recorded in Volume 1656, Page 415 of Cuyahoga County Records.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1639-06.
By Council Member Lewis.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Hough Avenue to Emmanuel A.M.E. Zion Church.

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). 118-01-003, as more fully described below, to Emmanuel A.M.E. Zion Church.

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

P. P. No. 118-01-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 4 in George E. Dascomb Subdivision of part of Original One Hundred Acre Lot No. 337, as shown by the recorded plat in Volume 3 of Maps, Page 56 of Cuyahoga County Records, and being 50 feet front on the Southerly side of Hough Avenue and extending back of equal width 229.35 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1641-06.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 84th Street to Anthony Williams.

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). 106-22-145, as more fully described below, to Anthony Williams.

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

P. P. No. 106-22-145

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Original One Hundred Acre Lot No. 391, and bounded and described as follows:

Beginning at a point in the Westerly line of Van Ness Avenue, now known as East 84th Street, 917-17/100 feet Southerly from the Southerly line of Wade Park Avenue, now known as Wade Park Avenue, N.E.; thence Southerly along the Westerly line of East 84th Street, 45 feet; thence Westerly parallel with the Southerly line of Wade Park Avenue N.E., 102 feet; thence Northerly parallel with East 84th Street, 45 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. 65 in L. M. Southern's Proposed Wade Park Avenue Allotment of a part of Original One Hundred Acre Lots Nos. 383 and 391, be the same more or less, but subject to all legal highways.

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

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such

terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1643-06.

By Council Member Polensek.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 15316 Lucknow Avenue to Collinwood and Nottingham Villages 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(s). 112-17-079, as more fully described below, to Collinwood and Nottingham Villages Development Corporation.

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

P. P. No. 112-17-079

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; And known as being Sublot No. 30 in Nelson Moses Subdivision of part of Original Euclid Township Lot No. 16, as shown by the recorded plat in Volume 10 of Maps, Page 17 of Cuyahoga County Records and being 40.00 feet front on the Southern side of Lucknow Avenue, N.E., and extending back 142 feet 10 inches

on the Easterly line, 142 feet 6 inches on the Westerly line and having a rear line of 40.00 feet, as appears by said plat.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1686-06.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to lease certain property in the Cleveland Municipal Parking Lot to The Cleveland Clinic Foundation, for a term not to exceed sixty months, for the purpose of parking.

Whereas, the City of Cleveland owns certain property known as the Cleveland Municipal Parking Lot, which is not needed for public use; and

Whereas, The Cleveland Clinic Foundation has proposed to lease the property from the City; 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 to The Cleveland Clinic Foundation ("Lessee"), certain property which is not needed for

public use for the term of the lease; not to exceed 1,000 parking spaces in the Cleveland Municipal Parking Lot (east) located on the south side of the Cleveland Shoreway on South Marginal Road, more fully described on the map placed in File No. 1686-06-A.

Section 2. That the term of the lease authorized by this ordinance shall not exceed sixty months.

Section 3. That the property described above shall be leased at a rental of \$40,000 per month which is determined to be fair market value.

Section 4. That the lease may authorize the Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall be prepared by the Director of Law and shall contain any terms and conditions as are required to protect the interests of the City.

Section 6. That the Director of Parks, Recreation and Properties, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1688-06.

By Council Member Brancatelli.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3605 East 75th Street to Slavic Village 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(s). 133-05-008, as more fully described below, to Slavic Village Development Corporation.

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

P. P. No. 133-05-008

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; And known as being the Southerly 20 feet of Sublot No. 6 and the Northerly 20 feet of Sublot No. 7 in Russell Osborn's Subdivision of part of Original 100 Acre Lot No. 319, as shown by the record plat in Volume 5 of Maps, Page 50 of Cuyahoga County Records and together forming a parcel of land 40 feet front on the Easterly side of East 75th Street and extending back between parallel lines 126 feet 3 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed November 20, 2006.

Effective November 27, 2006.

Ord. No. 1716-06.

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

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to evaluate whether Cleveland Public Power should participate in the proposed AMP-Ohio generating facility or other generating projects, or in the alternative, to amend Contract No. 64542 with Middough Consulting, Inc. to provide these additional services.

Whereas, Cleveland Public Power (CPP) desires to review the technical and financial feasibility of acquiring interests in electric gen-

erating facilities to provide a stable, long-term supply of power for CPP's customers and to further diversify CPP's power supply resources; and

Whereas, American Municipal Power-Ohio (AMP-Ohio) is studying the feasibility of constructing a new generating facility to supply power to AMP-Ohio's members, including CPP; 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 Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to evaluate whether Cleveland Public Power should participate in the proposed AMP-Ohio generating facility or other generating projects and to provide any opinions and certifications required by the CPP bond indenture.

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

Section 2. That, in the alternative, the Director of Public Utilities is authorized to amend Contract No. 64542 with Middough Consulting, Inc. to provide the professional services described in this ordinance.

Section 3. That the cost of the contract or contract amendments authorized shall be paid from Fund No. 58 SF 001, Request No. 168014.

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

Passed November 20, 2006.

Effective November 27, 2006.

Ord. No. 1717-06.

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

An emergency ordinance to amend the title, and Sections 1 and 2 of Ordinance No. 2234-05, passed January 23, 2006, relating to the SCADA and PCCS Systems, for the 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 title, and Sections 1 and 2 of Ordinance No. 2234-05, passed January 23, 2006, are amended to read as follows:

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to refurbish the SCADA and PCCS Systems, including replacement parts, equipment, computer software, software upgrades, support software, software implementation, system changes, configurations, programming, tuning, upgrades, and support and maintenance necessary for the operation of the systems, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities.

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of one or two years of the necessary items of labor and materials necessary to refurbish the SCADA and PCCS Systems, including replacement parts, equipment, computer software, software upgrades, support software, software implementation, system changes, configurations, programming, tuning, upgrade, and support and maintenance necessary for the operation of the systems, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Utilities is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Utilities by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be paid from Fund No. 52 SF 001, 52 SF 229, 52 SF 231, 54 SF 001, 58 SF 001, 58 SF 223, and shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 161460)

Section 2. That the existing title, and Sections 1 and 2 of Ordinance No. 2234-05, passed January 23, 2006, are repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the

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

Passed November 20, 2006.
Effective November 27, 2006.

**Ord. No. 1724-06.
By Council Member Sweeney (by departmental request).**

An emergency ordinance authorizing the Mayor or the Director of Finance to enter into a tax-sharing agreement or agreements with the City of Shaker Heights and University Hospital Health System, Inc. for the purpose of sharing in tax revenues generated in the Joint Economic Development Zone located in Shaker Heights for the purpose of facilitating economic development associated with the possible relocation and redevelopment of University Hospital Health System, Inc. facilities.

