

The City Record

Official Publication of the Council of the City of Cleveland



December the Third, Two Thousand and Three

Jane L. Campbell
Mayor

Frank G. Jackson
President of Council

Valarie J. McCall
City Clerk, Clerk of Council

Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	Joe Cimperman
14	Nelson Cintron, Jr.
15	Merle R. Gordon
16	Michael C. O'Malley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

Containing	PAGE
City Council	3
The Calendar	12
Board of Control	13
Civil Service	15
Board of Zoning Appeals	16
Board of Building Standards and Building Appeals	16
Public Notice	16
Public Hearings	17
City of Cleveland Bids	17
Adopted Resolutions and Ordinances	18
Committee Meetings	35
Index	36

PRESORTED STANDARD
U. S. POSTAGE PAID
CLEVELAND, OHIO
Permit No. 1372

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	774 East 131st Street	44108
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.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

MAYOR – Jane L. Campbell
Debra M. Janik, Chief of Staff
David M. McGuirk, Executive Assistant
Timothy Mueller, Executive Assistant
Craig Tame, Executive Assistant
Henry Guzman, Director, Office of Equal Opportunity
Margreat A. Jackson, Legislative Affairs Liaison
Erik Janas, Inter-Governmental Affairs Officer
Lorna Wisham, Chief Public Affairs Officer

DEPT. OF LAW – Subodh Chandra, Director, Galen L. Schuerlein, Acting Chief Counsel, Rm. 106
Karen E. Martinez, Law Librarian, Room 100

DEPT. OF FINANCE – Robert H. Baker, Director, Room 104;
Frank Badalamenti, Manager, Internal Audit
DIVISIONS: Accounts – Alan Schneider, Commissioner, Room 19
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
City Treasury – Algeron Walker, Treasurer, Room 115
Financial Reporting and Control – James Gentile, Controller, Room 18
Information Technology and Services – James S. Higgins, Commissioner, 1404 East 9th Street
Purchases and Supplies – Myrna Branche, Commissioner, Room 128
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

DEPT. OF PUBLIC UTILITIES – Michael G. Konicek, Director, 1201 Lakeside Avenue
DIVISIONS – 1201 Lakeside Avenue
Cleveland Public Power – James F. Majer, Commissioner
Street Lighting Bureau – _____, Acting Chief
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – Julius Ciaccia, Jr., Commissioner
Water Pollution Control – Darnell Brown, Commissioner

DEPT. OF PORT CONTROL – John C. Mok, Director
Cleveland Hopkins International Airport, 5300 Riverside Drive
Burke Lakefront Airport – Khalid Bahhur, Commissioner
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

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

DEPT. OF PUBLIC HEALTH – Matthew Carroll, Acting Director, Mural Building, 1925 St. Clair Ave.
DIVISIONS: Air Quality – Commissioner
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
Environment – Willie Bess, Acting Commissioner, Mural Building, 1925 St. Clair Ave.
Health – Dr. Wendy Johnson, Acting Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – James A. Draper, Director, Room 230
DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue
Police – Edward F. Lohm, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

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

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

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

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

DEPT. OF ECONOMIC DEVELOPMENT – Steven Sims, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

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

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

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

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members; Margreat Hopkins, Ozell Dobbins, Joan Shaver Washington, Christopher Carmody, Eugene Cranford, Jr., Secretary.

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

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

BOARD OF SIDEWALK APPEALS – Service Director Mark Ricchiuto; Law Director Subodh Chandra; Councilman Martin J. Sweeney.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Subodh Chandra; Utilities Director Michael G. Konicek; Council President Frank G. Jackson.

CITY PLANNING COMMISSION – Room 501 – Christopher S. Ronayne, Director; Anthony J. Coyne, Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.

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

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

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

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

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

BOARD OF EXAMINERS OF ELECTRICIANS – Samuel Montfort, Chairman; Donald Baulknigh, Anton J. Eichmuller, J. Gilbert Steele, Raymond Ossovicki, Chief Electrical Inspector; Laszlo V. Kemes, Secretary to the Board.

BOARD OF EXAMINERS OF PLUMBERS – Joseph Gyorik, Chairman; Earl S. Bumgarner, Alfred Fowler, Jozef Valencik, Lawrence Skule, Chief Plumbing Inspector; Laszlo V. Kemes, Secretary to the Board.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Paul Volpe, Chair; Ted Sande, Vice Chair; James Gibans, India Pierce Lee, Robert Madison, Randall B. Shorr, Chris Ronayne, N. Kurt Wiebusch, Council Member Joe Cimperman, Dwayne J. Simpson; Robert Keiser, Secretary.

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 90

WEDNESDAY, DECEMBER 3, 2003

No. 4695

CITY COUNCIL

MONDAY, DECEMBER 1, 2003

The City Record

Published weekly under authority
of the Charter of the
City of Cleveland
Subscription (by mail) \$75.00 a year
January 1 to December 31
Interim subscriptions prorated
\$6.25 per month
Address all communications to
VALARIE J. McCALL
City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2002-2005

MONDAY

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

MONDAY—Alternating

11:00 A.M. — **Public Service Committee:** Sweeney, Chairman; Jones, Vice Chairman; Brady, Cimperman, Johnson, O'Malley, Polensek, White, Zone.

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

MONDAY

2:00 P.M. — **Finance Committee:** Jackson, Chairman; Sweeney, Vice Chairman; Brady, Britt, Coats, Gordon, O'Malley, Reed, Scott, Westbrook, White.

TUESDAY

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

TUESDAY—Alternating

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

1:30 P.M. — **Legislation Committee:** White, Chairman; Scott, Vice Chairman; Dolan, Gordon, Johnson, Rybka, Westbrook.

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Committee:** Coats, Chairman; O'Malley, Vice Chairman; Brady, Cintron, Jones, Polensek, Sweeney, Westbrook, Zone.

1:30 P.M.—**City Planning Committee:** Cimperman, Chairman; Rybka, Vice Chairman; Conwell, Lewis, O'Malley, Scott, Westbrook.

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, December 1, 2003

The meeting of the Council was called to order, The President, Frank G. Jackson, in the Chair.

Council Members present: Brady, Britt, Cimperman, Coats, Conwell, Jackson, Johnson, Jones, Lewis, O'Malley, Polensek, Reed, Rybka, Sweeney, Westbrook, White and Zone.

Also present were Mayor Jane L. Campbell, Chief of Staff Debra M. Janik, and Directors Chandra, Konicek, Mok, Draper, N. Ronayne, Hudecek, Williams, Routen, Fumich, Taylor, Sims, C. Ronayne, Johnson and Guzman, Margreat Jackson, Legislative Affairs Liaison.

Pursuant to Ordinance No. 2926-76, prayer was offered by Missionary Denise Boyd, of Solomon's Temple Church of God in Christ, located at 17100 Miles Avenue, Cleveland, Ohio 44128 in Ward 1. Pledge of Allegiance.

MOTION

On the motion of Council Member Zone, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Britt.

FROM DEPARTMENT OF LIQUOR CONTROL

File No. 2413-03.

Re: New Application — 01007780445 — Aldi, Inc., d.b.a. Aldi #34, 10815 Kinsman Avenue. (Ward 3). Received.

File No. 2414-03.

Re: New Application — 01007780325 — Aldi, Inc., d.b.a. Aldi #4, 18325 Euclid Avenue, unit #3. (Ward 10). Received.

File No. 2415-03.

Re: New Application — 01007780410 — Aldi, Inc., d.b.a. Aldi #25, 3787 Pearl Road. (Ward 15). Received.

File No. 2416-03.

Re: Transfer of Ownership Application — 7679124 — Salamko, Inc., d.b.a. Denison Food Mart, 9410 Denison Avenue. (Ward 18). Received.

File No. 2417-03.

Re: Transfer of Ownership and Location Application — 2603140 — F. & S. Satka Enterprises, LLC, d.b.a. Titanic, 1350 West 3rd Street. (Ward 13). Received.

STATEMENT OF WORK ACCEPTED

File No. 2418-03.

From the Department of Parks, Recreation and Properties — Contract No. 59152, Kowalski Park Site Improvements. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 2419-03—Evangelist Essie Mae Daniels.

Res. No. 2420-03 — Mary Lillian Brown.

Res. No. 2421-03—Paul Scholz.

CONGRATULATION RESOLUTIONS

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

Res. No. 2422-03—Judge Ralph J. Perk, Jr.

Res. No. 2423-03 — Hopewell Missionary Baptist Church.

Res. No. 2424-03—Spc. Yolanda G. Elder.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 2395-03.**By Council Member Jackson (by departmental request).****An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums opposite the names of the claimants.**

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

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

Section 1. That the Director of Finance is authorized to pay as Moral Claims the sums opposite the names of the following claimants and charged against the fund numbers opposite the names of the claimants:

<u>Claimant</u>	<u>Claim No.</u>	<u>Amount</u>	<u>Division</u>	<u>Fund</u>
Helen and Mike Frederick	11659	\$ 574.00	Park Maintenance (Cemeteries)	62 SF 001
Grady Walker	11607	\$ 250.00	Park Maintenance	01-701205-672000
Dale P. Horn	11619	255.00	Park Maintenance	01-701205-672000
David Gabouky	11622	500.00	Park Maintenance	01-701205-672000
Shirley Dickson	11625	38.33	Park Maintenance	01-701205-672000
Shaoshen Dong	11628	369.95	Park Maintenance	01-701205-672000
Susan G. Khader	11652	426.60	Park Maintenance	01-701205-672000
Lawrence Doctor, Jr.	11688	500.00	Park Maintenance	01-701205-672000
Rhonda Savage	11703	250.00	Park Maintenance	01-701205-672000
Rachel Williams (Parent) Of Minor Child Devin Williams	11613	\$ 50.00	Parks and Recreation	01-700404-672000
Kathryn Troy	11599	\$ 250.00	Urban Forestry	01-701204-672000
Annie McCoy	11612	250.00	Urban Forestry	01-701204-672000
Henry Hall	11615	440.00	Urban Forestry	01-701204-672000
Barbara E. Avenmarg	11647	130.33	Urban Forestry	01-701204-672000
Judith A. Helkowski	11684	21.45	Urban Forestry	01-701204-672000
Peggy Fugate	11685	200.00	Urban Forestry	01-701204-672000
Crystal Ballard	11641	\$ 500.00	Fire	01-600302-672000
Bobby Hudson	11654	\$ 250.00	House of Corrections	01-500302-672000
Linh T. and Laura Do	11548	\$ 250.00	Police	01-600202-672000
David A. Kelley	11569	250.00	Police	01-600202-672000
Steven Porath	11577	250.00	Police	01-600202-672000
Gregory Dzurick	11591	250.00	Police	01-600202-672000
David Horton	11610	500.00	Police	01-600202-672000
Joseph M. Johnson	11694	100.00	Police	01-600202-672000
Mary Helen Cimko	11708	250.00	Police	01-600202-672000
Dwayne Davis	11709	706.00	Police	01-600202-672000
Elizabeth Daniels-Horton	11531	\$ 20.00	Streets	01-400609-672000
Denise Thomas	11581	\$ 20.00	Waste Collection	01-400303-672000
Rita Wilson	11584	9.00	Waste Collection	01-400303-672000
Marcia A. Perry	11589	14.99	Waste Collection	01-400303-672000
Julius Williams	11629	150.00	Waste Collection	01-400303-672000
Veta Taylor	11637	30.00	Waste Collection	01-400303-672000
Nelson Santos	11645	30.00	Waste Collection	01-400303-672000
Denise Rivera	11678	500.00	Waste Collection	01-400303-672000
Suzanne Kennedy	11689	25.00	Waste Collection	01-400303-672000
Wayman Lanier	11699	20.00	Waste Collection	01-400303-672000
Loyd Brown	11712	250.00	Waste Collection	01-400303-672000
Rosemary Roberts	11265	\$ 150.00	WPC	54 SF 001
United Properties	11492	540.00	WPC	54 SF 001
Noel Murray	11571	2,000.00	WPC	54 SF 001
James Perzel	11574	189.95	WPC	54 SF 001
Marlene Chinesleski	11576	800.00	WPC	54 SF 001
Barbara and Martin Yanik	11585	195.00	WPC	54 SF 001
Ernest Pickett	11608	275.00	WPC	54 SF 001
Robert McCann	11640	2,000.00	WPC	54 SF 001
Edward A. Morton	11643	195.00	WPC	54 SF 001
Maria Sillitoe	11648	619.00	WPC	54 SF 001
Paul Phillips	11655	2,000.00	WPC	54 SF 001
Barthelmas Brand	11660	625.00	WPC	54 SF 001
Dominic J. LaCavera	11679	267.08	WPC	54 SF 001
Carolyn Brown	11680	500.00	WPC	54 SF 001
Rowena Taylor	11690	975.00	WPC	54 SF 001
Donald J. Kolecky, Sr.	11704	2,000.00	WPC	54 SF 001
Fred Manson	11711	1,770.00	WPC	54 SF 001
Emanuel Leaks	11718	2,000.00	WPC	54 SF 001

Section 2. That the authority of the Director of Finance to pay the amounts in this ordinance is conditioned on a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance.**Section 3.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 2396-03.

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

An emergency ordinance authorizing the Director of Public Health to enter into one or more contracts with the Northeast Ohio African American Health Network to provide HIV-prevention education to HIV-positive populations in the City of Cleveland.

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

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

Section 1. That the Director of Public Health is authorized to enter into one or more contracts with the Northeast Ohio African American Health Network to provide HIV-prevention education to HIV-positive populations in the City of Cleveland.

Section 2. That the contract or contracts shall not exceed \$22,400 and shall be paid from Fund No. 01-500501-638000, Request No. 121978.

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

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

Ord. No. 2397-03.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from Kaiser Permanente of Ohio for the Worksite Wellness, Steps to a Healthier Cleveland Program; and to enter into one or more agreements with various agencies to implement the program.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$40,000 and any other funds that may become available during the grant term, from Kaiser Permanente of Ohio to conduct the Worksite Wellness, Steps to a Healthier Cleveland Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 2397-03-A, made a part of this ordinance as if fully rewritten, is approved in all respects.

Section 3. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Health is authorized to enter into one or more contracts with various entities necessary to implement

the program as described in the file. The cost of the contracts shall be paid from the fund or funds which are credited the proceeds of the grant accepted under this ordinance.

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

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

Ord. No. 2398-03.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from Ohio Department of Health for the Women's Health Services Program; authorizing the director to charge and accept fees for this program; and to enter into one or more 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 Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$150,000 and any other funds that may become available during the grant term, from Ohio Department of Health to conduct the Women's Health Services Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 2398-03-A, made a part of this ordinance as if fully rewritten, is approved in all respects.

Section 3. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Health is authorized to enter into one or more contracts with the following entities necessary to implement the program as described in the file: the Cuyahoga County Board of Health, the Federation for Community Planning, Case Western Reserve University, MetroHealth Medical Center, and other safety-net health providers, including but not limited to, the Federally Qualified Health Center, and the Northeast Ohio Neighborhood Services, Inc.

Section 5. That the Director of Public Health is authorized to charge and accept fees from participants of this program and to deposit those fees into a revolving fund which will be used to purchase materials and supplies necessary to implement the program described in the file, and the funds are appropriated for that purpose.

Section 6. That the Director of Public Health is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland,

Ohio, 1976, for the requirements for the period of the grant term of the necessary items of equipment and supplies necessary to implement the program as described in the file, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the grant term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire grant term.

Section 7. That the costs of the contract or contracts shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance, the revolving fund identified in Section 5 of this ordinance, and shall also be charged against the proper appropriation accounts. The Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

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

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

Ord. No. 2399-03.

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

An emergency ordinance authorizing the Director of Public Health to lease space at the Mural Building, located at 1925 St. Clair Avenue, and associated parking lots, from Mural Properties Company, or its designee, for the purpose of providing office and administrative space for the Department of Public Health, for a period up to two years.

Whereas, the City of Cleveland requires certain space located in the Mural Building, 1925 St. Clair Avenue, and associated parking lots, for the public purpose of providing office and administrative space for the Department of Public Health; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Health is authorized to lease from Mural Properties Company, or its designee, approximately 26,000 square feet of space located on two stories and in the basement of the Mural

Building, 1925 St. Clair, and two (2) surrounding parking lots.

Section 2. That the term of the lease shall be for a period up to two years, commencing January 1, 2004, cancelable on thirty days written notice by the Director of Public Health.

Section 3. That in consideration for the leasing of the premises described above by Lessor, Lessee covenants and agrees to pay to Lessor as rent for the premises during the period of this lease the sum of \$18,200 per month, due and payable on the first day of each month.

Section 4. That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the public purpose of providing office and administrative space to the Department of Public Health.

Section 5. That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

Section 6. That the costs of the lease shall be paid from the fund or funds appropriated for this purpose, Request No. 143220.

Section 7. That the lease shall be prepared by the Director of Law and shall contain terms and conditions that the Director of Law deems necessary to protect and benefit the public interest.

Section 8. That the Director of Public Health, the Director of Law, and other appropriate City officials, are authorized to execute other documents and certificates, and take other actions necessary or appropriate to effect the lease authorized by this ordinance.

Section 9. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 2400-03.

By Council Member Jackson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 70th Street to Burten, Bell, Carr Development, Inc.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-28-032, as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 118-28-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 39 feet of Sublot No. 235 in W.S. Chamberlain's Allotment of part of Original One Hundred Acre Lot No. 334, as shown by the recorded plat of said Allotment in Volume 6 of Maps, Page 14 of Cuyahoga County Records. Said part of Sublot No. 235 has a frontage of 39 feet on the Westerly side of East 59th Street (formerly First Avenue) and extends back between parallel lines 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

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

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

Ord. No. 2401-03.

By Council Members Gordon and Jackson (by departmental request).

An emergency ordinance authorizing the purchase by one or more contracts of computer hardware, appurtenances, and furniture, for the Department of Community Development.

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

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

Section 1. That the Director of Community Development is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: computer hardware, appurtenances, and furniture, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for Department of Community Development.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund Nos. 11 SF 006 and 14 SF 029, and shall be awarded no later than December 31, 2004. (Request No. 125749)

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

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

Ord. No. 2402-03.

By Council Members Gordon and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to employ one or more professional consultants to design a software upgrade for Phase 3 of the HUD data geocoding project.

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

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

Section 1. That the Director of Community Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design a software upgrade for Phase 3 of the HUD data geocoding project.

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

Section 2. That the cost of the contract or contracts shall be paid from Fund Nos. 11 SF 006 and 14 SF 029, Request No. 125749.

Section 3. That this ordinance is declared to be an emergency mea-

sure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 2403-03.

By Council Members Gordon and Jackson (by departmental request).

An emergency ordinance authorizing the Directors of Community Development and Consumer Affairs to amend Contract No. 60422 with Housing Advocates, Inc. to provide additional anti-predatory counseling services to City residents.

Whereas, under Ordinance No. 1576-02, passed August 14, 2002, the Directors of Community Development and Consumer Affairs entered into Contract No. 60422 with Housing Advocates, Inc. to provide anti-predatory counseling services to City residents; and

Whereas, additional services are desired; 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 Directors of Community Development and Consumer Affairs are authorized to amend Contract No. 60422 with Housing Advocates, Inc. to provide additional anti-predatory counseling services to City residents and to increase the amount of the contract by \$50,000. The increase shall be paid from Fund No. 14 SF 029, Request No. 125753.

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

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

Ord. No. 2404-03.

By Council Members Gordon, White and Jackson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Oh, 1976, by enacting new Sections 3116.01, 3116.02, 3116.03, 3116.04, 3116.05, 3116.06, 3116.07, 3116.08, 3116.09, 3116.10, 3116.11, and 3116.12 relating to construction and post-construction site runoff control to municipal separate storm sewer system.

