

The City Record

Official Publication of the City of Cleveland

July the Third, Two Thousand and Two

Mayor	
Jane L. Campbell	
President of Council	
Frank G. Jackson	
Clerk of Council	
Valarie J. McCall	
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

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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.	4326 Daisy Avenue	44109
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	10513 Clifton Boulevard	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

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

MAYOR – Jane L. Campbell

Terrell Cole, Executive Assistant
Erik Janas, Executive Assistant
Rodney Jenkins, Executive Assistant
David M. McGuirk, Executive Assistant
Timothy Mueller, Executive Assistant
Henry Guzman, Director, Office of Equal Opportunity
Margreat A. Jackson, Legislative Affairs Liaison

DEPT. OF LAW – Subodh Chandra, Director, Galen L. Schuerlein, Acting Chief Counsel, Room 106
Karen E. Martines, 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 – Joel Nacion, Acting Controller, Room 18
Information Systems Services – Cleo Henderson, Commissioner, 1404 E. 9th St.
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 – Darnell Brown, Acting 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 – Michael G. Konicek, Acting Director, Cleveland Hopkins International Airport, 5300 Riverside Drive;
Burke Lakefront Airport – Khalid Bahkur, 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 Avenue

DIVISIONS: Correction – Robert Tasky, Commissioner, Cleveland House of Corrections, 4041 Northfield Road
Environment – Willie Bess, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Health – Dr. Wendy Johnson, Acting Commissioner, Mural Building, 1925 St. Clair Avenue

DEPT. OF PUBLIC SAFETY – James A. Draper, Director, Room 230

DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 W. 7th Street
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue
Police – Edward F. Lohn, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF PARKS, RECREATION & PROPERTIES – James Glending, Acting Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.

DIVISIONS: Convention Center & Stadium – James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
Parking Facilities – Dennis Donahue, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.

Park Maintenance and Properties – Richard L. Silva, Commissioner, Public Auditorium – E. 6th & Lakeside.

Property Management – Tom Nagle, Commissioner, East 49th & 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.
Building & Housing – Robert Vilkas, Commissioner, 5th Floor, City Hall.
Neighborhood Services – Louise V. Jackson, Commissioner.
Neighborhood Development – Sharon Dumas, Commissioner.

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Eduardo A. Romero, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Greg Huth, Acting Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

COMMUNITY RELATIONS BOARD – Room 11, John E. Barnes, Jr., Director; Mayor Jane L. Campbell, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilman Kevin Conwell, Councilman Matthew Zone, City Council Representatives; Rev. Bruce Goode, Paula Castleberry, Charles E. McBee, Mary Adele Springman, Esq., Terez E. Woods, Emmett Saunders, John Banno, Mary Jane Buckshot, Kathryn M. Hall, Raymond Negron, Evangeline Hardaway, Edna Fuentes-Casiano, Janet Jankura, Gia Hoa Ryan.

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

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

BOARD OF ZONING APPEALS – Room 516, Carol Johnson, Chairman; Members; Margreat Hopkins, Ozell Dobbins, Joan Shaver-Washington, 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 Richard F. Horvath, President; Finance Director Betsy Hruby, Secretary; Council President Frank G. Jackson.

BOARD OF SIDE WALK APPEALS – Service Director Mark Ricchiuto; Law Director Richard F. Horvath; Councilman Martin J. Sweeney.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Richard F. Horvath; Utilities Director Darnell Brown; 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.

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

MORAL CLAIMS COMMISSION – Law Director, Richard F. Horvath; Chairman; Finance Director Betsy Hruby; 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 Gyorky, 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 – Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; N. Kurt Wiebush, James Gibans, Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Joseph Cimperman, Dwayne J. Simpson, Robert Keiser, Executive 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

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WEDNESDAY, JULY 3, 2002

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CITY COUNCIL

MONDAY, JULY 1, 2002

The City Record

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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.

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

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

The following is a corrected version of Board of Control Resolution No. 896-01, adopted December 12, 2001, which was originally printed in the December 19, 2001 City Record:

Resolution No. 896-01.

By Director Clark.

Resolved, by the Board of Control of the City of Cleveland that the bid of Concord Road Equipment Mfg., Inc. for an estimated quantity of

cab/chassis with snow removal equipment and cab/chassis with snow blower, for various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on September 14, 2001, pursuant to the authority of Ordinance No. 1264-01, passed by the Council of the City of Cleveland on June 19, 2001, which on the basis of the estimated quantity would amount to One Million Two Hundred Ninety-One Thousand One Hundred Twenty and 00/100 Dollars (\$1,291,120.00) (Net) is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 103386

which shall be certified against such contract in the sum of One Million Two Hundred Ninety-One Thousand One Hundred Twenty and 00/100 Dollars (\$1,291,120.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Concord Road Equipment Mfg., Inc. for the above-mentioned purchase is hereby approved:

Johnson's Driveaway Service
MBE — \$2,000.00 per unit

Be it further resolved that the September 13, 2001 request of Concord Road Equipment Mfg., Inc. that the City make payment for the goods purchased under the requirement contract authorized above jointly to Concord Road Equipment Mfg., Inc. and Metropolitan Bank & Trust is hereby approved:

Yeas: Mayor White, Director Carr, Clark, Acting Director Brown, Director Shepherd, Acting Director DeVaul, Director Whitlow, Acting Directors Smith, Cox, Director Hudecek, Director Warren and Alexander.

Nays: None.

Absent: Director Patterson.

JEFFREY B. MARKS,
Secretary

BOARD OF CONTROL

June 26, 2002

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, June 26, 2002, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor.
Absent: Director Baker.
Others: Myrna Branche, Commissioner Purchases and Supplies.

Henry Guzman, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 383-02.

By Director Baker.

Resolved by the Board of Control of the City of Cleveland, that pursuant to Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952 the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of June, 2002 in the amount of \$52.06, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor
Nays: None.
Absent: Director Baker.

Resolution No. 384-02.

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the bid of Graebel/Cleveland Movers, Inc. for an estimated quantity of moving services, all items, for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on May 2, 2002, pursuant to the authority of Ordinance No. 1236-01, passed July 18, 2001, which on the basis of the estimated quantity would amount to Fifty Thousand and 00/100 Dollars (\$50,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 124460 which shall be certified against such contract in the sum of Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity, as

may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor
Nays: None.
Absent: Director Baker.

Resolution No. 385-02.

By Acting Director Brown.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by DLZ Ohio under the contract for professional services for environmental and engineering for the Division of Water, Department of Public Utilities, authorized by Ordinance No. 1232-01, passed August 15, 2001, and Board of Control Resolution No. 122-02, adopted March 20, 2002, is hereby approved:

Subcontractors

Prime Engineering & Architecture, Inc.
Kenny Industrial Services
Roof T.E.C., Inc.

Yeas: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor
Nays: None.
Absent: Director Baker.

Resolution No. 386-02.

By Acting Director Brown.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Solar Testing Laboratories, Inc. under the contract for professional services for environmental and engineering for the Division of Water, Department of Public Utilities, authorized by Ordinance No. 1232-01, passed August 15, 2001, and Board of Control Resolution No. 121-02, adopted March 20, 2002, is hereby approved:

Subcontractors

Alpha Omega Chemical Company
C.T. Consultants, Inc.
EnviroServe
Kenneth R. Kuentz & Associates
KS Associates, Inc.
Office Pro, Inc.
Roy F. Weston, Inc.
Test America Incorporated
United Survey, Inc.
Utilocate CEC

Yeas: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor
Nays: None.
Absent: Director Baker.

Resolution No. 387-02.

By Acting Director Brown.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 361-02, adopted June 19, 2002, pursuant to the authority of Ordinance No. 1149-01, passed by the

Council of the City of Cleveland on August 15, 2001, approving the selection of Project T.E.A.C.H. to provide Hazardous Communication "Right to Know" Safety Training Services for the Division of Water, Department of Public Utilities, is hereby amended by deleting the words, "Project T.E.A.C.H.," and inserting "Project T.E.A.C.H., Inc. & H.I. Environmental Technologies, a joint venture".