Whereas, Section 715.69 of the Revised Code provides special provisions for the creation of a Joint Economic Development Zone ("JEDZ") and a contract between Cleveland and Shaker Heights for the purpose of facilitating economic development, including the sharing of income taxes; and

Whereas, Article VIII, Section 13 of the Ohio Constitution also provides to Charter municipalities the authority to engage in economic development activities to facilitate the creation and retention of jobs; and

Whereas, the Greater Cleveland economy is adapting to the many challenges it faces in the global marketplace; and

Whereas, much of Cuyahoga County is fully developed and the need to diversify the economy and redevelop previously used properties is readily apparent; and

Whereas, local governments in Cuyahoga County recognize that it is imperative that they cooperate and collaborate with one another for the benefit of the region and its resident-taxpayers in order to attract and retain businesses and jobs; and

Whereas, Cleveland and Shaker Heights are desirous of creating a new model for inter-municipal cooperation and revenue sharing so that both may mutually benefit from private investment decisions by University Hospitals Health System, Inc. ("UHHS") to redevelop a portion of the main campus in Cleveland for a state-of-the-art cancer hospital and research center and to consolidate UHHS administrative jobs currently located in various northeast Ohio communities into a single location; and

Whereas, University Hospitals of Cleveland has decided to locate that consolidated administrative center in Shaker Heights and thereby relocate jobs which are presently located at or near the main campus location in Cleveland ("new UHHS facility"); and,

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

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

Section 1. That the Mayor or the Director of Finance is authorized to enter into a tax-sharing agreement or agreements with the City of Shaker Heights and UHHS to share income-tax receipts generated through a JEDZ agreement related to the proposed relocation and redevelopment of UHHS.

Section 2. That the agreements authorized by this ordinance shall entitle the City to share equally with the City of Shaker Heights in the JEDZ's net income-tax revenues, which shall be an amount equal to one-half of all new income tax revenues received by Shaker Heights from University Hospitals of Cleveland administrative employees presently employed in Cleveland.

Section 3. That all payments by the City of Shaker Heights under the agreements authorized by this ordinance shall be deposited in the City's General fund.

Section 4. That the Mayor or the Director of Finance are authorized to execute on behalf of Cleveland all necessary documents to effectuate the purposes of this ordinance.

Section 5. That the Director of Finance shall cause a copy of each agreement that is entered into under the authority of this ordinance to be submitted, upon its execution, to the Clerk of Council for placement in File No. 1724-06-A.

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

Passed November 20, 2006.
Effective November 27, 2006.

**Ord. No. 1725-06.
By Council Members Pierce Scott, Cimperman and Sweeney (by departmental request).**

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire properties owned by Veterans Development, LLC and other property owners; to convey these properties to Veterans Development, LLC or the property owners from which the respective properties were received for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Revised Code Section 5709.41; and authorizing an agreement between the City and Veterans Development, LLC.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to acquire certain properties owned by Veterans Development, LLC and other property owners for a price of

one dollar and other valuable consideration determined as fair market value. After acquisition, the Commissioner of Purchases and Supplies is further authorized to convey properties (including, but not limited to, properties acquired by the City prior to the effective date of this ordinance or without resort to the authorization provided in this ordinance) to Veterans Development, LLC, or to the property owners from which the respective properties were received, or any combination thereof, for a price of one dollar and other valuable consideration determined as fair market value. The aforementioned acquisition and conveyance are for the purposes of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. The properties described in this section are all or any portions off those properties in the City of Cleveland abutting East 105th Street on East Boulevard as shown in the map placed in File No. 1725-06-A.

Section 2. That the Director of Economic Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire and to convey the properties and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of the properties.

Section 3. That this Council finds that the conveyances constitute a public purpose.

Section 4. That the conveyances shall be made by official deeds prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland.

Section 5. That the Director of Economic Development is authorized to enter into an agreement with the Veterans Development, LLC which shall include the terms and conditions of the transaction authorized by this ordinance.

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

Passed November 20, 2006.
Effective November 27, 2006.

**Ord. No. 1726-06.
By Council Member Cleveland.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 69th Street to Cuyahoga County Community Mental Health Board.**

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the

terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-08-025 as more fully described below, to Cuyahoga County Community Mental Health Board.

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. 118-08-025

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. 338, bounded and described as follows:

Beginning on the westerly line of East 70th Street (formerly Russell Avenue) 50 feet wide, at its intersection with the northerly line of Euclid Avenue, 120 feet wide, said Northerly line of Euclid Avenue being also the Northerly line of land conveyed to the City of Cleveland, by deed dated May 3, 1928, and recorded in Volume 3604, Page 584 of Cuyahoga County Records; thence Northerly along the Westerly line of East 70th Street, about 318 feet to the Southeasterly corner of land conveyed to Lawrence G. Jontzen, by deed dated November 20, 1934, and recorded in Volume 4441, Page 153 of Cuyahoga County Records; thence Westerly along the Southerly line of land so conveyed to Lawrence G. Jontzen, 111 69/100 feet to the Easterly line of land conveyed to Sarah J. Barlow, by deed dated October 1, 1960, and recorded in Volume 107 of Maps, Page 212 of Cuyahoga County Records; thence Southerly along the Easterly line of land so conveyed to Sarah J. Barlow, about 309 71/100 feet to the Northerly line of Euclid Avenue; thence Easterly along the Northerly line of Euclid Avenue, about 112 feet 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 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. 118-08-27 as more fully described below to Cuyahoga County Community Mental Health Board.

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

P. P. No. 118-08-027

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. 338, and bounded and described as follows:

Beginning on the Easterly line of East 69th Street (37 feet wide), at a point distant due North 141.63 feet from its intersection with the Northerly line of Euclid Avenue, (120 feet wide); thence due North 59.60 feet along the said Easterly line of East 69th Street to a point; thence due East 117.60 feet to a point in the Easterly line of land so conveyed to George A. Ingersoll by deed recorded in Volume 154, Page 232 of Cuyahoga County Records; thence South 0° 02' 00" East 59.60 feet along the Easterly line of land so conveyed to George A. Ingersoll to a point; thence due West 117.68 feet to the place of beginning, according to a survey made January, 1942, by Cleveland Surveys, Civil Engineers and Surveyors, be the same more or less, but subject to all legal highways.

Also 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. 118-08-028 as more fully described below, to Cuyahoga County Community Mental Health Board.

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

P. P. No. 118-08-028

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. 338, and bounded and described as follows:

Beginning on the Easterly line of East 69th Street (37 feet wide) at a point distant due North 201 23/100 feet from its intersection with the Northerly line of Euclid Avenue (120 feet wide); thence due North 41 75/100 feet along the said Easterly line of East 69th Street to a point; thence due East 117 58/100 feet to a point in the Easterly line of a parcel of land conveyed to George A. Ingersoll, by deed recorded in Volume 154, Page 233 of Cuyahoga County Records; thence South 0° 02' 00" East, 41 75/100 feet along the Easterly line of land so conveyed to George A. Ingersoll to a point; thence due West 117 60/100 feet to the place of beginning according to a survey made January, 1942, by Cleveland Surveys, Civil Engineers and Surveyors.