Whereas, storm water runoff from lands modified by human activities can harm surface water and, in turn, cause or contribute to an exceedance of water quality standards by changing natural hydrologic patterns, accelerating natural stream flows, destroying aquatic habitat, and elevating pollutant concentrations and loadings; and

Whereas, runoff may contain high levels of contaminants, such as sediment, suspended solids, nutrients, heavy metals, pathogens, toxins, oxygen-demanding substances, and floatables; and

Whereas, if unregulated, storm water runoff carries these pollutants into nearby streams, rivers, lakes, estuaries, and wetlands; and

Whereas, individually and combined, these pollutants impair water quality, threatening designated beneficial uses and causing habitat alteration and destruction; and

Whereas, through rules adopted under the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq.) and the Ohio Water Pollution Control Act (Ohio Revised Code Chapter 6111), the United States Environmental Protection Agency and the Ohio Environmental Protection Agency have mandated that the City adopt ordinances controlling runoff from construction activities; and,

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Sections 3116.01, 3116.02, 3116.03, 3116.04, 3116.05, 3116.06, 3116.07, 3116.08, 3116.09, 3116.10, 3116.11, and 3116.12 to read as follows:

**CHAPTER 3116
Construction and
Post-Construction Site Runoff
Control to Municipal Separate
Storm Sewer System**

Section 3116.01 Definitions

The definitions contained in Ohio Environmental Protection Agency General Permit Number "OHC000002", entitled "Authorization For Storm Water Discharges Associated With Construction Activity Under the National Pollutant Discharge Elimination System" in effect at the time a permit is applied for under this Chapter, shall apply to this Chapter, except for the following:

(a) "Applicant" means any person requesting the issuance of a construction runoff control permit for land-disturbing activity.

(b) "Director" means the Director of Building and Housing or his designee.

(c) "Land-disturbing activity" means any land change, including but not limited to clearing, grading, excavating, transporting, and filling of land, which may result in soil erosion from water or wind and the movement of sediments into the waters or onto adjacent properties.

(d) "Person" means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, or any other legal entity.

Section 3116.02 General Provisions

(a) *Lands to Which This Chapter Applies.* This chapter shall apply to all areas drained by the City of Cleveland's municipal separate storm sewer system. These areas have been identified in Appendix H of the City of Cleveland's Storm Water Management Program, dated

March 2003, which was developed as a requirement for coverage under the Ohio Environmental Protection Agency General Permit Number "OHC000001", entitled "Authorization For Small Municipal Separate Storm Water Systems to Discharge Storm Water Under the National Pollutant Discharge Elimination System" in effect at the time a permit is applied for under this Chapter. This program, with accompanying appendices, and any revisions, is adopted by reference and declared to be a part of this Chapter. The program is on file with the City of Cleveland Public Administration Library, 601 Lakeside Ave., Cleveland, Ohio 44114.

(b) *Conflict with Other Regulations.* This chapter is intended to be supplemental to any city regulation, or policy governing the development of land, the removal of soil or other land-disturbing activity. The most restrictive standards imposed by any city ordinance, regulation, or policy shall apply.

Section 3116.03 Permit Required

It shall be unlawful for any person to undertake any land-disturbing activity without first obtaining a permit from the Director.

Section 3116.04 Permit Application; Fee

(a) The Director may charge a permit application fee as established from time to time by the Board of Control.

(b) Any person desiring a permit required by this chapter shall file an application with the Director. The application shall consist of:

(1) Proof of the payment of the permit application fee;

(2) Two (2) or more copies of the storm water pollution prevention plan; and

(3) Two (2) copies of a completed Notice of Intent, both prepared under the Ohio Environmental Protection Agency General Permit Number "OHC000002", entitled "Authorization For Storm Water Discharges Associated With Construction Activity Under the National Pollutant Discharge Elimination System", in effect at the time a permit is applied for under this Chapter.

Section 3116.05 Approval or Disapproval of Storm Water Pollution Prevention Plan

(a) The Director shall review storm water pollution prevention plans submitted to him and grant written approval without unreasonable or unnecessary delay if he determines that the plan meets the requirements prescribed in this chapter.

(b) When a plan is determined to be inadequate, written notice of disapproval stating the specific reasons for disapproval shall be communicated to the applicant. The notice shall specify the modifications, terms and conditions that are necessary for approval of the plan.

Section 3116.06 Issuance and Term of Permit; Appeal

(a) The Director shall issue a permit certifying approval of the land-disturbing activity upon:

(1) Approval of the storm water pollution prevention plan;

(2) Submission of proof that the applicant has received approval from the Director of the Ohio Envi-

ronmental Protection Agency for coverage as required by the Ohio Environmental Protection Agency NPDES General Permit OHC00002 in effect at the time a permit is applied for under this Chapter; and

(3) The applicant's compliance with the bond and insurance requirements of Section 3107.16 of these codified ordinances.

(b) Any denial of a permit under the provisions of this Chapter may be appealed to the Board of Building Standards and Building Appeals as provided in the Charter and in Section 3103.20.

Section 3116.07 Periodic Inspections of Land-disturbing Activities

The Director may make periodic inspections of land-disturbing activities to ensure compliance with the approved storm water pollution prevention plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation resulting from the land-disturbing activity. The right of inspection shall be inherent in the issuance of the permit under this chapter.

Section 3116.08 Amendment of Approved Plan

A storm water pollution prevention plan approved under this Chapter may be amended by the Director for the following cases:

(a) Where inspection has revealed that the plan is inadequate to satisfy applicable regulatory provisions; or

(b) Where the person responsible for carrying out the approved plan finds that because of changed circumstances or for other reasons the approved plan cannot be effectively carried out, if the person proposes amendments to the plan consistent with the requirements of this chapter, and the Director approves the amendments in writing.

Section 3116.09 Final Inspection and Certificate of Completion of Land-disturbing Activities

(a) Within forty five (45) days of completing all permitted land-disturbing activity, the permittee shall notify the Ohio Environmental Protection Agency and Director by submitting a Notice of Termination on the form provided by the Ohio Environmental Protection Agency. The Director shall make a final inspection of the project. On finding satisfactory evidence of compliance with the approved storm water pollution prevention plan and the achievement of adequate stabilization, the commission shall issue a certificate of completion. "Adequate stabilization" of the site shall be determined by the Director.

(b) The permittee, or any person identified in an approved storm water pollution prevention plan as responsible from the continuing obligations for the maintenance of post-construction best management practices, shall not be relieved of those continuing obligations by the issuance of a certificate of completion.

Section 3116.10 Periodic and Final Inspection Fees

The Director is authorized to charge fees at the time of a periodic or final inspection according to an inspection fee schedule fixed from time to time by the Board of Control.

Section 3116.11 Waivers

The Director may waive or modify any of the regulations that are deemed inappropriate or too restrictive on the applicant's proof of compliance with the waiver conditions contained in the Ohio Environmental Protection Agency General Permit Number "OHC000002", entitled "Authorization For Storm Water Discharges Associated With Construction Activity Under the National Pollutant Discharge Elimination System" in effect at the time a permit is applied for under this Chapter.

Section 3116.12 Severability

If any portion of this chapter, or any section or part of a section shall be declared by a court of competent jurisdiction to be invalid, the declaration shall be limited solely to that portion, section, or part of a section that was directly involved in the controversy before the court on which judgment was rendered and shall not affect or impair the validity of the remainder of the chapter.

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

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

Ord. No. 2405-03.

By Council Members Cimperman, Gordon and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into contract with Loftworks, LLC to provide economic development assistance to partially finance the interior renovation of a live/work building located at 1667 East 40th Street, and all other associated costs to redevelop the property located in 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 authorized to enter into contract with Loftworks, LLC to provide economic development assistance to partially finance the interior renovation of a live/work building located at 1667 East 40th Street, and all other associated costs to redevelop the property located in Cleveland, Ohio.

Section 2. That the terms of the loan shall be according to the terms set forth in the Summary contained in File No. 2405-03-A.

Section 3. That the costs of the contract shall not exceed One Hundred Thousand Dollars (\$100,000), and shall be paid from Fund No. 17 SF 008, which funds are appropriated for this purpose, Request No. 103605.

Section 4. That the Director of Economic Development is authorized to accept the collateral as set forth in the file referenced above in

order to secure repayment of the loan. Any security instrument shall be prepared and approved by the Director of Law.

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

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

Section 7. That the Director of Law is authorized to prepare the contract and other documents that are appropriate to complete the transaction.

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

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

Ord. No. 2406-03.

By Council Members Gordon and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into one or more contracts with Deloitte & Touche LLP to provide continuing services relating to the Empowerment Zone's review and analysis.

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

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

Section 1. That the Director of Economic Development is authorized to enter into one or more contracts with Deloitte & Touche LLP for professional services necessary to provide continuing services relating to the Empowerment Zone's review and analysis, including but not limited to data integrity, contract review and compliance, risk mitigation, and financial model training, on the basis of its proposal dated September 5, 2003, in the total sum of \$80,000, for the Department of Economic Development. The contracts or contracts shall be paid from Fund No. 18 SF 008, Request No. 123538.

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

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

FIRST READING ORDINANCE REFERRED

Ord. No. 2407-03.

By Council Member Coats.

An ordinance to change the zoning of properties south of the Norfolk and Western Rail Right of Way between Octavia Road and Clarkstone Road from a General Industry Use District, a Semi-Industry Use District, and a Multi-Family Residential Use District to a Residence-Industry Use District, and from a "3" Height District to a "2" Height District (Map Change No. 2103, Sheet No. 7)

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

Section 1. That the Use and Height Districts of lands described as follows:

Beginning on the Centerline of the Norfolk and Western Rail Road Right-of-Way (66 feet wide) at its Intersection with the Northerly prolongation of the Centerline of Octavia Road (40 feet wide);

Thence Northeasterly along said Centerline of said Norfolk and Western Rail Road Right-of-Way to its Intersection with the Northwesterly prolongation of the Centerline of Clarkstone Road (38 feet wide);

Thence Southeasterly along said Northwesterly prolongation and the Centerline of said Clarkstone Road to its Intersection with the Northeasterly prolongation of the Southeasterly line of Sublot No. 13 of the Clara E. Hamby Allotment, recorded in Volume 27, Page 11 of the Cuyahoga County Records;

Thence Southwesterly along said Northeasterly prolongation and Southeasterly line of said Sublot No. 13 to its Intersection with the Northeasterly line of Sublot No. 35 of the Kennedy Subdivision, recorded in Volume 40, Page 26 of the Cuyahoga County Records;

Thence Southeasterly along said Northeasterly line of said Sublot No. 35 and the Northeasterly line of Sublot No. 36 of said Kennedy Subdivision to the Southeasterly corner of said Sublot No. 36;

Thence Southwesterly along the Southeasterly line of said Sublot No. 36 and its Southwesterly prolongation to its Intersection with the Centerline of Urbana Road (46 feet wide);

Thence Southeasterly along said Centerline of Urbana Road to its Intersection with the Northeasterly prolongation of the Southeasterly line of Sublot No. 12 of the William H. Price, William H. Kennedy and Martha B. Kennedy Subdivision, recorded in Volume 34, Page 14 of the Cuyahoga County Records;

Thence Southwesterly along said Northeasterly prolongation and Southeasterly line of said Sublot No. 12 to its Intersection with the Northeasterly line of a parcel of land conveyed to B & P Spring Production Company, by Instrument dated October 23, 1985, A.F.N. V85559570005, and also known as P.P.N. 117-02-032;

Thence Southeasterly along said Northeasterly line of said parcel to the Southeasterly corner therein;

Thence Southwesterly along the Southeasterly line of said parcel to the Southwesterly corner therein;

Thence Northwesterly along the Southwesterly line of said parcel and the Southwesterly line of a parcel of land conveyed to Urbana, Inc. by Instrument dated November 8, 1991, recorded in Volume 17315, Page 18, and also known as P.P.N. 117-02-066 to its Intersection with the Northwesterly line of Sublot No. 18 of the Peerless Realty Company Subdivision, recorded in Volume 35, Page 2 of the Cuyahoga County Records;

Thence Southwesterly along the Northwesterly line of said Sublot No. 18 to its Intersection with the Easterly line of Original Euclid Township Lot. No. 43;

Thence Southerly along said Easterly line of O.L. No. 43 to the Southeasterly corner of a parcel of land conveyed to GLS Capital Cuyahoga Incorporated by Instrument dated November 14, 2000, A.F.N. 20001114, and also known as P.P.N. 117-02-064;

Thence Westerly along the Southerly line of said parcel and its Westerly prolongation to the Centerline of Octavia Road, aforesaid;

Thence Northerly along said Centerline of Octavia Road to the place of beginning, and as outlined and shaded on the attached map is changed to a Residence-Industry Use District and a "2" Height District.

Section 2. That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2103, Sheet No. 7, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Proposed rezoning of properties south of the Norfolk & Western Rail Right-of-Way between Octavia Road and Clarkstone Road from a General Industry Use District, a Semi-Industry Use District, and a Multi-Family Residential Use District to a Residence-Industry Use District, and from a "3" Height District to a "2" Height District (Map Change No. 2103, Sheet No. 7)



Referred to Directors of City Planning Commission, Law; Committee on City Planning.

**FIRST READING EMERGENCY
ORDINANCE READ IN FULL
AND PASSED**

Ord. No. 2408-03.

By Council Members Coats and Jackson (by departmental request).

An emergency ordinance to amend the title, and Sections 1, 2, and 3 of Ordinance No. 1521-02, passed October 14, 2002, relating to inspecting and assessing cycle E water tanks.

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

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

Section 1. That the title, and Sections 1, 2, and 3 of Ordinance No. 1521-02, passed October 14, 2002, are amended to read as follows:

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to inspect and assess cycle E water tanks.

Section 1. That the Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to inspect and assess cycle E water tanks.

Section 2. The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Utilities from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 3. That the cost of the contract or contracts authorized shall be paid from Fund Nos. 52 SF 001, 52 SF 223, 52 SF 225, 52 SF 227, and from the fund and subfunds to which are credited the proceeds of the sale of future waterworks revenue bonds which are authorized for this purpose, Request No. 132944.

Section 2. That the existing title, and Sections 1, 2, and 3 of Ordinance No. 1521-02, passed October 14, 2002, are repealed.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**FIRST READING EMERGENCY
RESOLUTIONS READ IN FULL
AND ADOPTED**

Res. No. 2409-03.

By Council Members Coats, Pierce Scott, Zone, Westbrook, Lewis, Cimperman, Sweeney, Conwell, Britt, White, Brady and Jones.

An emergency resolution requesting Cleveland Public Power to immediately issue a moratorium on all electric disconnections until April 15, 2004 and urging The Illuminating Company and Dominion East Ohio Gas to adopt a moratorium on all electric and gas disconnections for its customers this winter.

Whereas, temperatures have begun to fall as Cleveland residents brace for another bitterly cold winter; and

Whereas, many residents have been fighting a weak economy and rising energy costs, while struggling to pay their utility bills; and

Whereas, some families are forced to choose between paying their utility bills, buying food for their families, or seeking medical help; and

Whereas, no resident, especially our children and seniors, should face this winter without heat or light; and

Whereas, utility companies serving Cleveland residents should place the health, safety, and welfare of their customers above their bottom-line during our coldest months of the year; and

Whereas, this Council requests that any residents who have had their utilities disconnected on or after November 15, 2003 be allowed to reconnect their service at no cost; and any residents whose utilities were disconnected on November 1, 2003 and up to November 15, 2003 be able to reconnect their service for a minimal fee; and

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

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

Section 1. That this Council requests Cleveland Public Power to immediately issue a moratorium on all electric disconnections until April 15, 2004 and urges The Illuminating Company and Dominion East Ohio Gas to adopt a moratorium on all electric and gas disconnections for its customers this winter.

Section 2. The Clerk is directed to transmit copies to the Director of Public Utilities, the Director of Cleveland Public Power, the Commissioners for the Public Utilities Commission of Ohio, and representatives from the Illuminating Company and Dominion East Ohio Gas.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 2410-03.

By Council Member Polensek.

An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 18414-16 St. Clair Avenue and repealing Resolution No. 1335-03, objecting to said renewal.

Whereas, this Council objected to a D5 Liquor Permit to 18414-16 St. Clair Avenue by Resolution No. 1335-03 adopted by the Council on July 16, 2003; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon and pursuant to a cooperation agreement signed November 20, 2003 by and through City Council Representative, Michael D. Polensek and Applicant, Jennifer L. Hudy, President of Romito Enterprises, Inc., 18414-16 St. Clair Avenue, Cleveland, Ohio 44110, Permanent Number 7501515, a copy of which is in the file for this address with the City Law Department and

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

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

Section 1. That objection to a D5 Liquor Permit to Romito Enterprises, Inc., 18414-16 St. Clair Avenue, Cleveland, Ohio 44110, Permanent Number 7501515 be and the same is hereby withdrawn and Resolution No. 1335-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 2411-03.

By Council Member White.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 11334 Miles Avenue and repealing Resolution No. 1565-03, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 11334 Miles Avenue by Resolution No. 1565-03 adopted by the Council on August 13, 2003; and

Whereas, this Council wishes to withdraw its objection to the above transfer and consents to said transfer based upon and pursuant to a cooperation agreement by and

through City Council Representative, Robert J. White and Applicant, Shaban A. Moamar, President of Ahmed Mini Market, Inc., DBA Ahmed Mini Market, 11334 Miles Avenue, Cleveland, Ohio 44105, Permanent Number 0079613, a copy of which is in the file for this address with the City Law Department; and

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

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

Section 1. That objection to the transfer of a C2 and C2X Liquor Permit to 11334 Miles Avenue be and the same is hereby withdrawn and Resolution No. 1565-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 2412-03.

By Council Members O'Malley, Gordon, Jackson, Rybka, Brady, Britt, Cimperman, Cintron, Coats, Conwell, Dolan, Johnson, Jones, Lewis, Pierce Scott, Polensek, Reed, Sweeney, Westbrook, White and Zone.

An emergency resolution urging the Campbell administration to investigate the rash of private hospitals closing in this city, to investigate possible violations by such hospitals of Chapter 686 of the Codified Ordinances of the City of Cleveland, and to investigate possible antitrust violations by University Hospitals Health Systems and the Cleveland Clinic Foundation.

Whereas, in September, 2003, St. Michael's Hospital announced it would stop providing medical services on December 19, 2003; and

Whereas, this imminent closure will effect thousands of City residents, including those most in need of health care services; and

Whereas, in recent years, the city of Cleveland has been affected by the closure of St. Luke Hospital and Mt. Sinai Hospital; and

Whereas, on Friday, November 28, 2003, Deaconess Hospital suddenly transferred its patients and closed its doors, in apparent violation of Chapter 686 of the Codified Ordinances of the City of Cleveland; and

Whereas, Chapter 686 of the Codified Ordinances of the City requires a 90 day notice to the City prior to any reductions in or significant operational changes to hospital facilities or services; and

Whereas, the sudden and unannounced closing of Deaconess Hospital is just the latest consequence of an ineffective health care system and yet another indication of the failure of our health care system to meet the needs of the residents of our city, including the uninsured and the underinsured; and

Whereas, it is apparent that the two major hospital systems in this city, University Hospitals Health System and The Cleveland Clinic Foundation, monopolize the provision of health care services in Cleveland to the detriment of community based hospitals and the people they serve; and

Whereas, it is incumbent upon the Campbell administration to investigate these actions to ensure that residents of the city continue to receive adequate health care services; and

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

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

Section 1. That this Council hereby urges the Campbell administration to investigate the rash of private hospitals closing in this city, to investigate possible violations by such hospitals of Chapter 686 of the Codified Ordinances of the City of Cleveland, and to investigate possible antitrust violations by University Hospitals Health System and the Cleveland Clinic Foundation.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Dr. George Saad, CEO, Deaconess Hospital, Floyd Loop, CEO, Cleveland Clinic, Thomas Zenty, University Hospitals Health System.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 908-03.

By Council Member Conwell. An emergency ordinance to create a Mayor's Task Force on Responsible Fatherhood.

