

The City Record

Official Publication of the City of Cleveland

June the Second, Nineteen Hundred and Ninety-Nine

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

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

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

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

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George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch - Justice Center, 8th Flr., Court Towers, 1200 Ontario Street
Karen E. Martines, Law Librarian, Room 100

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City Treasury - Mary Christine Jackman, Treasurer, Room 115
Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122
Purchases and Supplies - William A. Moon, Commissioner, Room 128
Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue
Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
Financial Reporting and Control - Robert Dolan, Controller, Room 18
Information Systems Services - Hamid Manteghi, Commissioner, 1404 E. 9th St.

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DIVISIONS - 1201 Lakeside Avenue
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Water Pollution Control - Darnell Brown, Commissioner
Utilities Fiscal Control - Morry Blech, Commissioner
Cleveland Public Power - James F. Majer, Commissioner
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Cleveland Hopkins International Airport - Mark D. Vanloh, Commissioner
Burke Lakefront Airport - Michael C. Barth, Commissioner

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Streets - Randell T. Scott, Commissioner, Room 25
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Architecture - Paul Burik, Acting Commissioner, Room 517

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DIVISIONS - Convention Center & Stadium - James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
Property Management - _____, Commissioner, East 49th & Harvard

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

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

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

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

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

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

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

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

The City Record



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WEDNESDAY, JUNE 2, 1999

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CITY COUNCIL

MONDAY, MAY 31, 1999

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216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

ORDINANCES

Ord. No. 100-99.
By Councilmen Coats, Zone and Johnson (by departmental request).
An emergency ordinance to amend Section 627.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 90-96, passed March 18, 1996, relating to carrying concealed weapons.

Ord. No. 189-99.
By Councilmen Cimperman, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Arcade, LLC, to provide for service payments for the purpose of repayment of the revenue bonds to be issued for the purpose of assisting with the financing of the rehabilitation and redevelopment of the Old Arcade and to provide for payments to the Cleveland City School District, and to declare certain improvements to real property to be a public purpose.

Whereas, on April 3, 1998, pursuant to the authority of Charter Section 76-2, the City Planning Commission adopted and approved the Downtown Euclid Avenue Revitalization Plan (the "Plan") which Plan calls for the revitalization of the Old Arcade; and

Whereas, pursuant to Section 5709.41 of the Ohio Revised Code, improvements to real property consistent with the Plan, may be declared to be a public purpose where fee title to such real property was, at one time, held by the City of Cleveland; and

Whereas, pursuant to the authority of Ordinance No. _____, passed _____, the City acquired fee title to certain real property within the Area, which is more particularly described in the documents set forth in the file described in Section 1 of this ordinance (the "Real Property"), prior to adoption of this Ordinance; and

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

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

Whereas, pursuant to Section 5709.41 of the Ohio Revised Code, said exemption may exceed 75% of such improvements for up to thirty (30) years when a portion of the service payments so collected are distributed to the Cleveland City School District ("the District") in an amount equal to the amount the District would have received had the improvements not been exempt; and

Whereas, the Cleveland City School District has been notified of the intent to enter into the agreement authorized herein, in compliance with Sections 5709.41(C)(4) and 5709.83 of the Ohio Revised Code; 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 improvements to be constructed by Arcade, LLC ("Redeveloper"), as more fully described in the plans contained in File No. 189-99-A ("the Improvements"), on the Real Property, are consistent with the Plan and are hereby declared to be a public purpose, for purposes of Section 5709.41 and 5709.42 of the Ohio Revised Code.

Section 2. That one hundred percent (100%) of the Improvements are hereby declared exempt from real property taxation for a period of thirty (30) years; and that in no event shall the exemption period extend beyond December 31, 2031.

Section 3. That, pursuant to Section 5709.42 of the Ohio Revised Code, Redeveloper (or the owners of the Improvements) shall make service payments for a period of thirty (30) years, or such other period necessary to redeem the bonds

described in Section 6 of this Ordinance, in lieu of said exempt taxes to the Cuyahoga County Treasurer; said payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid, had the Improvements not been exempt from taxation.

Section 4. That pursuant to Section 5709.43 of the Ohio Revised Code there is hereby established an Old Arcade Urban Redevelopment Tax Increment Equivalent Fund (the "Fund").

Section 5. That a portion of the service payments collected pursuant to Section 3 hereof shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the District in the amount of the taxes that would have been payable to the District had the Improvements not been exempt from taxation.

Section 6. That the balance of the service payments collected pursuant to Section 3 hereof shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the City of Cleveland and deposited in the Fund created by Section 4 hereof to pay the principal (whether at maturity or by prior redemption) of, and interest on revenue bonds issued by the City, pursuant to additional, appropriate legislation of this Council, or other appropriate governmental issuer to finance a portion of the costs of the Improvements, and the costs attributable to the sale of the Bonds, inclusive of attorneys' fees, appraisals and other similar fees.

Section 7. That the Director of Economic Development is hereby authorized to enter into an agreement or agreements with Redeveloper to provide for the exemption and service payments described herein, including agreements securing the payments described in Section 3 of this Ordinance, which agreement or agreements shall contain those terms set forth in the Executive Summary contained in the file referenced in Section 1 of this ordinance and such other terms and conditions as the Directors of Economic Development and Law deem necessary to protect the public interest; and to enter into such other agreement or agreements with such other appropriate governmental issuer, necessary and appropriate to issue and redeem the bonds described in Section 6 of this Ordinance, which agreement or agreements shall contain those terms and conditions as the Directors of Economic Development and Law deem necessary to protect the public interest.

Section 8. That the relevant project agreements shall include the following terms:

1. That in the event that there is a transfer in title of any part of the project to a non-affiliated party during the Tax Increment Financing ("TIF") authorized by this ordinance, purchaser or transferee shall assume repayment obligations under the HUD Section 108 Loan.

2. That in the event there is a transfer of title to a non-affiliated party of the non-hotel commercial portion during the term of the TIF, to a party whose intended use is other than non-hotel commercial, redeveloper shall immediately retire all outstanding obligations due the City under the \$1,000,000 Economic Development Loan, and Redeveloper shall pay to the City an amount equal to all taxes the City would have received from the time of execution of the TIF agreement to the date of such transfer or sale of the

retail portions of the project, but for the TIF.

3. Failure by Redeveloper or the operator(s) of the project to substantially comply with the following economic development objectives of the Project shall be an event of default and Redeveloper shall pay to the City an amount equal to the taxes the City would have received but for the TIF:

a. The investment of \$45 million in the project within three (3) years of passage of this ordinance;

b. The creation of 150 jobs at the Project within three (3) years from the passage of this ordinance and the maintenance of these 150 jobs throughout the duration of the TIF;

c. Compliance with Section 9 of this ordinance; and

d. Renovation of the public open space of the arcade and maintaining same as open space for the public use.

Section 9. 1. With respect to the relationship with and activities of any operator to the hotel located on the Property, it is agreed that such hotel operator shall recognize and observe the right of its employees to form or select any labor organization to act as the employees' exclusive bargaining representative for the purpose of collective bargaining with the operator, or to refrain from such activity, and the right of a labor organization to organize the employees.

2. With respect to the relationship with and activities of the hotel operator, the Redeveloper agrees as a condition of its financial assistance from the City, in addition to the foregoing, that the provisions set forth in the section shall apply.

a. To accommodate a free and informed decision of the employees of the hotel respecting joining or seeking representation by a labor organization, the hotel operator will provide access to certain non-work areas within the hotel during certain non-work times, the exact locations and times to be mutually agreed upon by both the union and the hotel operator.

b. The hotel operator shall have the right to communicate with its employees during the organizing process, shall insure that such communications are factual, and shall neither show nor disseminate anti-union material in its communications with its employees.

c. Upon notice from the union that at least 30% of employees in an appropriate bargaining unit have signed authorization cards, the hotel operator and labor organization will take all actions necessary to effect validation of such cards within thirty (30) days by the National Labor Relations Board ("NLRB"). If cards signed by a majority of bargaining unit employees are validated by the NLRB, the employees will vote on the question of representation by the labor organization within sixty (60) days from date of the NLRB meeting to validate the cards. If a majority of bargaining unit employees that vote, vote in favor of representation by a labor organization the hotel operator will recognize such labor organization as bargaining representative.

d. If one or more labor organizations notifies the hotel operator that a majority of employees in a proposed bargaining unit or units have signed authorization cards, the hotel operator will make good faith efforts to reach agreement and stipulate to the definition of a bargain-

ing unit. The hotel operator will not assert questions about the definition of the bargaining unit as a means of delaying or impeding the rights of employees and labor organization(s) to proceed expeditiously to an election under the NLRB supervision.

e. The hotel operator shall further agree that interest demonstrated by employees of the hotel in joining or not joining a labor organization or membership with a labor organization shall not constitute grounds for discriminatory or disparate treatment nor adversely impact a potential employee's ability to be hired.

3. In the event the operator of the hotel located on the Property is found to have failed to perform or observe the conditions set forth above in Section 1, or 2, as evidenced by either: (i) a final judgment or order of the National Labor Relations Board or court of competent jurisdiction, which final judgment or order is not subject to further appeal, or (ii) a finding by the City of Cleveland as set forth in a written notice of default sent by the City's Director of Economic Development, the Redeveloper shall, within thirty (30) days after such judgment or order becomes final (or within such longer period as may be reasonably required), or within thirty (30) days (or within such longer period as may be reasonably required) after City's sending of the notice of default:

a. Cause such hotel operator to comply with such order or judgment and any remedial action required thereunder;

b. If the hotel operator does not comply with Section 3.a. within the time periods set forth therein, the Redeveloper can terminate the contract of such hotel operator to operate such hotel and obtain a qualified replacement hotel operator who will operate in conformity with the above requirements.

In the event Redeveloper fails to comply with its requirements set forth in this Section 3, the loan agreement shall be terminated as of the date of such failure. Also as of the date of such failure, the Redeveloper shall be required to reimburse the City for all taxes the City would have received but for the TIF."

Section 10. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and any of its committees that resulted in such formal action were in meetings open to the public in compliance with the law.

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

Ord. No. 244-99.

By Councilmen Coats, Zone and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 135.501 thereof relating to the application and acceptance of annual Drug Abuse Resistance Education grant.

Ord. No. 329-99.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 161.051 thereof relating to certificate of appropriateness review fee.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 161.051 thereof to read as follows:

Section 161.051 Certificate of Appropriateness Review Fee

(a) A review fee shall be paid to the Landmarks Commission when the Landmarks Commission's approval is required by the Codified Ordinances for issuance of a Building Permit, in accordance with the following schedule to cover the cost of review by the Landmarks Commission payable subsequent to the Landmarks Commission approval, upon issuance of a Certificate of Appropriateness.

(b) The review fee shall be determined on the basis of the following schedule which "improvement cost" is that portion of a project's total improvement cost attributable to exterior improvements requiring review and approval by the Landmarks Commission:

Applicable Improvement Cost	Fee Rate
Less than \$5,000	1.5% of the amount over \$0
\$5,001 - \$10,000	\$75.00 + 1.0% of the amount over \$5,000
\$10,001 - \$100,000	\$125.00 + 0.5% of the amount over \$10,000
\$100,001 - \$500,000	\$575.00 + 0.2% of the amount over \$100,000
\$500,001 - \$5,000,000	\$1,375.00 + 0.05% of the amount over \$500,000
More than \$5,000,000	\$3,625.00 + 0.02% of the amount over \$5,000,000

(c) Exemptions. No fee payments shall be required for the renovation or alteration of existing single-family, two-family and three-family residences or for construction or alteration of accessory structures on the property of such existing residence.

(d) All fees generated pursuant to this section shall be deposited into the fund or funds which are designated for use by the Landmarks Commission, and shall be used for Landmark Commission purposes.

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.

Ord. No. 415-99.

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

An emergency ordinance authorizing the Director of Public Service to make alterations and modifications in Contract No. 51022 with Perk Company Inc. for the rehabilitation of Fulton Road, for the Department of Public Service.

Ord. No. 457-99.

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

An emergency ordinance giving consent of the City of Cleveland for the repair and resurfacing of Shaker Boulevard to the State of Ohio; authorizing the Director of Public Service to enter into any agreements relative thereto.

Ord. No. 581-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 33-99, passed March 1, 1999, relating to a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 1999 Drug Prevention, Treatment and Intervention Program; to supplement by adding new Section 3; and to renumber existing Section 3 to "Section 4."

Ord. No. 582-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of medical supplies, for the

Division of Fire, Department of Public Safety, for a period not to exceed two years.

Ord. No. 583-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain overhead doors at various locations within the Division of Fire, Department of Public Safety, for a period not to exceed two years.

Ord. No. 584-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair, maintain and service MSA breathing apparatus, for the Division of Fire, Department of Public Safety, for a period not to exceed two years.

Ord. No. 585-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to accept a grant from the State of Ohio — Office of Criminal Justice Services for the Juvenile Accountability Incentive Block Grant Program; and to enter into contract for the lease of office space and the procurement of not to exceed seven vehicles.

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

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

Section 1. That the Director of Public Safety is hereby authorized to accept a grant in the amount of \$766,289.00, from the State of Ohio - Office of Criminal Justice Services, to conduct the Juvenile Accountability Incentive Block Grant Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 99-99-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$85,143.00 from Fund No. 01-60-02-0901, is hereby approved in all respects.

Section 3. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Safety is hereby authorized to lease office space at an east side location and a west side location for the implementation of the grant. The term of the lease or leases shall not exceed the grant period and shall be in an aggregate estimated annual amount of \$19,200.00.

That the lease or leases may authorize the City to make improvements to the leased premises under

terms to be determined by the parties consistent with the purposes of the grant. That the lease or leases may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

That the lease or leases 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.

That the Director of Public Safety, the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease or leases authorized by this ordinance.

Section 4. That the Director of Public Safety is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the lease of not to exceed seven (7) vehicles, to be used for implementation of the program, to be procured by the Commissioner of Purchases and Supplies upon a unit basis.

Section 5. That the cost of the contracts authorized in Sections 3 and 4 above shall be paid from the fund or funds to which are credited the proceeds of the grant accepted pursuant to Section 1 of this ordinance.

Section 6. That the Director of Public Safety shall provide a report to the council regarding the work of this program **every six months.**

Section 7. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Ord. No. 587-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance to amend Sections 2 and 5 of Ordinance No. 257-97, passed April 14, 1997, relating to expending Economic Development Initiative Grant Funds for the operation of the Empowerment Zone Business Opportunity Program and to enter into contracts under that program.

Whereas, the Empowerment Zone's economic development program is predicated on assisting businesses who typically have been excluded from conventional lending programs, both private and public; and

Whereas, for reasons that include lack of effective financial and management systems, past credit problems, lack of access to broad consumer networks, and the inability to meet security and collateral underwriting requirements; and

Whereas, the EZ BOP Program was created to meet such unmet needs of Empowerment Zone businesses; and

Whereas, the provision of one-on-one technical assistance for such businesses is as important as the provision of loans and rebates; and

Whereas, the EZ BOP Program represents one of several approaches to address the needs of small businesses; and

Whereas, the Empowerment Zone provides four to six months of assistance to determine suitability of EZ BOP assistance for such businesses; 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 Sections 2 and 5 of Ordinance No. 257-97, passed April 14, 1997, are hereby amended to read, respectively, as follows:

Section 2. That any contract authorized hereby shall not exceed \$30,000.00 to any single small business and shall receive the written approval of the Council person in whose ward said small business is located; the costs of said contract shall be paid from Fund No. 18 SF 003 and 18 SF 001, Request No. 22285. Contracts for purposes of the Program in excess of \$30,000.00 may be approved by Council by appropriate legislation.