Subject to the Midtown Community Development Plan recorded in Volume 87-6720, Page 47 of Cuyahoga County Records.

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. 118-08-032 as more fully described, to Cuyahoga County Community Mental Health Board.

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

P. P. No. 118-08-032

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. and being further bounded and described as follows:

Beginning at a stone monument in the center line of East 69th Street, 37 feet wide, (formerly Edgewood Place) as dedicated in Volume 21 of Maps, Page 7 of Cuyahoga County Records at the Northerly line of Euclid Avenue, 80 feet wide; thence North along the center line of said East 69th Street, 380.00 feet to a point; thence Southeasterly forming an included angle with the last described course 85 degrees 48' a distance of 18.55 feet to a stone monument at the principal place of beginning in the Easterly line of East 69th Street; thence Northerly, along the Easterly line of East 69th Street, 38.82 feet to a point; thence Easterly at right angles with East 69th Street, 54.86 feet to a point; thence Southeasterly forming an included angle of 175 degrees 48' with the last described course a distance of 20.00 feet; thence Southerly parallel with the center line of East 69th Street forming an included angle of 94 degrees 12' with the last described course a distance of 42.85 feet to a point; thence Northwesterly, forming an included angle with the last described course a distance of 75.00 feet to the place of beginning, according to a survey by the Bauer Surveys Company, dated August 14, 1930, 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 No. 118-08-033 as more fully described below, to Cuyahoga County Community Mental Health Board.

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

P. P. No. 118-08-033

Parcel 1

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. 338, and bounded and described as follows:

Beginning on the Easterly line of East 69th Street (formerly Edgewood Place) as dedicated by plat recorded in Volume 21 of Maps, Page 7 of Cuyahoga County Records at the Northwesterly corner of the first parcel of land described in the deed to Joseph Ricks DeWitt and Alma A. Ricks, dated June 28, 1917, and recorded in Volume 1996, Page 459 of Cuyahoga County Records; thence Easterly along the Northerly line of said first parcel of land so described in the deed to Joseph Ricks DeWitt and Alma A. Ricks 54.86 feet; thence Northerly parallel to said Easterly line of East 69th Street 40 feet; thence Westerly on a line at right angles with said last described line, 54.86 feet to said Easterly line of East 69th Street; thence Southerly along said Easterly line of East 69th Street, 40 feet to the place of beginning, and being further known as part of Sublot No. 12 in Henry H. Johnston's proposed Subdivision of part of Original One Hundred Acre Lot No. 338.

Parcel No. 2

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. 338, and bounded and described as follows:

Beginning at the Northwesterly corner of land conveyed to George A. Ingersoll by deed dated April 1, 1868, and recorded in Volume 154, Page 232 of Cuyahoga County Records; thence Southerly along the Westerly line of land so conveyed to George A. Ingersoll, 17.15 feet; thence Easterly parallel to the Northerly line of land so conveyed to George A. Ingersoll, 20 feet; thence Northerly parallel to the Westerly line of land so conveyed to George A. Ingersoll, 17.15 feet to the Northerly line thereof; thence Westerly along the Northerly line of land so conveyed to George A. Ingersoll, 20 feet to the place of beginning.

Subject to Easement recorded in Volume 5613, Page 209 to Cuyahoga County Records.

Also subject to 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. 118-08-034 as more fully described below, to Cuyahoga County Community Mental Health Board.

Section 12. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-08-034

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. 338 and bounded and described as follows:

Beginning on the Easterly line of East 69th Street (formerly Edgewood Place) as dedicated by plat recorded in Volume 21 of Maps, Page 7 of Cuyahoga County Records, at its point of intersection with the Northerly line of land conveyed to Isabel Adams by deed dated June 9, 1890, and recorded in Volume 475, Page 571 of Cuyahoga County Records; thence Easterly along said Northerly line of land conveyed to Isabel Adams about 55 feet to the Westerly line of land conveyed to John W. Heisley by deed dated October 12, 1868, and recorded in Volume 160, Page 276 of Cuyahoga County Records; thence Northerly parallel with said Easterly line of East 69th Street and along the Westerly line of land so conveyed to John W. Heisley 40 feet to the Southerly corner of land conveyed to W. M. Southern by deed dated August 28, 1890 and recorded in Volume 477, Page 240 of Cuyahoga County Records; thence Westerly along the Southerly line of land so conveyed W. M. Southern about 55 feet to the said Easterly line of East 69th Street; thence Southerly along said Easterly line of East 69th Street 40 feet to the place of beginning, and further known as part of Sublot No. 11 in Henry Johnson's proposed Subdivision of part of Original One Hundred Acre Lot No. 338, 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. 118-08-036 as more fully described below, to Cuyahoga County Community Mental Health Board.

Section 14. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-08-036

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. 338 bounded and described as follows:

Beginning on the Easterly line of East 69th Street (formerly Edgewood Place) as dedicated by plat recorded in Volume 21 of Maps, Page 7 of Cuyahoga County Records, at a point 538.62 feet Northerly, measured along said Easterly line and the Southerly prolongation thereof from the Northerly line of Euclid Avenue; thence Easterly on a line at right angles to said Easterly line of East 69th Street, about 54.86 feet to the Easterly line of land conveyed to Mary I. Hodge, by deed dated January 12, 1891, and recorded in Volume 485, Page 358 of Cuyahoga County Records, thence Northerly along the Easterly line so conveyed to Mary I. Hodge, 38.24 feet to the Southeast corner of Parcel No. 2, conveyed to the County of Cuyahoga, by deed dated August 6, 1948 and recorded in Volume 6634, Page 666 of Cuyahoga County Records; thence Northwesterly along the Southwesterly line of said Parcel No. 2, 11.03 feet to the Northerly line of a parcel of land conveyed to Daniel F. Hogan and Elizabeth B. Hogan by deed recorded in Volume 6324, Page 23 of Cuyahoga County Records; thence Westerly along said Northerly line, 42.57 feet to the Northeast corner of Parcel No. 1; conveyed to County of Cuyahoga, as aforesaid in Volume 6634, Page 666 of Cuyahoga County Records; thence Southwesterly along the Southeast corner of said Parcel No. 1, along the arc of curve deflecting to the left 1.53 feet to a point of compound curve, said curve has a radius of 14.50 feet and a chord which bears South 12° 52' 43" West, 1.53 feet; thence continuing along said Southeast corner of said Parcel No. 1, being the arc of a curve deflecting to the left, 7.55 feet to a point in the Easterly side of East 69th Street, said arc has a radius of 94.50 feet and a chord, which bears South 7° 34' 17" West, 7.54 feet; thence South 0° 36' 45" East, along the Easterly side of East 69th Street, 31.05 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-08-046 as more fully described below, to Cuyahoga County Community Mental Health Board.