Be it further resolved that all other provisions of said Resolution No. 361-02 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor
Nays: None.
Absent: Director Baker.

Resolution No. 388-02.

By Director Ricchiuto.

Whereas, Resolution No. 166-02, adopted by this Board on April 3, 2002, authorizing the Director of Public Service to enter into a written contract with the firm of Adache Ciuni Lynn Associates for preliminary engineering services necessary for the widening of East 116th Street from MLK to Shaker Blvd., the widening of East 116th Street bridge over RTA at Shaker Blvd., and for modifying traffic patterns at the intersection of Stokes/MLK/Fairhill Rd. incorrectly stated the MBE/FBE subconsultant costs and percentages as

J & L Laboratories
215 Rainbow Street
Wadsworth, Ohio 44281
(MBE) \$10,778.90 (3%)

L. V. Surveying, Inc.
11528 Royalton Road
North Royalton, Ohio 44133
(FBE) \$20,000.00 (5%)

Dalia Consultants
6020 Royalton Road
North Royalton, Ohio 44133
(MBE) \$45,626.74 (12%),
now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Resolution No. 166-02, adopted by this Board on April 3, 2002, authorizing the Director of Public Service to enter into a written contract with the firm of Adache Ciuni Lynn Associates for preliminary engineering services necessary for the widening of East 116th Street from MLK to Shaker Blvd., the widening of East 116th Street bridge over RTA at Shaker Blvd., and for modifying traffic patterns at the intersection of Stokes/MLK/Fairhill Rd., is amended by changing the MBE/FBE subconsultant costs and percentages referenced in said resolution to

J & L Laboratories
215 Rainbow Street
Wadsworth, Ohio 44281
(MBE) \$10,778.90 (7.73%)

L. V. Surveying, Inc.
11528 Royalton Road
North Royalton, Ohio 44133
(FBE) \$7,195.26 (5%)

Dalia Consultants
6020 Royalton Road
North Royalton, Ohio 44133
(MBE) \$10,131.88 (7.27%)

Be it further resolved that all other provisions of said Resolution No. 166-02 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor
Nays: None.
Absent: Director Baker.

Resolution No. 389-02.

By Director Draper.
Resolved by the Board of Control of the City of Cleveland that the bid of EDH, Inc., d.b.a. Tee's Plus for an estimated quantity of DARE Items, item nos. 5 and 7, 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 April 11, 2002, pursuant to the authority of Ordinance No. 2165-01, which was passed by Cleveland City Council on February 4, 2002, which on the basis of the estimated quantity would amount to three thousand, three hundred sixty and 00/100 dollars (\$3,360.00) (2% 30 Days), 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. 119212 as specified, which shall be certified against such contract in the sum of Three Thousand, Three Hundred Sixty and 00/100 Dollars (\$3,360.00).

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

Yeas: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor
Nays: None.
Absent: Director Baker.

Resolution No. 390-02.

By Director Draper.
Resolved by the Board of Control of the City of Cleveland that the bid of South East Harley-Davidson Sales, Inc. for an estimated quantity of police solo motorcycles, including the trade-in of twenty-two (22) used police solo motorcycles, 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 May 15, 2002, pursuant to the authority of Ordinance No. 497-01, passed by the Council of the City of Cleveland on May 21, 2001, which on the basis of

the estimated quantity would amount to Two Hundred Forty-One Thousand Eight Hundred Ninety-Nine and 90/100 Dollars (\$241,899.90) (0%-0 Days), 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. 105892 which shall be certified against such contract in the sum of Two Hundred Forty-One Thousand Eight Hundred Ninety-Nine and 90/100 Dollars (\$241,899.90).

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

Yeas: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor
Nays: None.
Absent: Director Baker.

Resolution No. 391-02.

By Director Draper.
Resolved by the Board of Control of the City of Cleveland that the bid of Bound Tree Medical, LLC for an estimated quantity of medical supplies, all items, for the Division of Fire, Department of Public Safety, for the period of two (2) years beginning with the date of execution of a contract, received on April 12, 2002, pursuant to the authority of Ordinance No. 582-99, which was passed by Cleveland City Council on June 7, 1999, on the basis of the estimated quantity would amount to One Hundred Sixty-Two Thousand, Four Hundred Forty Two and 80/100 Dollars (\$162,442.80) (0% Days), 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. 116332 as specified, which shall be certified against such contract in the sum of Five Thousand and 00/100 Dollars (\$5,000.00).

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

Yeas: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor
Nays: None.
Absent: Director Baker.

Resolution No. 392-02.

By Acting Director Glending.
Be it resolved by the Board of Control of the City of Cleveland that the bid of John S. Pedali, d.b.a. U.S. Floor Service, for the public improvements of various recreation centers base bid for the Department of Parks, Recreation and Properties, received on March 28, 2002, pursuant to the authority of Ordinance No. 1728-2000, passed April 9, 2001, for a gross price for the improvement in the aggregate amount of Ninety Nine Thousand Five Hundred Eighty Three and no/100 Dollars (\$99,583.00), is hereby affirmed and approved as the lowest responsible bid, and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor
Nays: None.
Absent: Director Baker.

Resolution No. 393-02.

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. 119-27-044 located at 8218 Golden Avenue in Ward 6; 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, Earl L. Carrington and Patricia Carrington, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified 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 Earl L. Carrington and Patricia Carrington for the sale and development of Permanent Parcel No. 119-27-044 located at 8218 Golden Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be

\$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor
Nays: None.
Absent: Director Baker.

Resolution No. 394-02.

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. 135-16-106 located at 9502 Sandusky Avenue in Ward 2; 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, Willis Smith, 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 2 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 Willis Smith for the sale and development of Permanent Parcel No. 135-16-106 located at 9502 Sandusky Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor
Nays: None.
Absent: Director Baker.

Resolution No. 395-02.

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. 119-33-076 located at 2236 East 90th Street in Ward 6; 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, Paul D. Lewis, 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 6 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 Paul D. Lewis for the sale and development of Permanent Parcel No. 119-33-076 located at 2236 East 90th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor
Nays: None.
Absent: Director Baker.

Resolution No. 396-02.

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. 002-14-129 located at 1455 West 52nd Street in Ward 17; 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, Mathew C. Cliffl and Mary C. Fraser, abutting/adjacent

landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified 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 Mathew C. Cliffl and Mary C. Fraser for the sale and development of Permanent Parcel No. 002-14-129 located at 1455 West 52nd Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor Campbell, Director Chandra, Acting Directors Brown, Szabo, Director Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Acting Director Huth, Directors Fumich and Taylor
Nays: None.
Absent: Director Baker.

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.

ANNE BLOOMBERG,
President

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, JULY 15, 2002

9:30 A.M.

Calendar No. 02-149: 1078 Old River Road (Ward 13)

Isabelle Basile, owner, a.k.a. 1078 River Road Company Ltd., d.b.a. The Basement c/o Henry LaConti, agent, appeals to change the use of the first floor and second floor of an existing 6,671 sq. ft. restaurant into a nightclub all situated on an approximate 116' x 120' parcel in a General Industry District on the west side of Old River Road at 1078 Old River Road; said change of use being contrary to the Off-Street Parking and Loading Requirements of Section 349.04(e), where 73 parking spaces are required and 0 are proposed and Section 349.05(a), where all parking shall be located within 400' of the main use and under the same control and contrary to the Nonconforming Use Requirements, where an existing nonconforming use requires Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

Calendar No. 02-150: 7809 Star Avenue (Ward 7)

Rhonda Savage, owner, appeals to install 276 linear feet of 6' high wood fencing to the rear yard of a 70' x 150' corner parcel located in a Two-Family District on the north side of Star Avenue at 7809 Star Avenue; said installation being contrary to the Yards and Courts Requirements of Section 357.05(b), where on the rear one-third of a corner lot in a Residence District where the rear lot abuts a Residence District the building line shall not be less than 10' from the side street line and 4' is provided and a 6' high fence is proposed, where no fence shall be higher than 4' in a triangle formed equidistant to the setback line as stated in Section 357.13 of the Codified Ordinances.