Section 5. That the contracting authority granted herein shall expire on June 1, 2001; 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 Sections 2 and 5 of Ordinance No. 257-97, passed April 14, 1997, are hereby repealed.

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

Ord. No. 646-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various sizes of front-end loaders and roll-off containers, for the Division of Waste Collection and Disposal, Department of Public Service.

Ord. No. 647-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance to amend the title and Sections 1 and 3 of Ordinance No. 1724-98, passed November 16, 1998; to supplement said ordinance by adding new Section 4 thereof; and to renumber existing Section 4 of said ordinance to new "Section 5"; relating to applying and accepting grants from the U.S. Environmental Protection Agency and the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment; and authorizing said director to enter into contracts to implement the program.

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

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

Section 1. That the title, Section 1 and Section 2 of Ordinance No. 1724-98, passed November 16, 1998, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the U.S. Environmental Protection Agency and the Ohio Environmental

Protection Agency for financial assistance for the operation of the Division of Environment; and authorizing said director to enter into contracts for the purchase of equipment, supplies and services necessary to implement the program.

Section 1. That the Director of Public Health is hereby authorized to apply for and accept grants in the approximate amount of \$366,269 from the U.S. Environmental Protection Agency and \$1,001,311 from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment in accordance with the purposes set forth in the respective applications; that the Director of Public Health is hereby authorized to file all papers enter into contracts, and execute all documents necessary to apply for and receive the funds under said grants; and that said funds be appropriated for the purposes set forth in the agreements and applications for said grants.

Section 3. That the Director of Public Health is hereby authorized to enter into contracts for the purchase of equipment, supplies and services necessary to implement the Program, and that said contracts are payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

Section 2. That the existing title, Section 1 and Section 2 of Ordinance No. 1724-98, passed November 16, 1998, are hereby repealed.

Section 3. That Ordinance No. 1724-98, passed November 16, 1998, is hereby supplemented by adding new Section 4 thereof to read as follows:

Section 4. That the Director of Public Health shall provide notice to any Councilmember whose ward contains a test result which is in violation of the ordinances enforced by this Program.

Section 4. That existing Section 4 of Ordinance No. 1724-98, passed November 16, 1998, is hereby renumbered to new "Section 5".

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Ord. No. 651-99.

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of labor and materials necessary to maintain, repair and test the life safety system, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, for a period not to exceed 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 Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to maintain,

repair and test life safety system at the Cleveland Convention Center for a period not to exceed **three** years, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 67 SF 001, Request No. 22680.

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

Ord. No. 704-99.

By Councilman Johnson (by departmental request).

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

Approved by Directors of Finance, Law; Recommended by Committee on Finance.

Ord. No. 718-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Saint Ann Foundation for the Immunization Action Plan Grant; and to enter into contract with Case Western Reserve University to implement the Program.

Approved by Directors of Public Health, Finance, Law; Recommended by Committees on Public Health, Finance.

Ord. No. 719-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 2041-97, passed December 15, 1997, relating to applying for and accepting grants from the Health Start Initiative, Maternal Child Health Bureau, U.S. Department of Health and Human Services for Phase II of the Healthy Family Healthy Start Program, Phase II; and to enter into contract with various entities to implement the program.

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

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

Section 1. That Section 1 of Ordinance No. 2041-97, passed December 15, 1997, is hereby amended to read as follows:

Section 1. That the Director of Public Health is hereby authorized to apply for and accept grants for Phase II of the Healthy Family **Healthy Start** Program, from the Healthy Start Initiative, Maternal Child Health Bureau, U.S. Department of Health and Human Services, each year for a period of five (5) years, in the approximate amount of \$3,146,000 for the first project year, and for such additional amounts as will become available for project years two through five, for the purposes set forth in the applications and according thereto; that the Director of Public Health is hereby

authorized to file all papers and execute all documents necessary to receive the funds under said grants; and that said funds be and they hereby are appropriated for the purposes set forth in the applications for said grants.

Section 2. That existing Section 1 of Ordinance No. 2041-97, passed December 15, 1997, is hereby repealed.

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

Ord. No. 720-99.

By Councilmen Gordon and Johnson (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 Ryan White Planning and Evaluation Project.

Ord. No. 721-99.

By Councilmen Gordon and Johnson (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 State AIDS Community Based Care Program.

Ord. No. 722-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to accept a grant from the Cuyahoga County Board of Health for the 1999 Cuyahoga County Health Promotion Project.

Ord. No. 723-99.

By Councilmen Gordon and Johnson (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 1999-2000 Federal Child Lead Poison Prevention Program.

Ord. No. 727-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts to provide for the demolition, removal or the boarding up of structures within the City of Cleveland.

Ord. No. 728-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for administrative expenses of the Department of Community Development; and for reimbursement of nonprofit subrecipients for the cost of the audits required by OMB Circular A-133.

Ord. No. 779-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of insurance on computer equipment, for the Division of Information Sys-

tems Services, Department of Finance, for a period of one year, with two one-year options to renew.

Ord. No. 780-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance to lease space at the Ninth Street Plaza Building from MJM Management Company, or its designee, for a term not to exceed one year, with one option to renew for an additional one year term, for the public purpose of office space for the Division of Information Systems Services.

BOARD OF CONTROL

May 26, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 26, 1999, at 11:00 a.m., with Director Carter presiding.

Present: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Absent: Mayor White.

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

On motion, the following resolutions were adopted.

Resolution No. 318-99.

By Director Carmody.

Resolved by the Board of Control of the City of Cleveland, that pursuant to Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952 the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of April, 1999 in the amount of \$7,133.00, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.

Absent: None.

Resolution No. 319-99.

By Director Carmody.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to the authority of Ordinance Nos. 1744-97, and 521-99, passed by the Council of the City of Cleveland October 29, 1997 and March 29, 1999 respectively, the firm of Maximation LLC is hereby selected upon the nomination of the Director of Finance, as determined after a full and complete canvass by the Director of Finance, as the firm to be employed for the purpose of providing PC and Network services.

Be it further resolved that the Director of Finance hereby is authorized to enter into a contract with Maximation LLC based upon its proposal dated April 15, 1999, which contract authorized hereby shall provide that the compensation to be paid shall not exceed \$200,000.00. The contract shall be prepared by

the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subcontractor by Maximation LLC for the contract authorized above is hereby approved.

SUBCONTRACTOR WORK
Optimum Technology \$30,000.00

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 320-99.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 235-99, adopted April 28, 1999, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, approving the bid of ABB Water Meters, Inc. as lowest and best for water meters parts (item 5), for the Division of Water, Department of Public Utilities, is hereby amended by deleting "requisition no. 09157" and adding "requisition no. 22614".

Be it further resolved that all other provisions of said Resolution No. 235-99 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 321-99.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 236-99, adopted April 28, 1999, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, approving the bid of Badger Meter, Inc. as lowest and best for water meters parts (item 1), for the Division of Water, Department of Public Utilities, is hereby amended by deleting "requisition no. 09155" and adding "requisition no. 22613".

Be it further resolved that all other provisions of said Resolution No. 236-99 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 322-99.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of Ruccella Construction, Inc. for the public improvement of replacement of a 54-inch raw water butterfly valve at Crown Water Plant including a 10% contingency allowance for the Division of Water, Department of Public Utilities, received on April 7, 1999, pursuant to the authority of Ordinance No. 965-93, passed July 14,

1993, for a unit basis for the improvement in the aggregate amount of One Hundred Forty Nine Thousand Six Hundred Dollars (\$149,600.00) is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 323-99.

By Director Ricchiuto.
Resolved, by the Board of Control of the City of Cleveland that the bid of Bob McDorman Chevrolet, Inc. for an estimated quantity of one (1) Single Axle Cab and Chassis with Flatbed/Dump Body for various divisions of City Government, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on March 12, 1999, pursuant to the authority of Ordinance No. 1074-98, passed June 23, 1998, which on the basis of the estimated quantity would amount to approximately Seventy Seven Thousand Seven Hundred Eighty and no/100 Dollars, (\$77,780.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 1782 which shall be certified against such contract in the sum of Seventy Seven Thousand Seven Hundred Eighty and no/100 Dollars (\$77,780.00).

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

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 324-99.

By Director Ricchiuto.
Resolved, by the Board of Control of the City of Cleveland that the bid of Wise International Trucks for an estimated quantity of rebuilt Allison Transmissions, (Group A, B, C) including training option in the amount of \$6,160.00 for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on April 23, 1999, pursuant to the authority of Ordinance No. 2099-98, passed February 1, 1999, which on the basis of the estimated quantity would amount to approximately One Hundred Forty Eight Thousand Seven Hundred One and 08/100 Dollars (\$148,701.08), (1% - 30 Days), is hereby affirmed and

approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 1789 which shall be certified against such contract in the sum of Ten Thousand and no/100 Dollars, (\$10,000.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Wise International Trucks, for the purchase of rebuilt Allison Transmissions, (Group A, B, C) include training option in the amount of \$6,160.00, is hereby approved:

Independent Brokers
MBE — \$3,717.00 — 2-1/2%

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 325-99.

By Director Ricchiuto.
Resolved, by the Board of Control of the City of Cleveland that the bid of Medina Tractor Sales Company for an estimated quantity of one (1) Utility Tractor with additional equipment (item #1) for various divisions of City Government, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on March 12, 1999, pursuant to the authority of Ordinance No. 1074-98, passed June 15, 1998, which on the basis of the estimated quantity would amount to approximately Twenty Six Thousand Eight Hundred Fifty and no/100 Dollars (\$26,850.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 1798 which shall be certified against such contract in the sum of Twenty Six Thousand Eight Hundred Fifty and no/100 Dollars (\$26,850.00).

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

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 326-99.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Jones Equipment Company for an estimated quantity of two (2) Mower Decks and additional equipment (item #2) for various divisions of City Government, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on March 12, 1999, pursuant to the authority of Ordinance No. 1074-98, passed June 15, 1998, which on the basis of the estimated quantity would amount to approximately Thirty Five Thousand Seven Hundred Ninety and no/100 Dollars (\$35,790.00), (1% - 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 1797

which shall be certified against such contract in the sum of Thirty Five Thousand Seven Hundred Ninety and no/100 Dollars (\$35,790.00).

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

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 327-99.

By Director Jackson.

Whereas, Resolution No. 285-99, adopted by this Board on May 12, 1999, approved The Whitmer Company as the lowest responsible bidder for the estimated quantity of swimming pool chemicals (all items): and

Whereas, said Resolution No. 285-99 omitted the requisition number for the initial purchase, now, therefore;

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 285-99 adopted May 12, 1999, approving the bid of The Whitmer Company for the purchase of the estimated quantity of swimming pool chemicals (all items), is hereby amended by adding the following after "Requisition No.": 4201

Be it further resolved that all other provisions of said Resolution No. 285-99 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 328-99.

By Director Jackson.

Whereas, Resolution No. 286-99, adopted by this Board on May 12, 1999, approved Hillcrest Food Service as the lowest responsible bidder for the estimated quantity of

various food items (Bid 1:1-28) (Bid 2:29-202); and

Whereas, said Resolution No. 286-99 omitted the requisition number for the initial purchase, now, therefore;

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 286-99 adopted May 12, 1999, approving the bid of Hillcrest Food Service for the purchase of the estimated quantity of various food items (Bid 1:1-28) (Bid 2:29-202), is hereby amended by adding the following after "Requisition No." 4202

Be it further resolved that all other provisions of said Resolution No. 286-99 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 329-99.

By Director Jackson.

Whereas, pursuant to the authority of Ordinance No. 2052-98, passed May 10, 1999, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized by and at the direction of the Board of Control to sell certain City-owned property, no longer needed for public use, described therein and located at the northeast corner of St. Clair Avenue and East 105th Street, and also known as Permanent Parcel Numbers 108-12-043, 005, 034, 035 and portions of 108-12-044, 003 and 049, to Glenville Town Center, Ltd.; and

Whereas, said Ordinance No. 2052-98 provided that the consideration to be paid for the property shall be at a price not less than the fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 2052-98, passed by the Council of the City of Cleveland on May 10, 1999, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property, no longer needed for public use, described therein and located at the northeast corner of St. Clair Avenue and East 105th Street, and also known as Permanent Parcel Numbers 108-12-043, 005, 034, 035 and portions of 108-12-044, 003 and 049, to Glenville Town Center, Ltd. The consideration to be paid for said property is hereby fixed at One Dollar (\$1.00), which amount is determined to be not less than the fair market value.

Be it further resolved that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property.

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 330-99.

By Director Warren.

Whereas, pursuant to Ordinance No. 188-99, passed May 17, 1999 by the Council of the City of Cleveland, the Commissioner of Purchases and

Supplies is authorized to acquire title to the properties known as the Old Arcade, located at 401 Euclid Avenue, and to reconvey such property from those parties from whom it was acquired, consistent with Section 5709.41(B)(1) of the Ohio Revised Code, provided that there shall be nominal, or no consideration, for such conveyances as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to the authority of Ordinance No. 188-99, passed May 17, 1999 by the Council of the City of Cleveland, the Board hereby determines the nominal consideration for purposes of acquisition and reconveyance of the property described in Council File 188-99-A, being the Old Arcade located at 401 Euclid Avenue, to be One Dollar (\$1.00) for each such conveyance.

Be it further resolved, that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official quitclaim deed of the City of Cleveland conveying said real property; said deed shall contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 331-99.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Ameritech Wireless Communications, Inc. for an estimated quantity of Cellular Telephone Services, except for such terms and conditions as are not acceptable to the Director of Law, for the Division of Information Systems Services, Department of Finance, for the period of three (3) years beginning with the date of execution of a contract received on the 25th day of March 1999, pursuant to the authority of Ordinance No. 2150-91, passed October 21, 1991, which on the basis of the estimated quantity would amount to One Hundred Ten Thousand and 00/100 Dollars (\$110,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 07805

which shall be certified against such contract in the sum of Three Thousand, Three Hundred and 00/100 Dollars (\$3,300.00).

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

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 332-99.

By Directors Hudecek and Carmody.

Resolved by the Board of Control of the City of Cleveland, that all bids received on May 13, 1999 for the purchase of One (1) Alpha Server (UNIX DS20) for the Division of Various Divisions of City Government, Department of Finance, pursuant to the authority of Ordinance No. 1744-97, passed by the Council of the City of Cleveland on October 20, 1997 be and the same are hereby rejected.

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

Nays: None.

Absent: None.

Resolution No. 333-99.

By Director Jackson.