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

P. P. No. 118-08-046

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. 338, bounded and described as follows:

Beginning at a point on the Westerly line of East 70th Street (formerly Russell Avenue), 338 feet Northerly from its intersection with the Northerly line of Euclid Avenue said place of beginning being also the Northeast corner of the land conveyed to the Colonial Realty Company by deed dated September 25, 1926, and recorded in Volume 3529, Page 405 of Cuyahoga County Records; thence Northerly along the said Westerly line of East 70th Street, 50 feet to the Southeast corner of land conveyed to Clara R. Vernon by deed dated December 9, 1912, and recorded in Volume 1422, Page 546 of Cuyahoga County Records; thence Westerly along the Southerly line of the land so conveyed to Clara R. Vernon, 111.69 feet to the Easterly line of the land conveyed to George A. Intersoll by deed dated April 1, 1868, and recorded in Volume 154, Page 232 of Cuyahoga County Records; thence Southerly along the Easterly line of the land so conveyed to George A. Intersoll, 50 feet to Northerly line of the land conveyed to the Colonial Realty Company as aforesaid; thence Easterly along said Northerly line, 111.69 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 17. 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 18. 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 19. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 20. 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 November 20, 2006.
Effective November 27, 2006.

Ord. No. 1727-06.

By Council Member Conwell.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Arlington Avenue to Karin K. Salman.

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. 110-13-016, as more fully described below, to Karin K. Salman.

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

P. P. No. 110-13-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 4 and 5 in the Elworthy-Helwick Company's Forest Hill Parkway Subdivision, of part of Original One Hundred Acre Lot Nos. 372 and 373, as shown by the recorded plat in Volume 66 of Maps, Page 16 of Cuyahoga County Records, and together forming a parcel of land 70 feet front on the Northerly side of Arlington, N.E., and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1753-06.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to test, inspect, and repair bucket trucks, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years of the necessary items of labor and materials necessary to test, inspect, and repair bucket trucks, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Utilities is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Utilities by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director

of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 168013)

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

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1763-06.

By Council Member Cleveland.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 40th Street to Church of God in Christ.

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). 103-23-067, as more fully described below, to Church of God in Christ.

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

P. P. No. 103-23-067

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 26 feet from front to rear of Sublot No. 98 and the Northerly 16 feet from front to rear of Sublot No. 99 in William William's Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in said Allot-

ment in Volume 3 of Maps, Page 6 of Cuyahoga County Records. Said parts of Sublot Nos. 98 and 99 together form a parcel of land having a frontage of 42 feet on the Westerly side of East 40th Street, (formerly Case Avenue), and extends back about 214 feet 6 inches on the Northerly line, about 215 feet 8 inches on the Southerly line, and has a rear line of 42 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1813-06.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Cleveland Neighborhood Development Coalition to provide economic development assistance to finance 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 authorized to enter into a grant agreement with Cleveland Neighborhood Development Coalition to provide economic devel-

opment assistance to finance the administration of the Cleveland Industrial Retention Initiative.

Section 2. That the costs of the grant shall not exceed \$200,000 and, any other ordinance to the contrary notwithstanding, shall be paid from Fund No. 17 SF 652, Request No. 103713.

Section 3. That the Director of Law is authorized to prepare the grant agreement and other documents as may be appropriate to complete the transaction.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1835-06.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into an agreement with Pillsbury, Winthrop, Shaw, Pittman LLP for federal lobbying services for the City of Cleveland, for a period of one year, with one option to renew for an additional one year period.

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 authorized to enter into an agreement with Pillsbury, Winthrop, Shaw, Pittman LLP for federal lobbying services for the City of Cleveland, for a period of one year in an amount not to exceed \$120,000 annually, with an option to renew for an additional year, payable from Fund No. 01-999800-632000, Request No. 157111. The Director of Finance shall report to this Council on the work performed under this contract at least annually, including before any decision is made concerning exercising the option to renew.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1836-06.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into amendments to Contract Nos. 61149, 61150, 61151, and 61152 with AT & T for Centrex telephone services, for a period of one year.

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

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

Section 1. That the Director of Finance is authorized to enter into amendments to Contract Nos. 61149, 61150, 61151, and 61152 with AT & T for Centrex telephone services, for a period of one year. (RL 141895)

Section 2. That the contract amendments shall be prepared by the Director of Law.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1837-06.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into one or more contracts with W.A.R.N., LLC for professional services necessary to provide support, acquire, maintain, and update a residential and business database, training, unlimited voice and text calling alerts, language modules, set up or installation for various departments, application set up, call administration functions, and maintenance, for a period of one year.

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

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

Section 1. That the Director of Finance is authorized to enter into one or more contracts with W.A.R.N., LLC for professional services necessary to provide support, acquire, maintain and update a residential and business database, training, unlimited voice and text calling alerts, language modules, set up or installation for various departments, application set up, call administration functions, and maintenance for the City's Wide Area Rapid Notification System, in the total sum of \$100,000, for a period of one year, for the Department of Finance. The contracts or contracts shall be paid from Fund No. 70 SF 101, Request No. 141898.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1838-06.

By Council Member Sweeney (by departmental request).

An emergency ordinance to make additional appropriations of Five Hundred Thousand Dollars (\$500,000) of the Special Revenue Funds.

Whereas, there remains an unappropriated balance in the various funds, the sum of Five Hundred Thousand Dollars (\$500,000) which is available for additional appropriation; 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 there is hereby appropriated the additional revenue as set forth in the Amended Official Certificate of Estimated Resources previously unappropriated as follows:

SPECIAL REVENUE FUNDS		\$500,000
TOTAL ALL FUNDS		<u>\$500,000</u>
SPECIAL REVENUE FUNDS DEPARTMENT OF PUBLIC SERVICE		
Street Construction, Maintenance & Repair Fund		\$500,000
I. Personnel and Related Expenses	\$500,000	
TOTAL DEPARTMENT OF PUBLIC SERVICE	<u>\$500,000</u>	<u>\$500,000</u>
TOTAL SPECIAL REVENUE FUNDS	<u>\$500,000</u>	<u>\$500,000</u>

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 November 20, 2006.

Effective November 27, 2006.

Ord. No. 1839-06.

By Council Member Sweeney (by departmental request).

An emergency ordinance to make temporary appropriations for the current payrolls and other ordinary expenses of the City of Cleveland from the period from January 1, 2007 until the effective date of the annual appropriation ordinance for the fiscal year ending December 31, 2007.