Calendar No. 02-152: 10515 Sandusky Avenue (Ward 2)

Anthony and Robin Pruitt, owners, appeal to change the use of an existing 2 1/2-story wood frame building with one dwelling unit on the second floor and a store on the first floor into one dwelling unit on the second floor and a beauty salon on the first floor, all situated on a 40' x 127' parcel located in a Two-Family District on the south side of Sandusky Avenue at 10515 Sandusky Avenue; said change of use being contrary to the Residential District Requirements of Section 337.03, where beauty salons are not permitted in a Two-Family District but first permitted in a Local Retail Business District as stated in Section 343.01(b)(2)(G) and contrary to the Nonconforming Use Requirements, where a substitution of nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

Calendar No. 02-153: Appeal of Freddie L. Reeves

Freddie L. Reeves appeals under Section 76-6 and the Charter of the City of Cleveland under Ordinance 674.04 of the Codified Ordinances from the refused application for a Handgun Registration and Owners' Identification Card on April 11, 2002 upon the recommendation of the Chief of Police, City of Cleveland.

Calendar No. 02-154: 1305 East 124th Street (Ward 9)

Gregory Patrick, owner, appeals to change the use of an existing 64' x 90' two-story masonry, 6 dwelling units and 4 stores building into an office and 4 stores, all situated on a 40' x 120' parcel located in a Local Retail Business District on the east side of East 124th Street at 1305 East 124th Street; said change of use being contrary to the Business District Regulations of Section 343.01(b)(2)(g)(3), where office use in a Local Retail Business District shall not exceed a total of five persons and Section 343.18, where no driveway shall be located less than 15' from the property line and contrary to the Off-Street Parking and Loading Requirements of Section 349.04, where 6 additional parking spaces are required and none are proposed and contrary to the Yard and Courts Requirements of Section 357.04(a), where a 30' front yard setback is required and no side yard setback is proposed and 5' is required as stated in Section 357.05 of the Codified Ordinances.

Calendar No. 02-155: 5907 Ackley Road (Ward 12)

Harold and Valerie Spruce, owners, appeal to change the use of an existing approximate 40' x 70' two-story, masonry 3 dwelling unit, restaurant and tavern building into a church, all situated on a 42' x 95' parcel located in a Local Retail Business District on the northwest corner of Linton Avenue and Ackley Road at 5907 Ackley Road; said change of use being contrary to the Planned Unit Development Overlay District Requirements of Section 334.20, where an adequate site plan is required showing striped parking spaces, landscape strip and transition strip at rear of property and contrary to the Business District Regulations of Section 343.01, where by reference as regulated down to a One-Family District, Section 337.03(e), a church is required to be 15' away from any adjoining premises in a residence district not used for similar purposes and the proposed use abuts a Two-Family District and contrary to the Off-Street Parking and Loading Requirements of Section 349.04(e), where 1 parking space for each 6 seats is required and none is proposed and contrary to the Landscaping and Screening Requirements, where a 6' wide landscaping strip is required between the street and the parking lot as stated in Section 352.10 of the Codified Ordinances.

Calendar No. 02-156: 1115 Norwood Road (Ward 13)

Daniel York, owner, appeals to change the use of an existing 45' x 60' two-story, wood frame 3 dwelling units and a store building into 4 dwelling units all situated on a 120' x 149' parcel located in a Two-Family District on the north side of Norwood Road at 1115 Norwood Road; said change of use being contrary to the Residential District Requirements of Section 337.03, where 4 dwelling unit buildings are not permitted in a Two-Family District but first permitted in a Multi-Family district as stated in Section 337.08 and contrary to the Area Requirements of Section 355.04(b), where the permitted density is 2,923 sq. ft. and 8,872 sq. ft. is proposed and contrary to the Off-Street Parking and Loading Requirements of Section 349.04, where 4 parking spaces are required and none are proposed and contrary to the Yard and Court Requirements of Section 357.04(a), where an 18' front yard setback is required and the existing building is on the property line and Section 357.05, where a 5' side yard setback is required and 0' is proposed and Section 357.08, where a 20' rear yard setback is required and 3' is proposed and contrary to the Nonconforming Use Requirements, where a substitution of nonconforming use requires Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

Calendar No. 86-182: 1575 West 117th Street (Ward 18)

On September 15, 1986, John F. Malloy was conditionally granted a variance to convert to a crematory the rear portion of a 28'-8" x 75' one-story masonry funeral home on a 41' x 152' lot located in a General Retail Business District at 1575 West 117th Street, contrary to the retail limitations of Section 343.11 of the Codified Ordinances. Upon a Motion to Modify the Resolution, John F. Malloy, owner, and Dennis F. Butler, agent, request that the Board of Zoning Appeals modify the prior conditions of the decision dated September 15, 1986, specifically the language in Item 4: "Ownership of the license to operate the retort should be non-transferable." or, restricting use of the unit to those clients using Malloy Memorial's complete services.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, JULY 1, 2002

At the meeting of the Board of Zoning Appeals on Monday, July 1, 2002, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 02-133: Phase 1 — 5303, 5307, 5311, 5315 Herman Avenue (Unit 1) 5305, 5309, 5313, 5317 Herman Avenue (Unit 2) City Life Development, owners, appealed to construct (2) four unit townhouses on a 139' x 155' corner parcel in a Two-Family District.

Calendar No. 02-134: Phase 2 — 5409, 5413, 5417, 5421, 5425 Herman Avenue (Unit 3) 5411, 5415, 5419, 5423 Herman Avenue (Unit 4) City Life Development, owners, appealed to construct (1) five unit townhouse and (1) four unit townhouse on a 139' x 172' corner parcel in a Two-Family District.

Calendar No. 02-161: 1227 West 69th Street Nolasco Housing Corporation, owners, appealed to construct a 26' x 28' two-story frame dwelling with a 21' x 21' one-story attached garage on a 65' x 93' parcel in a Two-Family District.

The following appeal was **Denied:**

Calendar No. 02-137: Appeal of Mervyn J. Barber c/o Richard H. Lazard, 11921 Lorain Avenue Mervyn J. Barber, owner c/o Richard H. Lazard, manager of the property, appealed from a Violation Notice issued February 26, 2002 by the Commissioner of Building and Housing.

The following appeals were **Dismissed:**

Calendar No. 02-140: 14500 Puritas Avenue Paul Haddad, owner, and Whitney Miller, tenant, appealed to establish a two-story frame one dwelling house to an office use as a palm reader advisor facility in a General Retail Business District.

Calendar No. 02-110: 16709 Puritas Avenue Madeleine Zammar, owner, appealed to install a 6' high wooden fence to the north, south, east and west of a consolidated 72' x 118' parcel in an A-1 Family District.

The following appeals were **Postponed:**

Calendar No. 02-114: 1082 East 105th Street postponed to July 29, 2002.

Calendar No. 02-136: 1867-73 West 25th Street postponed to July 22, 2002.

Calendar No. 02-141: 705-707 Literary Road postponed to July 29, 2002.

Calendar No. 02-118: 9901 Broadway Avenue postponed to September 9, 2002.

Calendar No. 02-123: 12417-19 Buckeye Road postponed to August 12, 2002.

On Monday, June 24, 2002, in Executive Session:

The following appeals were heard by the Board on Monday, June 24, 2002, and said decisions were adopted and approved in Executive Session on July 1, 2002:

The following appeals were **Approved:**

Calendar No. 02-127: 3247 West 142nd Street Donald Swansiger, owner, appealed to construct a 22' x 22' garage with gable roof to the rear of a 32' x 119' corner parcel in a One-Family District.

Calendar No. 02-135: 1941 West 45th Street Brian and Paula Pason, owners, appealed to construct a 6' x 18' one-story wooden deck 6' above grade to the rear of a 1 1/2-dwelling house on a 30' x 66' parcel in a Two-Family District.