Approved by Directors of Public Health, Personnel and Human Resources, Public Safety, Finance, Law; Passage recommended by Committees on Health and Human Services, Employment, Affirmative Action and Training, Legislation, Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 1712-03.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Hecker Avenue to Billy Stuart.

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 1809-03.

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

An emergency ordinance to amend Section 343.23 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1020-01, passed July 18, 2001, relating to pedestrian retail overlay (PRO) district.

Approved by Directors of City Planning Commission, Finance, Law; Passage recommended by Committees on City Planning, Legislation, Finance; when amended as follows:

1. In Section 1, at amended Section 343.23(j), second line from the end, after "Commission," insert "or".

Amendment agreed to.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

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

Ord. No. 1931-03.

By Council Members Gordon and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a special projects grant from the U.S. Department of Housing and Urban Development to be used for economic development planning in matters relating to brownfields.

Approved by Directors of Economic Development, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 1934-03.

By Council Member Cintron.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on West 20th Street to Klein-Barrabas LLC.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 1935-03.

By Council Member Reed.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program

and located on Union Avenue to Robert Kirkman.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 2043-03.

By Council Members Johnson and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Education for the 2004 Summer Food Program; authorizing the purchase by requirement contract of breakfasts, lunches and snacks for the Program and for food, food products, beverages, condiments and paper products needed for a food service operation to be served at Camp George L. Forbes, and for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing the Director to contract with various non-profit organizations for the implementation of the Program.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Passage recommended by Committees on Public Parks, Property and Recreation, Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 2044-03.

By Council Member Conwell.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Phillips Avenue to Gary Warner and Gilliam Robinson-Warner.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. Insert new Section 6 to read as follows:

"Section 6. That the agreement or agreements shall provide for review by the City Planning Commission and the Design Review Committee of any plans for the development of the property."

2. Renumber existing Section 6 to new "Section 7."

Amendments agreed to.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

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

Ord. No. 2091-03.

By Council Members Johnson, White and Jackson (by departmental request).

An emergency ordinance approving the schedule of prices for all the various parts and sections of the West Side Market, according to Section 133.16 of the Codified Ordinances of Cleveland, Ohio, 1976.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Passage recommended by Committees on Public Parks, Property and Recreation, Legislation, Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 2148-03.

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

An emergency ordinance to authorize the Director of Public Health and Welfare to exercise an option to renew Contract No. 53628 with the U.S. Department of Veterans Affairs to provide medical services at the McCafferty Health Center, for the Department of Public Health and Welfare.

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 2149-03.

By Council Members Britt and Jackson (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 2004 Federal AIDS Prevention Program; and to enter into contract with various agencies to implement the program.

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 2154-03.

By Council Member Britt.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 116th Street to E. and A. Northeast Limited Partnership.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In the title, lines 4 and 5, and in Section 1, line 3, strike "E. and A. Northeast Limited Partnership" and insert "**Buckeye E and A Limited Liability Corporation**".

Amendment agreed to.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

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

Ord. No. 2160-03.

By Council Members Reed, Gordon, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase property for future redevelopment at 3277

East 126th Street for the Department of Community Development; and authorizing the Commissioner of Purchases and Supplies to convey the property to Mt. Pleasant Now Development Corporation, or its designee.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, City Planning, Finance; when amended as follows:

1. In Section 3, lines 1 and 2, strike "not exceed fair market value" and insert "**be one dollar (\$1.00) and other valuable considerations**".

2. In Section 7, lines 3 and 4, strike "fair market value" and insert "**one dollar (\$1.00)**".

Amendments agreed to.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

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

Ord. No. 2162-03.

By Council Members Gordon and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Cleveland Neighborhood Development Coalition to provide economic development assistance to partially finance the administration of the Cleveland Industrial Retention Initiative during fiscal year 2003-2004.

Approved by Directors of Economic Development, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

MOTION

By Council Member Zone seconded by Council Member Britt and unanimously carried that the absence of Council Members Nelson Cintron, Jr., Michael A. Dolan, Merle R. Gordon and Sabra Pierce Scott, be and is hereby authorized.

MOTION

The Council Meeting adjourned at 9:10 p.m. to meet on Monday, December 15, 2003, at 7:00 p.m. in the Council Chambers.



Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

November 26, 2003

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, November 26, 2003, at 10:30 a.m. with Acting Mayor Subodh Chandra presiding.

Present: Acting Mayor Chandra, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Acting Director Brown, Directors Sims and Fumich.

Absent: Directors Taylor and Williams.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Henry Guzman, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted:

Resolution No. 710-03.

By Directors Baker and Mok.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Section 139.03 of the Codified Ordinances of the City of Cleveland, Ohio 1976, Gallagher Pipino, Inc. ("Consultant"), is selected upon the nomination of the Director of Finance from a list of qualified persons or firms determined after a full and complete canvass by the Director of Finance as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to provide comprehensive airport general liability insurance for the Department of Port Control in support of Cleveland Hopkins International and Burke Lakefront Airports and to advise the Directors of Finance and Port Control on any risk management issues that may arise relating to the insurance to be provided.

Be it further resolved that the Director of Finance is authorized to enter into a written contract with Gallagher Pipino, Inc. based upon its proposal dated August 22, 2003, provided that the compensation to Gallagher Pipino, Inc. for the services authorized shall not exceed Twenty-five Thousand and 00/100 Dollars (\$25,000.00), for the professional services described above, which contract shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultant by Gallagher Pipino, Inc. is approved:

<u>Subconsultant</u>	<u>Percentage Amount</u>
Washington Insurance Agency	30% MBE \$7,500.00

Yeas: Acting Mayor Chandra, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne,

Hudecek, Acting Director Brown, Directors Sims and Fumich.

Nays: None.
Absent: Directors Taylor and Williams.

Resolution No. 711-03.

By Director Baker.

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1208-03, passed by the Council of the City of Cleveland on August 20, 2003, Sympro, Inc., is selected from a list of firms, determined after a full and complete canvass by the Director of Finance, as the firm to be employed by contract to provide a citywide government treasury management system, including licensing, implementation, training, and technical support services for two (2) years with (3) options, exercisable by the Director of Finance, to renew for additional consecutive one-year terms, and cancelable on thirty days' written notice by the Director, for the Division of Treasury, Department of Finance.

Be it further resolved that the Director of Finance is requested to enter into a contract with Sympro, Inc., based upon its proposal dated August 27, 2003, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as contained in the proposal for a fee not to exceed \$70,180, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Acting Mayor Chandra, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Acting Director Brown, Directors Sims and Fumich.

Nays: None.
Absent: Directors Taylor and Williams.

Resolution No. 712-03.

By Acting Director Brown.

Resolved by the Board of Control of the City of Cleveland that the bid of Blue Technologies, Inc. for the following: Multifunctional Engineering Drawing Copier/Scanner/Printer, all items for the Division of Water Pollution Control, Department of Public Utilities, received on the 8th day of October 2003, pursuant to the authority of Ordinance No. 800-03, passed June 2, 2003, which on the basis of the order quantity would amount to \$39,500.00 (Net), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Acting Mayor Chandra, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Acting Director Brown, Directors Sims and Fumich.

Nays: None.
Absent: Directors Taylor and Williams.

Resolution No. 713-03.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Ken's Landscaping &

Snowplowing Service for an estimated quantity of labor and materials necessary to provide snow removal services at various locations, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 31st day of October 2003, pursuant to the authority of Ordinance No. 1152-03, passed July 16, 2003 on the basis of the estimated quantity would amount to Sixty Five Thousand and no/100 Dollars (\$65,000.00) (0% Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 131242

which shall be certified against such contract in the sum of Twenty Five Thousand Dollars (\$25,000.00).

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

Yeas: Acting Mayor Chandra, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Acting Director Brown, Directors Sims and Fumich.

Nays: None.
Absent: Directors Taylor and Williams.

Resolution No. 714-03.

By Director Mok.

Whereas, under Ordinance No. 624-01, passed by the City of Cleveland Council on July 18, 2001, and Board of Control Resolution No. 306-02, adopted May 22, 2002, the City, through its Director of Port Control, was authorized to enter into City Contract No. 59778 with O. R. Colan Associates, Inc. ("Consultant") to provide turnkey acquisition, relocation and property management services for various parcels of real property on Ruple Parkway and Grayton Road; and

Whereas, the City has determined to modify the scope of work to include removal of all friable asbestos containing materials in accordance with the National Emission Standards for Hazardous Air Pollutants and the Ohio EPA Asbestos Emission Control Rules and for additional testing of samples in accordance with AHERA sampling protocols as required by the Ohio Department of Health; and

Whereas, Consultant has proposed by its letter dated May 28, 2003 to perform the additional services necessary; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is authorized to enter into a first modification to the agreement between the City of Cleveland and O. R. Colan Associates, Inc., City Contract No. 59778, to include removal of all

friable asbestos containing materials in accordance with the National Emission Standards for Hazardous Air Pollutants and the Ohio EPA Asbestos Emission Control Rules and for additional testing of samples in accordance with AHERA sampling protocols as required by the Ohio Department of Health. The amount to be paid for these additional services shall not exceed Sixty Thousand Dollars (\$60,000.00), thereby increasing the total contract amount not to exceed Two Hundred Fifty-five Thousand Ten and 60/100 Dollars (\$255,010.60).

Be it further resolved by the Board of Control of the City of Cleveland that employment of the following subconsultants by O. R. Colan Associates, Inc. is approved:

<u>Subconsultant</u> <u>DBE/MBE/FBE %</u>	<u>Amount</u>
BAT Associates, Inc. MBE 8.6%	\$5,160.00
Alpha Omega Chemical Company DBE/MBE 91.40%	\$54,840.00

Yeas: Acting Mayor Chandra, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Acting Director Brown, Directors Sims and Fumich.

Nays: None.
Absent: Directors Taylor and Williams.

Resolution No. 715-03.

By Director Mok.
Resolved, by the Board of Control of the City of Cleveland that the bid of Consolidated Electric Distributors, Inc. d/b/a Leader Electric Supply, Co., for labor and materials necessary to provide electrical parts and equipment to maintain, repair and modify existing airfield, parking and terminal lighting systems, Phase I, Item Nos. 1a through 1n, for the various divisions of the Department of Port Control, for a period not to exceed two years beginning with the date of execution of a contract, received on the 15th of October, 2003, pursuant to the authority of Ordinance No. 1015-03, passed on June 10, 2003, which on the basis of the estimated quantity would amount to Six Hundred Ninety Thousand Five Hundred Sixty and 00/100 Dollars (\$690,560.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such labor and materials necessary, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 146005 which shall be certified against such contract in the sum of One Hundred Thousand and 00/100 Dollars (\$100,000.00).

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

Yeas: Acting Mayor Chandra, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Acting Director Brown, Directors Sims and Fumich.

Nays: None.
Absent: Directors Taylor and Williams.

Resolution No. 716-03.

By Director Draper.
Resolved by Board of Control of the City of Cleveland that the bid of SBC Global Services, Inc. for a video conferencing system for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on October 1, 2003, pursuant to the authority of Ordinance No. 2460-02, passed by Cleveland City Council on March 24, 2003, which on the basis of the estimated quantity would amount to Two Hundred Sixty-Four Thousand Thirty-Two and 72/100 dollars (\$264,032.72), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety 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. 145028 as specified, which shall be certified against such contract in the sum of Two Hundred Sixty-Four Thousand Thirty-Two and 72/100 Dollars (\$264,032.72).

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: Acting Mayor Chandra, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Acting Director Brown, Directors Sims and Fumich.

Nays: None.
Absent: Directors Taylor and Williams.

Resolution No. 717-03.

By Director Ronayne.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. DiLillo & Company for the public improvement of Various Parks Site Improvements, for Base Bid Items #A1 - #A12 including the 5% contingency (Helen Simpson Park), Base Bid Items #B1 - #B12 including the 5% contingency (Orr Park) and Base Bid Items #C1 - #C46 and Add Alternate Items #CAA1 - #CAA5 including the 5% contingency (Thurgood Marshall Park) for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on August 13, 2003, pursuant to the authority of Ordinance No. 1748-99 and Ordinance No. 1114-02 passed on April 17, 2000 and June 17, 2002, upon a unit basis for the improvement in the aggregate amount of Five Hundred Nine Thousand Nine Hundred Seventy

Eight and 18/100 Dollars (\$509,978.18), is hereby affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by R. DiLillo & Company for the aforementioned public improvement hereby is approved:

<u>SUBCONTRACTORS</u>	<u>AMOUNT</u> <u>PERCENTAGE</u>
Site Electric	\$80,000.00 — 15.69%
West Asphalt	\$59,000.00 — 11.57%
K & L Sealers	\$30,000.00 — 5.88%
Carrick Landscaping	\$28,008.94 — 5.49%
Great Northern Fence	\$17,800.00 — 3.49%
Tech Ready Mix (MBE)	\$15,000.00 — 3.41%
Barrow Sign (FBE)	\$ 3,600.00 — 0.24%

Yeas: Acting Mayor Chandra, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Acting Director Brown, Directors Sims and Fumich.

Nays: None.
Absent: Directors Taylor and Williams.

Resolution No. 718-03.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 109-11-020 located at East 105th Street in Ward 8; and

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

Whereas, Bethany Baptist Church, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 8 has consented to the proposed sale;
2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;
3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

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

pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Bethany Baptist Church for the sale and development of Permanent Parcel No. 109-11-020 located at East 105th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Acting Mayor Chandra, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Acting Director Brown, Directors Sims and Fumich.

Nays: None.

Absent: Directors Taylor and Williams.

Resolution No. 719-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 126-16-049 under said Land Reutilization Program; and

Whereas, Ordinance No. 144-03 passed June 2, 2003, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Reverend J. M. Shaffer has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 144-03 passed June 2, 2003, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Reverend J. M. Shaffer for the sale and development of Permanent Parcel No. 126-16-049, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$830.00, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Chandra, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Acting Director Brown, Directors Sims and Fumich.

Nays: None.

Absent: Directors Taylor and Williams.

Resolution No. 720-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 135-05-103 under said Land Reutilization Program; and

Whereas, Ordinance No. 759-00 passed June 2, 2003, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Annie Gray has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 759-00 passed June 2, 2003, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Annie Gray for the sale and development of Permanent Parcel No. 135-05-103, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$400.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Chandra, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Acting Director Brown, Directors Sims and Fumich.

Nays: None.

Absent: Directors Taylor and Williams.

Resolution No. 721-03.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Vandra Brothers Construction, 24629 Broadway Ave., Oakwood Village, Ohio 44146, for the public improvement of Western Avenue (West Blvd. to West 117th Street), for the Division of Engineering and Construction, Department of Public Service, received on November 6, 2003, pursuant to the authority of Ordinance No. 481-02, passed May 13, 2002, upon a unit basis for the improvement in the aggregate amount of Two Million, Three Hundred Thirty-Two Thousand, Two Hundred Twenty-Five and 00/100 Dollars (\$2,332,225.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Service is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractors by Vandra Brothers Construction for the aforementioned public improvement hereby is approved:

Collinwood Shale Brick & Concrete Co.
12400 Broadway
Cleveland, Ohio 44125
\$75,000 — 3.22% — (FBE)

Cuyahoga Supply & Tool, Inc.
5340 Perkins Road
Broadview Hts., Ohio 44146
\$16,200 — 0.69% — (FBE)

McTech Corp. / Tech Ready Mix
5000 Crayton Road
Cleveland, Ohio 44101
\$350,000 — 15.01% — (MBE)

TraffTech
1754 E. 47th Street
Cleveland, Ohio 44103
\$126,238 — 5.50%

Fabrizi Trucking & Paving Co. Inc.
389 Columbia Road
Valley City, Ohio 44280
\$250,000 — 10.70%

Utilicon
888 E. 70th Street
Cleveland, Ohio 44103
\$132,195 — 5.55%

Yeas: Acting Mayor Chandra, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Acting Director Brown, Directors Sims and Fumich.

Nays: None.

Absent: Directors Taylor and Williams.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

REYNALDO GALINDO,
President

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, DECEMBER 15, 2003

9:30 A.M.

Calendar No. 03-313: 2200 Overlook Road (Ward 6)

Overlook Ventures LLC, owner c/o Benny Chew, agent, appeal to construct a one-story 4,310 s/f building addition to an existing 127' x 127' two-story stone and brick church building situated on an acreage parcel located in an A1 Residence Industry District on the west side of Overlook Road near its intersection with Edgell Road at 2200 Overlook Road; the proposed construction being contrary to the Landscaping and Screening Requirements where an 8' wide landscaping strip is required along the south perimeter of the site that abuts a Multi-Family District as stated in Section 352.11 of the Codified Ordinances.

Calendar No. 03-315: 3611 Payne Avenue (Ward 13)

Eric Duong, owner, and Kevin Morand, agent, appeal to change the use of an existing 170' x 92' one-story laundry and office masonry building into a warehouse storage and distribution facility situated on a 270' x 150' irregular shaped parcel located in a Local Retail Business and a Two-Family District on the northeasterly corner of Payne Avenue and East 36th Street at 3611 Payne Avenue, a.k.a. 1629-33 East 36th Street; said change of use being contrary to Section 337.03 where a warehouse is not permitted in a Two-Family District and Section 343.01 where a warehouse is not permitted in a Local Retail Business District but is first permitted in a Semi-Industry District as stated in Section 345.03(c)(33) and contrary to the Off-Street Parking and Loading Regulations of Section 349.04 where 6 parking spaces are required and none are proposed and contrary to the Landscaping and Screening Requirements, where an 8' landscape strip and a 6' screened fence are required at the rear of the property and none is proposed and a 6' landscape strip is required along East 36th Street as stated in Sections 352.10 and 352.11 of the Codified Ordinances.

Calendar No. 03-318: 1419 Kenilworth Avenue (Ward 13)

Dennis McNulty, owner, appeals to erect a 14' x 20' one-story, frame garage at the rear of a two-story, frame dwelling situated on a 36' x 98' parcel located in a Multi-Family District on the north side of Kenilworth Avenue at 1419 Kenilworth Avenue; the proposed construction being contrary to the Yards and Courts Regulations, where a distance of 6'-6" is proposed from the building on the adjoining lot to the east and no less than a distance of 10' is permitted as stated in Section 352.09(2) of the Codified Ordinances.

Calendar No. 03-319: 1914 East 75th Street (Ward 7)

The Cedar Congregation of Jehovah's Witnesses c/o Jimmy Seay,

owner, and Donald Jones, agent, appeal to construct an accessory parking lot on a 150' x 172' parcel where there is an existing one-story brick and block building that is located in a Multi-Family District on the west side of East 75th Street at its intersection with Chester Avenue at 1914 East 75th Street; the proposed construction being contrary to the Residential Districts Regulations that require a church and accessory uses to be 15' from any adjoining premises in a Residential District not used for a similar purpose; and contrary to Sections 357.14(a)(1) of the Yards and Courts Requirements, where the parking of motor vehicles in the setback along East 75th Street is prohibited and as proposed the parking encroaches into the 36' front building line setback along East 75th Street; and subject to the Nonconforming Use Requirements where the expansion of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

Calendar No. 03-321: 15912 Saranac Road (Ward 11)

Sheila Frey, owner, appeals to install approximately 316 l/f of 4' high chain link fence at three sides of a vacant irregular shaped corner parcel located in a Multi-Family District on the south side of Saranac Road between East 159th Street and East 159th Place at 15912 Saranac Road; the proposed fence being contrary to the Section 358.04(a) of the Fence Regulations where the fence height may not exceed its distance from a residence building on an adjoining lot and the proposed 4' high fence is only a distance of 3' from the building on the adjoining lot at the south side and a chain link fence is proposed where only ornamental fence material is permitted in the front and actual side yards in a Residential District as stated in Section 358.04(c)(1) of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, DECEMBER 1, 2003

At the meeting of the Board of Zoning Appeals on Monday, December 1, 2003, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 03-305: 3132 West 101st Street

Melvin Smith appealed to park in the front setback area of a driveway in a Two Family District; subject to conditions.