Whereas, it is desired to postpone the passage of the annual appropriation ordinance until the amended certificate is received, based on the actual balances as the same may be determined by the Director of Finance and the County Budget Commission; 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. To provide for the current payrolls, sinking fund and other ordinary expenses of the City of Cleveland for the period from January 1, 2007 until the effective date of the Annual Appropriation Ordinance for the fiscal year ending December 31, 2007, there be and there is hereby appropriated for the period from January 1, 2007 until the effective date of the Annual Appropriation Five Hundred Fourteen Million, Eight Hundred Ten Thousand, Nine Hundred Twenty Three Dollars (\$514,810,923) out of taxes due the City of Cleveland and any other revenues accrued or occurring during said period of time and said funds are respectively appropriated as follows:

GENERAL FUND

Legislative Branch		\$ 1,968,754
Judicial Branch		16,021,497
Executive Branch		
Office of the Mayor		789,495
Department of Public Safety		81,797,687
Community Relations Board		390,896
Department of Consumer Affairs		108,056
Department of Public Service		12,851,649
Department of Parks, Recreation & Properties		13,526,565
Boxing and Wrestling Commission		3,500
Urban Planning & Development		6,520,788
Department of Public Health		5,025,714
Department of Aging		199,901
Support Functions		17,022,886
Transfers to Other Funds		<u>17,343,369</u>
TOTAL EXECUTIVE BRANCH		<u>155,580,506</u>
TOTAL GENERAL FUND		<u><u>173,570,757</u></u>

Special Revenue Funds		49,107,877
Internal Service Funds		17,393,194
Enterprise Funds		260,414,377
Trust and Agency Funds		4,007,148
Debt Service Funds		10,317,570
TOTAL TEMPORARY APPROPRIATIONS FOR 2007		<u>\$514,810,923</u>

GENERAL FUND

LEGISLATIVE BRANCH

Council and Clerk of Council		\$ 1,968,754
I. Personnel and Related Expenses	\$ 1,324,714	
II. Other Expenses	644,040	
TOTAL LEGISLATIVE BRANCH		<u>\$ 1,968,754</u>

JUDICIAL BRANCH

Municipal Court - Judicial Division		\$ 7,660,116
I. Personnel and Related Expenses	\$ 5,496,214	
II. Other Expenses	2,163,902	
Municipal Court - Housing Division		\$ 890,439
I. Personnel and Related Expenses	\$ 825,100	
II. Other Expenses	65,339	
Municipal Court - Clerk's Division		\$ 7,470,942
I. Personnel and Related Expenses	\$ 2,541,160	
II. Other Expenses	4,929,782	
TOTAL JUDICIAL BRANCH		<u>\$ 16,021,497</u>

EXECUTIVE BRANCH

Office of the Mayor		\$ 789,495
I. Personnel and Related Expenses	\$ 672,598	
II. Other Expenses	116,897	

DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$ 887,408
I. Personnel and Related Expenses	\$ 735,388	
II. Other Expenses	152,020	
Division of Police		\$ 50,218,369
I. Personnel and Related Expenses	\$45,505,008	
II. Other Expenses	4,713,361	
Division of Fire		\$ 23,884,680
I. Personnel and Related Expenses	\$22,318,595	
II. Other Expenses	1,566,085	
Division of Emergency Medical Services		\$ 6,498,551
I. Personnel and Related Expenses	\$ 5,598,541	
II. Other Expenses	900,010	
Division of Dog Pound		\$ 308,679
I. Personnel and Related Expenses	\$ 236,109	
II. Other Expenses	72,570	
TOTAL DEPARTMENT OF PUBLIC SAFETY		<u>\$ 81,797,687</u>

COMMUNITY RELATIONS BOARD

Community Relations Board		\$ 390,896
I. Personnel and Related Expenses	\$ 347,360	
II. Other Expenses	43,536	
TOTAL COMMUNITY RELATIONS BOARD		<u>\$ 390,896</u>

DEPARTMENT OF CONSUMER AFFAIRS

Consumer Affairs		\$	108,056
I. Personnel and Related Expenses	\$	75,807	
II. Other Expenses		32,249	
TOTAL DEPARTMENT OF CONSUMER AFFAIRS			<u>\$ 108,056</u>

DEPARTMENT OF PUBLIC SERVICE

Public Service Administration		\$	145,446
I. Personnel and Related Expenses	\$	138,779	
II. Other Expenses		6,667	
Division of Architecture		\$	205,465
I. Personnel and Related Expenses	\$	189,807	
II. Other Expenses		15,658	
Division of Waste Collection and Disposal		\$	9,387,687
I. Personnel and Related Expenses	\$	3,878,766	
II. Other Expenses		5,508,921	
Division of Engineering and Construction		\$	1,559,049
I. Personnel and Related Expenses	\$	1,319,005	
II. Other Expenses		240,044	
Division of Traffic Engineering		\$	1,554,002
I. Personnel and Related Expenses	\$	939,497	
II. Other Expenses		614,505	
TOTAL DEPARTMENT OF PUBLIC SERVICE			<u>\$ 12,851,649</u>

DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES

Parks, Recreation, and Properties Administration		\$	230,592
I. Personnel and Related Expenses	\$	162,575	
II. Other Expenses		68,017	
Division of Research, Planning, and Development		\$	219,174
I. Personnel and Related Expenses	\$	184,451	
II. Other Expenses		34,723	
Division of Recreation		\$	4,456,197
I. Personnel and Related Expenses	\$	2,465,226	
II. Other Expenses		1,990,971	
Division of Parking Facilities-On Street		\$	356,030
I. Personnel and Related Expenses	\$	334,265	
II. Other Expenses		21,765	
Division of Property Management		\$	2,892,120
I. Personnel and Related Expenses	\$	1,707,246	
II. Other Expenses		1,184,874	
Division of Park Maintenance and Properties		\$	5,372,452
I. Personnel and Related Expenses	\$	2,429,596	
II. Other Expenses		2,942,856	
TOTAL PARKS, RECREATION, AND PROPERTIES			<u>\$ 13,526,565</u>

BOXING AND WRESTLING COMMISSION

Boxing and Wrestling Commission		\$	3,500
I. Personnel and Related Expenses	\$	3,500	
II. Other Expenses		-	

URBAN PLANNING AND DEVELOPMENT

DEPARTMENT OF COMMUNITY DEVELOPMENT

Division of Administrative Services		\$	762,533
I. Personnel and Related Expenses	\$	655,914	
II. Other Expenses		106,619	

Director's Office		\$	209,815
I. Personnel and Related Expenses	\$	209,815	
Division of Neighborhood Development		\$	903,131
I. Personnel and Related Expenses	\$	683,131	
II. Other Expenses		220,000	
Division of Neighborhood Services		\$	354,234
I. Personnel and Related Expenses	\$	354,234	
TOTAL COMMUNITY DEVELOPMENT		\$	2,229,713