Calendar No. 02-146: 7300 Dell Avenue Mt. Sinai Church, owner, appeal to construct a temporary parking lot on a vacant corner parcel in a Multi-Family District; subject to conditions of Section 349.13(c)(1-8).

Calendar No. 02-78: 3620 Superior Avenue Judy Chiu, owner, appealed to change the use of a 74' x 156' second floor area of a 52' x 156' factory building to an amusement and recreation use in a Semi-Industry District.

Calendar No. 02-108: 2609 West 18th Street Luis and Carmen Ramos, owners, appealed to enclose a 6'-10" x 20' first floor front porch of a 20' x 48' one family house in a Semi-Industry District.

The following appeal was **Denied:**

Calendar No. 02-128: 3363 East 93rd Street Mazhar Kahn, owner, and Sunoco, lessee, appealed to install an 18' high free-standing identification sign in a Local Retail Business District.

The following appeal was heard by the Board of Zoning Appeals on June 17, 2002 and said decision was adopted and approved by the Board in Executive Session on Monday, July 1, 2002:

The following appeal was **Approved:**

Calendar No. 02-119: 2510 St. Clair Avenue Zapis Communications, owner, appealed to construct a 35' x 130' asphalt parking lot on a 175' x 132' parcel in Multi-Family District.

EUGENE CRANFORD, JR.,
Secretary

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

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

1552

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, JULY 10, 2002

Document Scanning Equipment, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2365-01, passed by the Council of the City of Cleveland, March 4, 2002.

June 26, 2002 and July 3, 2002

THURSDAY, JULY 11, 2002

The Fairway Area Sewer Replacement Project, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 821-01, passed by the Council of the City of Cleveland, June 11, 2001.
THERE WILL BE A REFUNDABLE FEE OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

June 26, 2002 and July 3, 2002

WEDNESDAY, JULY 17, 2002

Vitrified Clay Pipe, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27, of the Codified Ordinances of Cleveland, Ohio, 1976.

Electric Motors and Pumps, for the Division of Property Management, Department of Parks, Recreation, and Properties, as authorized by Ordinance No. 539-02, passed by the Council of the City of Cleveland, April 22, 2002.

Sewer Maintenance Appurtenances — Slabs, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27, of the Codified Ordinances of Cleveland, Ohio, 1976.

June 26, 2002 and July 3, 2002

THURSDAY, JULY 18, 2002

Security System, for the Division of Civil & Criminal, Cleveland Municipal Court, as authorized by Ordinance No. 2142-01.

MANDATORY PRE-BID MEETING AT 9:30 A.M., TUESDAY, JULY 9, 2002 LOCATED AT CLEVELAND MUNICIPAL COURT CLERK OF COURTS, 2nd FLOOR CONFERENCE ROOM WITH ASSIGNED BUYER FROM YOUR OFFICE.

Ground Application of Adulticide, for the Division of Environment, Department of Public Health, as authorized by Ordinance No. 593-02, passed by the Council of the City of Cleveland, May 13, 2002.

8' x 30" Tables and Dollies, for Various Divisions, Department of Parks, Recreation, Properties, as authorized by Ordinance No. 1205-2000, passed by the Council of the City of Cleveland, May 21, 2001.

June 26, 2002 and July 3, 2002

FRIDAY, JULY 19, 2002

Labor & Materials to Repair or Replace Fire Hydrants, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 214-02, passed by the Council of the City of Cleveland, April 8, 2002.

THERE WILL BE A MANDATORY PRE-BID MEETING ON WEDNESDAY, JULY 10, 2002 AT 10:30 A.M. DIVISION OF WATER — DISTRIBUTION & MAINTENANCE, 4600 HARVARD AVE., CLEVELAND, OHIO 44105, PIPE REPAIR CONFERENCE ROOM.

June 26, 2002 and July 3, 2002

WEDNESDAY, JULY 17, 2002

Video Downlink System, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 497-01, passed by the Council of the City of Cleveland, May 21, 2001.

July 3, 2002 and July 10, 2002

THURSDAY, JULY 18, 2002

Fairville Ave./West 190th Street Area Sewer Rehabilitation, for the Division of Water Pollution Control, Department of Public Utili-

ties, as authorized by Ordinance No. 999-2000.

THERE WILL BE A REFUNDABLE FEE OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

July 3, 2002 and July 10, 2002

WEDNESDAY, JULY 24, 2002

Digital Photography Mini Lab System, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1265-01, passed by the Council of the City of Cleveland, June 19, 2001.

Cable and Cable Accessories, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1630-92, passed by the Council of the City of Cleveland, September 21, 1992.

THERE WILL BE A MANDATORY PRE-BID MEETING ON FRIDAY, JULY 12, 2002 AT 10:00 A.M., LOCATED AT 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

July 3, 2002 and July 10, 2002

THURSDAY, JULY 25, 2002

Meters and Metering Equipment, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1630-92, passed by the Council of the City of Cleveland, September 21, 1992.

THERE WILL BE A MANDATORY PRE-BID MEETING ON THURSDAY, JULY 11, 2002 AT 2:00 P.M., LOCATED AT 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

MSA RIT and Truck Kits, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 1726-98, passed by the Council of the City of Cleveland, November 16, 1998.

Service Entrance Equipment, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1630-92, passed by the Council of the City of Cleveland, September 21, 1992.

THERE WILL BE A MANDATORY PRE-BID MEETING ON FRIDAY, JULY 12, 2002 AT 2:00 P.M., LOCATED AT 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Maintenance of High Voltage Static Transmission Cable System, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1052-01, passed by the Council of the City of Cleveland, July 18, 2001.

THERE WILL BE A MANDATORY PRE-BID MEETING ON THURSDAY, JULY 11, 2002 AT 10:00 A.M., LOCATED AT 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

July 3, 2002 and July 10, 2002

ADOPTED RESOLUTIONS AND ORDINANCES

Ord. No. 936-02.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Operative Plasterers' and Cement Masons' International Association Local 404 to provide economic development assistance to partially finance the construction of an addition to their facility, to renovate the existing space, for site improvement, and all other associated costs necessary to redevelop the property located at 1417 East 25th Street, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Operative Plasterers' and Cement Masons' International Association Local 404 to provide economic development assistance to partially finance the construction of an addition to their facility, to renovate the existing space, for site improvement, and all other associated costs necessary to redevelop the property located at 1417 East 25th Street, Cleveland, Ohio.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Summary contained in File No. 936-02-A.

Section 3. That the costs of said contract shall not exceed One Hundred Twenty Thousand Dollars (\$120,000), and shall be paid from Fund No. 17 SF 008, which funds are appropriated for this purpose, Request No. 103556.

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

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

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

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

Section 8. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 941-02.

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

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain and repair boilers, for the various divisions of the Department of Port Control.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 113521)

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 942-02.

By Council Member Brady.
An emergency ordinance designating The Cleveland Christian Home for Children as a Cleveland Landmark.

Whereas, the Cleveland Landmarks Commission (the "Commission") pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, has proposed the designation of the Cleveland Christian Home for Children as a landmark; and

Whereas, a public hearing pursuant to Chapter 161.04 (b)(2) was held on March 14, 2002 to discuss the proposed designation of the Cleveland Christian Home for Children as a landmark; and

Whereas, the Commission has recommended designation of the Cleveland Christian Home for Children as a landmark and has set forth certain findings of fact constituting the basis for its decision, and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now therefore

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

Section 1. That the Cleveland Christian Home for Children, whose street address in the City of Cleveland is 11401 Lorain Avenue, S.W., also known as Cuyahoga County Auditor's Permanent Parcel Number 018-07-006, composed of Sublot Numbers 48 through 83 and vacated West 113th Street, and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, be and it hereby is designated a landmark pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 977-02.

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

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract with Court Community Service for professional services necessary to place persons the Court refers to the Court Community Service Cleveland Work Crew Program for the Cleveland Municipal Court, for a period of one year, with a one year option to renew.