Whereas, pursuant to Ordinance No. 321-99, passed by the Council of the City of Cleveland on March 29, 1999, the Director of Parks, Recreation and Properties is authorized to enter into contract with Parkworks to conduct a vacant lot maintenance program with City residents on the basis of its proposal dated February 23, 1999 and amended April 14, 1999 for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties for a period of one year with one (1) option exercisable by the Director of Parks, Recreation and Properties to renew for an additional one-year term and cancelable upon thirty days written notice by said director, under the same terms and conditions with compensation to be fixed by the Board of Control.

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 321-99, passed by the Cleveland City Council on March 29, 1999, the compensation for services to be performed under the contract with Parkworks authorized by said ordinance for vacant lot maintenance is hereby fixed at 1.79 cents per square foot, not to exceed Two Hundred and Twenty-Seven Thousand Dollars (\$227,000.00) for the initial one year term of the contract.

Yeas: Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Acting Directors Huth and Alexander.

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 com-

mission has graded the papers. Thereafter, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 14, 1999

9:30 A.M.

Calendar No. 99-113: 7809 Woodland Avenue (Ward 5)

M.C. Danzey, owner, and Thelma Williams, tenant, appeal to change the use of an existing 40' x 62' tenant space in an existing mini-mall into a Child Care Center situated on an approximate 243' x 178' irregular shaped corner parcel in a General Retail Business District on the northwest corner of East 79th Street and Woodland Avenue at 7809 Woodland Avenue; said change of use being contrary to the Business District Regulations of Section 343.11 as regulated in any Local Retail Business District and further subject to Section 343.01 as regulated in the least restricted residence district and contrary to the Residential District Regulations where a day care requires Board of Zoning Appeals approval for adequate side yard spaces and other safeguards to preserve the character of the neighborhood as stated in the One-Family District Regulations of Section 337.02(f) of the Codified Ordinances.

Calendar No. 99-114: 996 East 76th Street (Ward 8)

Rockefeller West III, owner c/o Jamie Blackson and Jessica Smocer, agents, appeal to construct a 26' x 29' single dwelling house with a 12' x 20' attached garage, all on a 60' x 75' parcel in a Two-Family District on the west side of East 76th Street at 996 East 76th Street; said construction being contrary to the Lot Area Regulations where a 4,500 sq. ft. lot is proposed and a 4,800 sq. ft. lot is required as stated in Section 355.04 of the Codified Ordinances.

Calendar No. 99-115: 8202 Simon Avenue (Ward 8)

Rockefeller West III, owner c/o Jamie Blackson and Jessica Smocer, agents, appeal to construct a 22' x 35' single dwelling house with a 12' x 20' detached garage, all on a 38' x 110' parcel in a Two-Family District on the south side of Simon Avenue at 8202 Simon Avenue, said construction being contrary to the Lot Area Regulations where a minimum lot width required is 40' and 35' is proposed and a 3,850 sq. ft. lot is proposed where a 4,800 sq. ft. lot is required as stated in Section 355.04 of the Codified Ordinances.

Calendar No. 99-116: 14805 St. Clair Avenue (Ward 10)

Ron Burrell, owner, appeals to change the use of an existing 164' x 40' one-story masonry structure into a truck rental service for the rental of U-Haul trucks on an approximate 276' x 180' irregular shaped acreage

parcel located in a Local Retail District near the northwesterly corner of East 149th Street and St. Clair Avenue at 14805 St. Clair Avenue; said change of use being contrary to the Business District Regulations of Section 343.01 where truck rental is not permitted and Section 343.11 where truck rental is first permitted in a General Retail District for trucks two tons or less, and a 0' landscaping strip is proposed between the parking space and the street at East 149th Street and a 6' landscaping strip is required as stated in Sections 349.10 and 349.11 of the Codified Ordinances.

Calendar No. 99-117: 3582 West 130th Street, a.k.a. 3580 West 130th Street (Ward 19)

Fred and Jeannette McKissack, owners, appeal to change the use of the third floor of an existing approximate 25' x 40' two dwelling house (with an existing approximate 20' x 25' one dwelling house at the rear of said property) into a two dwelling unit and roomer on the third floor, all located in a Two-Family District and situated on a 40' x 150' parcel on the west side of West 130th Street at 3582 a.k.a. 3580 West 130th Street; said change of use being contrary to the Enforcement and Penalty Regulations of Section 327.02(c), where there shall be no change nor substitution in the use of any building or premises and no extension of any existing use, nor shall any premises be occupied for any new use until a Certificate of Occupancy has been issued and Section 329.99(A) where the appellant is subject to prosecution and penalties and provides the right to appeal to the Board of Zoning Appeals as stated in Section 329.02(d) of the Codified Ordinances.

Calendar No. 99-118: 8203-8209 Cedar Avenue (Ward 6)

Larry D. Collins, owner, appeals to change the use of the first floor of an existing 49' x 71' two-story masonry building into a Child Care Center on an approximate 65' x 108' parcel in a Local Retail District on the north side of Cedar Avenue at 8203-8209 Cedar Avenue; said change of use being contrary to the Business District Regulations of Section 343.11 as regulated in any Local Retail Business District and the Local Retail Business District of Section 343.01 as regulated in the least restricted residence district and contrary to the Residential District Regulations where a day care requires the Board of Zoning Appeals approval for adequate side yard spaces and other safeguards to preserve the character of the neighborhood as stated in the One-Family District Regulations of Section 337.02(f) of the Codified Ordinances.

Calendar No. 99-120: 5409 Archmere Avenue (Ward 16)

Monica Farone, owner, appeals to install approximately 171 linear feet of 6' high board on board fencing to the east of an existing 1-1/2-story dwelling house and extending it onto the vacant parcel to the east of 5409 Archmere Avenue at the southwest corner of Fulton Road and Archmere Avenue; said installation being contrary to the Yards and Courts Regulations where a 6' high fence is proposed and the maximum height of fencing allowed along a side street at a corner lot is 4'-6" as stated in Section 357.13(b)(3) of the Codified Ordinances.

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, JUNE 1, 1999

At the meeting of the Board of Zoning Appeals on Tuesday, June 1, 1999, the following appeals were heard by the Board:

The following appeals were **Approved**

Calendar No. 99-98: 2882 Detroit Avenue
2888 Detroit LLC c/o Doug R. Perkowski, agent, appealed to change the use of an existing three-story masonry building into 66 residential units with 57 parking spaces in the basement and 22 surface parking spaces in the rear of the building in a Semi-Industry District.

Calendar No. 99-100: 3856 East 131st Street

H.M. Martin Funeral Home, owner c/o Daryl Mapson, agent, appealed to construct a two-story chapel addition to a 2-1/2-story funeral home and construct a one-story garage to the rear of said property in a Local Retail District; approval conditioned upon submission and approval of revised plan that shows required hard-surfacing and landscaping detail.

Calendar No. 99-103: 3167 Fulton Road

Lin's Omni World, Inc., owner c/o Jason Shang Chi Lin, and Kenneth Martin, agent, appealed to change the use of a four-story masonry building into a mixed use building for business, mercantile, restaurant and assembly use and parking for 88 cars in a Semi-Industry District; conditioned upon nonresidential use and that appellants submit a signed agreement with neighboring property owner that allows for use of their parking area to provide the required spaces needed.

Calendar No. 99-104: 2704 Clark Avenue

Gerald Zahler, owner, and Around the Clock Day Care c/o Tim Renfro, tenant, appealed to change the use of a portion of an existing one-story masonry retail building in a General Retail District; conditioned upon submission and approval of a revised plan showing play area and crosswalk specifics.

Calendar No. 99-33: 16501 Euclid Avenue

Harold J. Stern, owner, and Gary Fishman, attorney, appealed to install approximately 200 linear feet of 10' high chain link fencing to the north and west of an 80' x 240' corner parcel occupied by a one-story building to the west of the property in a Two-Family and Local Retail District; conditioned upon fencing being an opaque style, 8' in height and no barbed wire.

The following appeal was **Denied:**

Calendar No. 99-88: Appeal of Delmar Gogol

Delmar Gogol, owner of property located at 12401 Fairview Court, appealed from being denied a Certificate of Appropriateness for the construction of new porches to the front of said dwelling and the use

of dryvit siding on said building.

The following appeals were **Postponed:**

Calendar No. 99-71: 10635 Leuer Avenue postponed until further notice.

Calendar No. 99-72: 6010 Carnegie Avenue postponed until further notice.

Calendar No. 99-73: 10605 Leuer Avenue postponed until further notice.

Calendar No. 99-97: 605-607 East 131st Street postponed to June 14, 1999.

Calendar No. 99-99: 12715 Shaw Avenue postponed until further notice.

Calendar No. 99-86: 4961 Old Grayton Road postponed to June 28, 1999.

On Tuesday, June 1, 1999, in Executive Session:

The following appeals were heard on Monday, May 24, 1999, and said decisions to **Grant** were approved and adopted by the Board on June 1, 1999:

Calendar No. 99-77: 5906-5912 West Clinton Avenue
Neil and Marcia McReynolds, owners, appealed under Section 355.04 from the refusal to approve a lot split for the 100' x 104' lot in a Two-Family District.

Calendar No. 99-128: 8611 Nevada Avenue
Fairfax Homes Development L.P. c/o Vicki Eaton King, president, and Capri Homes c/o George Fragapane, prospective purchaser, appealed to erect a one-family dwelling house with an attached garage on a corner parcel in a Multi-Family District.

Calendar No. 99-69: 3008 Cedar Avenue, a.k.a. 3006-3008 Cedar Avenue
City of Cleveland, owner, and Quadrangle Inc., tenant, appealed for a permit to use an existing 47' x 132' parcel as an outdoor market and to pave and landscape the parcel located in a General Retail Business District.

Calendar No. 99-70: 2165 East 30th Street
City of Cleveland, owner, and Quadrangle Inc., tenant, appealed for a permit to use an existing 134' x 25' parcel for parking 7 cars and to pave and landscape the parcel located in a Multi-Family District.

The following appeals were heard on Monday, May 24, 1999, and said decision to **Deny** was approved and adopted by the Board on June 1, 1999:

Calendar No. 99-94: 3100 Daisy Avenue
Mustafa Hamid, owner, appealed to change the use of an existing two-story frame house with a 1-1/2-story frame addition into a day care center and one dwelling unit on a 37' x 140' parcel in a Two-Family District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
May 26, 1999

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

* * *

Docket L-10-99.

RE: Appeal of Michael Sutton, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated May 7, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit Mr. Sutton to reinstate his ELECTRICAL CONTRACTOR LICENSE without retaking the test, but with payment of the late filing fees. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

* * *

Docket L-11-99.

RE: Appeal of Kenton Vaughn, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated April 26, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit Mr. Vaughn to reinstate his ELECTRICAL CONTRACTORS LICENSE without retaking the test, but with payment of the late filing fees. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

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

* * *

Docket L-12-99.

RE: Appeal of Michael Lupica, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated May 13, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit Mr. Lupica to reinstate his ELECTRICAL CONTRACTOR LICENSE without retaking the test, but with payment of the late filing fees. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

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

Docket L-13-99.

RE: Appeal of James A. Raney, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated May 6, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit Mr. Raney to reinstate his ELECTRICAL CONTRACTOR LICENSE without retaking the test, but with payment of the late filing fees. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

* * *

Docket L-15-99.

RE: Appeal of Richard H. Sims, appeals from a LETTER OF DENIAL FOR RENEWAL OF JOURNEYMAN PLUMBER LICENSE of the Commissioner of the Division of Assessments & Licenses dated April 26, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order to permit Mr. Sims to reinstate his JOURNEYMAN PLUMBER LICENSE without retaking the test, but with payment of the late filing fees. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-24-99.

Appeal of Islamic Mosque of Cleveland, Owner of the Property located on the premises known as 12740 Lorain Avenue from a NOTICE OF VIOLATION/CHANGE OF USE of the Commissioner of the Division of Building and Housing dated February 10, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 12740 Lorain Avenue to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

* * *

Docket A-28-99.

RE: Appeal of Vivian R. Lastery, Owner of the Two & One-half Story Residential Property located on the premises known as 10810 Hull Avenue from a 30 DAY FIRE CONDEMNATION/MAIN STRUCTURE of the Commissioner of the Division of Building and Housing dated February 8, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's 30 DAY FIRE CONDEMNATION/MAIN STRUCTURE and LETTER OF INTENTION TO

DEMOLISH by granting the Appellant two (2) months in which to obtain permits and abate the violations on the property, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the 30 DAY FIRE CONDEMNATION/MAIN STRUCTURE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by August 9, 1999. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

* * *

Docket A-35-99.

Appeal of Becky Jaajaa, Owner of the Two & One-half Story Residential Frame Property located on the premises known as 6515 Wakefield Avenue from a 30 DAY GARAGE CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated February 8, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to stay the Commissioner's 30 DAY GARAGE CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH, and to find that the garage is not in a state to be condemned. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

* * *

Docket A-40-99.

RE: Appeal of Geneva Turner, Owner of the Two Story Masonry Single Family Residential Property located on the premises known as 12609 Emery Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated February 18, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 12609 Emery Avenue to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

* * *

Docket A-52-99.

RE: Appeal of Svetlana Belaia & Vitali Martiniouk, Owners of the Two Story Frame Residential Property located on the premises known as 1455 West 57th Street from a 30 DAY FIRE DAMAGE REPAIR/MAIN STRUCTURE dated

February 24, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's 30 DAY FIRE DAMAGE REPAIR/MAIN STRUCTURE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three (3) months in which to obtain permits and abate the violations on the property, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the 30 DAY FIRE DAMAGE REPAIR/MAIN STRUCTURE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by September 9, 1999. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

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

* * *

Docket A-53-99.

RE: Appeal of ContiMortgage Corporation, Mortgagee of the Two & One-half Story Single Family Residential Property located on the premises known as 12529 Vashti Avenue from a VACATE FORTHWITH/CONDEMNATION ORDER/EXTERIOR MAINTENANCE/GARAGE CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH of the Commissioner of the Division of Building and Housing dated March 4, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to stay the Commissioner's VACATE FORTHWITH/CONDEMNATION ORDER/EXTERIOR MAINTENANCE/GARAGE CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three (3) months in which to obtain permits and abate the violations on the property, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the VACATE FORTHWITH/CONDEMNATION ORDER/EXTERIOR MAINTENANCE/GARAGE CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by September 9, 1999. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

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

Docket A-59-99.

RE: Appeal of General Investment Funds Real Estate Holding Co. (GIFREHC), Owner of the Property located on the premises known as 3781 East 77th Street from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated February 26, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-59-99 has been POSTPONED; to be rescheduled for June 9, 1999.

* * *

Docket A-62-99.

RE: Appeal of David N. Bortz c/o Lextech Industries, Owner of the Property located on the premises known as 6800 Union Avenue from a NOTICE OF VIOLATION/FIRE CODE of the Commissioner of the Division of Building and Housing dated March 15, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action; Docket A-62-99 will be rescheduled in ninety (90) days.

* * *

Docket A-69-99.