DEPARTMENT OF BUILDING AND HOUSING

Building and Housing Dir. Office		\$	683,911
I. Personnel and Related Expenses	\$	469,838	
II. Other Expenses		214,073	
Division of Code Enforcement		\$	1,987,043
I. Personnel and Related Expenses	\$	1,910,983	
II. Other Expenses		76,060	
Division of Construction Permit			\$448,696
I. Personnel and Related Expenses	\$	438,696	
II. Other Expenses		10,000	
TOTAL BUILDING AND HOUSING		\$	3,119,650

REGULATORY BOARDS AND COMMISSIONS

Landmarks Commission		\$	51,652
I. Personnel and Related Expenses	\$	48,901	
II. Other Expenses		2,751	
Board of Building Standards and Appeals		\$	31,438
I. Personnel and Related Expenses	\$	25,409	
II. Other Expenses		6,029	
Board of Zoning Appeals		\$	70,567
I. Personnel and Related Expenses	\$	61,445	
II. Other Expenses		9,122	
TOTAL REGULATORY BOARDS		\$	153,657

DEPARTMENT OF ECONOMIC DEVELOPMENT

Economic Development		\$	331,664
I. Personnel and Related Expenses	\$	306,223	
II. Other Expenses		25,441	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT		\$	331,664

Office of Equal Opportunity		\$	233,952
I. Personnel and Related Expenses	\$	212,817	
II. Other Expenses		21,135	
City Planning Commission		\$	452,152
I. Personnel and Related Expenses	\$	396,100	
II. Other Expenses		56,052	
TOTAL URBAN PLANNING AND DEVELOPMENT		\$	6,520,788

DEPARTMENT OF PUBLIC HEALTH

Public Health Administration		\$	240,733
I. Personnel and Related Expenses	\$	176,635	
II. Other Expenses		64,098	

Division of Correction		\$ 2,343,160
I. Personnel and Related Expenses	\$ 1,463,308	
II. Other Expenses	879,852	
Division of Health		\$ 1,460,203
I. Personnel and Related Expenses	\$ 600,022	
II. Other Expenses	860,181	
Division of Environment		\$ 655,061
I. Personnel and Related Expenses	\$ 507,067	
II. Other Expenses	147,994	
Division of Air Quality		\$ 326,557
I. Personnel and Related Expenses	\$31,665	
II. Other Expenses	294,892	
TOTAL DEPARTMENT OF PUBLIC HEALTH		\$ 5,025,714

DEPARTMENT OF AGING

DEPARTMENT OF AGING		\$ 199,901
I. Personnel and Related Expenses	\$ 155,597	
II. Other Expenses	44,304	
TOTAL DEPARTMENT OF AGING		\$ 199,901

SUPPORT FUNCTIONS
FINANCIAL AND LEGAL ADMINISTRATION

DEPARTMENT OF FINANCE

Finance Administration		\$ 282,946
I. Personnel and Related Expenses	\$ 245,794	
II. Other Expenses	37,152	
Division of Accounts		\$ 601,557
I. Personnel and Related Expenses	\$ 343,873	
II. Other Expenses	257,684	
Division of Assessments and Licenses		\$ 580,057
I. Personnel and Related Expenses	\$ 456,843	
II. Other Expenses	123,214	
Division of Treasury		\$ 174,776
I. Personnel and Related Expenses	\$ 141,310	
II. Other Expenses	33,466	
Division of Purchases and Supplies		\$ 185,219
I. Personnel and Related Expenses	\$ 156,729	
II. Other Expenses	28,490	
Bureau of Internal Audit		\$ 287,889
I. Personnel and Related Expenses	\$ 117,385	
II. Other Expenses	170,504	
Division of Financial Reporting and Control		\$ 360,006
I. Personnel and Related Expenses	\$ 327,658	
II. Other Expenses	32,348	
Information Systems Services		\$ 1,805,632
I. Personnel and Related Expenses	\$ 674,273	
II. Other Expenses	1,131,359	
Information Tech & Planning		\$ 74,205
I. Personnel and Related Expenses	\$ 64,183	
II. Other Expenses	10,022	
TOTAL DEPARTMENT OF FINANCE		\$ 4,352,287
Office of Budget & Management-Budget Admin.		\$ 276,025
I. Personnel and Related Expenses	\$ 166,601	
II. Other Expenses	109,424	

Department Law		\$ 2,773,694
I. Personnel and Related Expenses	\$ 1,756,889	
II. Other Expenses	1,016,805	
TOTAL FINANCE AND LEGAL ADMINISTRATION		<u>\$ 7,402,006</u>
PERSONNEL ADMINISTRATION		
Office of Personnel		\$ 769,218
I. Personnel and Related Expenses	\$ 368,549	
II. Other Expenses	400,669	
Civil Service Commission		\$ 483,539
I. Personnel and Related Expenses	\$ 178,523	
II. Other Expenses	305,016	
TOTAL PERSONNEL ADMINISTRATION		<u>\$ 1,252,757</u>
NONDEPARTMENTAL		
Other Administrative		\$ 8,368,123
II. Other Expenses	\$ 8,368,123	
TOTAL NONDEPARTMENTAL		<u>\$ 8,368,123</u>
TOTAL SUPPORT FUNCTIONS		<u>\$ 17,022,886</u>
Transfers To Other Funds		\$ 17,343,369
II. Other Expenses	\$17,343,369	
TOTAL EXECUTIVE BRANCH		<u>\$155,580,506</u>
TOTAL GENERAL FUND		<u>\$173,570,757</u>
SPECIAL REVENUE FUND		
Restricted Income Tax Fund		\$ 34,787,760
I. Capital	\$14,787,760	
II. Debt Service	20,000,000	
Street Construction, Maintenance & Repair Fund		\$ 12,320,117
I. Personnel and Related Expenses	\$ 5,277,076	
II. Other Expenses	7,043,041	
Schools Recreation & Cultural Activities Fund		\$ 2,000,000
II. Other Expenses	\$ 2,000,000	
TOTAL SPECIAL REVENUE FUNDS		<u>\$ 49,107,877</u>
INTERNAL SERVICE FUND		
Information Systems Services-Telephone Exchange		\$ 5,785,552
I. Personnel and Related Expenses	\$ 318,531	
II. Other Expenses	5,467,021	
Division of Motor Vehicle Maintenance		\$ 9,759,337
I. Personnel and Related Expenses	\$ 1,837,091	
II. Other Expenses	7,922,246	
Division of Printing and Reproduction		\$ 1,461,350
I. Personnel and Related Expenses	\$ 238,446	
II. Other Expenses	1,222,904	
City Storeroom and Central Warehouse		\$ 386,955
I. Personnel and Related Expenses	\$ 24,445	
II. Other Expenses	362,510	
TOTAL INTERNAL SERVICE FUNDS		<u>\$ 17,393,194</u>