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

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

Section 1. That the Director of Finance, on behalf of the Cleveland

Municipal Court, is hereby authorized to enter into contract with Court Community Service for professional services necessary to arrange community service for persons the Court refers to the Court Community Service Cleveland Work Crew Program, for a period of one year, commencing January 1, 2002, with one (1) option exercisable by the Director of Finance, to renew for an additional one-year term, and cancelable upon thirty days written notice by said Director, on the basis of its proposal dated September 7, 2001, in the sum of \$106,160, payable from Fund No. 01-011501-632000, Request No. 101175, for the Cleveland Municipal Court.

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 979-02.

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

An emergency ordinance authorizing the Director of Port Control to enter into an amendment with American Airlines, Inc., Contract No. 31083, to provide for the deletion of certain space from the Lease, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into an Amendment with American Airlines, Inc. ("Lessee"), Contract No. 31083, to delete from Lessee's right and obligation under the lease the following space, effective upon the effective date of this ordinance: approximately 2,468 square feet of space located on the southwest corner of the intersection of Concourse A and the Concourse A connector, formerly used as American's Admiral's Club.

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

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

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 982-02.

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

An emergency ordinance authorizing the Director of Port Control to make alterations and modifications in Contract No. 57869 for the replacement of Tug Road at Cleveland Hopkins International Airport, with Perk Company, Inc., for the Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized to make the following alterations and modifications in Contract No. 57869 with Perk Company, Inc. for the replacement of Tug Road at Cleveland Hopkins International Airport, for the Department of Port Control:

ADDITIONS OUT OF SCOPE

ITEM #	DESCRIPTION	AMOUNT
CM-001	Removal of contaminated soils in sections B & C to sub-grade and the prevention of spreading contaminants by covering the excavated site with visqueen.	27,911.72
CM-002	Remove and replace severely deteriorated concrete slab (25' x 25' x 1') around electrical vault and the installation of a new casting and cover to replace existing cracked casting and cover.	4,100.00
CM-016	Removal of petroleum contaminated soils from Tug Road Section "A" to sub grade and disposal of contaminated soils at an OEPA approved dump. Prevention of spreading contaminants by covering excavation with visqueen.	27,088.28
CM-011	Construction of stock piles (earthen dams) to hold contaminated soils from Sections "B & C".	7,497.74
CM-012	Tarping for stockpiles.	4,931.51

ADDITIONS WITHIN SCOPE

ITEM #	DESCRIPTION	AMOUNT
00003	Additional flagger hours as result of airport shutdown. 2 flaggers x 2 days x 24 hours per day = 96 hours.	2,400.00
00027	Work involving regulated water for an additional 400 Gallons removed from electrical vault.	4,605.62
ADDITIONS SUBTOTAL		78,534.87

REDUCTIONS WITHIN SCOPE

00008	Credit for water for dust control not utilized	(1,000.00)
00009	Partial credit for pavement planing not fully utilized.	(1,350.00)
00014	Partial credit for 6" perforated pipe (drain-tile) and filter fabric wrap deleted from contract.	(4,605.62)
00017	Credit for temporary seeding not performed.	(118.75)
00019	Credit for temporary mulching not performed.	(95.00)
00024	Credit for petroleum contaminated soil (VAP) as non-performed.	(1,500.00)
00026	Work involving non-regulated water not performed.	(750.00)

REDUCTIONS OUT OF SCOPE

CM-14	Credit for 12 cubic yards of crushed aggregate base not used around the electrical vault.	(410.00)
REDUCTIONS SUBTOTAL		9,829.37

Total Subsidiary Additions	\$ 78,534.87
Total Subsidiary Reductions	<u>- 9,829.37</u>
TOTAL SUBSIDIARY AMOUNT	68,705.50
Original Contract Amount	\$ 476,471.60
Total Subsidiary Amount	<u>+ 68,705.50</u>
TOTAL REVISED CONTRACT AMOUNT	\$ 545,177.10

which alteration has been recommended in writing by the said Director of Port Control, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Port Control and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$68,705.50, payable from federal PFC authorization.

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 983-02.

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

An emergency ordinance authorizing the purchase by requirement contract of various Ford automobile, van, truck and police vehicle parts, including labor for installation, if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year or two years subject to the requirements of this ordinance for the necessary items of various Ford automobile, van, truck and police vehicle parts, including labor for installation, if necessary in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service shall have authority to enter into a contract or contracts with a term of two (2) years when there is a financial advantage to the City of entering into a contract or contracts with a term of two (2) years in lieu of entering into a contract or contracts with a term of one (1) year. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for a contract or contracts with a term of two (2) years and the bids received for a contract or contracts with a term of one (1) year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 105817)

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 984-02.

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

An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract with E.J. Ward, Inc. for spare replacement parts for the fuel control terminals and for telephone consultation needed to maintain the terminals, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

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

Section 1. That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than E.J. Ward, Inc. Therefore, the Director of Public Service is hereby authorized to make a written requirement contract with E.J. Ward, Inc. for spare replacement parts for the fuel control terminals and for telephone consultation needed to maintain the terminals, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years. That the contract shall be prepared by the Director of Law and shall contain such terms and conditions as such Director deems necessary to protect and benefit the public interest.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 105798)

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 986-02.

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

An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract with Sutphen Corporation for Sutphen fire apparatus parts, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Sutphen Corporation. Therefore, the Director of Public Service is hereby authorized to make a written requirement contract with Sutphen Corporation for Sutphen fire apparatus parts, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 105802)

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 987-02.

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

An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract with Finley Fire Equipment for Pierce fire apparatus parts, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Finley Fire Equipment. Therefore, the Director of Public Service is hereby authorized to make a written requirement contract with Finley Fire Equipment for Pierce fire apparatus parts, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 105801)

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 988-02.

By Council Members Sweeney and Jackson (by departmental request). An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract with Maltese Fire Equipment for Duplex cab and chassis fire apparatus parts and LTI and Grumman fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Maltese Fire Equipment. Therefore, the Director of Public Service is hereby authorized to make a written requirement contract with Maltese Fire Equipment for Duplex cab and chassis fire apparatus parts and LTI and Grumman fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL Nos. 105799 and 105800)

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 989-02.

By Council Members Sweeney and Jackson (by departmental request). An emergency ordinance authorizing the purchase by requirement contract of various air compressor parts, including labor for installation, if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of

a municipal department; now, therefore

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year or two years subject to the requirements of this ordinance for the necessary items of various air compressor parts, including labor for installation, if necessary in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service shall have authority to enter into a contract or contracts with a term of two (2) years when there is a financial advantage to the City of entering into a contract or contracts with a term of two (2) years in lieu of entering into a contract or contracts with a term of one (1) year. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for a contract or contracts with a term of two (2) years and the bids received for a contract or contracts with a term of one (1) year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 105820)

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 990-02.

By Council Members Sweeney and Jackson (by departmental request). An emergency ordinance authorizing the purchase by requirement contract of various Chrysler automobile, van and truck parts, including labor for installation, if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year or two years subject to the requirements of this ordinance for the necessary items of various Chrysler automobile, van and truck parts, including labor for installation, if necessary in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service shall have authority to enter into a contract or contracts with a term of two (2) years when there is a financial advantage to the City of entering into a contract or contracts with a term of two (2) years in lieu of entering into a contract or contracts with a term of one (1) year. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for a contract or contracts with a term of two (2) years and the bids received for a contract or contracts with a term of one (1) year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 105818)

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 995-02.

By Council Members Gordon and Jackson (by departmental request). An emergency ordinance authorizing the Director of Community Development to enter into contracts with various neighborhood-based street clubs, block clubs and other community improvement groups to implement the Cityworks Program.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contracts with various CDBG-eligible agencies to implement the Cityworks Program.

Section 2. That the aggregate cost of said contracts shall be in an amount not to exceed \$250,000.00, and shall be paid from Fund Nos. 14 SC 028, Request No. 125707.

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 997-02.

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

An emergency ordinance authorizing the Director of Community Development to enter into contracts with various housing development entities, or their designees, to implement the Housing Trust Fund Program, for costs associated with various housing activities.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contracts with various housing development entities, or their designees, for the purpose of implementing the Housing Trust Fund Program.