Calendar No. 03-260: 10231 Adelaide Avenue

Nicholas Karnavas appealed to enclose an existing 7' x 24' front porch of a one family dwelling in a Two-Family District.

The following appeal was **Denied:**

Calendar No. 03-304: 3731 Trowbridge Avenue

Anne Votruba appealed from a Violation Notice issued August 22, 2003 by the Building and Housing Department regarding access and maintenance of accessory off-street parking spaces.

The following appeals were **Postponed:**

Calendar No. 03-200: 3809 Pearl Road postponed to December 15, 2003.

Calendar No. 03-276: 9300 Woodland Avenue postponed to January 5, 2004.

Calendar No. 03-306: 2572 Scranton Road postponed to January 5, 2004.

Calendar No. 03-307: 3749 East 142nd Street postponed to December 15, 2003.

Calendar No. 03-309: 13021 St. Clair Avenue postponed to December 15, 2003.

The following appeals were **Withdrawn:**

None.

On Monday, December 1, 2003, in Executive Session:

The following appeals were heard by the Board on Monday, November 24, 2003, and said decisions were approved and adopted in Executive Session on Monday, December 1, 2003:

The following appeals were **Approved:**

Calendar No. 03-296: 12722 Lorain Avenue

Devendra Patel appealed to maintain 45 linear feet of an existing +9' high masonry fence-wall at the rear of a 2-story building in a General Retail Business District.

Calendar No. 03-297: 4228 West 63rd Street

Kenny and Teresa Vega appealed to erect a 13' high x 11' wide x 18' long breezeway addition between an existing dwelling and an accessory garage in a One-Family District.

The following appeals were **Denied:**

None.

EUGENE CRANFORD, JR.,
Secretary

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

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING**Notice of Public Hearing
By the Council Committee
On City Planning****Mercedes Cotner Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, December 15, 2003
1:30 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, December 15, 2003, at 9:00 A.M., to consider the following ordinances now pending in the Council:

Ord. No. 2166-03.

By Council Member Gordon.
An ordinance to change the zoning of properties located on the Northeast corner of Pearl Road and Henninger Road from a Semi Industry Use District to a Local Retail Use District (Map Change No. 2095, Sheet No. 2).

Ord. No. 2167-03.

By Council Member Polensek.
An ordinance to change the zoning of properties located west of Pearl Road, between Brookside Park Drive and Broadview Road from a General Retail Use District to a Local Retail Use District and from a "3" and a "1" Height District to a "2" Height District (Map Change No. 2096, Sheet No. 2).

Ord. No. 2168-03.

By Council Member Polensek.
An ordinance to change the zoning of the easternmost portion of Lake Shore Shopping Plaza, south of Lake Shore Boulevard from a General Retail Use District to a One-Family Residential Use District (Map Change No. 2090, Sheet No. 7).

Ord. No. 2169-03.

By Council Member Polensek.
An ordinance to change the zoning of properties at Margaret Spelacy Junior High School and Saranac Playground, south of Saranac Road and east of East 162nd Street from General and Semi-Industry Districts to a Two-Family District and to change the Height District from "3" to "1". (Map Change No. 2086, Sheet No. 7).

Ord. No. 2170-03.

By Council Member Polensek.
An ordinance to change the zoning of the Lake Shore Shopping Plaza, south of Lake Shore Boulevard between East 156th Street and East 161st Street from a General Retail Use District to a Shopping Center Use District (Map Change No. 2089, Sheet No. 7).

Ord. No. 2171-03.

By Council Member Polensek.
An ordinance to change the zoning of properties at the Northwest corner of Damon Avenue and East 156th Street from a General Retail Use District to a Two-Family Use District; from a "C" Area District to a "B" Area District; and from a "2"

Height District to a "1" Height District (Map Change No. 2094, Sheet No. 7).

Ord. No. 2172-03.

By Council Member Polensek.
An ordinance to change the zoning of properties south of Saranac Road, between East 154th Place and East 156th Street from a General Retail Use District to a Local Retail Use District (Map Change No. 2091, Sheet No. 7).

Ord. No. 2249-03.

By Council Member Polensek.
An ordinance to change the zoning of properties south of Saranac Road, between East 159th Street and East 162nd Street from a General Retail Use District to a Multi-Family Use District (Map Change No. 2093, Sheet No. 7).

Ord. No. 2250-03.

By Council Member Dolan.
An ordinance to change the zoning of property located at the northwest corner of West 168th Street and Albers Avenue from a Local Retail Use District to a Parking District and from a "2" Height District to a "1" Height District (Map Change No. 2097, Sheet No. 12)

Ord. No. 2251-03.

By Council Member Gordon.
An ordinance to change the zoning of properties located west of Pearl Road, between Broadview Road and Memphis Avenue from a General Retail Use District and Multi-Family Use District to a Local Retail Use District and from a "3" and a "1" Height District to a "2" Height District (Map Change No. 2100, Sheet No. 2)

Ord. No. 2252-03.

By Council Member Polensek.
An ordinance to change the zoning of properties south of Saranac Road, between East 156th Street and East 159th Street from a General Retail Use District to a Two-Family Use District (Map Change No. 2092, Sheet No. 7)

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

JOSEPH C. CIMPERMAN,
Chairman
Committee on City Planning

November 26, 2003 and December 3, 2003

CITY OF CLEVELAND BIDS**For All Departments**

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

Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office

of the said Commissioner of Purchases and Supplies, but no bid will be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

THURSDAY, DECEMBER 11, 2003

Manhole Riser, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 429-03, passed by the Council of the City of Cleveland, May 12, 2003.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, DECEMBER 4, 2003 AT 10:00 A.M., CITY HALL, 601 LAKESIDE AVENUE, ROOM 25, CLEVELAND, OHIO 44144.

November 26, 2003 and December 3, 2003

FRIDAY, DECEMBER 12, 2003

Long Distance, for the Division of Information Technology and Services, Department of Finance as authorized by Ordinance No. 1681-03, passed by the Council of the City of Cleveland, September 22, 2003.

THERE WILL BE A MANDATORY PRE-BID MEETING; THURSDAY, DECEMBER 4, 2003 AT 1:00 P.M., DIVISION OF INFORMATION TECHNOLOGY & SERVICES, 1404 EAST 9TH ST., 4TH FLOOR CONFERENCE ROOM, CLEVELAND, OHIO 44144.

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

Pipe Repair Couplings, for the Division of Water, Department of Public Utilities, as authorized by Section 129-25, of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A MANDATORY PRE-BID MEETING; FRIDAY, DECEMBER 5, 2003 AT 2:00 P.M., DIVISION OF WATER DISTRIBUTION & MAINTENANCE, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

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

Two (2) 60' Aerial Devices, for Various Divisions, Department of Finance, as authorized by Ordinance No. 1169-03, passed by the Council of the City of Cleveland, July 16, 2003.j3

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, DECEMBER 8, 2003 AT 3:30 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 410 EAST 49TH ST., BUILDING #1, CLEVELAND, OHIO 44105

November 26, 2003 and December 3, 2003

WEDNESDAY, DECEMBER 17, 2003

Maintenance of City Telephones, Products and Ancillary Equipment, for the Division of Information Technology and Services, Department of Finance, as authorized by Ordinance No. 1713-02, passed by the Council of the City of Cleveland, September 16, 2002.

THERE WILL BE A **MANDATORY** PRE-BID MEETING; MONDAY, DECEMBER 8, 2003 AT 1:30 P.M., DIVISION OF INFORMATION TECHNOLOGY & SERVICES, 1404 EAST 9TH ST., 4TH FLOOR CONFERENCE ROOM, CLEVELAND, OHIO 44144.

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

November 26, 2003 and December 3, 2003

THURSDAY, DECEMBER 18, 2003

HVAC and Fire Alarm Replacement, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 838-02, passed by the Council of the City of Cleveland, June 10, 2002.

THERE WILL BE A **REFUNDABLE FEE** FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, DECEMBER 9, 2003 AT 10:00 A.M., HOUSE OF CORRECTION - VISITATION ROOM, 4041 NORTHFIELD RD., HIGHLAND HILLS, OHIO 44102.

November 26, 2003 and December 3, 2003

FRIDAY, DECEMBER 19, 2003

Bunker Gear, for Various Divisions, Department of Port Control, as authorized by Ordinance No. 545-03, passed by the Council of the City of Cleveland, June 2, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING WEDNESDAY, DECEMBER 10, 2003 AT 2:00 P.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

November 26, 2003 and December 3, 2003

WEDNESDAY, DECEMBER 31, 2003

Purchases of SCADA System Computer Software, Software Upgrades and Support Software and Software Implementation and Authorization to Employ Professional Consultants to Perform System Changes, Configuration, Programming, Tuning and Upgrades to the SCADA Systems, for the Divisions of Water and Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1953-01 and 1951-03, passed by the Council of the City of Cleveland, December 3, 2001 and April 25, 2002.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING WEDNESDAY, DECEMBER 3, 2003 AT 10:00 A.M., CROWN WATER PLANT, 955 CLAGUE ROAD, WESTLAKE, OHIO 44145.

November 26, 2003 and December 3, 2003

THURSDAY, DECEMBER 18, 2003

Wire and Accessories, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26, of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY** PRE-BID MEETING; THURSDAY, DECEMBER 11, 2003 AT 10:30 A.M., CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

December 3, 2003 and December 10, 2003

FRIDAY, DECEMBER 19, 2003

Small Water Meters, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25, of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, DECEMBER 15, 2003 AT 10:30 A.M., DIVISION OF WATER-DISTRIBUTION & MAINTENANCE, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

Large Water Meters, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25, of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, DECEMBER 15, 2003 AT 10:30 A.M., DIVISION OF WATER-DISTRIBUTION & MAINTENANCE, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

Water Meters Parts, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25, of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, DECEMBER 15, 2003 AT 10:30 A.M., DIVISION OF WATER-

DISTRIBUTION & MAINTENANCE, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

Tree Lawn Repair, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1153-03, passed by the Council of the City of Cleveland, August 13, 2003.

THERE WILL BE A **MANDATORY** PRE-BID MEETING, FRIDAY, DECEMBER 12, 2003 AT 10:30 A.M., DIVISION OF WATER-DISTRIBUTION & MAINTENANCE, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

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

December 3, 2003 and December 10, 2003

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 2094-03.

By Council Member Cimperman.

An emergency resolution declaring it necessary to provide for additional security for the Cleveland Theater District ("District"), cleaning and maintenance of the public right-of-way and Star Plaza within the District, and collective marketing of the District in the City of Cleveland; approving the comprehensive plan of services to be provided by the District; providing for the assessment of the cost and expense of said plan upon the benefited properties within the District; and declaring an emergency.

Whereas, this Council, through Resolution No. 483-95, adopted June 5, 1995, as amended by Resolution 1746-97, adopted December 15, 1997, created the Cleveland Theater District under Chapter 1710 of the Revised Code, bounded generally on the north by Chester Avenue S.E., on the south by Prospect Avenue S.E., on the east by East 18th Street, and on the west by East 9th Street, Barn Court S.E., and East 12th Street ("District"); and

Whereas, the Cleveland Theater District Development Corporation, an Ohio not-for-profit corporation, was formed in 1997 under Chapters 1702 and 1710 of the Revised Code to govern the District ("Corporation"); and

Whereas, the Corporation has prepared a comprehensive plan for public services to continue to specially benefit property within the District, including providing for additional security within the District, cleaning and maintenance of the public rights-of-way within the District and Star Plaza, and collective marketing of the District ("Plan"); and

Whereas, the owners of sixty percent or more of front footage of property that abuts upon any street, alley, public roadway, place, boulevard, parkway, park entrance, easement, or other existing public improvement within the District, excluding certain property as provided in division (E) of Section 1710.02 of the Revised Code, have

signed a petition requesting that the City approve the Plan ("Petition"); and

Whereas, properties within the District will continue to be specially benefited by the services provided under the Plan and will continue to be assessed to pay for the costs of the Plan; now, therefore,

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 the Petition is approved.

Section 2. That it is determined and declared necessary and conducive to the public health, convenience, and welfare of the City of Cleveland and its residents to continue to provide additional security for the District, additional cleaning and maintenance of the public rights-of-way and Star Plaza in the District, and collective marketing of the District for a five-year period commencing after the passage of the ordinance to proceed in this matter.

Section 3. That it is determined that the property in the District will continue to be specially benefited by the above described public services and shall be assessed, calculated as the percentage of tax value of the property taken as a percentage of the District as a whole.

Section 4. That, except as stated in Section 5 of this ordinance, the Plan of services to be provided by the District, on file in File No. 2094-03-A, is approved under division (B) of Section 1710.06(B) of the Revised Code, at an estimated cost of \$1,600,000.00; and that all conditions for submission of the Plan have been met.

Section 5. That any portion of the Plan that duplicates services to be undertaken by the City and any existing or future Tree Assessment District relating to downtown, is expressly not approved and shall be void.

Section 6. That the entire cost of the Plan shall be specially assessed by a percentage of the tax value of all lots and lands within the District which the lots and lands are determined to be specially benefited by the Plan in the amount equal to the amount specially assessed against each lot and land. The cost of the Plan shall include the cost of printing, serving, and publishing notices, resolutions, and ordinances, the amount of damages resulting from the Plan assessed in favor of any owner of land affected by the Plan and the interests thereon, the costs incurred in connection with the preparation, levy, and collection of the special assessments, the cost of purchasing, appropriating, and otherwise acquiring any required real estate or interests therein, expenses of legal services, the cost of all labor and materials, and all other necessary expenditures allowed by law.

Section 7. That the assessments to be levied shall be paid when levied in five annual installments. The first annual installment of \$300,000.00 shall be payable in cash within 30 days after passage of the City's ordinance of assessment. All cash payments remaining unpaid at the expiration of said 30 days shall be certified by the Clerk of this Council

to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

Section 8. That the second annual installment of \$310,000.00, the third annual installment of \$320,000.00, the fourth annual installment of \$330,000.00, and the fifth annual installment of \$340,000.00 shall each be paid on each of the next four anniversaries of the date of passage of the City's ordinance of assessment. All cash payments remaining unpaid at the expiration of said 30 days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

Section 9. That no notes or bonds of the City of Cleveland shall be issued in anticipation of the collection of the special assessments.

Section 10. That the Commissioner of Assessment and Licenses is authorized to prepare and file in the Office of the Clerk of Council an estimated assessment under the provisions of this resolution showing the amount of the assessment against each lot or parcel of land to be assessed. Such estimated assessment shall be based on the estimated costs of the Plan, now on file in the Office of the Clerk of Council.

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

Adopted November 24, 2003.

Effective November 25, 2003.

Res. No. 2343-03.

By Council Member Brady.

An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit at 13429 Lakewood Heights Boulevard and repealing Resolution No. 2106-03, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 13429 Lakewood Heights Boulevard by Resolution No. 2106-03 adopted by the Council on October 27, 2003; and

Whereas, this Council wishes to withdraw its objection to the above transfer and consents to said transfer based upon and pursuant to a cooperation agreement by and through City Council Representative, Dona Brady and Applicant, Brian Hubbard, President of 2 Wolves, Inc., 13429 Lakewood Heights Boulevard, Cleveland, Ohio 44107, Permanent Number 9116441, a copy of which is in the file for this address with the City Law Department; and

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

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

Section 1. That objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 13429 Lakewood Heights Boulevard

be and the same is hereby withdrawn and Resolution No. 2106-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted November 24, 2003.

Effective December 1, 2003.

Res. No. 2344-03.

By Council Member Britt.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 8716 Cedar Avenue and repealing Resolution Nos. 1614-02 and 1289-03, objecting to said renewal.

Whereas, this Council objected to a C1 and C2 Liquor Permit to 8716 Cedar Avenue by Resolution Nos. 1614-02 and 1289-03 adopted by the Council on August 14, 2002 and July 16, 2003; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon and pursuant to a cooperation agreement by and through City Council Representative, Patricia J. Britt and Applicant, Gene A. Sardon, President of Willa G., Inc., DBA Gene's Corner Beverage, 8716 Cedar Avenue, Cleveland, Ohio 44106, Permanent Number 9619191-0005, a copy of which is in the file for this address with the City Law Department; and

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

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

Section 1. That objection to a C1 and C2 Liquor Permit to Willa G., Inc., DBA Gene's Corner Beverage, 8716 Cedar Avenue, Cleveland, Ohio 44106, Permanent Number 9619191-0005 be and the same is hereby withdrawn and Resolution Nos. 1614-02 and 1289-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted November 24, 2003.

Effective December 1, 2003.

Res. No. 2345-03.

By Council Member Britt.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 1930 East 79th Street and repealing Resolution No. 1613-02, objecting to said renewal.

Whereas, this Council objected to a C2 and C2X Liquor Permit to 1930 East 79th Street by Resolution No. 1613-02 adopted by the Council on August 14, 2002; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon and pursuant to a cooperation agreement by and through City Council Representative, Patricia J. Britt and Applicant, Rosita Kutkut, President of Cascians Corporation, Inc., DBA Quik Pik Market, 1930 East 79th Street, Cleveland, Ohio 44103, Permanent Number 1302675, a copy of which is in the file for this address with the City Law Department; and

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

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

Section 1. That objection to a C2 and C2X Liquor Permit to Cascians Corporation, Inc., DBA Quik Pik Market, 1930 East 79th Street, Cleveland, Ohio 44103, Permanent Number 1302675 be and the same is hereby withdrawn and Resolution No. 1613-02, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted November 24, 2003.

Effective December 1, 2003.

Res. No. 2346-03.

By Council Member Rybka.
An emergency resolution withdrawing objection to a New C2 Liquor Permit at 4324 Warner Road and repealing Resolution No. 1563-03, objecting to said permit.

Whereas, this Council objected to a New C2 Liquor Permit to 4324 Warner Road by Resolution No. 1563-03 adopted by the Council on August 13, 2003; and

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

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

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

Section 1. That objection to a New C2 Liquor Permit to Mizrah Zkout, Inc., DBA Tom's Market, 4324 Warner Road, 1st Floor, Cleveland, Ohio 44105, Permanent Number 6069086-0005, be and the same is hereby withdrawn and Resolution No. 1563-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

Adopted November 24, 2003.

Effective December 1, 2003.

Res. No. 2347-03.

By Council Member Rybka.
An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 5407 Fleet Avenue and repealing Resolution No. 1572-03, objecting to said permit.

Whereas, this Council objected to a C2 and C2X Liquor Permit to 5407 Fleet Avenue by Resolution No. 1572-03 adopted by the Council on August 13, 2003; and

Whereas, this Council wishes to withdraw its objection to the above permit and consents to said permit based upon and pursuant to a cooperation agreement by and through City Council Representative, Edward W. Rybka and Applicant, Haifa Gharib Aridi, President of 5407 Fleet, Inc., DBA Ghazi Market, 5407 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 2759396, a copy of which is in the file for this address with the City Law Department and

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

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

Section 1. That objection to a C2 and C2X Liquor Permit to 5407 Fleet, Inc., DBA Ghazi Market, 5407 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 2759396 be and the same is hereby withdrawn and Resolution No. 1572-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted November 24, 2003.

Effective December 1, 2003.

Res. No. 2348-03.

By Council Member Dolan.
An emergency resolution objecting to a New C1 Liquor Permit at 14039 Lorain Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at American Cash, Inc., DBA American Cash Exchange, 14039 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 01616470015; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at American Cash, Inc., DBA American Cash Exchange, 14039 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 01616470015 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted November 24, 2003.

Effective December 1, 2003.

Res. No. 2349-03.

By Council Member Cintron.
An emergency resolution objecting to a New C1 Liquor Permit at 3501 Lorain Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Ankoush, Inc., DBA Gas USA Fulton, 3501 Lorain Avenue, Cleveland, Ohio 44113, Permanent Number 0222882; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is

already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Ankoush, Inc., DBA Gas USA Fulton, 3501 Lorain Avenue, Cleveland, Ohio 44113, Permanent Number 0222882 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted November 24, 2003.
Effective December 1, 2003.