RE: Appeal of K&S Parking Company, Inc., Owner of the Property/Parking Sign located on the premises known as 600 Front Avenue (a.k.a. 1130 West 3rd Street) from CLEVELAND BUILDING CODE SECTION 3109.01(a) of the Commissioner of the Division of Building and Housing dated April 8, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-69-99 has been POSTPONED; to be rescheduled for June 9, 1999.

* * *

APPROVAL OF RESOLUTIONS:

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

- L-5-99—Michael S. Diamond.
- L-6-99—Eugene Vasu.
- L-7-99—Richard Barney.
- L-8-99—Stephen O'Malley.
- A-13-99—Eugene T. Baugh.
- A-16-99—Eugene M. Holden.
- A-42-99—Frank Feltrin.
- A-54-99—Spencer Robinson.
- A-55-99—Willie Wade.
- A-71-99—Joe Popik.
- A-72-99—Eva Soto.
- A-73-99—Sandra Maldonado.
- A-74-99—Mark Smith.
- A-75-99—Mike Dobrovich.
- A-76-99—John Sochin.

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

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

Ordinances of the City of Cleveland and Ohio Basic Building Code (OBBC):

L-9-99—James G. Williams.

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

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Sullivan and seconded by Mr. Saunders and for Approval of the Minutes as presented by the Secretary respectively, subject to the Codified Ordinances of the City of Cleveland:

May 12, 1999

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

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

WEDNESDAY, JUNE 9, 1999

Ridge Road Landfill Clay Cap Installation and/or Ridge Road Landfill Hillside Cleaning, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 323-93, passed by the Council of the City of Cleveland, May 3, 1993.

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

Jefferson Park Site Improvements and Trent Park Fence Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1605-98, passed by the Council of the city of Cleveland, October 19, 1998.

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

May 26, 1999 and June 2, 1999

WEDNESDAY, JUNE 16, 1999

File Shelving System, for the Department of Finance, on behalf of the Cleveland Municipal Court - Clerk's Office, as authorized by Ordinance No. 986-98, passed by the Council of the City of Cleveland, June 8, 1998.

A MANDATORY PRE-BID MEETING WILL BE HELD ON MONDAY, JUNE 7, 1999, 10:00 A.M., IN THE 2ND FLOOR CONFERENCE ROOM, JUSTICE CENTER, 1200 ONTARIO STREET, LEVEL 2.

Corrosion Control Chemicals, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976.

Aluminum Sulfate and Aluminum Sulfate-Polyelectrolyte Blend Coagulants, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976.

Residential Sound Insulation - Phase 2 - Group B-99, for the Division of Cleveland Hopkins International Airport, Department of Port Con-

trol, as authorized by Ordinance No. 469-98, passed by the Council of the City of Cleveland, May 18, 1998.

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

A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, JUNE 8, 1999, 12:00 NOON LOCAL TIME, IN THE 2ND FLOOR MAIN CONFERENCE ROOM, ADMINISTRATION OFFICE, CLEVELAND HOPKINS INTERNATIONAL AIRPORT PASSENGER TERMINAL BUILDING.

May 26, 1999 and June 2, 1999

THURSDAY, JUNE 17, 1999

Various Citation Forms, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 2105-98, passed by the Council of the City of Cleveland, March 1, 1999.

Ballistic Vests, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

Millereek Subdivision - Phase 3, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 515-99, passed by the Council of the City of Cleveland, April 19, 1999.

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

May 26, 1999 and June 2, 1999

FRIDAY, JUNE 18, 1999

Anti-Freeze, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 503-99, passed by the Council of the City of Cleveland, May 17, 1999.

Frame Repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 316-99, passed by the Council of the City of Cleveland, May 17, 1999.

Installing Sewer Lift Stations, for the Department of Port Control, as authorized by Ordinance 1019-97, passed by the Council of the City of Cleveland, June 16, 1997.

May 26, 1999 and June 2, 1999

WEDNESDAY, JUNE 16, 1999

Server, for the various divisions of City Government, Department of

Finance, as authorized by Ordinance No. 1744-97, passed by the Council of the City of Cleveland, October 20, 1997.

June 2, 1999 and June 9, 1999

FRIDAY, JUNE 18, 1999

Battery Charger, for the various divisions of the Department of Public Safety, as authorized by Ordinance No. 1954-98, passed by the Council of the City of Cleveland, December 14, 1998.

Miscellaneous Sized Steel Plates, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1220-98, passed by the Council of the City of Cleveland, August 19, 1998.

June 2, 1999 and June 9, 1999

WEDNESDAY, JUNE 23, 1999

Copy Machine — Multi-Functional Copier Rental, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 172-99, passed by the Council of the City of Cleveland, March 29, 1999.

June 2, 1999 and June 9, 1999

THURSDAY, JUNE 24, 1999

Rehabilitation and Reconstruction of East 55th Street (Phase II) Woodland Avenue to Superior Avenue, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1281-98, passed by the Council of the City of Cleveland, July 29, 1998.

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

Sewer Test Tee Installation and Snaking, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 643.90 of the Codified Ordinances of the City of Cleveland, 1976.

A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, JUNE 15, 1999, 9:00 A.M., AT THE OFFICE OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO.

Rental of Snow Removal Equipment and Equipment with Operations, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 362-99, passed by the Council of the City of Cleveland, April 26, 1999.

June 2, 1999 and June 9, 1999

THURSDAY, JULY 1, 1999

Labor and Materials to Upgrade Exhaust Systems at Various Air-

port Sites, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 1022-97, passed by the Council of the City of Cleveland, June 16, 1997.

A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, JUNE 22, 1999, 1:00 P.M., IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135-3193.

June 2, 1999 and June 9, 1999

The following is a list of availability RFQ'S/RFP'S. Potential proposers are directed to the following information to obtain further information and/or packages:

To obtain bid package go to:

www.clevelandairport.com

Submit Questions (prior to bid meeting) via the website or e-mail at:

proposal@clevelandairport.com

Contact Person:

Joe Dabrowski, Design Manager
(216) 676-9699 x 104
(216) 676-9778 (fax)

Request for Qualifications (RFQ) Package M-105 — Fiber Optic Backbone Network and Associated Information System, A/E Design Professionals

PRE-BID MEETING:

TUESDAY, JUNE 8, 1999, 10:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

DUE DATE:

FRIDAY, JUNE 29, 1999,
12:00 O'CLOCK NOON

Request for Qualifications (RFQ) Package G-325 — Centralized Deicing Facility for CHIA, A/E Design Professionals

PRE-BID MEETING:

FRIDAY, JUNE 11, 1999, 10:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

DUE DATE:

TUESDAY, JULY 6, 1999,
12:00 O'CLOCK NOON

Request for Qualifications (RFQ) Package TMD — Terminal Modification Designs, A/E Design Professionals

PRE-BID MEETING:

TUESDAY, JUNE 15, 1999, 10:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

DUE DATE:

WEDNESDAY, JULY 7, 1999,
12:00 O'CLOCK NOON

**Request for Proposals (RFP)
Package A1-ERS — Environmental
Remediation Site Designs, A/E Design
Professionals**

PRE-BID MEETING:

WEDNESDAY, JUNE 16, 1999, 10:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

DUE DATE:

THURSDAY, JULY 8, 1999,
12:00 O'CLOCK NOON

**Request for Qualifications (RFQ)
Package — G205 — Replacement of
Existing TUG Road, A/E Design
Professionals**

PRE-BID MEETING:

THURSDAY, JUNE 17, 1999, 10:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

DUE DATE:

FRIDAY, JULY 9, 1999,
12:00 O'CLOCK NOON

**Request for Qualifications (RFQ)
Package C505 — West Hangar Road
Improvements, A/E Design Profes-
sionals**

PRE-BID MEETING:

FRIDAY, JUNE 18, 1999, 10:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

DUE DATE:

FRIDAY, JULY 9, 1999,
12:00 O'CLOCK NOON

**Request for Qualifications (RFQ)
Package — M210 — Redundant
Electrical Source for CHIA, A/E
Design Professionals**

PRE-BID MEETING:

THURSDAY, JUNE 10, 1999, 10:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

DUE DATE:

THURSDAY, JULY 1, 1999,
12:00 O'CLOCK NOON

June 2, 1999 and June 9, 1999

**ADOPTED RESOLUTIONS
AND ORDINANCES**

**Res. No. 35-99.
By Councilman Sweeney (by re-
quest).**

**An emergency resolution declar-
ing the intention to vacate all that
portion of Postal Court S.W.**

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

Whereas, this resolution consti-
tutes an emergency measure in that
the same provides for the usual
daily operation of a municipal de-
partment; now, therefore,

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

Section 1. That it hereby declares
its intention to vacate all those por-
tions of the following described real
property:

Situated in the City of Cleveland,
County of Cuyahoga and State of
Ohio, and known as being all that
portion **POSTAL COURT S.W.**, (20.00
feet wide), extending Westerly from
the Westerly line of West 130th
Street (60.00 feet wide) to its West-
erly terminus.

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

Adopted May 24, 1999.
Effective June 1, 1999.

**Res. No. 425-99.
By Councilmen Britt, Willis, Swee-
ney, Robinson and Johnson (by
departmental request).**

**An emergency resolution declar-
ing the necessity and intention to
appropriate property for public use
for the improvement to a portion of
Stokes Boulevard.**

Whereas, this resolution consti-
tutes an emergency measure provid-
ing for the usual daily operation of
a municipal department; now, there-
fore,

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

Section 1. That for the public pur-
pose of improving a portion of
Stokes Boulevard, it is necessary to
appropriate a temporary easement
interest and this Council hereby
declares its intent to appropriate a
temporary easement interest in and
to the following described property:

PARCEL NO. 3T

Situated in the City of Cleveland,
County of Cuyahoga and State of
Ohio and known as being part of
Original Lots No. 410 and No. 411 and
bounded and described as follows:

Commencing at the intersection of
the centerline of Fairhill Road with
the centerline of Cedar Avenue;

Thence South 41° 47' 50" East
628.39 feet along the centerline of
Fairhill Road;

Thence North 48° 12' 10" East
50.00 feet to a point in the North-
easterly line of Fairhill Road being
50.00 feet left of station 15+28.39 of
Fairhill Road centerline and the
principal place of beginning;

Thence North 57° 14' 00" East
47.00 feet along Grantor's North-
westerly line to a point;

Thence North 54° 24' 43" East 3.60
feet along Grantor's Northwesterly
line to a point;

Thence South 20° 44' 20" East
77.93 feet to a point in Grantor's
Southeasterly line;

Thence South 57° 14' 00" West
22.28 feet along Grantor's South-
easterly line to a point in the North-
easterly line of Fairhill Road;

Thence North 41° 47' 50" West
76.99 feet along the Northeasterly
line of Fairhill Road to the Point of
Beginning.

Description of the above parcel is
based on a survey made by George
R. Ericsson, Registered Surveyor
Number 6748.

It is understood that the strip of land
above described contains 2770 square
feet (0.0636 acres), more or less.

PARCEL NO. 3T-1

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

Original Lots No. 410 and No. 411
and bounded and described as fol-
lows:

Commencing at the intersection of
the centerline of Fairhill Road with
the centerline of Cedar Avenue;

Thence South 41° 47' 50" East
562.77 feet along the centerline of
Fairhill Road;

Thence South 48° 12' 10" West
30.00 feet to a point in the South-
westerly line of Fairhill Road being
30.00 feet right of Station 14+62.77
of Fairhill Road centerline and the
principal place of beginning;

Thence South 41° 47' 50" East
97.06 feet along the Southwesterly
line of Fairhill Road to a point in
Grantor's Southeasterly line;

Thence South 57° 14' 00" West
30.38 feet along Grantor's South-
easterly line to a point;

Thence North 68° 13' 59" West
45.26 feet to a point;

Thence North 32° 46' 00" West
10.00 feet to a point;

Thence North 57° 14' 00" East
34.00 feet to a point;

Thence North 24° 10' 34" West
49.55 feet to the Point of Beginning.

Description of the above parcel is
based on a survey made by George
R. Ericsson, Registered Surveyor
Number 6748.

It is understood that the strip of
land above described contains 2368
square feet (0.0544 acres), more or
less.

Section 2. That the Director of
Finance is hereby authorized to
cause written notice of the adoption
of this resolution to be given to the
owners, persons in possession or
having an interest of record in the
above-mentioned premises, and such
notice shall be served according to
law by a person to be designated for
that purpose by the Director of
Finance which return shall be made
in the manner provided by law.

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

Adopted May 24, 1999.
Effective June 1, 1999.

**Res. No. 519-99.
By Councilmen Britt, Jones,
Robinson and Johnson (by depart-
mental request).**

**An emergency resolution declar-
ing the necessity and intention to
appropriate property for public use
for the acquisition of additional
right-of-way on Quincy Avenue.**

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

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

Section 1. That for the public pur-
pose of acquiring additional right-of-
way on Quincy Avenue, it is neces-
sary to appropriate in fee simple
interest and this Council hereby
declares its intent to appropriate the
fee simple interest in and to the fol-
lowing described property:

Parcel No. 8T

Being a parcel of land situated in
Cuyahoga County, Ohio, City of
Cleveland, O.L. 417 and being locat-
ed within the following described
boundary thereof:

Beginning at a monument located at the intersection of existing centerline of Quincy Avenue and existing centerline of East 105th Street, Thence South 89° 26' 19" West 168.586 meters (553.10 feet) along existing centerline of Quincy Avenue;

Thence South 00° 33' 41" East 9.144 meters (30.00 feet) to existing Southerly right-of-way line of Quincy Avenue being the principal point of beginning;

Thence South 55° 09' 39" West a distance of 5.071 meters (16.64 feet); Thence South 89° 26' 19" West a distance of 76.372 meters (240.72 feet);

Thence North 00° 33' 41" West a distance of 2.856 meters (9.37 feet);

Thence North 89° 26' 19" East a distance of 80.562 meters (264.31 feet);

to the principal place of beginning and containing 0.0224 hectares (0.057 acres), more or less.

Section 2. That the Director of Finance is hereby authorized to cause written notice of the adoption of this resolution to be given to the owners, persons in possession or having an interest of record in the above-mentioned premises, and such notice shall be served according to law by a person to be designated for that purpose by the Director of Finance which return shall be made in the manner provided by law.

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

Adopted May 24, 1999.

Effective June 1, 1999.

Res. No. 979-99.

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

An emergency resolution strongly opposing a rally proposed by the Klu Klux Klan in Cleveland.

Whereas, as an All American City, Cleveland embraces and celebrates the ethnic and racial diversity among its many citizens; and

Whereas, through its message of hatred and division, the Klu Klux Klan promotes disunity, divisiveness and violence; and

Whereas, the Klu Klux Klan recently announced its intention to hold a rally in downtown Cleveland; and

Whereas, the NAACP and other organizations have condemned the KKK and are opposed to the proposed rally; and

Whereas, the Council of the City of Cleveland condemns the message of hatred espoused by the KKK and believes that such message is injurious to the safety and welfare of citizens of the City of Cleveland; now therefore

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

Section 1. That the Council of the City of Cleveland encourages unity and acceptance of the many ethnic and racial diversities among the citizens of the City of Cleveland and opposes any attempt by the Klu Klux Klan to hold a rally in Cleveland.