Section 2. Eligible activities under the Housing Trust Fund Program include new construction, rehabilitation, site preparation, site acquisition, predevelopment activities and financial assistance to home buyers.

Section 3. That the cost of said contracts shall be in an amount not to exceed \$10,268,000.00, and shall be paid from Federal HOME Grant Fund No. 13 SF 929 and 955 and Community Development Block Grant Fund No. 14 SC 023, 025, 026, 027 and 028, Request No. 125709.

Section 4. That the Director of Community Development is authorized to accept monies in repayment of loans authorized in this ordinance and to deposit those monies in Fund No. 14 and utilize said repayments and other program income in a revolving fund for making additional expenditures under this program, and such funds are hereby appropriated for that purpose.

Section 5. That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repay-

ment of loans made under this program.

Section 6. That the Director of Community Development is hereby authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited into Fund No. 14. The revenues generated as a result of charging fees are hereby appropriated for additional program and operating expenses for Housing Trust Fund activities.

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 1002-02.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Lelolai Bakery & Café, Ltd. to provide economic development assistance to partially finance expansion of their signature product into wholesale distribution, and all other associated costs necessary, located at 1889 West 25th Street, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Lelolai Bakery & Café, Ltd. to provide economic development assistance to partially finance expansion of their signature product into wholesale distribution, and all other associated costs necessary, located at 1889 West 25th Street, Cleveland, Ohio.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Summary contained in File No. 1002-02-A.

Section 3. That the costs of said contract shall not exceed One Hundred Fifty Thousand Dollars (\$150,000), and shall be paid from Fund No. 17 SF 008, which funds are appropriated for this purpose, Request No. 103561.

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

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

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

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

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 1003-02.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Ohio City Near West Development Corporation to provide economic development assistance to partially finance the renovation of the Fries & Schuele Building, and all other associated costs necessary to redevelop the property, located at 1948 West 25th Street, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Ohio City Near West Development Corporation to provide economic development assistance to partially finance the renovation of the first floor commercial space of the Fries & Schuele Building, and all other associated costs necessary to redevelop the property, located at 1948 West 25th Street, Cleveland, Ohio.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Summary contained in File No. 1003-02-A.

Section 3. That the costs of said 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. 103565.

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

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

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

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

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 1058-02.
By Council Member Jackson (by departmental request).

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

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on

order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 104728)

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 1062-02.
By Council Member Jackson (by departmental request).

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

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 104725)

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 1066-02.

By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of unarmed uniformed security guard services, for the various divisions of City government, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 104726)

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 1070-02.
By Council Member Jackson (by departmental request).

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

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

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

Section 1. That the Director of Finance is hereby authorized to make a written requirement con-

tract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of standard wire, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 104723)

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 1071-02.
By Council Members White and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into agreements for CIJIS Phase III Enhancements, a new Case Management system, Voice Over IP Telephone System, and Probation Project, including the purchase, lease, or license of computer hardware, software, appurtenances, supplies, furniture, training materials, insurance, the employment by contract of software development, programming, training, and other professional services, relocation, installation, implementation, and maintenance services, system disaster alleviation and remediation, to contract without competitive bidding with the State of Ohio Law Enforcement Automated Data System, and the Bureau of Motor Vehicles, all as necessary for operation and enhancement of the Cleveland Integrated Justice Information System ("CIJIS") for a five year period, for the Cleveland Municipal Court.

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

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

Section 1. That the Director of Finance, on behalf of the Cleveland

Municipal Court, is hereby authorized to enter into agreements for CIJIS Phase III Enhancements, a new Case Management system, Voice over IP Telephone system, and Probation Project, including to make a written contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the purchase, license, lease for a term not to exceed sixty (60) months, for each of the following items: computer hardware, software, peripherals, supplies, furniture, physical and environmental appurtenances, training materials, insurance, and relocation, installation, implementation, system disaster alleviation and remediation and other services necessary for the operation and enhancement of the Cleveland Integrated Justice Information System ("CIJIS"), for the Cleveland Municipal Court, provided, however, that said Director of Finance, on behalf of the Cleveland Municipal Court, is hereby further authorized to execute as part of or in conjunction with a purchase one or more license agreements for software necessary for operation and/or enhancement of the CIJIS directly with a firm or firms other than the successful bidder if and when such bidder is not the manufacturer or an authorized licensor of such software.

Section 2. That the Director of Finance, on behalf of the Cleveland Municipal Court, is hereby authorized and directed to employ by contract one or more consultants or computer software maintainors or one or more firms of consultants or computer software maintainors as necessary for the purpose of supplementing the regularly employed staff of the Cleveland Municipal Court in order to provide professional services necessary for software development, network administration, implementation, programming, maintenance, training and other support for the operation and enhancement of the CIJIS during the sixty (60) months next following the effective date of this ordinance, for the Cleveland Municipal Court.

The selection of said consultant(s) or maintainer(s) for such services shall be made by the Board of Control upon the nomination of the Director of Finance, on behalf of the Cleveland Municipal Court, from a list of qualified firms available for such employment as may be determined after a full and complete canvass by the Director of Finance, on behalf of the Cleveland Municipal Court. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, and approved and certified by the Director of Finance.

Section 3. That it is hereby determined that within commodities are non-competitive and cannot be secured from any source others than the State of Ohio, Ohio Law Enforcement Automated Data Systems ("LEADS"). Therefore, the Director of Finance, on behalf of the Cleveland Municipal Court, is hereby authorized and directed to make a written contract or contracts with said State of Ohio LEADS for computerized law enforcement information and vehicle and driver information,

for a term not to exceed sixty (60) months, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Cleveland Municipal Court.

Section 4. That it is hereby determined that within commodities are non-competitive and cannot be secured from any source others than the State of Ohio, Bureau of Motor Vehicles ("BMV"). Therefore, the Director of Finance, on behalf of the Cleveland Municipal Court, is hereby authorized and directed to make a written contract or contracts with said State of Ohio BMV for computerized law enforcement information and vehicle and driver information, for a term not to exceed sixty (60) months, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Cleveland Municipal Court.

Section 5. That pursuant to Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Finance, on behalf of the Cleveland Municipal Court, may sign all documents with the State of Ohio or any of its political subdivision that are necessary to effectuate such cooperative efforts and may enter into contract with the vendors selected through that cooperative process.

Section 6. That notwithstanding any provision of the Codified Ordinances to the contrary, in the event of an emergency or occurrences rendering the CIJIS system as a whole inoperable or unable to perform its essential functions in its existing location for a period which will exceed one (1) week, the Director of Finance, on behalf of the Cleveland Municipal Court, shall have the authority to acquire facilities for operation of the CIJIS on an emergency basis for period of not more than six (6) months and to acquire the use of space, computer, hardware and software, and services as necessary to restore and maintain full CIJIS operations.

Section 7. That the cost of said contracts and licenses hereby authorized shall be paid from Fund No. 10 SF 085, 10 SF 086, 10 SF 087.

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 1073-02.
By Council Members Coats, Cimperman and Jackson (by departmental request).
An emergency ordinance determining the method of making the public improvement of constructing and installing replacement sewers and rehabilitating and repairing sewers at various locations by various methods; and authorizing the Director of Public Utilities to enter into one or more requirement contracts for the making of such improvements, for a two year period.

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

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

Section 1. That pursuant to Section 167 of the Charter, it is hereby determined to make the public improvement of constructing and installing replacement sewers and rehabilitating and repairing sewers at various locations by various methods, for the Division of Water Pollution Control, Department of Public Utilities, by one or more public improvement requirement contracts duly let to the lowest responsible bidder after competitive bidding, for a two year period.

Section 2. That the Director of Public Utilities is hereby authorized to enter into a written requirement contract with the lowest responsible bidder, after advertising for all such estimated work to be done during the two year period, upon a unit basis.

Section 3. That the cost of the contract or contracts shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance.

Section 4. That the cost of the improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 109163.