Res. No. 2350-03.
By Council Member Conwell.
An emergency resolution objecting to a New C1 Liquor Permit at 11625 Superior Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Super Drive Thru, Inc., 11625 Superior Avenue, Cleveland, Ohio 44106, Permanent Number 8699981; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Super Drive Thru, Inc., 11625 Superior Avenue, Cleveland, Ohio 44106, Permanent Number 8699981 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted November 24, 2003.
Effective December 1, 2003.

Res. No. 2351-03.
By Council Member Conwell.
An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 891 Lakeview Road, 1st Floor.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C2 and

C2X Liquor Permit 891 Lakeview, Inc., 891 Lakeview Road, 1st Floor, Cleveland, Ohio 44108, Permanent Number 2456307 to Lakeview Food Enterprises, Inc., DBA In & Out Beverage, 891 Lakeview Road, 1st Floor, Cleveland, Ohio 44108, Permanent Number 4980548; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit at 891 Lakeview, Inc., 891 Lakeview Road, 1st Floor, Cleveland, Ohio 44108, Permanent Number 2456307 to Lakeview Food Enterprises, Inc., DBA In & Out Beverage, 891 Lakeview Road, 1st Floor, Cleveland, Ohio 44108, Permanent Number 4980548; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted November 24, 2003.
Effective December 1, 2003.

Res. No. 2356-03.**By Council Member Coats.**

An emergency resolution urging the Public Utilities Commission of Ohio to reject the FirstEnergy Rate Stabilization Plan as proposed; to reject any proposal that will harm government aggregation programs; and to extend the timetable for its decision to allow all parties a full and fair opportunity to analyze FirstEnergy's proposal and to participate in the proceedings.

Whereas, FirstEnergy submitted a Rate Stabilization Plan to the Public Utilities Commission of Ohio ("the Commission") on October 21, 2003; and

Whereas, FirstEnergy's plan would either subject its customers' electricity needs to a flawed competitive auction process or freeze the customers' present high-cost rates for an additional three years, from January 1, 2006, to December 31, 2008, and permit FirstEnergy to continue collecting the present charge for so-called generation "stranded costs" that was scheduled to end December 31, 2005; and

Whereas, the high cost of power in northeast Ohio contributes to the loss of businesses, jobs, and tax revenues for the City, and causes great hardship to the City's residents, many of whom have low to moderate incomes and are on fixed incomes; and

Whereas, the FirstEnergy plan would severely restrict and possibly eliminate the City's electric aggregation program, which has saved the City's Cleveland Electric Illuminating Company (CEI) customers approximately \$3,500,000 since 2001; and

Whereas, the City's electric aggregation program is the only alternative to CEI for many City customers who cannot be served by Cleveland Public Power; and

Whereas, the Commission has scheduled its hearing on this important matter for December 17, 2003, a timetable that will make it impossible for the customers, their representatives, other affected parties, and the Commission itself to determine whether the plan serves the best interests of the customers; 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 this Council opposes the FirstEnergy Rate Stabilization Plan as proposed; that this Council urges the Commission to reject any FirstEnergy proposal that will harm government aggregation programs; and that this Council urges the Commission to extend the hearing process to afford all interested persons a full and fair opportunity to analyze FirstEnergy's plan and to participate in the Commission's proceedings to determine whether the plan serves the best interests of FirstEnergy's customers.

Section 2. The Clerk is directed to transmit copies of this resolution to the Chairman and each member of the Commission, and to all parties participating in the proceeding.

Section 3. That this resolution is declared to be an emergency mea-

sure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted November 24, 2003.
Effective December 1, 2003.

Res. No. 2357-03.**By Council Member Coats.**

An emergency resolution urging the Administration to require that all government facilities and operations energy consumption consist of at least 5% of renewable energy resources and to develop a strategic energy management plan with specific goals for achieving energy efficiency improvements in all government facilities and operations.

Whereas, cities cannot continue to solely rely on fossil fuels, such as coal, natural gas, and nuclear fuel, for their energy consumption; and

Whereas, strictly relying on fossil fuels for energy consumption has dramatically reduced the supply of these natural resources, heavily polluted our atmosphere, and substantially raised overall energy costs; and

Whereas, harnessing renewable energy resources, such as wind and solar power, will provide the same level of energy services, save money, and protect the environment; and

Whereas, cities, like Austin, Seattle, Chicago, and Oakland, have made similar commitments to using renewable energy in their government facilities and operations; and

Whereas, developing a strategic energy management plan will improve energy use, save money, and support the city's commitment to renewable energy; and

Whereas, cities, like Portland, Phoenix, Minneapolis, Memphis, and Philadelphia, have also developed their own strategic energy management plans that have greatly scaled back their energy use and generated millions of dollars in savings for these cities; and

Whereas, this Council urges the Administration to commit to using renewable energy and to developing a strategic energy management plan for the city; and

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

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

Section 1. Urging the Administration to require that all government facilities and operations energy consumption consist of at least 5% of renewable energy resources and to develop a strategic energy management plan with specific goals for achieving energy efficiency improvements in all government facilities and operations.

Section 2. The Clerk is directed to transmit copies to the Director of Public Utilities.

Section 3. That this resolution is hereby declared to be an emergency

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

Adopted November 24, 2003.
Effective December 1, 2003.

Res. No. 2358-03.**By Council Members Westbrook and Coats.**

An emergency resolution urging President Bush to act now to jump start the economy by immediately empowering his manufacturing Czar to help save our cities.

Whereas, many cities facing debilitating budget deficits rely on the income tax for the majority of their operational revenues; and

Whereas, cities such as Cleveland are viable and healthy when residents have jobs; and

Whereas, once the heart of rust-belt vitality, the manufacturing industry has increasingly become a forgotten economic resource, leaving hundreds of thousands of manufacturing workers without jobs in the last ten years and cities without the needed income tax revenue; and

Whereas, every on manufacturing job generates three additional service jobs; and

Whereas, rust-belt cities like Cleveland and Pittsburgh may be bitter football rivals on Sundays, but remain intimately joined in their fight for retaining and creating these needed manufacturing jobs the rest of the week; and

Whereas, President Bush used Labor Day, 2003 and Cleveland as a platform to announce that he would create a manufacturing czar to revitalize the manufacturing base and create more blue-collar jobs; and

Whereas, our City's survival is linked to the manufacturing industry, which is worth as much, or more, than the \$87 billion the President is spending on the War in Iraq; and

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

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

Section 1. That this Council hereby urges President Bush to act now to jump start the economy by immediately empowering his manufacturing czar to help save our cities.

Section 2. That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to the President of the United States.

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

Adopted November 24, 2003.
Effective December 1, 2003.

Res. No. 2359-03.
By Council Members Cimperman, Jackson, Jones, Coats and Johnson.
An emergency resolution recognizing the O'Jays for their outstanding musical accomplishments and supporting the induction of the O'Jays into the Rock and Roll Hall of Fame Museum.

Whereas, in the late 1950's, Eddie Levert, Walter Williams, William Powell, Bobby Massey and Bill Isles formed a quintet called the Triumphs of McKinley High School in Canton, Ohio; and

Whereas, this group became known as the Mascots and was later renamed the O'Jays after legendary radio D.J., Eddie O'Jay; and

Whereas, in 1963, the O'Jays signed a contract with Imperial Records and the band quickly achieved their first hit, *Lonely Drifter*; and

Whereas, after a string of hit singles, the O'Jays debut album *Comin' Through* was released in 1965; and

Whereas, the group released one more album, *Soul Sounds*, before they met songwriters and producers, Kenny Gamble and Leon Huff, in 1967; and

Whereas, the group started recording on Gamble and Huff's Neptune label as a quartet after the departure of Bill Isles in 1967; and

Whereas, Bobby Massey left the group in 1972 and the trio united with Gamble and Huff on Philadelphia International Records label to record some of the best R&B pop hits ever; and

Whereas, during this time, the O'Jays became known as one of the best bands in the world; and

Whereas, the 1970's was truly the decade of the O'Jays; and

Whereas, from 1972 through 1978, the O'Jays recorded eight No. 1 R&B singles; and

Whereas, during this period the band also had five albums that went gold and three that went platinum; and

Whereas, during this period of successes, the O'Jays also faced one of their darkest moments as William Powell, a founding member of the band, was forced to leave the band because of terminal cancer; and

Whereas, Sammy Strain became William Powell's replacement; and

Whereas, the O'Jays were able to overcome the loss of one of their founding members to cancers and continued to release hits through the 1980's and 1990's; and

Whereas, today, the band continues to perform and bring joy to old and new fans; and

Whereas, this Council takes great pride in recognizing the O'Jays for their outstanding accomplishments and achievements during the course of their illustrious career which encompasses more than 40 years; and

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

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

Section 1. That this Council is honored to recognize the O'Jays for their outstanding musical accomplishments made possible by their unique vocal style and showmanship.

Section 2. That this Council supports the induction of the O'Jays into the Rock and Roll Hall of Fame Museum in Cleveland, Ohio.

Section 3. That the Clerk of Council is hereby directed to transmit copies of this resolution to each member of the O'Jays, Terry Stewart, Director, Rock and Roll Hall of Fame Museum and the Rock and Roll Hall of Fame Foundation.

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

Adopted November 24, 2003.

Effective December 1, 2003.

Ord. No. 2303-03.
By Council Member Jackson (by departmental request).

An emergency ordinance to amend the title, Section 1, and Section 2 of Ordinance No. 892-03, passed June 11, 2003, relating to a contract for data entry services.

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. 892-03, passed June 11, 2003, are amended to read as follows:

An emergency ordinance authorizing the purchase by one or more requirement contracts of data entry services, for the Division of Taxation, Department of Finance.

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

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 129369)

Section 2. That the existing title, Section 1, and Section 2 of Ordinance No. 892-03, passed June 11, 2003, are repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the

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

Passed November 24, 2003.

Effective December 1, 2003.

Ord. No. 2307-03.
By Council Members Coats and Jackson (by departmental request).
An emergency ordinance to amend Sections 1 and 2 of Ordinance No. 2451-02, passed April 14, 2003, relating to replacing water mains and making various sewer repairs on the Euclid Corridor.

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

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

Section 1. That Sections 1 and 2 of Ordinance No. 2451-02, passed April 14, 2003, are amended to read as follows:

Section 1. That, under Section 167 of the Charter of the City of Cleveland, the Council determines to make the public improvement of replacing water mains and making various sewer repairs on the Euclid Corridor, for the Divisions of Water and Water Pollution Control, Department of Public Utilities, by one or more contracts let to the lowest responsible bidder after competitive bidding on a unit basis for the improvement.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts 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 the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 2. That Sections 1 and 2 of Ordinance No. 2451-02, passed April 14, 2003, are repealed.

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

Passed November 24, 2003.

Effective December 1, 2003.

Ord. No. 2318-03.
By Council Members Coats and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Public Utilities to lease property from Penton Media, Inc. for office space located on the fourth floor of the Penton Media Building to provide office space for the Citywide GIS project and the Division of Water's ITS staff, and authorizing a lease with

Standard Parking, Inc. for the lease of parking spaces, for terms of three years each, with one option to renew for an additional one-year consecutive term; and authorizing the purchase by one or more requirement contracts of equipment, supplies, services, moving expenses, and other items necessary to implement the project.

Whereas, the City of Cleveland requires certain property located on the fourth floor of the Penton Media Building, 1300 East 9th Street for the public purpose of providing office space for the Citywide GIS project and the Division of Water's ITS staff; and

Whereas, the City of Cleveland also requires certain parking areas for those employees; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Utilities is authorized to lease from Penton Media, Inc., certain property more fully described as follows: approximately 28,766 square feet of office space located on the fourth floor of the Penton Media Building at 1300 East 9th Street, Cleveland, Ohio.

Section 2. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Utilities is authorized to lease from Standard Parking, Inc., or its successor in interest, certain property more fully described as follows: approximately 48 parking spaces located at Standard Parking, Inc.'s parking facility at 1300 East 9th Street, Cleveland, Ohio.

Section 3. That the terms of the leases authorized in Sections 1 and 2 of this ordinance shall be for three years, with one (1) option exercisable by the Director of Public Utilities, to renew for an additional one-year consecutive term.

Section 4. That the rent for the leases authorized in Sections 1 and 2 of this ordinance shall not exceed \$1,582,130.00 and \$391,680.00 respectively, exclusive of utilities.

Section 5. That the lease described in Section 1 of this ordinance may authorize the City to make and/or reimburse Penton Media, Inc. or its designee for tenant improvements to the leased premises under terms to be determined by the parties consistent with the public purpose of providing office space for the Citywide GIS project and the Division of Water's ITS staff.

Section 6. That the lease described in Section 1 of this ordinance may provide for the City's payment of appropriate utility and other operating costs of the leased premises and the Director of Public Utilities is authorized to pay for appropriate utility and other operating costs of the leased premises.

Section 7. That the Director of Public Utilities and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take other actions as may be

necessary or appropriate to effect the leases authorized by Sections 1 and 2 of this ordinance.

Section 8. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of three years, with one (1) option exercisable by the Director of Public Utilities, to renew for an additional one-year consecutive term, of the necessary items of equipment, supplies, services, moving expenses, and other items necessary to implement the project, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 9. That the costs of the leases authorized in Sections 1 and 2 of this ordinance and the requirement contract or contracts shall be paid from Fund Nos. 52 SF 001, 52 SF 223, 52 SF 225, 52 SF 227, 52 SF 229, 52 SF 231, from the fund or funds which are credited the proceeds of the sale of future waterworks revenue bonds, and also charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 143088)

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

Passed November 24, 2003.
Effective December 1, 2003.

Ord. No. 2341-03.

By Council Members Brady, Dolan, Polensek, O'Malley and Westbrook
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Cleveland Restoration Society for the Heritage Home Loan Program through the use of Ward 11, 16, 18, 19, 21 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is autho-

rized to enter into an agreement with the Cleveland Restoration Society for the Heritage Home Loan Program for the public purpose of providing affordable loans to Cleveland residents to promote the restoration and preservation of historic homes in the City of Cleveland through the use of Wards 11, 16, 18, 19, and 21 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$75,000 and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed November 24, 2003.
Effective December 1, 2003.

Ord. No. 2342-03.

By Council Member Conwell
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Northeast Neighborhood Development Corporation for the Ashbury Senior Computer Community Center Program through the use of Ward 9 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement effective October 1, 2003 to March 30, 2004 with the Northeast Neighborhood Development Corporation for the Ashbury Senior Computer Community Center Program for the public purpose of providing computer classes to Cleveland residents through the use of Ward 9 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$16,750 and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed November 24, 2003.
Effective December 1, 2003.

Ord. No. 2352-03.**By Council Member Jackson (by departmental request).**

An emergency ordinance to make additional appropriations of Ten Million Dollars (\$10,000,000) of the General Fund, Ten Million Four Hundred Twenty Three Thousand Eight Hundred Seventeen Dollars (\$10,423,817) of the Special Revenue Funds and Four Hundred Thousand Dollars (\$400,000) of the Enterprise Funds.

Whereas, there remains an unappropriated balance in the various funds, the sum of Twenty Million Eight Hundred Twenty Three Thousand Eight Hundred Seventeen Dollars (\$20,823,817) which is available for additional appropriation; and

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

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

Section 1. That there is hereby appropriated the additional revenue as set forth in the Amended Certificate of Estimated Resources, that, provided the Director of Finance obtains an amended Certificate that includes the following amount:

GENERAL FUND	\$10,000,000
SPECIAL REVENUE FUNDS	\$10,423,817
ENTERPRISE FUNDS	\$ 400,000
TOTAL ALL FUNDS	\$20,823,817

GENERAL FUND

NON-DEPARTMENTAL

Other Administrative		\$ 10,000,000
I Personnel and Related Expenses	\$ 10,000,000	
TOTAL NON-DEPARTMENTAL	\$ 10,000,000	\$ 10,000,000
TOTAL GENERAL FUND	\$ 10,000,000	\$ 10,000,000

SPECIAL REVENUE FUNDS

Street Construction, Maintenance & Repair Fund		\$ 673,817
I Personnel and Related Expenses	\$ 536,371	
II Other Expenses	\$ 137,446	
Rainy Day Fund		\$ 3,650,000
II Other Expenses	\$ 3,650,000	
Reserve Fund		\$ 6,100,000
II Other Expenses	\$ 6,100,000	
TOTAL SPECIAL REVENUE FUNDS	\$ 10,423,817	\$ 10,423,817

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

Division of Water Pollution Control		\$ 400,000
II Other Expenses	\$ 400,000	
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$ 400,000	\$ 400,000
TOTAL ENTERPRISE FUNDS	\$ 400,000	\$ 400,000
TOTAL ALL FUNDS	\$ 20,823,817	\$ 20,823,817

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

Passed November 24, 2003.

Effective November 25, 2003.

Ord. No. 2353-03.**By Council Member Jackson (by departmental request).**

An emergency ordinance to make temporary appropriation for the current payrolls and other ordinary expenses of the City of Cleveland for the period from January 1, 2004 until the effective date of the annual appropriation ordinance for the fiscal year ending December 31, 2004.