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

Adopted May 24, 1999.

Effective June 1, 1999.

Res. No. 980-99.

By Councilman Willis.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit to 12713-17 Woodside Ave., 1st Fl. & Bsmt., and repealing Res. No. 1513-95, objecting to said renewal.

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 12313-17 Woodside Ave. 1st Fl. & Bsmt., by Res. No. 1513-95 adopted August 23, 1995; and

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

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

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

Section 1. That objection to the renewal of a C2 and C2X Liquor Permit to 12713-17 Woodside Ave., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1513-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted May 24, 1999.

Effective June 1, 1999.

Res. No. 981-99.

By Councilman Westbrook.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 9913-19 Lorain Ave., 1st Fl. & Bsmt. and repealing Res. No. 1512-98, objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 9913-19 Lorain Ave., 1st Fl. & Bsmt., by Res. No. 1512-98, adopted August 19, 1998; and

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

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

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

Section 1. That objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 9913-19 Lorain Ave., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1512-98, containing said objection, be and the same is hereby

repealed and that this Council consents to the immediate renewal thereof.

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

Adopted May 24, 1999.

Effective June 1, 1999.

Res. No. 982-99.

By Councilman Cimperman.

An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit to 3877 Lakeside Ave., 1st Fl. & Bsmt., and repealing Res. No. 1552-98, objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to 3877 Lakeside Ave., 1st Fl. & Bsmt., by Res. No. 1552-98, adopted August 19, 1998; and

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

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

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

Section 1. That objection to the renewal of a D5 and D6 Liquor Permit to 3877 Lakeside Ave., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1552-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted May 24, 1999.

Effective June 1, 1999.

Res. No. 994-99.

By Councilman Patmon.

An emergency resolution urging humanitarian treatment for all refugees, whether in the Balkans, Africa or elsewhere throughout the world.

Whereas, the Balkan crisis has highlighted the plight of refugees who are forced to flee their homelands due to conflict, economic conditions or the lack of food; and

Whereas, the United States and the United Nations have rightfully focused considerable attention and resources to comforting and easing the plight of European refugees; and

Whereas, African refugees face the same hardships and hunger as the Balkan refugees; and

Whereas, it has been recently reported that there are marked differences as to resources provided to the European and African facilities;

a. The U.N. is spending 11 cents per day per refugee in Africa, while they are spending \$1.23 per day per refugee in the Balkans.

b. Some African refugee camps have 1 doctor per 100,000 refugees; Macedonian camps have 1 doctor per 700 refugees.

c. Some camps in Africa hold up to 500,000 people, with as many as 6,000 people dying each day from cholera and other disease; the largest camp in Macedonia holds 33,000 people, with no reported deaths from epidemics or starvation.

d. Clean water is available and plentiful at Balkan refugee camps, while refugees in Nairobi are given 3.5 gallons of water to last for 3 days for a family as large as 10; and

Whereas, the Council of the City of Cleveland is concerned with the humanitarian treatment and preservation of dignity for all refugees, whether in the Balkans, Africa or elsewhere throughout the world; now, therefore

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

Section 1. That the Council of the City of Cleveland urges U.S. officials and the United Nations Commission for Refugees to allocate appropriate and necessary food, health services and accommodations for all refugees and to treat each person as an equal child of God.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this Resolution to the following: President Clinton; Secretary of State Albright; and the U.N. Secretary General.

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

Adopted May 24, 1999.
Effective June 1, 1999.

Ord. No. 252-99.
By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance to supplement Ordinance No. 1085-94, passed June 13, 1994, by adding new Sections 12 and 13 thereof and to renumber existing Section 12 to new Section 14, relating to proffering certain representations for purposes of the Trust Indenture from the City of Cleveland to the Chase Manhattan Trust Company, National Association, as successor trustee, and authorizing the Director of Port Control to apply to the bond trustee for land release.

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

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

Section 1. That Ordinance No. 1085-94, passed June 13, 1994, is hereby supplemented by adding new Sections 12 and 13 thereof, to read, respectively, as follows:

Section 12. That the City acknowledges, states and affirms, pursuant to Article IX of the Trust Indenture from the City of Cleveland to the Chase Manhattan Trust Company, National Association, as

successor trustee, dated November 1, 1976, as amended, that the City desires and requests that a certain portion of its land heretofore subject to the Trust Indenture be released and removed from all obligations under said Trust Indenture. The portions of the land to be released are described as Parcels A and B in Section 1 above.

Further, the City acknowledges, states and affirms that it is not in default under said Indenture, and that release of such land is necessary in order to exchange the land for certain land from NASA to ensure that the land is within the proper boundaries of its owners.

Section 13. That the Director of Port Control is authorized to apply to the Chase Manhattan Trust Company, National Association, as successor trustee, for release of Parcels A and B described in Section 1 pursuant to the Trust Indenture, dated November 1, 1976, as amended.

Section 2. That existing Section 12 of Ordinance No. 1085-94, passed June 13, 1994, is hereby renumbered to new "Section 14".

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

Passed May 24, 1999.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 269-99.
By Councilmen Cintron, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2228 and 2220 Seymour Avenue, S.W., to Greater Cleveland Habitat for Humanity, Incorporated.

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed 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). 008-01-032 and 008-01-033, as more fully described in Section 2 below, to

Greater Cleveland Habitat for Humanity, Incorporated.

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

P. P. No. 008-01-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and described as follows, to-wit: and known as being Sublot No. 1 in J.G. Graham's Subdivision of part of Original Brooklyn Township Lot No. 71, as shown by the recorded plat in Volume 4 of Maps, Page 43 of Cuyahoga County Records and being 40 feet front on the Northerly side of Seymour Avenue, S.W., (60 feet wide) and extending back between parallel lines 119.5 feet deep on the Westerly line, 119.44 feet deep on the Easterly line and 40 feet wide in the rear, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P. P. No. 008-01-033

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 2 in J.G. Graham Allotment of part of Original Brooklyn Township Lot No. 71, as shown by the recorded plat in Volume 4 of Maps, Page 43 of Cuyahoga County Records and being 40 feet front on the Northerly side of Seymour Avenue, S.W., and extending back 119'-5-1/2" on the Westerly line, 119-4-1/2" on the Easterly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 366-99.

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

An emergency ordinance giving consent of the City of Cleveland for the rehabilitation of the Woodland Avenue Bridge over the G.C.R.T.A and the Norfolk and Southern Railway Co. to the State of Ohio; authorizing the Director of Public Service to enter into any agreements relative thereto; determining the method of making the above public improvement; and authorizing said director to employ professional design consultants to implement such improvement.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is hereby given to the Director of Transportation of the State of Ohio (the "Director of Transportation") to make the following improvements in accordance with plans, specifications and estimates approved by said Director of Transportation: The rehabilitation of the Woodland Avenue Bridge over the G.C.R.T.A and the Norfolk and Southern Railway Co. (the "Improvement").

Section 2. That the City hereby proposes to cooperate with the Director of Transportation in the cost of the Improvement by assuming and contributing the entire cost and expense of the Improvement less the amount of Federal-aid urban "M" funds or other funds set aside by the Director of Transportation and the Northeast Ohio Area-wide Coordinating Agency for the financing of the improvements from funds allocated by the Federal Highway Administration, United States Department of Transportation. The entire cost of preliminary engineering shall be borne by the City of Cleveland.

Section 3. That the Director of Public Service is hereby authorized to enter into such agreements with the Director of Transportation as are necessary to complete the planning and construction of the Improvement.

Section 4. That upon completion of the Improvement, the City thereafter will:

a) Keep the affected highway open to traffic at all times;

b) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance;

c) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the Director of Transportation and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the limits of the right-of-way;

d) Place and maintain all traffic control devices in accordance with the Ohio Manual of Uniform Traffic Control Devices pursuant to the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and

e) Regulate parking by maintaining existing parking restrictions within the limits of the improvement.

Section 5. a) That all existing streets and public rights-of-way

within the City which are necessary for the Improvement shall be made available therefor.

b) That in the event any additional right-of-way is required for the Improvement, the Director of Transportation will arrange for the acquisition thereof at the City's expense.

c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the Improvement, that said companies have agreed to make any and all necessary rearrangements in such manner as to be clear of any construction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the State of Ohio.

d) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other City-owned utilities and appurtenances thereto which do not comply with the provisions of ODOT Directive No. 28-A, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement, and that said rearrangements shall be done at such time as requested by the State.

e) That the construction, reconstruction and rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operations of the contractor or contractors constructing the Improvement, and all backfilling of trenches made necessary by such utility rearrangement shall be performed in accordance with the provisions of the ODOT Construction and Material Specifications and shall be subject to approval by the State.

f) That the City hereby agrees that the State of Ohio shall be and hereby is saved harmless from any and all damages or claims arising from or growing out of the certification or obligations made or agreed to in this section.

g) That stop signs affecting the movement of traffic on any street within the limits of the Improvement shall be removed and no stop signs will be erected on same except at intersections with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" as provided in the aforesaid Manual are met.

h) That no rule or regulation may be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is hereby rescinded.

Section 6. That the Council of the City hereby requests the State to proceed with the Improvement.

Section 7. That this Council hereby authorizes payment to the State for the City's share of the cost of the Improvement.

Section 8. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating the Woodland Avenue Bridge over the G.C.R.T.A and the Norfolk and Southern Railway Co., for the Division of Engi-

neering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 9. That the Director of Public Service is hereby authorized and directed to employ by contract one or more design consultants or one or more firms of design consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the public improvement authorized above.

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

Section 10. That the cost of the professional services authorized above shall be paid from Fund Nos. 20 SF 322 and 20 SF 334, Request No. 24530.

Section 11. That the Clerk of Council is hereby authorized and directed to transmit to the Director of Transportation three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

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

Passed May 24, 1999.

Effective June 1, 1999.

Ord. No. 374-99.

By Councilman Cintron (by request).

An ordinance to accept the dedication of a portion of Stone Court N.W.

Whereas, that a portion of Stone Court N.W. (15.00 feet wide), is open and used as a public street, and is necessary for the general public's access, now, therefore;

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

Section 1. That the dedication of Stone Court N.W., (15.00 feet wide), extending from the Northerly line of Jay Avenue N.W. (50.00 feet wide), Northerly to the Southerly line of Stone Court N.W. (12.00 feet wide) as shown by the Recorded Plat in Volume 295, Page 75 of Cuyahoga County Map Records, be and the same is hereby accepted as dedicated.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed May 24, 1999.

Effective July 13, 1999.

Ord. No. 412-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide services necessary to manage and maintain the building and grounds of the Consolidated Rental Car Facility, 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 Port Control is hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to manage and maintain the building and grounds of the Consolidated Rental Car Facility for a period of two years.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 60 SF 001, Request No. 24855.

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

Passed May 24, 1999.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 416-99.

By Councilman Cintron.

An emergency ordinance to accept the dedication of a portion of West 19th Street.

Whereas, that a portion of West 19th Street, (width varies), is open and used as a public street, and is necessary for the general public's access; now therefore

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

Section 1. That the dedication of West 19th Street (width varies), extending Northerly from the Northerly line of Barber Avenue S.W. (50 feet wide) to the Southerly line of Auburn Avenue S.W. (width varies), as shown by the recorded plat in Volume 294, Page

19 of Cuyahoga County Map Records, be and the same is hereby accepted as dedicated.

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

Passed May 24, 1999.

Effective June 1, 1999.

Ord. No. 454-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of air filters and materials necessary to provide related services for air handling units, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of air filters and materials necessary to provide related services for air handling units, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24869)

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

Passed May 24, 1999.

Effective June 1, 1999.

Ord. No. 455-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain plumbing systems for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary to repair and maintain plumbing systems in the estimated sum of \$120,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24868)

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

Passed May 24, 1999.

Effective June 1, 1999.

Ord. No. 456-99.

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

An emergency ordinance giving consent of the City of Cleveland for the interim repair of the Columbus Road Vertical Lift Bridge over the Cuyahoga River to the County of Cuyahoga; authorizing the Director of Public Service to enter into any agreements relative thereto; determining the method of making the above public improvement; authorizing said director to enter into contract for the making of such improvement; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is hereby given to the County of Cuyahoga (the "County") to construct the following improvements in accordance with plans, specifications and estimates approved by the County: The interim repair of the Columbus Road Vertical Lift Bridge over the Cuyahoga River (the "Improvement").

Section 2. That the City hereby proposes to cooperate with the County in the cost of the Improvement to the extent of funds received by an allocation from the County Motor Vehicle License Tax Fund; and by applying to the Board of County Commissioners to use the License Tax Fund for said improvement to pay the County portion of the Improvement. If funds administered by Ohio Public Works Commission are used for this improvement, the amount of such funds will be deducted from designated project costs prior to the application of the participatory percentages.

Section 3. That the Director of Public Service is hereby authorized to enter into such agreements with the County as are necessary to complete the planning and construction of the Improvement.

Section 4. That upon completion of the Improvement, the City thereafter will:

a) Keep the affected highway open to traffic at all times;

b) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance;

c) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the County, hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the limits of the right-of-way;

d) Place and maintain all traffic control devices in accordance with the Ohio Manual of Uniform Traffic Control Devices pursuant to the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and

e) Prohibit all parking within the limits of the roadway which is a part of the Improvement in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by City ordinance or resolution.

Section 5. a) That all existing streets and public rights-of-way within the City which are necessary for the Improvement shall be made available therefor.

b) That in the event any additional right-of-way is required for the Improvement, the City will arrange for the acquisition thereof.

c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty (20) feet or greater) within the limits of the Improvement in accordance with applicable sections of the Ohio Revised Code.

d) That the street within the limits of the Improvement is hereby designated a through highway within the meaning of Section 4511.07(F) of the Ohio Revised Code.

e) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the

Improvement, that said companies have agreed to make any and all necessary rearrangements in such manner as to be clear of any construction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the County.

f) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other City-owned utilities and appurtenances thereto which do not comply with the provisions of ODOT Directive No. 28-A, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement, and that said rearrangements shall be done at such time as requested by the County.

g) That the County will participate in the costs of alterations of governmentally-owned utility facilities which come within the provisions of ODOT Directive No. 28-A to the same extent that it participates in the other costs of the Improvement, provided that such participation will not extend to additions or betterments of existing facilities.

h) That the construction, reconstruction and rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operations of the contractor or contractors constructing the Improvement, and all backfilling of trenches made necessary by such utility rearrangement shall be performed in accordance with the provisions of the ODOT Construction and Material Specifications and shall be subject to approval by the County.

i) That the City hereby agrees that the County shall be and hereby is saved harmless from any and all damages or claims arising from or growing out of the certification or obligations made or agreed to in divisions a), b), e), f) and h), of this section.

j) That stop signs affecting the movement of traffic on any street within the limits of the Improvements shall be removed and no stop signs will be erected on same except at intersections with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" as provided in the aforesaid Manual are met.

k) That no rule or regulation may be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is hereby rescinded.

Section 6. That the Council of the City hereby requests the Board of Commissioners of the County to proceed with the Improvement.