ENTERPRISE FUNDS		
DEPARTMENT OF PUBLIC UTILITIES		
Utilities Administration		\$ 995,761
I. Personnel and Related Expenses	\$ 715,597	
II. Other Expenses	280,164	
Radio		\$ 1,755,171
I. Personnel and Related Expenses	\$ 97,940	
II. Other Expenses	1,657,231	
Division of Fiscal Control		\$ 988,334
I. Personnel and Related Expenses	\$ 898,958	
II. Other Expenses	89,376	
Division of Water		\$ 90,335,697
I. Personnel and Related Expenses	\$23,273,150	
II. Other Expenses	67,062,547	
Division of Water Pollution Control		\$ 9,555,639
I. Personnel and Related Expenses	\$ 3,000,510	
II. Other Expenses	6,555,129	
Division of Cleveland Public Power		\$ 68,997,102
I. Personnel and Related Expenses	\$ 7,745,756	
II. Other Expenses	61,251,346	
 TOTAL DEPARTMENT OF PUBLIC UTILITIES		 <u>\$172,627,704</u>
 DEPARTMENT OF PORT CONTROL DIVISIONS OF CLEVELAND HOPKINS & BURKE LAKEFRONT		
Airports - Operations		\$ 58,241,616
I. Personnel and Related Expenses	\$ 7,168,193	
II. Other Expenses	51,073,423	
 TOTAL DEPARTMENT OF PORT CONTROL		 <u>\$ 58,241,616</u>
 DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
Division of Cemeteries		\$ 808,530
I. Personnel and Related Expenses	\$ 432,381	
II. Other Expenses	376,149	
Golf Course Fund		\$ 1,097,704
I. Personnel and Related Expenses	\$ 306,762	
II. Other Expenses	790,942	
Division of Parking Facilities-Off Street Parking		\$ 9,583,686
I. Personnel and Related Expenses	\$ 344,682	
II. Other Expenses	9,239,004	
Division of Convention Center		\$ 2,311,453
I. Personnel and Related Expenses	\$ 970,084	
II. Other Expenses	1,341,369	
Division of Convention Center & Stadium- West Side Market		\$ 542,262
I. Personnel and Related Expenses	\$ 155,519	
II. Other Expenses	386,743	
Division of Convention Center & Stadium-Stadium		\$ 15,176,631
II. Other Expenses	\$15,176,631	
Division of Property Management - East Side Market		\$ 24,791
I. Personnel and Related Expenses	\$ 15,857	
II. Other Expenses	8,934	
 TOTAL PARKS, RECREATION, & PROPERTIES		 <u>\$ 29,545,057</u>
 TOTAL ENTERPRISE FUNDS		 <u>\$260,414,377</u>

AGENCY FUND

Central Collection Agency		\$ 4,007,148
I. Personnel and Related Expenses	\$ 1,796,454	
II. Other Expenses	2,210,694	
TOTAL AGENCY FUND		<u>\$ 4,007,148</u>

DEBT SERVICE FUND

Sinking Fund Commission		\$ 10,317,570
I. Personnel and Related Expenses	\$ 45,718	
II. Other Expenses	271,852	
III. Debt Service	10,000,000	
TOTAL DEBT SERVICE FUNDS		<u>\$ 10,317,570</u>

Section 2. That all expenditures and payments made under and pursuant to the ordinance appropriating such sum or sums of money shall be charged against the annual appropriation ordinance for the fiscal year ending December 31, 2007, when such appropriation ordinance shall become effective, and to the various departments and divisions and payment of whose officers and employees and operating expenses such sum or sums of money hereunder shall then have paid out or expended. Provided, however, that no payment shall be made under the authority of this ordinance after the effective date of said Annual Appropriation Ordinance for the fiscal year ending December 31, 2007.

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

Passed November 20, 2006.

Effective November 27, 2006.

Ord. No. 1840-06.

By Council Member Sweeney (by departmental request).

An emergency ordinance to provide the transfer of One Million Nine Hundred Eighty Six Thousand Five Hundred Dollars (\$1,986,500) within various divisions of the General Fund; Five Hundred Thousand Dollars (\$500,000) within the Special Revenue Fund; Four Million Fifty Thousand Dollars (\$4,050,000) within the Enterprise Fund; and Two Hundred Dollars (\$200) within the Debt Service Fund.

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 sum of Six Million Five Hundred Thirty Six Thousand Seven Hundred Dollars (\$6,536,700) be the same and hereby transferred as follows:

GENERAL FUND

	Transfer To	Transfer From
LEGISLATIVE BRANCH		
Council and Clerk of Council		
I Personnel and Related Expenses	\$ -	\$ 215,000
II Other Expenses	\$ 215,000	\$ -
TOTAL LEGISLATIVE BRANCH	\$ 215,000	\$ 215,000
Municipal Court - Housing Division		
I Personnel and Related Expenses	\$ -	\$ 10,000
II Other Expenses	\$ 10,000	\$ -
TOTAL MUNICIPAL COURT	\$ 10,000	\$ 10,000
EXECUTIVE BRANCH		
Office of the Mayor		
I Personnel and Related Expenses	\$ -	\$ 10,000
II Other Expenses	\$ 10,000	\$ -

DEPARTMENT OF PUBLIC SAFETY		
Division of Police		
I Personnel and Related Expenses	\$ -	\$ 130,000
II Other Expenses	\$ -	\$ -
Division of Fire		
I Personnel and Related Expenses	\$ -	\$ 200,000
II Other Expenses	\$ -	\$ -
Division of Emergency Medical Services		
I Personnel and Related Expenses	\$ 130,000	\$ -
II Other Expenses	\$ -	\$ -
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$ 130,000	\$ 330,000
DEPARTMENT OF PUBLIC SERVICE		
Division of Architecture		
I Personnel and Related Expenses	\$ 3,000	\$ -
II Other Expenses	\$ -	\$ -
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$ 3,000	\$ -
DEPARTMENT OF PARKS		
Division of Recreation		
I Personnel and Related Expenses	\$ -	\$ 513,000
II Other Expenses	\$ -	\$ -
Division of Parking Facilities-On Street		
I Personnel and Related Expenses	\$ -	\$ 10,000
II Other Expenses	\$ 10,000	\$ -
Division of Property Management		
I Personnel and Related Expenses	\$ -	\$ 15,000
II Other Expenses	\$ 15,000	\$ -
Division of Park Maintenance and Properties		
I Personnel and Related Expenses	\$ -	\$ 50,000
II Other Expenses	\$ 50,000	\$ -
TOTAL PARKS, RECREATION, AND PROPERTIES	\$ 75,000	\$ 588,000
URBAN PLANNING AND DEVELOPMENT		
DEPARTMENT OF COMMUNITY DEVELOPMENT		
Division of Neighborhood Development		
I Personnel and Related Expenses	\$ -	\$ 200,000
II Other Expenses	\$ -	\$ -
TOTAL COMMUNITY DEVELOPMENT	\$ -	\$ 200,000
DEPARTMENT OF BUILDING AND HOUSING		
Building and Housing Dir Office		
I Personnel and Related Expenses	\$ -	\$ 9,000
II Other Expenses	\$ 9,000	\$ -
Division of Code Enforcement		
I Personnel and Related Expenses	\$ -	\$ 22,000
II Other Expenses	\$ 22,000	\$ -
TOTAL BUILDING AND HOUSING	\$ 31,000	\$ 31,000
TOTAL URBAN PLANNING AND DEVELOPMENT	\$ 31,000	\$ 231,000
DEPARTMENT OF PUBLIC HEALTH		
Division of Correction		
I Personnel and Related Expenses	\$ 210,000	\$ -
II Other Expenses	\$ -	\$ 50,000
Division of Health		
I Personnel and Related Expenses	\$ -	\$ 175,000
II Other Expenses	\$ 175,000	\$ -