Whereas, it is desired to postpone the passage of the annual appropriation ordinance until the amended certificate is received, based on the actual balances as the same may be determined by the Director of Finance and the County Budget Commission; and

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

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

Section 1. That to provide for the current payrolls, sinking fund and other ordinary expenses of the City of Cleveland for the period from January 1, 2004, until the effective date of the annual appropriation ordinance for the fiscal year ending December 31, 2004, there is appropriated for the period from January 1, 2004, to the effective date of the annual appropriation ordinance the sum of Four Hundred Fifty Million Five Hundred Ninety-Eight Thousand and Seven Dollars (\$450,598,007) out of taxes due the City of Cleveland and any other revenues accrued or occurring during the period of time and the funds are appropriated as follows:

GENERAL FUND

LEGISLATIVE BRANCH

Council and Clerk of Council		\$1,850,127
I. Personnel and Related Expenses	\$1,351,163	
II. Other Expenses	\$498,964	

TOTAL LEGISLATIVE BRANCH		\$1,850,127
--------------------------	--	-------------

JUDICIAL BRANCH

Judicial Division		\$7,527,346
I. Personnel and Related Expenses	\$5,327,346	
II. Other Expenses	\$2,200,000	

Housing Division		\$897,838
I. Personnel and Related Expenses	\$806,189	
II. Other Expenses	\$91,649	

Clerks Division		\$3,266,765
I. Personnel and Related Expenses	\$2,410,882	
II. Other Expenses	\$855,883	

TOTAL JUDICIAL BRANCH		\$11,691,949
-----------------------	--	--------------

EXECUTIVE BRANCH

Office of the Mayor		\$712,790
I. Personnel and Related Expenses	\$597,981	
II. Other Expenses	\$114,809	

DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$967,797
I. Personnel and Related Expenses	\$811,361	
II. Other Expenses	\$156,436	

Division of Police		\$54,091,100
I. Personnel and Related Expenses	\$49,975,100	
II. Other Expenses	\$4,116,000	

Division of Fire		\$23,009,978
I. Personnel and Related Expenses	\$21,836,000	
II. Other Expenses	\$1,173,978	

Emergency Medical Services		\$6,451,630
I. Personnel and Related Expenses	\$5,656,118	
II. Other Expenses	\$795,512	

Division of Dog Pound		\$306,107
I. Personnel and Related Expenses	\$245,716	
II. Other Expenses	\$60,391	

TOTAL DEPARTMENT OF PUBLIC SAFETY		\$84,826,612
-----------------------------------	--	--------------

Community Relations Board		\$280,909
I. Personnel and Related Expenses	\$239,359	
II. Other Expenses	\$41,550	

Department of Consumer Affairs		\$112,374
I. Personnel and Related Expenses	\$74,926	
II. Other Expenses	\$37,448	

DEPARTMENT OF PUBLIC SERVICE		
Public Service Administration		\$162,098
I. Personnel and Related Expenses	\$157,022	
II. Other Expenses	\$5,076	
Division of Architecture		\$214,785
I. Personnel and Related Expenses	\$203,838	
II. Other Expenses	\$10,947	
Waste Collection and Disposal		\$8,935,495
I. Personnel and Related Expenses	\$4,700,981	
II. Other Expenses	\$4,234,514	
Engineering and Construction		\$1,546,036
I. Personnel and Related Expenses	\$1,379,014	
II. Other Expenses	\$167,022	
Division of Traffic Engineering		\$1,233,807
I. Personnel and Related Expenses	\$804,973	
II. Other Expenses	\$428,834	
		<hr/>
TOTAL DEPARTMENT OF PUBLIC SERVICE		\$12,092,221
DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
Parks, Recreation, and Properties Admin		\$240,465
I. Personnel and Related Expenses	\$177,777	
II. Other Expenses	\$62,688	
Research, Planning, and Development		\$234,165
I. Personnel and Related Expenses	\$210,607	
II. Other Expenses	\$23,558	
Division of Recreation		\$3,848,530
I. Personnel and Related Expenses	\$2,684,517	
II. Other Expenses	\$1,164,013	
Parking Facilities-On Street		\$319,371
I. Personnel and Related Expenses	\$301,900	
II. Other Expenses	\$17,471	
Division of Property Management		\$2,657,441
I. Personnel and Related Expenses	\$1,891,683	
II. Other Expenses	\$765,758	
Park Maintenance and Properties		\$4,166,242
I. Personnel and Related Expenses	\$2,708,423	
II. Other Expenses	\$1,457,819	
		<hr/>
TOTAL DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		\$11,466,214
DEPARTMENT OF COMMUNITY DEVELOPMENT		
Division of Administrative Services		\$854,631
I. Personnel and Related Expenses	\$808,631	
II. Other Expenses	\$46,000	
Director's Office		\$162,973
I. Personnel and Related Expenses	\$162,973	
II. Other Expenses	—	
Division of Neighborhood Development		\$746,261
I. Personnel and Related Expenses	\$666,261	
II. Other Expenses	\$80,000	
Division of Neighborhood Services		\$421,907
I. Personnel and Related Expenses	\$421,907	
		<hr/>
TOTAL COMMUNITY DEVELOPMENT		\$2,185,772

DEPARTMENT OF BUILDING AND HOUSING		
Director's Office		\$611,908
I. Personnel and Related Expenses	\$442,975	
II. Other Expenses	\$168,933	
Division of Code Enforcement		\$1,548,591
I. Personnel and Related Expenses	\$1,493,296	
II. Other Expenses	\$55,295	
Division of Construction Permitting		\$1,244,483
I. Personnel and Related Expenses	\$1,205,035	
II. Other Expenses	\$39,448	
TOTAL DEPARTMENT OF BUILDING AND HOUSING		\$3,404,982
Landmarks Commission		\$54,146
I. Personnel and Related Expenses	\$50,209	
II. Other Expenses	\$3,937	
Board of Building Standards and Appeals		\$35,217
I. Personnel and Related Expenses	\$29,319	
II. Other Expenses	\$5,898	
Board of Zoning Appeals		\$90,620
I. Personnel and Related Expenses	\$84,920	
II. Other Expenses	\$5,700	
Economic Development		\$353,464
I. Personnel and Related Expenses	\$336,869	
II. Other Expenses	\$16,595	
Office of Equal Opportunity		\$211,341
I. Personnel and Related Expenses	\$196,537	
II. Other Expenses	\$14,804	
City Planning Commission		\$470,426
I. Personnel and Related Expenses	\$441,291	
II. Other Expenses	\$29,135	
DEPARTMENT OF PUBLIC HEALTH		
Health Administration		\$244,367
I. Personnel and Related Expenses	\$193,285	
II. Other Expenses	\$51,082	
Division of Corrections		\$2,032,914
I. Personnel and Related Expenses	\$1,533,813	
II. Other Expenses	\$499,101	
Division of Health		\$1,057,200
I. Personnel and Related Expenses	\$680,749	
II. Other Expenses	\$376,451	
Division of Environment		\$411,419
I. Personnel and Related Expenses	\$296,963	
II. Other Expenses	\$114,456	
Division of Air Quality		\$162,670
I. Personnel and Related Expenses	\$33,515	
II. Other Expenses	\$129,155	
TOTAL DEPARTMENT OF PUBLIC HEALTH		\$3,908,570
DEPARTMENT OF AGING		\$144,929
I. Personnel and Related Expenses	\$109,795	
II. Other Expenses	\$35,134	
DEPARTMENT OF FINANCE		
Finance Administration		\$200,538
I. Personnel and Related Expenses	\$172,872	
II. Other Expenses	\$27,666	
Division of Accounts		\$487,090
I. Personnel and Related Expenses	\$318,646	
II. Other Expenses	\$168,444	

Division of Assessments and Licenses		\$462,287
I. Personnel and Related Expenses	\$392,379	
II. Other Expenses	\$69,908	
Division of Treasury		\$164,503
I. Personnel and Related Expenses	\$139,139	
II. Other Expenses	\$25,364	
Division of Purchases and Supplies		\$203,334
I. Personnel and Related Expenses	\$159,741	
II. Other Expenses	\$43,593	
Bureau of Internal Audit		\$276,469
I. Personnel and Related Expenses	\$169,105	
II. Other Expenses	\$107,364	
Financial Reporting and Control		\$421,349
I. Personnel and Related Expenses	\$331,531	
II. Other Expenses	\$89,818	
Information Systems Services		\$1,420,131
I. Personnel and Related Expenses	\$620,131	
II. Other Expenses	\$800,000	
Information Tech and Planning		\$68,797
I. Personnel and Related Expenses	\$68,697	
II. Other Expenses	\$100	
TOTAL DEPARTMENT OF FINANCE		\$3,704,498
Office of Budget & Management		\$185,084
I. Personnel and Related Expenses	\$180,284	
II. Other Expenses	\$4,800	
Law		\$2,532,999
I. Personnel and Related Expenses	\$1,895,135	
II. Other Expenses	\$637,864	
Office of Personnel		\$501,196
I. Personnel and Related Expenses	\$400,148	
II. Other Expenses	\$101,048	
Civil Service Commission		\$258,318
I. Personnel and Related Expenses	\$183,635	
II. Other Expenses	\$74,683	
Non-Departmental		
Other Administrative		\$6,278,620
II. Other Expenses	\$6,278,620	
Transfers to Other Funds		\$11,045,205
II. Other Expenses	\$11,045,205	
Total Nondepartmental		\$17,323,825
TOTAL GENERAL FUND		\$158,398,583
SPECIAL REVENUE FUND		
Restricted Income Tax Fund		\$31,000,000
I. Capital	\$11,000,000	
II. Debt Service	\$20,000,000	
Street Construction, Maintenance & Repair		\$11,865,000
I. Personnel and Related Expenses	\$5,056,000	
II. Other Expenses	\$6,809,000	
Schools Recreation & Cultural Activities Fund		\$2,000,000
II. Other Expenses	\$2,000,000	
TOTAL SPECIAL REVENUE FUNDS		\$44,865,000

INTERNAL SERVICE FUND		
ISS-Telecommunications		\$5,651,122
I. Personnel and Related Expenses	\$308,007	
II. Other Expenses	\$5,343,115	
Motor Vehicle Maintenance		\$5,400,148
I. Personnel and Related Expenses	\$1,930,531	
II. Other Expenses	\$3,469,617	
Printing and Reproduction		\$576,184
I. Personnel and Related Expenses	\$230,630	
II. Other Expenses	\$345,554	
City Storeroom		\$364,459
I. Personnel and Related Expenses	\$25,626	
II. Other Expenses	\$338,833	
TOTAL INTERNAL SERVICE FUNDS		\$11,991,913
DEPARTMENT OF PUBLIC UTILITIES		
Utilities Administration		\$474,422
I. Personnel and Related Expenses	\$318,628	
II. Other Expenses	\$155,794	
Radio		\$1,631,213
I. Personnel and Related Expenses	\$44,056	
II. Other Expenses	\$1,587,157	
Division of Fiscal Control		\$864,924
I. Personnel and Related Expenses	\$756,778	
II. Other Expenses	\$108,146	
Division of Water		\$87,569,159
I. Personnel and Related Expenses	\$23,596,556	
II. Other Expenses	\$63,972,603	
Division of Water Pollution Control		\$8,860,446
I. Personnel and Related Expenses	\$2,615,415	
II. Other Expenses	\$6,245,031	
Division of Cleveland Public Power		\$53,651,438
I. Personnel and Related Expenses	\$7,781,397	
II. Other Expenses	\$45,870,041	
TOTAL PUBLIC UTILITIES		\$153,051,602
DEPARTMENT OF PORT CONTROL		
Airports - Operations		\$53,906,016
I. Personnel and Related Expenses	\$6,963,662	
II. Other Expenses	\$46,942,354	
TOTAL DEPARTMENT OF PORT CONTROL		\$53,906,016
DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
Division of Cemeteries		\$639,003
I. Personnel and Related Expenses	\$497,781	
II. Other Expenses	\$141,222	
Golf Course Fund		\$913,447
I. Personnel and Related Expenses	\$368,359	
II. Other Expenses	\$545,088	
Parking Facilities-Off Street		\$3,267,378
I. Personnel and Related Expenses	\$324,517	
II. Other Expenses	\$2,942,861	

Convention Center		\$2,533,956
I. Personnel and Related Expenses	\$981,116	
II. Other Expenses	\$1,552,840	
West Side Market		\$382,922
I. Personnel and Related Expenses	\$147,532	
II. Other Expenses	\$235,390	
Stadium		\$8,990,205
II. Other Expenses	\$8,990,205	
Property Management - East Side Market		\$24,810
I. Personnel and Related Expenses	\$15,570	
II. Other Expenses	\$9,240	
TOTAL DEPARTMENT OF PARKS, RECREATION, & PROPERTIES		\$16,751,721
TOTAL ENTERPRISE FUNDS		\$233,709,339
AGENCY FUND		
Central Collection Agency		\$3,038,172
I. Personnel and Related Expenses	\$1,869,650	
II. Other Expenses	\$1,168,522	
TOTAL AGENCY FUND		\$3,038,172
DEBT SERVICE FUND		
Sinking Fund Commission		\$8,595,000
I. Personnel and Related Expenses	\$60,000	
II. Other Expenses	\$35,000	
III. Debt Service	\$8,500,000	
TOTAL DEBT SERVICE FUNDS		\$8,595,000
TOTAL ALL FUNDS		\$450,598,007

Section 2. That all expenditures and payments made under and pursuant to the ordinance appropriating such sum or sums of money shall be charged against the annual appropriation ordinance for the fiscal year ending December 31, 2004, when such appropriation ordinance shall become effective, and to the various departments and divisions in payment of whose officers and employees and operating expenses such sum or sums of money hereunder shall then have been paid out or expended; provided, however, that no payment shall be made under the authority of this ordinance after the effective date of the annual appropriation ordinance for the fiscal year ending December 31, 2004.

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

Passed November 24, 2003.

Effective November 25, 2003.

Ord. No. 2354-03.

By Council Member Jackson (by departmental request).

An emergency ordinance to provide the transfer of the sum of Eleven Million Five Hundred Eighty-Five Thousand Dollars (\$11,585,000) within various divisions of the General Fund; Ninety Thousand Dollars (\$90,000) within the Internal Service Fund; and Three Hundred Seventy-One Thousand Dollars (\$371,000) within the Enterprise Fund.

Whereas, in accordance with Section 41 of the Charter, the Mayor has recommended in writing the within transfer; and

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

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

Section 1. That the sum of Twelve Million Forty Six Thousand Dollars (\$12,046,000) be the same and hereby transferred as follows:

	FROM	TO
GENERAL FUND		
LEGISLATIVE BRANCH		
Council and Clerk of Council		
I Personnel and Related Expenses	\$ 200,000	\$ -
II Other Expenses	\$ -	\$ 55,000
TOTAL LEGISLATIVE BRANCH	\$ 200,000	\$ 55,000
JUDICIAL BRANCH		
Judicial Division		
I Personnel and Related Expenses	\$ 700,000	\$ -
II Other Expenses	\$ 100,000	\$ -
Housing Division		
I Personnel and Related Expenses	\$ 60,000	\$ -
II Other Expenses	\$ 10,000	\$ -
Clerks Division		
I Personnel and Related Expenses	\$ 525,000	\$ -
II Other Expenses	\$ 50,000	\$ -
TOTAL JUDICIAL BRANCH	\$ 1,445,000	\$ -
EXECUTIVE BRANCH		
Office of the Mayor		
I Personnel and Related Expenses	\$ 210,000	\$ -
II Other Expenses	\$ 35,000	\$ -
DEPARTMENT OF PUBLIC SAFETY		
Public Safety Administration		
I Personnel and Related Expenses	\$ 10,000	\$ -
II Other Expenses	\$ 95,000	\$ -
Division of Police		
I Personnel and Related Expenses	\$ -	\$ 4,950,000
II Other Expenses	\$ -	\$ 1,250,000
Division of Fire		
I Personnel and Related Expenses	\$ -	\$ 1,200,000
II Other Expenses	\$ -	\$ 270,000
Emergency Medical Services		
I Personnel and Related Expenses	\$ -	\$ 500,000
II Other Expenses	\$ -	\$ 100,000
Division of Dog Pound		
I Personnel and Related Expenses	\$ -	\$ 85,000
II Other Expenses	\$ -	\$ 20,000
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$ 105,000	\$ 8,375,000
Community Relations Board		
I Personnel and Related Expenses	\$ 210,000	\$ -
Department of Consumer Affairs		
II Other Expenses	\$ 15,000	\$ -
DEPARTMENT OF PUBLIC SERVICE		
Public Service Administration		
I Personnel and Related Expenses	\$ 10,000	\$ -
Division of Architecture		
I Personnel and Related Expenses	\$ 10,000	\$ -
Waste Collection and Disposal		
I Personnel and Related Expenses	\$ 340,000	\$ -
II Other Expenses	\$ 600,000	\$ -

Engineering and Construction			
I Personnel and Related Expenses	\$	45,000	\$ -
Division of Traffic Engineering			
I Personnel and Related Expenses	\$	140,000	\$ -
II Other Expenses	\$	-	\$ 320,000
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$	1,145,000	\$ 320,000
DEPARTMENT OF PARKS, RECREATION & PROPERTIES			
Parks, Recreation and Properties Admin			
I Personnel and Related Expenses	\$	110,000	\$ -
II Other Expenses	\$	15,000	\$ -
Research, Planning and Development			
I Personnel and Related Expenses	\$	15,000	\$ -
II Other Expenses	\$	15,000	\$ -
Division of Recreation			
I Personnel and Related Expenses	\$	850,000	\$ -
II Other Expenses	\$	-	\$ 200,000
Parking Facilities - On Street			
I Personnel and Related Expenses	\$	50,000	\$ -
Division of Property Management			
I Personnel and Related Expenses	\$	570,000	\$ -
II Other Expenses	\$	20,000	\$ -
Park Maintenance and Properties			
I Personnel and Related Expenses	\$	425,000	\$ -
II Other Expenses	\$	-	\$ 450,000
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$	2,070,000	\$ 650,000
DEPARTMENT OF COMMUNITY DEVELOPMENT			
Director's Office			
I Personnel and Related Expenses	\$	55,000	\$ -
Division of Neighborhood Services			
I Personnel and Related Expenses	\$	35,000	\$ -
TOTAL COMMUNITY DEVELOPMENT	\$	90,000	\$ -
DEPARTMENT OF BUILDING AND HOUSING			
Director's Office			
I Personnel and Related Expenses	\$	75,000	\$ -
Division of Code Enforcement			
I Personnel and Related Expenses	\$	510,000	\$ -
Division of Construction Permitting			
I Personnel and Related Expenses	\$	340,000	\$ -
TOTAL DEPARTMENT OF BUILDING AND HOUSING	\$	925,000	\$ -
Landmarks Commission			
I Personnel and Related Expenses	\$	15,000	\$ -
Board of Zoning Appeals			
I Personnel and Related Expenses	\$	25,000	\$ -
Economic Development			
I Personnel and Related Expenses	\$	165,000	\$ -
Office of Equal Opportunity			
I Personnel and Related Expenses	\$	80,000	\$ -
II Other Expenses	\$	65,000	\$ -
City Planning Commission			
I Personnel and Related Expenses	\$	110,000	\$ -
DEPARTMENT OF PUBLIC HEALTH			
Health Administration			
I Personnel and Related Expenses	\$	105,000	\$ -
II Other Expenses	\$	50,000	\$ -

Division of Corrections		
I Personnel and Related Expenses	\$ -	\$ 40,000
Division of Health		
I Personnel and Related Expenses	\$ 70,000	\$ -
Division of the Environment		
I Personnel and Related Expenses	\$ -	\$ 250,000
II Other Expenses	\$ 100,000	\$ -
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$ 325,000	\$ 290,000
DEPARTMENT OF FINANCE		
Finance Administration		
I Personnel and Related Expenses	\$ 10,000	\$ -
Division of Accounts		
I Personnel and Related Expenses	\$ 40,000	\$ -
II Other Expenses	\$ 135,000	\$ -
Division of Assessments & Licenses		
I Personnel and Related Expenses	\$ 70,000	\$ -
Division of Treasury		
I Personnel and Related Expenses	\$ -	\$ 10,000
II Other Expenses	\$ -	\$ 10,000
Division of Purchases and Supplies		
I Personnel and Related Expenses	\$ 185,000	\$ -
II Other Expenses	\$ 40,000	\$ -
Bureau of Internal Audit		
I Personnel and Related Expenses	\$ 85,000	\$ -
II Other Expenses	\$ 210,000	\$ -
Financial Reporting & Control		
I Personnel and Related Expenses	\$ 155,000	\$ -
II Other Expenses	\$ 560,000	\$ -
Information Systems Services		
I Personnel and Related Expenses	\$ 230,000	\$ -
II Other Expenses	\$ 110,000	\$ -
TOTAL DEPARTMENT OF FINANCE	\$ 1,830,000	\$ 20,000
Office of Budget & Management		
I Personnel and Related Expenses	\$ 10,000	\$ -
Law		
I Personnel and Related Expenses	\$ 250,000	\$ -
II Other Expenses	\$ 10,000	\$ -
Office of Personnel		
I Personnel and Related Expenses	\$ 100,000	\$ -
II Other Expenses	\$ 15,000	\$ -
Civil Service Commission		
I Personnel and Related Expenses	\$ 10,000	\$ -
II Other Expenses	\$ 300,000	\$ -
Non-Departmental		
County Auditor Deductions		
II Other Expenses	\$ -	\$ 355,000
Other Administrative		
II Other Expenses	\$ -	\$ 1,520,000
Transfers to Other Funds		
II Other Expenses	\$ 1,825,000	\$ -
Total Nondepartmental	\$ 1,825,000	\$ 1,875,000
TOTAL GENERAL FUND	\$ 11,585,000	\$ 11,585,000

INTERNAL SERVICE FUND

ISS - Telecommunications		
I Personnel and Related Expenses	\$ -	\$ 40,000
II Other Expenses	\$ 40,000	\$ -
Motor Vehicle Maintenance		
I Personnel and Related Expenses	\$ -	\$ 50,000
II Other Expenses	\$ 50,000	\$ -
TOTAL INTERNAL SERVICE FUNDS	\$ 90,000	\$ 90,000

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

Radio

I Personnel and Related Expenses	\$ -	\$ 11,000
II Other Expenses	\$ 11,000	\$ -

Division of Water

I Personnel and Related Expenses	\$ -	\$ 250,000
II Other Expenses	\$ 250,000	\$ -

TOTAL PUBLIC UTILITIES	\$ 261,000	\$ 261,000
------------------------	------------	------------

DEPARTMENT OF PARKS, RECREATION & PROPERTIES

Division of Cemeteries

I Personnel and Related Expenses	\$ 75,000	\$ -
II Other Expenses	\$ -	\$ 75,000

Convention Center

I Personnel and Related Expenses	\$ -	\$ 25,000
II Other Expenses	\$ 25,000	\$ -

West Side Market

I Personnel and Related Expenses	\$ -	\$ 10,000
II Other Expenses	\$ 10,000	\$ -

TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$ 110,000	\$ 110,000
--	------------	------------

TOTAL ENTERPRISE FUNDS	\$ 371,000	\$ 371,000
------------------------	------------	------------

TOTAL ALL FUNDS	\$ 12,046,000	\$ 12,046,000
-----------------	---------------	---------------

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

Passed November 24, 2003.