Section 7. That the Director of Public Service is hereby authorized to enter into an agreement with the Board of Commissioners of the County concerning the financing of the Improvement, which agreement shall contain without limitation terms substantially similar to the following:

a) That the City will arrange for the preparation of construction plans and specifications for the Improvement, including necessary engineering reports, which shall

conform to generally accepted engineering practices and principles.

b) That the City will arrange for the supervision and administration of the construction contract for the Improvement, and will review the construction plans for conformance with division a) of this section and make an inspection of the completed project.

c) That if, by ordinance of this Council, the City requests the County, to include in the Improvement the construction of sanitary sewers, water lines, sewers for drainage of the area surrounding the Improvement, sidewalks, alternate bid items or other items that are in addition to those now existing in the plans for the Improvement and not provided for elsewhere in the agreement, the County will do so, provided that the construction of such additional items is approved by the County and the City, and provided further that the City agrees to pay or cause to be paid the cost of said construction and of preliminary and design engineering therefor, but the City shall not be responsible for the cost of supervision of said additional construction.

d) That the City hereby agrees to participate with the County in the cost of the Improvement by an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project.

e) That if the project is financed as a Federal-aid project, eligible costs of the Improvement shall be financed from the aforesaid funds.

f) That within the corporate limits of the City, the City hereby agrees to contribute fifty percent (50%) of the cost of construction, and one hundred percent (100%) of the cost of construction supervision, engineering, right-of-way, contract administration and construction determined not eligible by the Cuyahoga County Engineer's policies. That the City hereby agrees to deposit with the Treasurer of Cuyahoga County the City's share of the estimated cost of the project or the Director of Public Service is hereby authorized to enter into an escrow agreement with the Board of County Commissioners prior to an award of a contract for the improvement.

Section 8. That this Council hereby authorizes payment to the County of Cuyahoga for the City's share of the cost of the Improvement.

Section 9. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing the interim repair of the Columbus Road Vertical Lift Bridge over the Cuyahoga River, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 10. That the Director of Public Service is hereby authorized and directed to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 11. That the cost of the public improvement contract autho-

rized above shall be paid from Fund Nos. 20 SF 353 and 20 SF 334, Request No. 24531.

Section 12. That the Director of Public Service is hereby authorized to apply to the County for an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project, and to enter into such agreements with the County as are necessary to finance the Improvement.

Section 13. That the Director of Public Service is hereby authorized to apply to the County Board of Commissioners for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept said funds and to file all papers and execute all documents necessary to receive said funds; and that said funds be and are hereby appropriated for the purposes set forth above.

Section 14. That the Clerk of Council is hereby authorized and directed to transmit to the Director of ODOT and to the County three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

Section 15. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 501-99.

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

An emergency ordinance to appropriate property for the public use for the acquisition of additional right-of-way on Quincy Avenue.

Whereas, the Council of the City of Cleveland, by Resolution No. _____, adopted _____, declared the necessity and intention of appropriating the fee simple property interests herein described for the public purpose of acquiring additional right-of-way on Quincy Avenue and

Whereas, notice of the adoption of such Resolution has been served upon the persons in possession or having an interest in such property; and

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

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

Section 1. That for the public purpose of acquiring additional right-of-way on Quincy Avenue, the following described fee simple interests be and the same are hereby appropriated:

Parcel No. 8T

Being a parcel of land situated in Cuyahoga County, Ohio, City of Cleveland, O.L. 417 and being located within the following described boundary thereof:

Beginning at a monument located at the intersection of existing centerline of Quincy Avenue and existing

centerline of East 105th Street. Thence South 89° 26' 19" West 168.586 meters (553.10 feet) along existing centerline of Quincy Avenue;

Thence South 00° 33' 41" East 9.144 meters (30.00 feet) to existing Southerly right-of-way line of Quincy Avenue being the principal point of beginning;

Thence South 55° 09' 39" West a distance of 5.071 meters (16.64 feet); Thence South 89° 26' 19" West a distance of 76.372 meters (240.72 feet);

Thence North 00° 33' 41" West a distance of 2.856 meters (9.37 feet);

Thence North 89° 26' 19" East a distance of 80.562 meters (264.31 feet);

to the principal place of beginning and containing 0.0224 hectares (0.057 acres), more or less.

Section 2. That the Director of Law is hereby directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the temporary easement interests hereinbefore described.

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

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 502-99.

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

An emergency ordinance determining the method of making the public improvement of constructing a new service facility located at Seville Avenue, and authorizing the Director of Public Service to enter into contract for the making of such improvement; and authorizing the purchase of furniture, equipment, and if necessary, moving services, in connection with the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing a new service facility located at Seville Avenue, Cleveland, Ohio, for the Division of Architecture, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

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

a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the Director of Public Service is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: furniture, equipment and, if necessary, moving services, to be utilized in connection with the making of the above public improvement, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Public Service.

Section 4. That the cost of said purchases and improvement hereby authorized shall be paid from Fund Nos. 20 SF 351 and 13 SF 215, Request No. 23254.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 507-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain the automatic doors for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary to repair and maintain the automatic doors in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial

purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24865)

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

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 514-99.
By Councilmen Rybka, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7601-03 Jones Road to Slavic Village Broadway 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). 133-18-044, as more fully described in Section 2 below, to Slavic Village Broadway 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. 133-18-044

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 3 in M.M. Jones' Re-Allotment of part of Gaius Bark's Allotment of part of Original One Hundred Acre Lots Nos. 315 and 455, as shown by the recorded plat of said Re-Allotment in Volume 10 of Maps, Page 22 of Cuyahoga County Records. Said Sublot No. 3 has a frontage of 49 feet 1-1/5 inches on the Northwesterly side of Jones Road, S.E., (formerly Prospect Street) and extends back 164 feet 4-8/100 inches on the Southwesterly line, 164 feet 7-1/3 inches on the Northeasterly line and has a rear line of 38 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance

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

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

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

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

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 573-99.
By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Contract No. 46540 with Southwest Airlines, Co., to provide for the addition of certain space to the Lease, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into an Amendment to Lease between the City and Southwest Airlines, Co. ("Lessee"), City Contract No. 46540 to add to Lessee's right and obligation under the lease the following space on Concourse B, effective September 1, 1999: Office/Operational space — 646 square feet.

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

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

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

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 591-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Lums Service O.C.S. Division, Inc. to provide economic development assistance to partially finance the acquisition of equipment and the construction of an office and warehouse facility, located at West Parkway, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Lums Service O.C.S. Division, Inc. to provide economic development assistance to partially finance the acquisition of equipment and the construction of an office and warehouse facility, located at West Parkway, Cleveland, Ohio.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 591-99-A.

Section 3. That the costs of said contract shall not exceed Three Hundred Ninety-eight Thousand Dollars (\$398,000.00), and shall be paid from Fund Nos. 17 SF 008 and 12 SF 954, Request No. 24303.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

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

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

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

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 592-99.
By Councilmen Sweeney, Jackson,
Robinson and Johnson (by depart-
mental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Lums Service O.C.S. Division to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to expand and relocate its facility to West Parkway located in the Cleveland Area Enterprise Zone.

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

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

Whereas, Lums Service O.C.S. Division (the "Enterprise") has proposed to expand and relocate its facilities to West Parkway in the City of Cleveland; and

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

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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

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

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Lums Service O.C.S. Division to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to expand and relocate its facility to West Parkway in Cleveland Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 592-99-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

Section 4. That the Director of Economic Development is hereby authorized to charge and accept fees

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

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

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

Passed May 24, 1999.
 Effective June 1, 1999.

Ord. No. 653-99.
By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with Cleveland State University to provide various housing, urban land-use, property parcel, vacant lot, and residential real estate market data services, products, studies, and other technical assistance in order to facilitate neighborhood planning and programming efforts.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with Cleveland State University to utilize the Urban Center's Housing Policy Research Program to provide various housing, urban land-use, property parcel, vacant lot, and residential real estate market data services, products, studies, and other technical assistance in order to facilitate neighborhood planning and programming efforts.

Section 2. That the cost of said contract shall be in an amount not to exceed \$29,500.00, and shall be paid from Fund No. 14 SF 024, Request No. 23123.

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

Passed May 24, 1999.
 Effective June 1, 1999.

Ord. No. 655-99.
By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance to amend Sections 4 and 5 of Ordinance No. 1082-98, passed November 23, 1998, relating to contracts with various non-profit agencies for the implementation of the Emergency Shelter Grant Program and with Cuyahoga County for the operation of the Cleveland/Cuyahoga County Office of Homeless Services.

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That Sections 4 and 5 of Ordinance No. 1082-98, passed November 23, 1998, are hereby amended to read, respectively, as follows:

Section 4. That the local governing board of each of the non-profit agencies funded by this ordinance must include at least one formerly or currently homeless person, with boards of more than seven persons having at least two formerly or currently homeless persons.

That the non-profit agencies to be funded pursuant to this ordinance, shall work with the Cleveland Department of Public Health to provide testing opportunities and prevention information on HIV, sexually transmitted diseases and other communicable diseases. The employees of these agencies must be trained in the prevention and education of these diseases.

Section 5. That the contracts authorized by Sections 1 and 2 of this ordinance shall be in the amounts described and contained in File No. 1082-98-B. If these funding recommendations are changed, or if new agencies are added to the list, the Director of Community Development must receive Council authorization before entering into a contract or contracts for the new amount or with the added agency.

Section 2. That existing Sections 4 and 5 of Ordinance No. 1082-98, passed November 23, 1998, are hereby repealed.

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

Passed May 24, 1999.
 Effective June 1, 1999.

Ord. No. 783-99.
By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 2186-97, passed April 6, 1998, relating to the Director of Public Health to enter into contract with various entities to implement the City's Lead Program by operating various lead abatement programs.

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

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

Section 1. That Section 1 of Ordinance No. 2186-97, passed April 6, 1998, is hereby amended to read as follows:

Section 1. That the Director of Public Health is hereby authorized to enter into contract with various community-based entities as needed to implement and provide various lead abatement and education programs including, but not limited to the entities specified below: the cost of each contract hereby authorized shall be paid from Fund Nos. 13 SF 456, Request Nos. 24501, 24502, 24503 and 24504; the cost of each contract is listed beside the name of the specified entity:

NAME	AMOUNT
University Settlement	\$205,000.00
Association of Parents to Prevent Lead Exposure	\$40,000.00
Cleveland Housing Network	\$2,004,400.00

Section 2. That existing Section 1 of Ordinance No. 2186-97, passed April 6, 1998, is hereby repealed.

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

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 884-A-99 (as a substitute for Ordinance No. 884-99).
By Councilman Sweeney.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to West Side Hungarian Reformed Church to stretch a banner on utility poles (by separate permission) on Puritas Avenue for the period of May 28, 1999 to May 31, 1999, inclusive, to publicize the church's Second Annual Carnival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the West Side Hungarian Reformed Church, 15300 Puritas Avenue, Cleveland, Ohio 44135, to install, maintain and remove one (1) banner at Puritas Avenue and West 150th Street (approximately in front of Church's address of 15300 Puritas Avenue), to be attached to Cleveland Electric Illuminating Company utility poles, (by separate permission) for the period of May 28, 1999 to May 31, 1999, inclusive, publicizing the Church's Second Annual Carnival and exhibiting the Hungarian ethnic culture in the Bellaire-Puritas neighborhood, and which banner shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 983-99.
By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contracts with the Cleveland Board of Education and the Jobs for Greater Cleveland's Graduates to provide school-to-work transition assistance.

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to enter into contract with the Cleveland Board of Education to implement the Proficiency Academic Support Project Plus Program, to provide school-to-work transition assistance, in an amount not to exceed \$54,000.00 and shall be paid from Fund No. 15 SF 086, Request No. 08990.

Section 2. That the Director of Personnel and Human Resources is hereby authorized to enter into contract with the Jobs for Greater Cleveland's Graduates to provide school-to-work transition assistance, in an amount not to exceed \$130,000.00 and shall be paid from Fund No. 15 SF 086, Request No. 08989.

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

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 984-99.
By Councilman Sweeney.

An emergency ordinance authorizing the Director of Public Service to issue a permit to Chelm Properties, Inc. to encroach into the public right-of-way of portions of Springdale Avenue and West 188th Street for the Phase II Development Stage of Cleveland Business Park Ltd.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, assignable by the Permittee with the written consent of the Director of Public Service to Chelm Properties Inc., for Cleveland Business Park Ltd., 31000 Aurora Road, Solon, Ohio 44139, its successors and assigns, for the construction, use and maintenance of the Phase II Development Stage of Chelm Properties, Inc. Cleveland Business Park, Ltd., which will encroach into the public right-of-way of portions of Springdale Avenue and West 188th Street, as more fully described herein:

LEGAL DESCRIPTION FOR THE ENCROACHMENT PORTIONS OF: SPRINGDALE AVE. & W. 188TH ST. FOR CLEVELAND BUSINESS PARK, LTD.

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

Springdale Avenue (50 feet wide) and part of West 188th Street (50 feet wide). The parcel is further known as being part of Section No. 3 and part of Section No. 4 of Original Rockport Township, and bounded and described as follows:

Beginning at the intersection of the centerline of West 188th Street (50 feet wide) and the northerly line of Home Gardens Allotment II, thence South 89°-04'-47" East, 25.00 feet to a point on the easterly right-of-way line of West 188th Street;

Thence South 01°-53'-16" West along the easterly right-of-way line of West 188th Street, 144.34 feet to a point of intersection with the northerly right-of-way line of Springdale Avenue (50 feet wide);

Thence South 89°-02'-44" East, 848.30 feet along the northerly right-of-way line of Springdale Avenue to a point;

Thence North 58°-08'-25" East, 32.98 feet along said northerly right-of-way line to a point on the Westerly right-of-way line of Rocky River Drive;

Thence South 25°-19'-31" West, 99.14 feet along said westerly right-of-way line to a point on the southerly right-of-way line of Springdale Avenue;

Thence North 31°-51'-45" West, 26.69 feet along said southerly right-of-way line to a point;

Thence North 89°-02'-44" West, 821.46 feet along said southerly right-of-way line to a point of intersection with the easterly right-of-way line of West 188th Street;

Thence South 01°-53'-16" West, 266.22 feet along said easterly right-of-way line to a point of intersection with the northerly right-of-way line of Widened Maplewood Avenue (60 feet wide);

Thence North 89°-04'-14" West, 50.01 feet along said northerly right-of-way line to a point of intersection with the westerly right-of-way line of West 188th Street;

Thence North 01°-53'-16" East, 266.25 feet along said westerly right-of-way line to a point of intersection with the southerly right-of-way line of Springdale Avenue;

Thence North 89°-02'-44" West, 592.58 feet along said southerly right-of-way line to a point;

Thence North 00°-57'-16" East, 50.00 feet to a point on the northerly right-of-way line of Springdale Avenue;

Thence South 89°-02'-44" East, 593.40 feet along said northerly right-of-way line to a point of intersection with the westerly right-of-way line of West 188th Street;

Thence North 01°-53'-16" East, 144.31 feet along said westerly right-of-way line to a point of intersection with the northerly line of The Home Gardens Allotment II;

Thence South 89°-04'-47" East, 25.00 feet to the point of beginning, containing within said boundaries 95,980 square feet (2.2034 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

Section 2. That said Chelm Properties Inc., for Cleveland Business Park Ltd., encroachment will be placed within the public right-of-way as aforesaid in Section 1, and said encroachment will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

Section 3. That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 985-99.