Division of Environment		
I Personnel and Related Expenses	\$ 150,000	\$ -
II Other Expenses	\$ -	\$ -
Division of Air Quality		
I Personnel and Related Expenses	\$ 10,000	\$ -
II Other Expenses	\$ -	\$ 10,000
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$ 545,000	\$ 235,000
Department Law		
I Personnel and Related Expenses	\$ -	\$ 267,500
II Other Expenses	\$ 150,000	\$ -
PERSONNEL ADMINISTRATION		
Office of Personnel	\$ -	\$ -
I Personnel and Related Expenses	\$ -	\$ 100,000
II Other Expenses	\$ 317,500	\$ -
NONDEPARTMENTAL		
OTHER ADMINISTRATIVE		
II Other Expenses	\$ 500,000	\$ -
TOTAL NONDEPARTMENTAL	\$ 500,000	\$ -
TOTAL GENERAL FUND	\$ 1,986,500	\$ 1,986,500
SPECIAL REVENUE FUND		
Restricted Income Tax Fund		
I Capital	\$ 500,000	\$ -
II Debt Service	\$ -	\$ 500,000
TOTAL SPECIAL REVENUE FUNDS	\$ 500,000	\$ 500,000
ENTERPRISE FUNDS		
DEPARTMENT OF PUBLIC UTILITIES		
Utilities Administration		
I Personnel and Related Expenses	\$ 50,000	\$ -
II Other Expenses	\$ -	\$ 50,000
Division of Water		
I Personnel and Related Expenses	\$ -	\$ 4,000,000
II Other Expenses	\$ 4,000,000	\$ -
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$ 4,050,000	\$ 4,050,000
TOTAL ENTERPRISE FUNDS	\$ 4,050,000	\$ 4,050,000
DEBT SERVICE FUND		
Sinking Fund Commission		
I Personnel and Related Expenses	\$ 200	\$ -
II Other Expenses	\$ -	\$ 200
III Debt Service	\$ -	\$ -
TOTAL ALL FUNDS	\$ 6,536,700	\$ 6,536,700

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

Passed November 20, 2006.

Effective November 27, 2006.

Ord. No. 1841-06.

By Council Member Sweeney (by departmental request).

An emergency ordinance to supplement Ordinance No. 1252-06, passed September 11, 2006, by adding new Section 2; and renumbering existing Sections 2 and 3 to new "Section 3" and "Section 4" relating to professional services necessary to continue maintenance support for the core equipment that supports the City of Cleveland's network.

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 Ordinance No. 1252-06, passed September 11, 2006, is supplemented by adding new Section 2 to read as follows:

Section 2. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Finance may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 2. That existing Sections 2 and 3 of Ordinance No. 1252-06, passed September 11, 2006, are renumbered to new "Section 3" and "Section 4".

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1955-06

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with Cleveland Housing Network for professional services necessary to administer services in conjunction with the Division of Water's affordability 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 Utilities is authorized to enter into one or more contracts with Cleveland Housing Network for professional services necessary to administer services in conjunction with the Division of Water's affordability program on the basis of its proposal delivered to the City on September 27, 2006, in the total sum of \$316,604, for the Department of

Public Utilities. The contract or contracts shall be paid from Fund No. 52 SF 001, Request No. 171476.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1959-06

By Council Members Cimperman, Conwell, Zone, Lewis, Sweeney, Kelley, Cleveland, Turner, Brady, Cummins, Santiago, Pierce Scott, White and Britt.

An emergency ordinance designating the portion of East 25th Street between Superior Avenue and Saint Clair Avenue as "Gerald Levert Lane" as a secondary and honorary designation.

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 portion of East 25th Street between Superior Avenue and Saint Clair Avenue be designated as "Gerald Levert Lane" as a secondary and honorary designation.

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 November 20, 2006.
Effective November 27, 2006.

Ord. No. 1964-06

By Council Member Reed.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Friends of Mt. Pleasant to stretch banners and lights on CPP utility poles along Luke Easter Park; Kinsman Road, between East 93rd & East 154th; and at Kingsbury, from November 20, 2006 to December 20, 2006.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Friends of Mt. Pleasant to install, maintain and

remove banners and lights on CPP utility poles along Luke Easter Park; Kinsman Road, between East 93rd & East 154th; and at Kingsbury, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed November 20, 2006.
Effective November 27, 2006.

Ord. No. 1980-06

By Council Member Cimperman.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Hijos De Borinquen Spanish American Center for the Community Supportive Services Program through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Hijos De Borinquen Spanish American Center for the Community Supportive Services Program for the public purpose of providing social community support referral services to Cleveland residents through the use of Ward 13 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$10,000 and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed November 20, 2006.
Effective November 27, 2006.

COUNCIL COMMITTEE MEETINGS

**Monday, November 27, 2006
9:00 a.m.**

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

9:30 a.m.

Health and Human Services Committee: Present: Britt, Chair; Cleveland, Vice Chair; Kelley, Santiago, Conwell, Westbrook, Reed.

1:30 p.m.

Legislation Committee and Finance Committee: Present in Legislation: Cleveland, Chair; Cimperman, Reed, Pierce Scott. *Authorized Absence:* Dolan, Vice Chair; Lewis, White.
Present in Finance: Sweeney, Chair; Cimperman, Vice Chair; Brady, Conwell, Britt, Zone, Westbrook, Coats, Pierce Scott, Brancatelli. *Authorized Absence:* White.

2:00 p.m.

Finance Committee: Present: Sweeney, Chair; Cimperman, Vice Chair; Brady, Conwell, Britt, Zone, Westbrook, Coats, White, Pierce Scott, Brancatelli.

**Tuesday, November 28, 2006
9:30 a.m.**

Community and Economic Development Committee: Present: Pierce Scott, Chair; Brancatelli, Vice Chair; Cummins, Coats, Brady, Zone, Westbrook, Lewis, Cimperman.

**Wednesday, November 29, 2006
10:00 a.m.**

Aviation and Transportation Committee: Present: Kelley, Chair; Westbrook, Vice Chair; Brancatelli, Britt, Dolan, Turner, Cleveland.

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O—Ordinance; R—Resolution; F—File
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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