Effective November 25, 2003.

**COUNCIL COMMITTEE
MEETINGS**

**Monday, December 1, 2003
9:30 a.m.**

Health and Human Services Committee: Present in Health: Britt,

Chair; Zone, Vice Chair; Conwell, Pierce Scott. *Authorized Absence:* Cintron, Gordon, Polensek.

2:00 p.m.

Finance Committee: Present in Finance: Jackson, Chair; Sweeney, Vice Chair; Brady, Britt, Coats, Reed, O'Malley, Pierce Scott, West-

brook, White. *Authorized Absence:* Gordon.

**Wednesday, December 3, 2003
10:00 a.m.**

Aviation & Transportation Committee: Present in Aviation: Westbrook, Chair; Sweeney, Vice Chair; Dolan, Rybka, Britt, Reed. *Authorized Absence:* Gordon.

Index

O—Ordinance; R—Resolution; F—File
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
 Bold type in sections indicates amendments

AIDS

Federal AIDS Prevention Program 2004 — grant — Ohio Department of Health
 (O 2149-03)..... 2720
 Northeast Ohio African American Health Network — contracts — HIV-prevention education
 (O 2396-03)..... 2713

Appropriations

Appropriations — \$10,000,000 — General Fund — \$10,423,817 — Special Revenue Funds —
 \$400,000 — Enterprise Funds (O 2352-03) **2733**
 Temporary appropriation — current payrolls — other ordinary expenses
 (O 2353-03)..... **2733**

Board of Control — Burke Lakefront Airport Division

Insurance, Comprehensive Airport General Liability — contract per C.O. Sec. 139.03
 to Gallagher Pipino, Inc. — Depts. of Finance and Port Control
 (BOC Res. 710-03) 2721

Board of Control — City Treasury

Treasury management system — contract per Ord. 1208-03 to Sympro, Inc. — Dept. of Finance
 (BOC Res. 711-03) 2721

Board of Control — Cleveland Hopkins International Airport Division

Insurance, Comprehensive Airport General Liability — contract per C.O. Sec. 139.03
 to Gallagher Pipino, Inc. — Depts. of Finance and Port Control
 (BOC Res. 710-03) 2721

Board of Control — Cleveland Public Power Division

Snow removal services — contract per Ord. 1152-03 to Ken's Landscaping & Snowplowing
 Service — Dept. of Public Utilities (BOC Res. 713-03) 2721

Board of Control — Community Development Department

East 105th Street (Ward 8) — PPN 109-11-020 — to Bethany Baptist Church
 (BOC Res. 718-03) 2722
 Orleans Avenue, 9810 (Ward 2) — PPN 135-05-103 — to Annie Gray per Ord.
 759-2000 (BOC Res. 720-03) 2723
 Woodhill Road (Ward 4) — PPN 126-16-049 — to Reverend J.M. Shaffer per Ord. 144-03
 (BOC Res. 719-03) 2723

Board of Control — Engineering and Construction Division

Western Avenue rehabilitation (West Blvd. to W. 117th St.) — contract per Ord. 481-02 to
 Vandra Brothers Construction — Division of Engineering and Construction, Dept. of
 Public Service (BOC Res. 721-03)..... 2723

Board of Control — Finance Department

Insurance, Comprehensive Airport General Liability — contract per C.O. Sec. 139.03
 to Gallagher Pipino, Inc. — Divisions of Burke Lakefront Airport and Cleveland
 Hopkins International Airport, Dept. of Port Control
 (BOC Res. 710-03) 2721
 Treasury management system — contract per Ord. 1208-03 to Sympro, Inc. — Division
 of Treasury (BOC Res. 711-03) 2721

Board of Control — Land Reutilization Program

East 105th Street (Ward 8) — PPN 109-11-020 — to Bethany Baptist Church (BOC Res. 718-03)	2722
Orleans Avenue, 9810 (Ward 2) — PPN 135-05-103 — to Annie Gray per Ord. 759-2000 (BOC Res. 720-03)	2723
Woodhill Road (Ward 4) — PPN 126-16-049 — to Reverend J.M. Shaffer per Ord. 144-03 (BOC Res. 719-03)	2723

Board of Control — Land Reutilization Program (Ward 2)

Orleans Avenue, 9810 (Ward 2) — PPN 135-05-103 — to Annie Gray per Ord. 759-2000 (BOC Res. 720-03)	2723
---	------

Board of Control — Land Reutilization Program (Ward 4)

Woodhill Road (Ward 4) — PPN 126-16-049 — to Reverend J.M. Shaffer per Ord. 144-03 (BOC Res. 719-03)	2723
---	------

Board of Control — Land Reutilization Program (Ward 8)

East 105th Street (Ward 8) — PPN 109-11-020 — to Bethany Baptist Church (BOC Res. 718-03)	2722
--	------

Board of Control — Orr Park

Park site improvements — contract per Ord. 1748-99, 1114-02 to R. DiLillo & Company — Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 717-03)	2722
---	------

Board of Control — Parks, Recreation and Properties Department

Park site improvements (Simpson, Orr and Marshall Parks) — contract per Ord. 1748-99, 1114-02 to R. DiLillo & Company — Division of Research, Planning and Development (BOC Res. 717-03).....	2722
---	------

Board of Control — Police Division

Video conferencing system — contract per Ord. 2460-02 to SBC Global Services, Inc. — Dept. of Public Safety (BOC Res. 716-03)	2722
--	------

Board of Control — Port Control Department

Electrical parts and equipment to maintain, repair and modify airfield, parking and terminal lighting systems, labor and materials for (Phase I) — contract per Ord. 1015-03 to Consolidated Electric Distributors, Inc., d.b.a., Leader Electric Supply Company, Inc. (BOC Res. 715-03)	2722
Insurance, Comprehensive Airport General Liability — contract per C.O. Sec. 139.03 to Gallagher Pipino, Inc. — Divisions of Burke Lakefront Airport and Cleveland Hopkins International Airport, Dept. of Finance (BOC Res. 710-03)	2721
Real property acquisition, relocation and management on Ruple Pkwy. and Grayton Rd. - amend Contract #59778 per BOC Res. 306-02 (BOC Res. 714-03)	2721

Board of Control — Professional Service Contracts

Insurance, Comprehensive Airport General Liability — contract per C.O. Sec. 139.03 to Gallagher Pipino, Inc. — Divisions of Burke Lakefront Airport and Cleveland Hopkins International Airport, Depts. of Finance and Port Control (BOC Res. 710-03)	2721
Real property acquisition, relocation and management on Ruple Pkwy. and Grayton Rd. — amend Contract #59778 per BOC Res. 306-02 — Dept. of Port Control (BOC Res. 714-03)	2721
Treasury management system — contract per Ord. 1208-03 to Sympro, Inc. — Division of Treasury, Dept. of Finance (BOC Res. 711-03)	2721

Board of Control — Public Improvement Contracts

Park site improvements (Simpson, Orr and Marshall Parks) — contract per Ord. 1748-99, 1114-02 to R. DiLillo & Company — Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 717-03)	2722
Western Avenue rehabilitation (West Blvd. to W. 117th St.) — contract per Ord. 481-02 to Vandra Brothers Construction — Division of Engineering and Construction, Dept. of Public Service (BOC Res. 721-03).....	2723

Board of Control — Public Safety Department

Video conferencing system — contract per Ord. 2460-02 to SBC Global Services, Inc.
- Division of Police (BOC Res. 716-03)..... 2722

Board of Control — Public Service Department

Western Avenue rehabilitation (West Blvd. to W. 117th St.) — contract per Ord. 481-02 to
Vandra Brothers Construction — Division of Engineering and Construction, Dept. of
Public Service (BOC Res. 721-03)..... 2723

Board of Control — Public Utilities Department

Copier / scanner / printer, multifunctional engineering drawing — contract per Ord.
800-03 to Blue Technologies, Inc. — Division of Water Pollution Control
(BOC Res. 712-03) 2721
Snow removal services — contract per Ord. 1152-03 to Ken’s Landscaping & Snowplowing
Service — Division of Cleveland Public Power (BOC Res. 713-03) 2721

Board of Control — Requirement Contracts

Electrical parts and equipment to maintain, repair and modify airfield, parking and
terminal lighting systems, labor and materials for (Phase I) — contract
per Ord. 1015-03 to Consolidated Electric Distributors, Inc., d.b.a., Leader
Electric Supply Company, Inc. — Dept. of Port Control
(BOC Res. 715-03) 2722
Snow removal services — contract per Ord. 1152-03 to Ken’s Landscaping & Snowplowing
Service — Division of Cleveland Public Power, Dept. of Public Utilities
(BOC Res. 713-03) 2721
Video conferencing system — contract per Ord. 2460-02 to SBC Global Services, Inc.
- Division of Police, Dept. of Public Safety (BOC Res. 716-03) 2722

Board of Control — Research, Planning and Development Division

Park site improvements (Simpson, Orr and Marshall Parks) — contract per Ord.
1748-99, 1114-02 to R. DiLillo & Company — Dept. of Parks, Recreation and Properties
(BOC Res. 717-03) 2722

Board of Control — Standard Purchase Contracts

Copier / scanner / printer, multifunctional engineering drawing — contract per Ord.
800-03 to Blue Technologies, Inc. — Division of Water Pollution Control, Dept. of
Public Utilities (BOC Res. 712-03)..... 2721

Board of Control — Water Pollution Control Division

Copier / scanner / printer, multifunctional engineering drawing — contract per Ord.
800-03 to Blue Technologies, Inc. — Dept. of Public Utilities
(BOC Res. 712-03) 2721

Board of Zoning Appeals — Report

Adelaide Avenue, 10231, (Ward 18) – Nicholas Karnavas, owner — appeal heard on 12/1/03
(Cal. 03-260) 2724
East 142nd Street, 3749, (Ward 3) – Steven Cooper dba SAC Landscape and General
Contractors, owner, and Felicia Davis, agent — appeal postponed to 12/15/03 on
12/1/03 (Cal. 03-307)..... 2724
Lorain Avenue, 12722, (Ward 19) – Devendra Patel, owner — appeal granted and adopted on
12/1/03 (Cal. 03-296)..... 2724
Pearl Road, 3809, (Ward 15) – Zion Pentecostal Temple, owner c/o Bishop Pope —
appeal postponed to 12/15/03 on 12/1/03 (Cal. 03-200)..... 2724
Scranton Road, 2572, (Ward 14) – Charles Christopher Real Estate LLC, owner, and Chris
Lieb, agent — appeal postponed to 1/5/04 on 12/1/03 (Cal. 03-306)..... 2724
St. Clair Avenue, 13021, (Ward 10) – Clifford Daniel, owner — appeal postponed to
12/15/03 on 12/1/03 (Cal. 03-309) 2724
Trowbridge Avenue, 3731, (Ward 14) – Anne Votruba, owner — appeal heard on 12/1/03
(Cal. 03-304)..... 2724
West 101st Street, 3132, (Ward 18) – Melvin Smith, owner — appeal heard on 12/1/03
(Cal. 03-305)..... 2724
West 63rd Street, 4228, (Ward 16) – Kenny and Tersa Vega, owners — appeal granted
and adopted on 12/1/03 (Cal. 03-297)..... 2724
Woodland Avenue, 9300, (Ward 4) – Coleman Trucking c/o Mark Coleman, owner, and Sam Kash,
tenant — appeal postponed to 1/5/04 on 12/1/03 (Cal. 03-276)..... 2724

Board of Zoning Appeals — Schedule

East 75th Street, 1914, (Ward 7) – The Cedar Congregation of Jehovah’s Witnesses,
 c/o Jimmy Seay, owner and Donald Jones, agent — appeal to be heard on 12/15/03
 (Cal. 03-319) 2724

Kenilworth Avenue, 1419, (Ward 13) – Dennis McNulty, owner — appeal to be heard on
 12/15/03 (Cal. 03-318) 2724

Overlook Road, 2200, (Ward 6) – Overlook Ventures LLC, owner, c/o Benny Chew, agent
 - appeal to be heard on 12/15/03 (Cal. 03-313) 2724

Payne Avenue, 3611, (Ward 13) – Eric Duong, owner and Kevin Morand, agent — appeal to be
 heard on 12/15/03 (Cal. 03-315) 2724

Saranac Road, 15912, (Ward 11) – Sheila Frey, owner — appeal to be heard on 12/15/03
 (Cal. 03-321) 2724

Building and Housing Department

Construction and post-construction site runoff control to municipal separate storm sewer
 system. — new Sects. 3116.01, 3116.02, 3116.03, 3116.04, 3116.05, 3116.06, 3116.07,
 3116.08, 3116.09, 3116.10, 3116.11, and 3116.12 (O 2404-03) 2715

Camp George L. Forbes

Summer Food Program, 2004 — grant (O 2043-03) 2720

City of Cleveland Bids

Aerial devices — Department of Finance — per Ord. 1169-03 — bid due December
 12, 2003 (advertised 11/26/2003 and 12/3/2003) 2726

Bunker gear — Department of Port Control — per Ord. 545-03 — bid due December 19,
 2003 (advertised 11/26/2003 and 12/3/2003) 2726

HVAC and fire alarm replacement — Department of Public Service — Division of
 Architecture — per Ord. 838-02 — bid due December 18, 2003
 (advertised 11/26/2003 and 12/3/2003) 2726

Long Distance service — Department of Finance — Division of Information Technology
 and Services — per Ord. 1681-03 — bid due December 12, 2003
 (advertised 11/26/2003 and 12/3/2003) 2725

Manhole risers — Department of Public Service — Division of Streets — per Ord. 429-03 —
 bid due December 11, 2003 (advertised 11/26/2003 and 12/3/2003) 2725

Pipe repair couplings — Department of Public Utilities — Division of Water —
 per C.O. Sec. 129.25 — bid due December 12, 2003
 (advertised 11/26/2003 and 12/3/2003) 2725

SCADA system computer software, upgrades, support and implementation — Department
 of Public Utilities — Divisions of Cleveland Public Power and Water — per Ord.
 1953-01, 1951-01 — bid due December 31, 2003 (advertised 11/26/2003 and 12/3/2003) 2726

Telephone maintenance, products and equipment — Department of Finance — Division of
 Information Technology and Services — per Ord. 1713-02 — bid due December 17,
 2003 (advertised 11/26/2003 and 12/3/2003) 2726

City Council

Responsible Fatherhood — Mayor’s Task Force — create (O 908-03) 2719

City Planning Commission

Damon Ave. & E. 156th St. (NW corner) — change the zoning — Two-Family Use District —
 “B” Area District — “1” Height District (O 2171-03) 2725

Lake Shore Shopping Plaza (easternmost portion) — change the zoning — One-Family
 Residential Use District (O 2168-03) 2725

Lake Shore Shopping Plaza — south of Lake Shore Boulevard — between E. 156th St. & E.
 161st St. — Shopping Center Use District (O 2170-03) 2725

Margaret Spellacy Junior High School and Saranac Playground — change the zoning —
 Two-Family District — Height District “1” (O 2169-03) 2725

Norfolk and Western Rail Right of Way — between Octavia Rd & Clarkston Rd. — change the
 zoning — Residence Industry Use District — “2” Height District
 (O 2407-03) 2717

Pearl Rd. & Henninger Rd. (N.E. corner) — change the zoning — Local Retail Use District
 (O 2166-03) 2725

Pearl Rd. (west) — (between) Brookside Park Dr. & Broadview Rd. — change zoning
 — Local Retail Use District — “2” Height District (O 2167-03) 2725

Pearl Rd., (west) — between Broadview Rd. & Memphis Ave. — change the zoning — Local
 Retail Use District — “2” Height District (O 2251-03) 2725

Pedestrian retail overlay (PRO) district — amend Sec. 343.23
 (O 1809-03) 2719

Saranac Rd. (south) — between E. 154th Pl. & E. 156th St. — change the zoning — Local Retail Use District (O 2172-03)..... 2725

Saranac Rd. (south) — between E. 156th St. & E. 159th Sts. — Two-Family Use District (O 2252-03)..... 2725

Saranac Rd., (south) between E. 159th & E. 162nd Sts. — change the zoning — Multi-Family Use District (O 2249-03)..... 2725

168th St.