By Councilman Patmon.

An emergency ordinance consenting and approving the issuance of a permit for the 10th Annual Miles Standish Miler Fun Run on June 3, 1999 (raindate: June 4, 1999), sponsored by the Miles Standish Elementary School.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the 10th Annual Miles Standish Miler Fun Run, sponsored by the Miles Standish Elementary School, on June 3, 1999 (raindate: June 4, 1999), beginning at the school, 1000 East 92nd Street, west on Parkgate Rd. to East Blvd., south on East Blvd. to Superior Ave., turn around and head north on East Blvd. to Parkside Rd., north on Parkside Rd. to Parkgate Rd., east on Parkgate Rd. and finish back at the school, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio 1976. Streets may be closed as determined by the Chief of Police of safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 986-99.

By Councilmen Melena and Westbrook.

An emergency ordinance consenting to and approving the issuance of the 9th Annual Dr. John Carey Memorial AIDS Walk on September 19, 1999, sponsored by Kropf Public Relations, Inc.

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a 9th Annual Dr. John Carey Memorial AIDS Walk, sponsored by Kropf Public Relations, Inc., on September 19, 1999, with the Walk Route beginning at Edgewater Park. The route will take walkers west on Edgewater Drive to W. 117th St. Walkers will then head south on W. 117th St. to Clifton. Walkers will then head east on Clifton to West Blvd. and north on West Blvd. back to Edgewater Park, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 987-99.

By Councilman Johnson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Cathedral Church of God In Christ to stretch banners at Buckeye and East 116th Street and at the intersection of MLK and Lamontier Avenue from June 21, 1999 to July 23, 1999, inclusive, publicizing their Open Air Worship Service & Multi Family Flea Market.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Cathedral Church of God In Christ to install, maintain and remove banners at Buckeye and East 116th Street and at the intersection of MLK & Lamontier Avenue for the period from June 21, 1999 to July 23, 1999, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not 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 May 24, 1999.
Effective June 1, 1999.

Ord. No. 988-99.

By Councilman Cintron.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Blessed Sacrament School to stretch a banner on utility poles (by separate permission) on Fulton Road for the period of May 15, 1999 to June 15, 1999, inclusive, for the benefit of the school.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Blessed Sacrament School, 3389 Fulton Road, Cleveland, Ohio 44109, to install, maintain and remove one (1) banner on Fulton Road, on the second pole south of Storer Avenue (E), with no number tag, to be attached to Cleveland Public Power Company utility poles, (by separate permission) for the period of May 15, 1999 to June 15, 1999, inclusive, for the benefit of the school, and which banner shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not 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 banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed May 24, 1999.
Effective June 1, 1999.

Ord. No. 989-99.**By Councilman Cimperman.**

An emergency ordinance authorizing the Director of Public Service to issue a permit to Capital University to encroach into the public right-of-way of Sumner Ave. S.E. (a.k.a. Sumner Ct.) and East 14th St. with seven (7) banners to be hung on utility poles (by separate permission) to make the public aware of the University's existence and location.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Capital University, 1320 Sumner Avenue S.E. (a.k.a. 1320 Sumner Court) Cleveland, Ohio 44115-2849, Lessee of Anripar Company, Lessor, who will allow Capital University, its successors and assigns, to construct, use and maintain of seven (7) banners to be hung on Cleveland Electric Illuminating Company utility poles (by separate permission), which banners will encroach into the public right-of-way of Sumner Avenue S.E. (a.k.a. Sumner Ct.) and East 14th Street at the locations more fully described as follows:

CAPITAL UNIVERSITY ENCROACHMENT PERMIT LOCATIONS FOR BANNERS:

<u>STREET / LOCATION:</u>	<u>POLE NUMBER:</u>	<u>OWNER:</u>
The second utility pole on the southwesterly side of East 14th Street (going northerly toward Sumner Ave. S.E. (a.k.a. Sumner Ct.))	No Number	C.E.I.
The utility pole on the southwesterly corner of Sumner Ave. S.E. (a.k.a. Sumner Ct.) and East 14th St.	#500069	C.E.I.
The first utility pole on the southwesterly side of Sumner Ave. S.E. (a.k.a. Sumner Ct.)	#500069 Same # as corner pole	C.E.I.
The second utility pole on the southwesterly side of Sumner Ave. S.E. (a.k.a. Sumner Ct.)	#500068	C.E.I.
The third utility pole on the southwesterly side of Sumner Ave. S.E. (a.k.a. Sumner Ct.)	#500067	C.E.I.
The fourth utility pole on the southwesterly side of Sumner Ave. S.E. (a.k.a. Sumner Ct.)	#604079	C.E.I.
The fifth utility pole on the southwesterly side of Sumner Ave. S.E. (a.k.a. Sumner Ct.)	#711430	C.E.I.

Section 2. That nothing in this ordinance grants or shall be considered a grant to Permittee any right, privilege or permission to use or to attach or affix any objects to poles described in Section 1 of this ordinance.

Section 3. That said banners will be placed within the public right-of-way as aforesaid in Section 1., and said banners will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

Section 4. That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed May 24, 1999.

Effective June 1, 1999.

Ord. No. 990-99.**By Councilman Cimperman.**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2259 and 2239 West 11th Street to Sutton Builders, LCC.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 004-12-055, as more fully described in Section 2 below, to Sutton Builders, LCC.

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

P.P. No. 004-12-055

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 215 and 216 in Pelton and Jennings Allotment of part of Original Brooklyn Township Lot No. 87 as shown by the recorded plat in Volume 2 of Maps, Page 10 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of West 11th Street, at a point distant Southerly 54.75 feet from the Northwesterly corner of said Sublot No. 215; thence Southerly 44.25 feet along the said Easterly line of West 11th Street to a point; thence Easterly 181.50 feet parallel with the Northerly line of said Sublot No. 216 to a point in the Easterly line thereof; thence Northerly 47.25 feet along the Easterly line of said Sublot Nos. 216 and 215 to a point distant Southerly 51.75 feet from the Northeast corner of said Sublot No. 215; thence Westerly 181.53 feet to the place of beginning be the same more or less, but subject to all legal highways.

Driveway Easement recorded in the deed to Anastasios K. Petropoulos (married) and Georgia C. Kamples (married) recorded in Volume 4769, Page 15 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.

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 May 24, 1999.

Effective June 1, 1999.

Ord. No. 991-99.**By Councilman Cimperman.**

An emergency ordinance consenting to and approving the issuance of a permit for a 1 Mile Run on October 16, 1999 sponsored by the Hermes Race System.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a 1 Mile Run, sponsored by Hermes Race System, on October 16, 1999, starting at Egel & East 9th St., E. 9th to Voinovich Park, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent

and in form satisfactory to the Director of Law.

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

Passed May 24, 1999.

Effective June 1, 1999.

Ord. No. 992-99.**By Councilman Britt.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Ward 6 Multi-Cultural Community Festival to stretch a banner on utility poles (by separate permission) on Woodland Avenue for the period of July 1, 1999 to August 16, 1999, inclusive, publicizing the Ward 6 Multi-Cultural Community Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Ward 6 Multi-Cultural Community Festival, 2540 MLK Jr. Drive, corner of Woodstock Avenue, Cleveland, Ohio 44104, to install, maintain and remove one (1) banner on Woodland Avenue, Pole # E14-192, to be attached to Cleveland Public Power Company utility poles, (by separate permission) for the period of July 1, 1999 to August 16, 1999, inclusive, publicizing the Ward 6 Multi-Cultural Community Festival, and which banner shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed May 24, 1999.

Effective June 1, 1999.

Ord. No. 993-99.**By Councilmen Westbrook and Johnson.****An emergency ordinance to amend Section 8 of Ordinance No. 520-99, passed March 29, 1999, relating to compensation for various classifications.**

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

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

Section 1. That Section 8 of Ordinance No. 520-99, passed March 29, 1999, is hereby amended to read as follows:

Section 8. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Accountant I.....	\$ 6.36 per hour	\$15.64 per hour
2. Accountant II.....	\$ 7.06 per hour	\$17.16 per hour
3. Accountant III.....	\$ 7.96 per hour	\$19.02 per hour
4. Accountant Clerk I.....	\$ 5.15 per hour	\$12.68 per hour
5. Accountant Clerk II.....	\$ 5.46 per hour	\$13.69 per hour
6. Activities Therapist.....	\$ 9.15 per hour	\$12.05 per hour
7. AIDS Support Services Coordinator	\$10.49 per hour	\$13.48 per hour
8. Air Pollution Control Engineer I	\$ 8.43 per hour	\$20.12 per hour
9. Air Pollution Control Engineer II	\$ 8.96 per hour	\$21.20 per hour
10. Air Pollution Control Engineer III	\$ 9.50 per hour	\$22.34 per hour
11. Air Pollution Engineer	\$12.04 per hour	\$15.70 per hour
12. Air Pollution Inspector I.....	\$10.99 per hour	\$16.18 per hour
13. Air Pollution Inspector II	\$ 7.76 per hour	\$18.05 per hour
14. Air Pollution Technician I	\$ 7.12 per hour	\$17.16 per hour
15. Air Pollution Technician II	\$ 7.53 per hour	\$18.05 per hour
16. Air Pollution Technician III	\$ 8.43 per hour	\$20.12 per hour
17. Airport Information Representative	\$ 9.40 per hour	\$13.14 per hour
18. Airport Operations Agent I	\$13.27 per hour	\$16.25 per hour
19. Airport Operations Agent II	\$16.67 per hour	\$19.13 per hour
20. Airport Safety Man	\$27,695.13	\$34,591.42
21. Architect	\$ 9.73 per hour	\$23.66 per hour
22. Assistant Buyer	\$ 6.71 per hour	\$16.42 per hour
23. Assistant City Planner	\$ 7.12 per hour	\$17.16 per hour
24. Assistant Civil Engineer	\$ 7.12 per hour	\$17.16 per hour
25. Assistant Electrical Engineer	\$ 7.12 per hour	\$17.16 per hour
26. Assistant Mechanical Engineer	\$ 7.12 per hour	\$17.16 per hour
27. Assistant Plan Examiner	\$12.54 per hour	\$18.05 per hour
28. Associate Programmer	\$ 7.55 per hour	\$18.39 per hour
29. Bacteriologist	\$ 7.96 per hour	\$19.02 per hour
30. Bill Collector	\$ 9.40 per hour	\$13.14 per hour
31. Building Inspector	\$12.98 per hour	\$17.45 per hour
32. Camera Room Operator	\$ 6.04 per hour	\$14.94 per hour
33. Caseworker I	\$ 5.73 per hour	\$14.27 per hour
34. Caseworker II	\$ 6.36 per hour	\$15.64 per hour
35. Cashier/Starter	\$ 6.36 per hour	\$15.64 per hour
36. Chemist	\$ 8.90 per hour	\$20.50 per hour
37. Chief Miscellaneous Investigator	\$ 7.53 per hour	\$18.05 per hour
38. Citizens Information Representative	\$ 6.04 per hour	\$14.94 per hour
39. Civil Engineer	\$ 9.50 per hour	\$23.66 per hour
40. Claims Examiner	\$ 7.53 per hour	\$18.05 per hour
41. Clerk Typist	\$ 7.62 per hour	\$ 9.80 per hour
42. Clinical Laboratory Assistant	\$ 6.36 per hour	\$14.94 per hour
43. Clinical Laboratory Technician I	\$ 7.12 per hour	\$17.16 per hour
44. Clinical Laboratory Technician II	\$ 7.37 per hour	\$18.39 per hour
45. Cocaine Treatment Counselor I	\$ 8.56 per hour	\$14.20 per hour
46. Cocaine Intake Specialist	\$ 9.95 per hour	\$12.78 per hour
47. Community Development Code Enforcement Inspector I	\$14.08 per hour	\$19.03 per hour
48. Community Development Code Enforcement Inspector II	\$14.89 per hour	\$20.12 per hour
49. Community Development Code Enforcement Inspector III	\$15.70 per hour	\$21.20 per hour
50. Community Development Code Enforcement Inspector/Heating I	\$14.08 per hour	\$19.03 per hour
51. Community Development Code Enforcement Inspector/Heating II	\$14.89 per hour	\$20.12 per hour
52. Community Development Code Enforcement Inspector/Heating III	\$15.70 per hour	\$21.20 per hour
53. Community Development Code Enforcement Inspector/Refrigeration I	\$14.08 per hour	\$19.03 per hour