Cleveland Clinic Foundation

Hospitals closing — urging administration to investigate — possible violations — Chapter 686 (R 2412-03) 2719

Cleveland Public Power

Electric and gas disconnection — moratorium — until April 15, 2004 — Cleveland Public Power — The Illuminating Company and Dominion East Ohio Gas (R 2409-03) 2718

Cleveland Public Schools

Responsible Fatherhood — Mayor's Task Force — create (O 908-03) 2719

Cleveland Theater District

Additional security — cleaning and maintenance — public right-of-way and Star Plaza (R 2094-03) 2726

Codified Ordinances

Construction and post-construction site runoff control to municipal separate storm sewer system. — new Sects. 3116.01, 3116.02, 3116.03, 3116.04, 3116.05, 3116.06, 3116.07, 3116.08, 3116.09, 3116.10, 3116.11, and 3116.12 (O 2404-03) 2715

Pedestrian retail overlay (PRO) district — amend Sec. 343.23 (O 1809-03)..... 2719

Community Development

Cleveland Restoration Society — Heritage Home Loan Program — Ward 11, 16, 18, 19, 21 NEF (O 2341-03) 2732

Computer hardware, appurtenances, and furniture — purchase (O 2401-03)..... 2714

E. 116th St. — Land Reutilization Program — E. and A. Northeast Limited Partnership (O 2154-03)..... 2720

E. 126th St., 3277 — purchase — future redevelopment — convey the property — Mt. Pleasant Now Development Corporation (O 2160-03) 2720

E. 70th St. — Land Reutilization Program — Burten, Bell, Carr Development, Inc. (O 2400-03)..... 2714

Hecker Ave. — Land Reutilization Program — Billy Stuart (O 1712-03) 2719

Housing Advocates, Inc. — amend Contract No. 60422 — anti-predatory counseling services (O 2403-03)..... 2715

Northeast Neighborhood Corp. — Ashbury Senior Computer Community Center Program — Ward 9 NEF (O 2342-03)..... 2732

Phase 3 of the HUD data geocoding project — software upgrade — design (O 2402-03) 2714

Phillips Ave. — Land Reutilization Program — Gary Warner and Gilliam Robinson-Warner (O 2044-03)..... 2720

Union Ave. — Land Reutilization Program — Robert Kirkman (O 1935-03) 2719

W. 20th St. — Land Reutilization Program — Klein-Barrabas, LLC. (O 1934-03)..... 2719

Community Relations Board

Responsible Fatherhood — Mayor's Task Force — create (O 908-03) 2719

Condolences

Brown, Mary Lillian (R 2420-03) 2711

Daniels, Evangelist Essie Mae (R 2419-03)..... 2711

Scholz, Paul (R 2421-03) 2711

Congratulations

Elder, Spc. Yolanda G. (R 2424-03) 2711

Hopewell Missionary Baptist Church (R 2423-03) 2711

Perk, Judge Ralph J., Jr. (R 2422-03)..... 2711

Consumer Affairs Department

Housing Advocates, Inc. — amend Contract No. 60422 — anti-predatory counseling services
(O 2403-03)..... 2715

Contracts

Deloitte & Touche LLP — Empowerment Zone's review and analysis
(O 2406-03)..... 2716
E. 40th St., 1667 — live/work building — Loftworks, LLC — interior
renovation (O 2405-03)..... 2716
Housing Advocates, Inc. — amend Contract No. 60422 — anti-predatory counseling services
(O 2403-03)..... 2715
Northeast Ohio African American Health Network — HIV-prevention education
(O 2396-03)..... 2713
U.S. Department of Veterans Affairs — Contract No. 53628 — medical services
— McCafferty Health Center (O 2148-03) 2720

Dominion East Ohio

Electric and gas disconnection — moratorium — until April 15, 2004 — Cleveland Public
Power — The Illuminating Company and Dominion East Ohio Gas
(R 2409-03) 2718

Economic Development Department

Brownfields — economic development planning — grant — U.S. Department of Housing and
Urban Development (O 1931-03) 2719
Cleveland Neighborhood Development Coalition — grant agreement — Cleveland Industrial
Retention Initiative during fiscal year 2003-2004 (O 2162-03) 2720
Cleveland Theater District ("District") — additional security — cleaning and
maintenance — public right-of-way and Star Plaza (R 2094-03) **2726**
Deloitte & Touche LLP — contracts — Empowerment Zone's review and analysis
(O 2406-03)..... 2716
E. 40th St., 1667 — live/work building — Loftworks, LLC — contract — interior
renovation (O 2405-03)..... 2716

Empowerment Zone

Deloitte & Touche LLP — contracts — Empowerment Zone's review and analysis
(O 2406-03)..... 2716

Enterprise Funds

Appropriations — \$10,000,000 — General Fund — \$10,423,817 — Special Revenue Funds —
\$400,000 — Enterprise Funds (O 2352-03) **2733**
Transfer — \$11,585,000 — within the General Fund — \$90,000 — within the Internal
Service Fund — \$371,000 — within the Enterprise Fund (O 2354-03) **2739**

Finance Department

Appropriations — \$10,000,000 — General Fund — \$10,423,817 — Special Revenue Funds —
\$400,000 — Enterprise Funds (O 2352-03) **2733**
Data entry services — amend Ord. No. 892-03 (O 2303-03) **2731**
Moral Claims — payment (O 2395-03)..... 2712
Temporary appropriation — current payrolls — other ordinary expenses (O 2353-03) **2733**
Transfer — \$11,585,000 — within the General Fund — \$90,000 — within the Internal
Service Fund — \$371,000 — within the Enterprise Fund (O 2354-03) **2739**

General Fund

Appropriations — \$10,000,000 — General Fund — \$10,423,817 — Special Revenue Funds —
\$400,000 — Enterprise Funds (O 2352-03) **2733**
Transfer — \$11,585,000 — within the General Fund — \$90,000 — within the Internal
Service Fund — \$371,000 — within the Enterprise Fund (O 2354-03) **2739**

Grants

Brownfields — economic development planning — U.S. Department of Housing and Urban
Development (O 1931-03)..... 2719
Mural Building — 1925 St. Clair Ave. — lease space — Dept. of Public Health
(O 2399-03)..... 2713
Summer Food Program, 2004 — Camp George L. Forbes (O 2043-03)..... 2720
Women's Health Services Program — grant — Ohio Department of Health (O 2398-03)..... 2713
Worksite Wellness, Steps to Healthier Cleveland Program — grant — Kaiser Permanente of
Ohio (O 2397-03) 2713

Health Department

Federal AIDS Prevention Program 2004 — grant — Ohio Department of Health (O 2149-03).....	2720
Mural Building — 1925 St. Clair Ave. — lease space — Dept. of Public Health (O 2399-03).....	2713
Northeast Ohio African American Health Network — contracts — HIV-prevention education (O 2396-03).....	2713
Responsible Fatherhood — Mayor's Task Force — create (O 908-03)	2719
U.S. Department of Veterans Affairs — Contract No. 53628 — medical services — McCafferty Health Center (O 2148-03)	2720
Women's Health Services Program — grant — Ohio Department of Health (O 2398-03).....	2713
Worksite Wellness, Steps to Healthier Cleveland Program — grant — Kaiser Permanente of Ohio (O 2397-03)	2713

Hospitals

Hospitals closing — urging administration to investigate — possible violations — Chapter 686 (R 2412-03)	2719
---	------

Housing and Urban Development (HUD)

Phase 3 of the HUD data geocoding project — software upgrade — design (O 2402-03).....	2714
--	------

Internal Service Funds

Transfer — \$11,585,000 — within the General Fund — \$90,000 — within the Internal Service Fund — \$371,000 — within the Enterprise Fund (O 2354-03)	2739
---	------

Land Reutilization Program

E. 116th St. — E. and A. Northeast Limited Partnership (O 2154-03).....	2720
E. 70th St. — Burten, Bell, Carr Development, Inc. (O 2400-03).....	2714
Hecker Ave. — Billy Stuart (O 1712-03)	2719
Phillips Ave. — Gary Warner and Gilliam Robinson-Warner (O 2044-03).....	2720
Union Ave. — Robert Kirkman (O 1935-03)	2719
W. 20th St. — Klein-Barrabas, LLC. (O 1934-03)	2719

Leases

Mural Building — 1925 St. Clair Ave. — lease space — Dept. of Public Health (O 2399-03).....	2713
---	------

Liquor Permits

Cedar Ave., 8716 — objection — withdraw (Ward 6) (R 2344-03).....	2727
Denison Ave., 9410 — transfer (Ward 18) (F 2416-03)	2711
E. 79th St., 1930 — objection — withdraw (Ward 6) (R 2345-03)	2727
Euclid Ave., 18325 — new (Ward 10) (F 2414-03)	2711
Fleet Ave., 5407 — objection — withdraw (Ward 12) (R 2347-03)	2728
Kinsman Ave., 10815 — new (Ward 3) (F 2413-03)	2711
Lakeview Rd., 891 — objection (Ward 9) (R 2351-03).....	2729
Lakewood Heights Blvd., 13429 — objection — withdraw (Ward 9) (R 2343-03).....	2727
Lorain Ave., 14039 — objection (Ward 21) (R 2348-03).....	2728
Lorain Ave., 3501 — objection (Ward 14) (R 2349-03).....	2728
Miles Ave., 11334 — objection — withdraw (Ward 2) (R 2411-03)	2718
Pearl Rd., 3787 — new (Ward 15) (F 2415-03)	2711
St. Clair Ave., 18414-16 — objection — withdraw (Ward 11) (R 2410-03)	2718
Superior Ave., 11625 — objection (Ward 9) (R 2350-03)	2729
W. 3rd St., 1350 — transfer (Ward 13) (F 2417-03)	2711
Warner Rd., 4324 — objection — withdraw (Ward 12) (R 2346-03)	2728

Mayor's Office

Responsible Fatherhood — Mayor's Task Force — create (O 908-03)	2719
---	------

Moral Claims

Payment (O 2395-03).....	2712
--------------------------	------

Neighborhood Equity Funds

Cleveland Restoration Society — Heritage Home Loan Program — Ward 11, 16, 18, 19, 21 (O 2341-03).....	2732
Northeast Neighborhood Corp. — Ashbury Senior Computer Community Center Program — Ward 9 (O 2342-03).....	2732

Ohio Department of Public Health

Federal AIDS Prevention Program 2004 — grant (O 2149-03).....	2720
Women's Health Services Program — grant (O 2398-03)	2713

Parks, Recreation and Properties Department

Kowalski Park Site Improvements — Contract No. 59152 (F 2418-03)	2711
Summer Food Program, 2004 — grant — Camp George L. Forbes (O 2043-03).....	2720
West Side Market — approving the schedule of prices — various parts and sections (O 2091-03).....	2720

Personnel Department

Responsible Fatherhood — Mayor's Task Force — create (O 908-03)	2719
---	------

Predatory Lending

Housing Advocates, Inc. — amend Contract No. 60422 — anti-predatory counseling services (O 2403-03).....	2715
---	------

Public Hearings (Notices)

Damon Ave. & E. 156th St. (NW corner) — change the zoning — Two-Family Use District — "B" Area District — "1" Height District (O 2171-03)	2725
Lake Shore Shopping Plaza (easternmost portion) — change the zoning — One-Family Residential Use District (O 2168-03)	2725
Lake Shore Shopping Plaza — south of Lake Shore Boulevard — between E. 156th St. & E. 161st St. — Shopping Center Use District (O 2170-03).....	2725
Margaret Spellacy Junior High School and Saranac Playground — change the zoning — Two-Family District — Height District "1" (O 2169-03)	2725
Pearl Rd. & Henninger Rd. (N.E. corner) — change the zoning — Local Retail Use District (O 2166-03).....	2725
Pearl Rd. (west) — (between) Brookside Park Dr. & Broadview Rd. — change zoning — Local Retail Use District — "2" Height District (O 2167-03).....	2725
Pearl Rd., (west) — between Broadview Rd. & Memphis Ave. — change the zoning — Local Retail Use District — "2" Height District (O 2251-03)	2725
Saranac Rd. (south) — between E. 154th Pl. & E. 156th St. — change the zoning — Local Retail Use District (O 2172-03).....	2725
Saranac Rd. (south) — between E. 156th St. & E. 159th Sts. — Two-Family Use District (O 2252-03).....	2725
Saranac Rd., (south) between E. 159th & E. 162nd Sts. — change the zoning — Multi-Family Use District (O 2249-03).....	2725
W. 168th St. & Albers Ave. (N.W. corner) — change the zoning — Parking District — "1" Height District (O 2250-03)	2725

Public Utilities Commission (PUCO)

FirstEnergy Rate Stabilization Plan — Urging the Public Utilities Commission of Ohio — reject any proposal (R 2356-03)	2730
---	------

Purchases and Supplies Division

E. 126th St., 3277 — purchase — future redevelopment — convey the property — Mt. Pleasant Now Development Corporation (O 2160-03)	2720
--	------

Resolutions — Miscellaneous

Economy — jump start — empowering manufacturing Czar — urging President Bush (R 2358-03)	2730
Electric and gas disconnection — moratorium — until April 15, 2004 — Cleveland Public Power — The Illuminating Company and Dominion East Ohio Gas (R 2409-03)	2718
Energy resources — government facilities — 5% of renewable — energy efficiency improvements (R 2357-03).....	2730

FirstEnergy Rate Stabilization Plan — Urging the Public Utilities Commission of Ohio — reject any proposal (R 2356-03)	2730
Hospitals closing — urging administration to investigate — possible violations — Chapter 686 (R 2412-03)	2719
O'Jays, The — outstanding musical accomplishments — supporting induction (R 2359-03)	2731
Safety Department	
Responsible Fatherhood — Mayor's Task Force — create (O 908-03)	2719
Service Department	
Cleveland Theater District ("District") — additional security — cleaning and maintenance — public right-of-way and Star Plaza (R 2094-03)	2726
Sewers	
Euclid Corridor — water mains replacement — sewer repair — amend Ord. 2451-02 (O 2307-03)	2731
Special Revenue Funds	
Appropriations — \$10,000,000 — General Fund — \$10,423,817 — Special Revenue Funds — \$400,000 — Enterprise Funds (O 2352-03)	2733
Statement of Work Acceptance	
Kowalski Park Site Improvements — Contract No. 59152 — Dept. of Parks, Recreation and Properties (F 2418-03)	2711
Task Force	
Responsible Fatherhood — Mayor's Task Force — create (O 908-03)	2719
Utilities Department	
Cycle E water tanks — inspecting and assessing — amend Ord. 1521-02 (O 2408-03)	2718
Energy resources — government facilities — 5% of renewable — energy efficiency improvements (R 2357-03).....	2730
Euclid Corridor — water mains replacement — sewer repair — amend Ord. 2451-02 (O 2307-03)	2731
Penton Media Building — lease office space — Citywide GIS project and the Division of Water's ITS staff (O 2318-03)	2731
Ward 02	
Elder, Spc. Yolanda G. — congratulation (R 2424-03)	2711
Miles Ave., 11334 — objection — withdraw — liquor permit (R 2411-03).....	2718
Ward 03	
E. 126th St., 3277 — purchase — future redevelopment — convey the property — Mt. Pleasant Now Development Corporation (O 2160-03)	2720
Kinsman Ave., 10815 — new — liquor permit (F 2413-03).....	2711
Union Ave. — Land Reutilization Program — Robert Kirkman (O 1935-03)	2719
Ward 05	
E. 70th St. — Land Reutilization Program — Burten, Bell, Carr Development, Inc. (O 2400-03).....	2714
Hopewell Missionary Baptist Church — congratulation (R 2423-03).....	2711
Perk, Judge Ralph J., Jr. — congratulation (R 2422-03)	2711
Ward 06	
Cedar Ave., 8716 — objection — withdraw — liquor permit (R 2344-03)	2727
E. 116th St. — Land Reutilization Program — E. and A. Northeast Limited Partnership (O 2154-03).....	2720
E. 79th St., 1930 — objection — withdraw — liquor permit (R 2345-03).....	2727

Ward 07

Brown, Mary Lillian — condolence (R 2420-03).....	2711
Hecker Ave. — Land Reutilization Program — Billy Stuart (O 1712-03)	2719

Ward 09

Daniels, Evangelist Essie Mae — condolence (R 2419-03)	2711
Lakeview Rd., 891 — objection — liquor permit (R 2351-03)	2729
Northeast Neighborhood Corp. — Ashbury Senior Computer Community Center Program — NEF (O 2342-03).....	2732
Phillips Ave. — Land Reutilization Program — Gary Warner and Gilliam Robinson-Warner (O 2044-03).....	2720
Superior Ave., 11625 — objection — liquor permit (R 2350-03).....	2729

Ward 10

Euclid Ave., 18325 — new — liquor permit (F 2414-03)	2711
Norfolk and Western Rail Right of Way — between Octavia Rd & Clarkston Rd. — change the zoning — Residence Industry Use District — “2” Height District (O 2407-03)	2717

Ward 11

Cleveland Restoration Society — Heritage Home Loan Program — Ward 11, 16, 18, 19, 21 NEF (O 2341-03)	2732
Damon Ave. & E. 156th St. (NW corner) — change the zoning — Two-Family Use District — “B” Area District — “I” Height District (O 2171-03)	2725
Lake Shore Shopping Plaza (easternmost portion) — change the zoning — One-Family Residential Use District (O 2168-03)	2725
Lake Shore Shopping Plaza — south of Lake Shore Boulevard — between E. 156th St. & E. 161st St. — Shopping Center Use District (O 2170-03).....	2725
Margaret Spellacy Junior High School and Saranac Playground — change the zoning — Two-Family District — Height District “I” (O 2169-03)	2725
Perk, Judge Ralph J., Jr. — congratulation (R 2422-03)	2711
Saranac Rd. (south) — between E. 154th Pl. & E. 156th St. — change the zoning — Local Retail Use District (O 2172-03).....	2725
Saranac Rd. (south) — between E. 156th St. & E. 159th Sts. — Two-Family Use District (O 2252-03).....	2725
Saranac Rd., (south) between E. 159th & E. 162nd Sts. — change the zoning — Multi-Family Use District (O 2249-03).....	2725
St. Clair Ave., 18414-16 — objection — withdraw — liquor permit (R 2410-03).....	2718

Ward 12

Fleet Ave., 5407 — objection — withdraw — liquor permit (R 2347-03)	2728
Perk, Judge Ralph J., Jr. — congratulation (R 2422-03)	2711
Warner Rd., 4324 — objection — withdraw — liquor permit (R 2346-03).....	2728

Ward 13

Cleveland Theater District (“District”) — additional security — cleaning and maintenance — public right-of-way and Star Plaza (R 2094-03)	2726
E. 40th St., 1667 — live/work building — Loftworks, LLC — contract — interior renovation (O 2405-03).....	2716
W. 3rd St., 1350 — transfer — liquor permit (F 2417-03).....	2711

Ward 14

Lorain Ave., 3501 — objection — liquor permit (R 2349-03)	2728
W. 20th St. — Land Reutilization Program — Klein-Barrabas, LLC. (O 1934-03).....	2719

Ward 15

Pearl Rd. & Henninger Rd. (N.E. corner) — change the zoning — Local Retail Use District (O 2166-03).....	2725
Pearl Rd. (west) — (between) Brookside Park Dr. & Broadview Rd. — change zoning — Local Retail Use District — “2” Height District (O 2167-03).....	2725
Pearl Rd., (west) — between Broadview Rd. & Memphis Ave. — change the zoning — Local Retail Use District — “2” Height District (O 2251-03)	2725
Pearl Rd., 3787 — new — liquor permit (F 2415-03)	2711

Ward 16

Cleveland Restoration Society — Heritage Home Loan Program — Ward 11, 16, 18, 19, 21
 NEF (O 2341-03) **2732**

Ward 18

Cleveland Restoration Society — Heritage Home Loan Program — Ward 11, 16, 18, 19, 21
 NEF (O 2341-03) **2732**
 Denison Ave., 9410 — transfer — liquor permit (F 2416-03) 2711
 Perk, Judge Ralph J., Jr. — congratulation (R 2422-03) 2711

Ward 19

Cleveland Restoration Society — Heritage Home Loan Program — Ward 11, 16, 18, 19, 21
 NEF (O 2341-03) **2732**
 Lakewood Heights Blvd., 13429 — objection — withdraw — liquor permit (Ward
 9) (R 2343-03)..... **2727**

Ward 20

Scholz, Paul — condolence (R 2421-03) 2711

Ward 21

Cleveland Restoration Society — Heritage Home Loan Program — Ward 11, 16, 18, 19, 21
 NEF (O 2341-03) **2732**
 Lorain Ave., 14039 — objection — liquor permit (R 2348-03) **2728**
 W. 168th St. & Albers Ave. (N.W. corner) — change the zoning — Parking District — “1”
 Height District (O 2250-03) 2725

Water Division

Cycle E water tanks — inspecting and assessing — amend Ord. 1521-02
 (O 2408-03)..... 2718
 Penton Media Building — lease office space — Citywide GIS project and the Division of
 Water’s ITS staff (O 2318-03) **2731**

West Side Market

Schedule of prices — approve — various parts and sections (O 2091-03)..... 2720

Zoning

Damon Ave. & E. 156th St. (NW corner) — change the zoning — Two-Family Use District —
 “B” Area District — “1” Height District (O 2171-03) 2725
 Lake Shore Shopping Plaza (easternmost portion) — change the zoning — One-Family
 Residential Use District (O 2168-03) 2725
 Lake Shore Shopping Plaza — south of Lake Shore Boulevard — between E. 156th St. & E.
 161st St. — Shopping Center Use District (O 2170-03)..... 2725
 Margaret Spellacy Junior High School and Saranac Playground — change the zoning —
 Two-Family District — Height District “1” (O 2169-03) 2725
 Pearl Rd. & Henninger Rd. (N.E. corner) — change the zoning — Local Retail Use District
 (O 2166-03)..... 2725
 Pearl Rd. (west) — (between) Brookside Park Dr. & Broadview Rd. — change zoning
 — Local Retail Use District — “2” Height District (O 2167-03)..... 2725
 Pearl Rd., (west) — between Broadview Rd. & Memphis Ave. — change the zoning — Local
 Retail Use District — “2” Height District (O 2251-03) 2725
 Saranac Rd. (south) — between E. 154th Pl. & E. 156th St. — change the zoning — Local
 Retail Use District (O 2172-03)..... 2725
 Saranac Rd. (south) — between E. 156th St. & E. 159th Sts. — Two-Family Use District
 (O 2252-03)..... 2725
 Saranac Rd., (south) between E. 159th & E. 162nd Sts. — change the zoning —
 Multi-Family Use District (O 2249-03)..... 2725
 W. 168th St. & Albers Ave. (N.W. corner) — change the zoning — Parking District — “1”
 Height District (O 2250-03) 2725