54.	Community Development Code Enforcement Inspector/Refrigeration II	\$14.89 per hour	\$20.12 per hour
55.	Community Development Code Enforcement Inspector/Refrigeration III	\$15.70 per hour	\$21.20 per hour
56.	Community Development Code Enforcement Inspector/Trainee	\$ 9.97 per hour	\$15.35 per hour
57.	Community Development Planner	\$ 9.87 per hour	\$22.75 per hour
58.	Community Health Aide	\$ 5.15 per hour	\$12.68 per hour
59.	Community Relations Representative I	\$ 6.04 per hour	\$14.94 per hour
60.	Community Relations Representative II	\$ 7.53 per hour	\$18.05 per hour
61.	Community Relations Representative III	\$ 9.51 per hour	\$22.34 per hour
62.	Composing Equipment Operator	\$ 6.71 per hour	\$16.42 per hour
63.	Computer Monitor Assistant	\$ 8.43 per hour	\$10.85 per hour
64.	Computer Operator	\$ 7.53 per hour	\$18.05 per hour
65.	Consumer Protection Specialist	\$ 5.73 per hour	\$14.27 per hour
66.	Cook	\$10.68 per hour	\$12.36 per hour
67.	Copy Center Operator	\$ 5.67 per hour	\$13.69 per hour
68.	Cost Construction Estimator	\$ 8.34 per hour	\$17.56 per hour
69.	Customer Service Representative	\$ 9.41 per hour	\$13.67 per hour
70.	Data Control Clerk	\$ 5.24 per hour	\$13.15 per hour
71.	Data Conversion Operator	\$ 9.30 per hour	\$11.91 per hour
72.	Dental Assistant	\$ 5.15 per hour	\$12.42 per hour
73.	Development Officer	\$ 8.96 per hour	\$21.19 per hour
74.	Dietician	\$ 9.08 per hour	\$15.63 per hour
75.	Drug and Alcohol Counselor	\$ 9.05 per hour	\$11.63 per hour
76.	Electrical Engineer	\$ 9.50 per hour	\$23.66 per hour
77.	Electronic Engineer	\$ 9.54 per hour	\$24.08 per hour
78.	Elevator Inspector	\$13.35 per hour	\$17.45 per hour
79.	Environmental Compliance — Specialist I	\$14.95 per hour	\$16.49 per hour
80.	Environmental Compliance — Specialist II	\$16.35 per hour	\$17.31 per hour
81.	Environmental Compliance — Specialist III	\$17.90 per hour	\$22.54 per hour
82.	Environmental Enforcement — Specialist I	\$14.95 per hour	\$17.22 per hour
83.	Environmental Enforcement — Specialist II	\$16.35 per hour	\$18.08 per hour
84.	Environmental Enforcement — Specialist III	\$17.90 per hour	\$18.99 per hour
85.	Environmental Monitoring — Specialist I	\$13.33 per hour	\$17.04 per hour
86.	Environmental Monitoring — Specialist II	\$14.18 per hour	\$17.89 per hour
87.	Environmental Monitoring — Specialist III	\$15.74 per hour	\$18.79 per hour
88.	Environmental Technician	\$11.99 per hour	\$14.28 per hour
89.	Family Planning Clerk	\$ 7.22 per hour	\$10.96 per hour
90.	Financial Analyst	\$ 7.12 per hour	\$17.16 per hour
91.	Financial Counselor	\$ 7.94 per hour	\$18.05 per hour
92.	Fuel System Technician	\$ 8.96 per hour	\$15.94 per hour
93.	General Health Aide	\$ 5.15 per hour	\$12.68 per hour
94.	General Storekeeper	\$ 7.96 per hour	\$19.02 per hour
95.	Geriatric Outreach Worker	\$ 7.12 per hour	\$17.16 per hour
96.	Head Cook	\$ 5.46 per hour	\$13.67 per hour
97.	Head Storekeeper	\$ 7.11 per hour	\$17.17 per hour
98.	Health Educator I	\$ 6.36 per hour	\$15.64 per hour
99.	Health Educator II	\$ 7.12 per hour	\$17.16 per hour
100.	Heating Inspector	\$13.35 per hour	\$17.45 per hour
101.	HIV Educator	\$ 8.17 per hour	\$ 9.98 per hour
102.	House Connection Inspector	\$11.91 per hour	\$14.59 per hour
103.	Housing Inspector	\$13.69 per hour	\$15.53 per hour
104.	Human Resources Contract Specialist	\$ 9.73 per hour	\$23.65 per hour
105.	Human Resources On-the-Job Training Specialist	\$10.21 per hour	\$20.11 per hour
106.	Human Resources Planner	\$10.74 per hour	\$24.97 per hour
107.	Human Resources Special Projects Coordinator	\$10.21 per hour	\$20.11 per hour
108.	Income Tax Tracer	\$ 6.36 per hour	\$15.64 per hour
109.	Industrial Hygiene Engineer	\$ 9.73 per hour	\$23.65 per hour
110.	Industrial Nuisance Inspector	\$ 6.36 per hour	\$15.64 per hour
111.	Information Control Analyst	\$ 6.81 per hour	\$16.38 per hour
112.	Inspector of Weights and Measures	\$ 5.73 per hour	\$14.27 per hour
113.	Instrument Repairman	\$ 8.21 per hour	\$15.63 per hour
114.	Instrumentation Technician I	\$15.83 per hour	\$16.80 per hour
115.	Instrumentation Technician II	\$17.66 per hour	\$18.51 per hour
116.	Intake Specialist	\$ 5.15 per hour	\$12.68 per hour
117.	Job Retraining Assistant	\$ 7.12 per hour	\$17.16 per hour
118.	Junior Cashier	\$ 5.24 per hour	\$13.14 per hour
119.	Junior Chemist	\$ 5.46 per hour	\$13.69 per hour
120.	Junior City Planner	\$ 6.36 per hour	\$15.64 per hour
121.	Junior Civil Engineer	\$ 6.36 per hour	\$15.64 per hour

122.	Junior Clerk	\$ 9.28 per hour	\$10.96 per hour
123.	Junior Draftsman	\$ 7.92 per hour	\$13.43 per hour
124.	Junior Engineering Aide	\$ 5.46 per hour	\$13.69 per hour
125.	Lab Coordinator.....	\$16.82 per hour	\$19.24 per hour
126.	Laboratory Assistant	\$ 6.04 per hour	\$14.94 per hour
127.	Laboratory Helper	\$ 5.15 per hour	\$11.80 per hour
128.	Landscape Architect	\$ 9.50 per hour	\$22.34 per hour
129.	Lead Pressman	\$ 8.93 per hour	\$17.40 per hour
130.	Life Guard	\$ 8.50 per hour	\$12.50 per hour
131.	Life Guard Captain	\$10.00 per hour	\$15.50 per hour
132.	Mechanical Engineer	\$ 9.50 per hour	\$23.65 per hour
133.	Messenger	\$ 5.15 per hour	\$11.80 per hour
134.	Meter Reader	\$12.03 per hour	\$14.91 per hour
135.	Minority Business Consultant	\$11.15 per hour	\$26.32 per hour
136.	Miscellaneous Investigator	\$ 5.46 per hour	\$13.69 per hour
137.	Monitoring, Auditing and Evaluation Coordinator	\$13.65 per hour	\$17.42 per hour
138.	Office Machine Operator	\$ 9.28 per hour	\$11.48 per hour
139.	Offset Duplicating Machine Operator	\$ 5.46 per hour	\$13.69 per hour
140.	On The Job Training Specialist	\$12.71 per hour	\$16.83 per hour
141.	Park and Recreation Planner	\$ 9.51 per hour	\$22.34 per hour
142.	Parking Attendant	\$ 6.31 per hour	\$12.68 per hour
143.	Parking Meter Collector	\$ 6.32 per hour	\$12.65 per hour
144.	Parking Meter Serviceman	\$12.78 per hour	\$13.30 per hour
145.	Permit Processing Specialist	\$ 7.00 per hour	\$10.61 per hour
146.	Pharmacist	\$10.74 per hour	\$24.97 per hour
147.	Pharmacodependent Rehabilitation Counselor I	\$ 6.49 per hour	\$12.12 per hour
148.	Pharmacodependent Rehabilitation Counselor II	\$ 7.57 per hour	\$14.32 per hour
149.	Photographer	\$ 9.08 per hour	\$17.16 per hour
150.	Photographic Laboratory Technician	\$ 6.80 per hour	\$14.94 per hour
151.	Photo-Litho Operator	\$ 5.48 per hour	\$13.69 per hour
152.	Physical Director	\$ 8.33 per hour	\$15.43 per hour
153.	Plan Examiner	\$ 7.96 per hour	\$20.42 per hour
154.	Play Director	\$ 5.15 per hour	\$10.81 per hour
155.	Police Radio Technician	\$15.36 per hour	\$16.26 per hour
156.	Pressman	\$ 7.89 per hour	\$16.84 per hour
157.	Preventive Health Counselor	\$13.59 per hour	\$17.46 per hour
158.	Preventive Health Educator	\$ 8.89 per hour	\$11.73 per hour
159.	Principal Cashier	\$ 7.24 per hour	\$18.39 per hour
160.	Principal Clerk	\$10.19 per hour	\$15.46 per hour
161.	Print Shop Helper	\$ 9.95 per hour	\$11.59 per hour
162.	Private Secretary	\$ 6.71 per hour	\$16.42 per hour
163.	Program Analyst	\$16.64 per hour	\$23.79 per hour
164.	Programmer	\$ 8.96 per hour	\$21.20 per hour
165.	Programmer Analyst	\$ 9.73 per hour	\$23.65 per hour
166.	Property Clerk	\$11.37 per hour	\$26.34 per hour
167.	Psychiatric Social Worker	\$12.48 per hour	\$17.11 per hour
168.	Psychologist I	\$10.74 per hour	\$22.76 per hour
169.	Psychologist II	\$12.88 per hour	\$26.84 per hour
170.	Public Health Nursing Aide	\$ 9.97 per hour	\$10.94 per hour
171.	Public Health Sanitarian I	\$11.99 per hour	\$14.61 per hour
172.	Public Health Sanitarian II	\$13.46 per hour	\$16.36 per hour
173.	Public Health Sanitarian III	\$14.53 per hour	\$17.07 per hour
174.	Public Health Sanitarian IV	\$ 8.78 per hour	\$21.19 per hour
175.	Public Information Officer	\$ 7.38 per hour	\$18.05 per hour
176.	Quality Assurance Analyst	\$ 8.96 per hour	\$21.19 per hour
177.	Quality Control Coordinator.....	\$16.82 per hour	\$19.24 per hour
178.	Radio Dispatcher	\$15.25 per hour	\$16.26 per hour
179.	Radio Technician	\$15.36 per hour	\$16.26 per hour
180.	Receptionist	\$ 6.06 per hour	\$12.08 per hour
181.	Records Manager	\$ 9.84 per hour	\$12.67 per hour
182.	Recreation Aide	\$ 5.15 per hour	\$ 8.44 per hour
183.	Recreation Instructor	\$ 5.15 per hour	\$12.68 per hour
184.	Recreation Instructor I	\$ 5.24 per hour	\$13.50 per hour
185.	Recreation Instructor II	\$ 5.46 per hour	\$14.02 per hour
186.	Recreation Instructor III	\$ 6.83 per hour	\$14.84 per hour
187.	Recreation Program Supervisor	\$ 6.83 per hour	\$13.79 per hour
188.	Redevelopment Advisor	\$ 7.96 per hour	\$19.02 per hour
189.	Redevelopment Coordinator	\$ 8.38 per hour	\$21.20 per hour
190.	Refrigeration Inspector	\$13.37 per hour	\$17.45 per hour
191.	Refugee Outreach Worker	\$ 8.40 per hour	\$11.79 per hour
192.	Registered Animal Health Technician	\$ 7.94 per hour	\$12.68 per hour

193.	Rehabilitation Advisor	\$ 6.71 per hour	\$16.42 per hour
194.	Sanitarian Aide	\$10.90 per hour	\$12.30 per hour
195.	Secretary	\$ 6.30 per hour	\$13.69 per hour
196.	Secretary to Director of Consumer Affairs	\$ 9.51 per hour	\$22.34 per hour
197.	Senior Assistant Architect	\$ 7.96 per hour	\$19.02 per hour
198.	Senior Assistant City Planner	\$ 7.96 per hour	\$19.02 per hour
199.	Senior Assistant Civil Engineer	\$ 7.96 per hour	\$19.02 per hour
200.	Senior Assistant Electrical Engineer	\$ 7.96 per hour	\$19.02 per hour
201.	Senior Assistant Mechanical Engineer	\$ 7.96 per hour	\$19.02 per hour
202.	Senior Assistant Traffic Engineer	\$ 7.96 per hour	\$19.02 per hour
203.	Senior Bacteriologist	\$ 6.71 per hour	\$16.42 per hour
204.	Senior Cashier	\$ 6.36 per hour	\$15.64 per hour
205.	Senior Chemist	\$ 7.53 per hour	\$18.05 per hour
206.	Senior Clerk	\$ 9.65 per hour	\$12.84 per hour
207.	Senior Computer Operator	\$ 8.96 per hour	\$21.20 per hour
208.	Senior Data Conversion Operator	\$ 5.73 per hour	\$14.27 per hour
209.	Senior Development Officer	\$12.63 per hour	\$27.81 per hour
210.	Senior Draftsman	\$ 9.05 per hour	\$15.34 per hour
211.	Senior Engineering Draftsman and Photographer	\$ 7.12 per hour	\$17.16 per hour
212.	Senior Information Control Analyst	\$ 7.38 per hour	\$18.05 per hour
213.	Senior Laboratory Technician	\$10.86 per hour	\$13.96 per hour
214.	Senior Landscape Architect	\$ 9.73 per hour	\$23.65 per hour
215.	Senior Site Inspector — Demolition	\$ 8.43 per hour	\$20.11 per hour
216.	Sewer Service Man	\$14.06 per hour	\$14.92 per hour
217.	Site Inspector	\$ 7.53 per hour	\$18.05 per hour
218.	Social Worker for Homeless	\$13.82 per hour	\$17.76 per hour
219.	Starter (Golf)	\$ 5.15 per hour	\$10.49 per hour
220.	S.T.D. Clerk	\$ 7.88 per hour	\$10.14 per hour
221.	Stenographer I	\$ 9.17 per hour	\$11.51 per hour
222.	Stenographer II	\$10.11 per hour	\$12.84 per hour
223.	Stenographer III	\$ 7.37 per hour	\$14.27 per hour
224.	Stock Clerk	\$ 5.46 per hour	\$14.11 per hour
225.	Storekeeper	\$ 6.36 per hour	\$16.07 per hour
226.	Street Obstruction Inspector	\$ 6.04 per hour	\$14.94 per hour
227.	Surveyor	\$ 8.96 per hour	\$21.20 per hour
228.	Tax Auditor I	\$ 7.12 per hour	\$17.16 per hour
229.	Tax Auditor II	\$ 7.96 per hour	\$19.02 per hour
230.	Technical Specialist	\$ 7.53 per hour	\$18.05 per hour
231.	Technical Specifications Writer	\$ 9.08 per hour	\$19.03 per hour
232.	Telephone Operator	\$ 5.24 per hour	\$13.14 per hour
233.	Telephone Supervisor	\$ 5.46 per hour	\$13.69 per hour
234.	Timekeeper	\$ 5.46 per hour	\$13.69 per hour
234a.	Traffic Engineer	\$ 9.50 per hour	\$22.34 per hour
235.	Traffic Sign and Marking Technician	\$12.83 per hour	\$13.69 per hour
236.	Typist	\$ 9.30 per hour	\$11.91 per hour
237.	Urban Planning and Development Technician	\$ 5.73 per hour	\$14.27 per hour
238.	Utility Adjuster	\$ 9.98 per hour	\$12.84 per hour
239.	Vector Control Assistant	\$ 8.90 per hour	\$11.43 per hour
240.	Veteran's Counselor	\$ 7.38 per hour	\$15.54 per hour
241.	Water Hydraulic Repairman	\$14.06 per hour	\$14.92 per hour
242.	Water Meter Repairman	\$14.06 per hour	\$14.92 per hour
243.	Water Pipe Repairman.....	\$12.73 per hour	\$14.92 per hour
244.	Water Serviceman	\$ 9.05 per hour	\$12.73 per hour
245.	Water System Construction Inspector	\$14.70 per hour	\$19.02 per hour

Section 2. That existing Section 8 of Ordinance No. 520-99, passed March 29, 1999, is hereby repealed.

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

Passed May 24, 1999.

Effective June 1, 1999.

COUNCIL COMMITTEE MEETINGS

Tuesday, June 1, 1999

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

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

Wednesday, June 2, 1999

Aviation and Transportation Committee: 10:00 A.M.—Present: West-

brook, Chairman; Sweeney, Vice Chairman; Cimperman, Dolan, Lewis, Patmon, White.

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

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
 Bold type in sections indicates amendments

AIDS

9th Annual Dr. John Carey Memorial AIDS Walk — issuance — Kropf Public Relations, Inc.
 (O 986-99) **1043**

Alcohol and Drug Addiction Services Board

To amend title and Section 1 of Ordinance No. 33-99, passed March 1, 1999, relating to
 a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for
 the 1999 Drug Prevention, Treatment and Intervention Program (O 581-99)..... 1023

Arcade, LLC

Authorizing the Director of Economic Development to enter into a Tax Increment Financing
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