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 1075-02.
By Council Members Coats and Jackson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to clean and test insulators, bushing and lighting arrestors, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials necessary to clean and test insulators, bushing

and lighting arrestors in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 122225)

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 1076-02.
By Council Members Coats and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to enter into requirement contract with Mitel Networks Solutions, Inc. for the purchase of labor and materials necessary to maintain, repair or replace miscellaneous Mitel communications equipment, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Mitel Networks Solutions, Inc. ("Mitel"). Therefore, the Director of Public Utilities is hereby authorized to make a written requirement contract with said Mitel, for labor and materials necessary to maintain, repair or replace miscellaneous Mitel communications equipment, for the Division of Cleveland Public Power, Department of Public Utilities.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase shall be made on order of the Commissioner of Purchases and Supplies pursuant to a

requisition against such contract duly certified by the Director of Finance. (122239).

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 1077-02.
By Council Members Coats and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide assessments and developmental training of business skill sets regarding information technology and other disciplines necessary for employees within the Department of Public Utilities and also to provide training and other services necessary to meet changes in information technology and business disciplines, for the various divisions of the Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide assessments and developmental training of business skill sets regarding information technology and other disciplines necessary for employees within the Department of Public Utilities and also to provide training and other services necessary to meet changes in information technology and business disciplines, for the various divisions of the Department of Public Utilities.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund Nos. 52 SF 001, 54 SF 001 and 58 SF 001, Request No. 122682.

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

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 1090-02.
By Council Members Westbrook, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an amendment with US Airways, Inc., City Contract No. 28672, to provide for the deletion of certain space from the Lease, effective upon execution of the Amendment, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into an Amendment to lease between the City and US Airways, Inc., City Contract No. 28672, to delete from US Airways, Inc.'s right and obligation under the lease the following premises, effective upon execution of the Amendment: approximately 2678 square feet of holdroom area on Concourse A at Cleveland Hopkins International Airport, commonly known as Gate A7.

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

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

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 1094-02.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an agreement with the Federal Aviation Administration to provide fingerprinting services; and to accept fees from certain airport tenants for the cost of fingerprinting and processing fingerprints of their employees.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into an agreement with the Federal Aviation Administration to provide electronic fingerprint-based background checks required under 14 CFR Part 107.209 for employees of Cleveland Hopkins International Airport and for airport tenants located at Cleveland Hopkins International Airport.

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

Section 3. That the costs of the agreement shall be paid from Fund No. 60 SF 001, Request No. 118282.

Section 4. That Director of Port Control is hereby authorized to accept fees from airport tenants located at Cleveland Hopkins International Airport, to reimburse the City of Cleveland for the cost of fingerprinting and processing fingerprints of the included tenant employees. The cost for the fingerprinting services shall not exceed \$35.00 per tenant employee and shall be collected and deposited into Fund No. 60 SF 001.

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 1095-02.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Contract No. 56786 with Camp, Dresser and McKee to provide additional design services relating to integrating a sanitary line and collection berm extension into the Centralized Deicing Facility, Phase I project, which was designed by Camp, Dresser and McKee.

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

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

Section 1. That the Director of Port Control is authorized to enter into an amendment to Contract No. 56786 with Camp, Dresser and McKee to design a sanitary line and collection berm extension to be integrated into the Centralized Deicing Facility, Phase I project, which designed by Camp, Dresser and McKee. This amendment shall increase the amount of the contract by an amount not to exceed \$375,000.00, payable from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, and from any funds or sub-funds to which are credited any federal grants or federal PFC authorization, for the above

improvement and the proceeds from the sale of any airport revenue bond issued for a purpose which includes the above improvement, Request No. 118199.

Section 2. That the amendment authorized by this ordinance shall be prepared and approved by the Director of Law and shall contain such provisions as he deems necessary to protect the public interest.

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 1101-02.
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 Community Access Program; and to enter into contracts with various agencies necessary to implement the program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$209,080 and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the Community Access Program, for the purposes set forth in the summary and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the summary for said grant.

Section 2. That the summary for said grant, File No. 1101-02-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Health is authorized to enter into contracts with various agencies necessary to implement the program, payable from the fund or funds which are credited the grant proceeds accepted pursuant to this ordinance.

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 1118-02.
By Council Members Gordon and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various agencies to provide housing, commercial, industrial and real estate development activities.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into or amend contracts with the following agencies to provide housing, commercial, industrial and real estate development activities:

Citywide Development Assistance Program

- Cleveland Neighborhood Development Corporation
- Cleveland Restoration Society
- Cleveland Tenants Organization
- Hispanic Business Association
- Living in Cleveland Center
- Lutheran Housing Corporation: Furnace Repair
- Lutheran Housing Corporation: Tool Loan
- NHS of Cleveland, Inc.
- United Labor Agency: Home Maintenance Assistance Program

CDC Competitive Grant Program

- Amistad Development Corporation
- Bellaire-Puritas Development Corporation
- Buckeye Area Development Corporation
- Burten, Bell, Carr Development Corporation
- Clark Metro Development Corporation
- Collinwood Village Development Corporation
- Cudell Improvement, Inc.
- Detroit Shoreway Community Development Organization
- Euclid-St. Clair Development Corporation
- Fairfax Renaissance Development Corporation
- Famicos Foundation
- Famicos Foundation (HAPP) — Ward 7
- Flats Oxbow Association
- Glenville Development Corporation
- Historic Gateway Development Corporation
- Historic Warehouse District Development Corporation
- Kamm's Corners Development Corporation
- Little Italy 2000 Redevelopment Corporation
- Midtown Cleveland
- Miles Ahead, Inc.
- Mt. Pleasant Now Development Corporation
- Northeast Shores Development Corporation
- Northeastern Neighborhood Development Corporation
- Ohio City Near West Development Corporation
- Old Brooklyn Community Development Corporation
- Shaker Square Area Development Corporation

- Slavic Village Development Corporation
- Southeast Improvement Association
- St. Clair Neighborhood Development Association
- Stockyard Redevelopment Organization
- Tremont West Development Corporation
- Union-Miles Development Corporation
- Westown Community Development Corporation

Section 2. That the cost of said contracts shall be in an amount not to exceed \$2,574,000.00, and shall be paid from Fund No. 14 SC 028, Request No. 125710.

Section 3. That the Director of Community Development is authorized to accept program income and use this and other program income to finance additional housing, commercial, industrial and real estate development activities, and such program income is hereby appropriated for those purposes.

Section 4. That the Director of Community Development is authorized to enter into or amend contracts with the agencies administering the housing, commercial, industrial and real estate activities that generated program income in an amount not to exceed that generated program income and to be paid from the revolving fund in Fund 14.

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

Passed June 17, 2002.
 Effective June 28, 2002.

Ord. No. 1119-02.
By Council Members Gordon, Reed, Lewis, Johnson and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Community Development and other Directors of City Departments to enter into contract with various agencies to provide social service programs, authorizing the Director of Community Development to enter into Memoranda of Understanding with the various Directors of City Departments, and authorizing the Director of Parks, Recreation and Properties to enter into lease agreements with various non-profit agencies to provide facilities for recreation activities.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with the following agencies to provide social service programs:

YOUTH

- Alta Social Settlement House
- Bellflower Center for Prevention of Child Abuse, Inc.
- Boys & Girls Clubs of Cleveland (Broadway)
- Boys & Girls Clubs of Cleveland (King Kennedy)
- Boys & Girls Clubs of Cleveland (Mt. Pleasant)
- Boys & Girls Clubs of Cleveland (West Side)
- Brooklyn Memorial Community Youth Center
- Catholic Charities Services Corp. (Martin DePorres Center)
- Chorale (The)
- Clergy United For Juvenile Justice, Inc.
- Cleveland Police Athletic League
- Community Relations/Youth at Risk
- Cultural and Educational Institute for Boricua Advancement aka Julia deBurgos Cultural Arts Center
- Division of Recreation/Recreational Activities/Collinwood
- East End Neighborhood House
- Eastside Ecumenical Church Consortium (The)
- Euclid-St. Clair Development Corporation
- Full Gospel Evangelistic Center, Inc.
- GLAD Center, Inc.
- Goodrich-Gannett Neighborhood Center
- Greater Cleveland Neighborhood Center Association
- Harvard Community Services Center
- Karamu House, Inc.
- Lexington-Bell Community Center
- Merrick House
- Near West Theatre, Inc.
- Nottingham Youth Center, Inc.
- Old Brooklyn Neighborhood Services, Inc.
- Phillis Wheatley Association
- Professional Flair, Inc.
- Safety Department/Greater Cleveland Roundtable
- Salvation Army (The)
- Services For Independent Living, Inc.
- West Side Ecumenical Ministry
- YMCA — Broadway Branch
- YMCA — Brooklyn Branch
- YMCA — Downtown/-West Side Branches
- YMCA — Glenville Branch
- YMCA — Midtown East Branch
- YMCA — West Park

ELDERLY

- Alta Social Settlement House
- Catholic Charities Services Corp. (Hispanic Senior Center)
- Catholic Charities Services Corp. (Martin dePorres Center Wards 10/11)
- Community Re-Entry, Inc.
- Cory Senior Citizens Program, Inc.
- East End Neighborhood House
- EBC's Fery Development Corporation
- Famicos Foundation
- Golden Age Centers of Greater Cleveland, Inc.
- Golden Age Centers of Greater Cleveland, Inc. (Home Base)
- Greater Cleveland Neighborhood Centers Association
- Phillis Wheatley Association
- Salvation Army (Tremont)
- Senior Citizen Resources, Inc.

Senior Citizen Resources, Inc. (Transportation)
 Senior Outreach Services (Ward 6/Community Socialization)
 Senior Outreach Services (Centers for Families and Children)
 Vocational Guidance Services
 Werner Community Outreach, Inc.
 West Side Community House

FAMILY

AACCESS-Ohio
 American Sickle Cell Anemia Association
 Cleveland Church of Christ Economic Development, Inc. (Custom Enrichment)
 Cleveland Mediation Center
 El Barrio
 Free Clinic
 Hijos De Borinquen Spanish American Center
 Merrick House (The)
 Mum-Ford Visual Health Care, Inc.
 Near West Side Multi-Service Corporation/-May Dugan
 Recovery Resources
 Vietnamese Community
 West Side Multi Service Corporation - Consortium

OTHER

Achievement Center for Children
 Allegheny West Conference Corporation of Seventh Day Adventists (Better Living Center)
 Catholic Charities Health and Human Services (Women Shelter)
 Community Re-Entry (New Life Center)
 Domestic Violence Center
 Golgotha Baptist Church, Inc.
 Greater Cleveland Neighborhood Centers Association
 Hunger Network of Greater Cleveland
 National Federation of the Blind
 New Cleveland Food Basket
 Parkworks, Inc.
 Salvation Army (The)
 Spanish American Committee for a Better Community
 Starting Point
 Triumph House
 West Side Community House

Section 2. That the Director of Public Safety is hereby authorized to enter into or amend contracts with various non-profit agencies to provide school safety programs.

Section 3. That the Director of Community Relations is hereby authorized to enter into or amend contracts with various non-profit agencies to provide youth at risk programs.

Section 4. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, and as amended, the Director of Parks, Recreation and Properties is hereby authorized to enter into lease agreements with St. Joseph's Church of Collinwood and Greater New Calvary Baptist Church for a one year term in an amount not to exceed \$19,800.00 each to provide facilities for recreation activities.

Section 5. That the Director of Community Development is hereby authorized to enter into Memoranda of Understandings with the Directors of Public Safety, Community

Relations and Parks, Recreation and Properties for the purposes described in Sections 2, 3 and 4 above.

Section 6. That the aggregate cost of the contracts authorized in Sections 1, 2, 3, 4 and 5 of this ordinance shall be in an amount not to exceed \$3,140,000.00 and shall be paid from Fund No. 14 SF 025, 14 SF 026 and 14 SF 028, Request No. 125711.

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

Passed June 17, 2002.
 Effective June 28, 2002.

Ord. No. 1125-02.

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

An emergency ordinance authorizing the Director of Personnel and Human Resources to lease property at 1468 East 55th Street from Northeast Ohio Neighborhood Health Services, Inc. for a term not to exceed one year, for the public purpose of operating the One Stop Job Center.

Whereas, the City of Cleveland requires certain property located at 1468 East 55th Street, for the public purpose of operating the One Stop Job Center; and

Whereas, Northeast Ohio Neighborhood Health Services, Inc., or their designees, has proposed to lease said property to the City of Cleveland; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Personnel and Human Resources is authorized to lease from Northeast Ohio Neighborhood Health Services, Inc., or their designees, portions of certain property more fully described as follows: 1468 East 55th Street.

Section 2. That the term of the lease authorized by Section 1 shall not exceed one year.

Section 3. That the rent for the lease authorized by this ordinance shall be established by the Board of Control.

Section 4. That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the public purpose or purposes of operating the One Stop Job Center.

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

Section 6. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Personnel and Human Resources is authorized to sublease portions of the property leased from Northeast Ohio Neighborhood Health Services, Inc., or its designee, which property is described above, to entities that further the purposes of the One Stop Job Center.

Section 7. That the rent for the sublease or subleases authorized by Section 6 shall be established by the Board of Control.

Section 8. That the costs of the lease shall be paid from Fund No. 16 SF 203, Request No. 109869.

Section 9. That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

Section 10. That the Director of Personnel and Human Resources and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

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

Passed June 17, 2002.
 Effective June 28, 2002.

Ord. No. 1128-02.

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 MidTown Cleveland to provide economic development assistance to partially fund the MidTown Technology Action Fund for the purpose of attracting high technology businesses into the service area by investing in those businesses.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a grant agreement with MidTown Cleveland to provide economic development assistance to partially fund the MidTown Technology Action Fund for the purpose of attracting high technology businesses into the service area by investing in those businesses.

Section 2. That the grant agreement with MidTown Cleveland shall contain a provision requiring MidTown Cleveland to obtain an ordinance of City Council authorizing the investment and/or expenditure

of grant funds or proceeds thereof for any investment and/or expenditure except for those projects receiving financial assistance pursuant to the authority of Ordinance No. 1131-02, 1132-02, 1133-02, and 1135-02.

Section 3. That the costs of said grant shall not exceed \$350,000 and shall be paid from Fund No. 17 SF 652, Request No. 103584.

Section 4. That the Director of Law is hereby authorized to prepare said grant agreement and such other documents as may be appropriate to complete the transaction.

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 1134-02.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Section 108 loan and an Economic Development Initiative Grant Agreement with Lonzo Coleman to provide economic development assistance to partially finance the acquisition and real property improvements to the property located at 1775 East 45th Street, Cleveland, Ohio, and all other associated costs to redevelop the property.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into an Empowerment Zone Section 108 loan with Lonzo Coleman to provide economic development assistance to partially finance the acquisition and real property improvements to the property located at 1775 East 45th Street, Cleveland, Ohio, and all other associated costs to redevelop the property (the "Improvement").

Section 2. That the Director of Economic Development is hereby authorized to enter into a grant agreement with Lonzo Coleman to receive Economic Development Initiative Grant funds to partially finance the above-described Improvement.

Section 3. That the terms of said loan and grant shall be in accordance with the terms as set forth in the Summary contained in File No. 1134-02-A.

Section 4. That the costs of said contract shall not exceed a loan amount of \$220,000 and a grant amount of \$55,000. The loan shall be paid from Fund No. 18 SF 001 and 18 SF 003 and the grant shall be paid from Fund No. 18 SF 003, Request No. 123533.

Section 5. That the Director of Economic Development is hereby authorized to accept collateral as set forth in the Summary contained in the file referenced in this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 6. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 18 SF 002.

Section 7. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and such fees are hereby appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited and expended from Fund No. 18 SF 004.

Section 8. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 1197-02.

By Council Members Britt and Jackson (by departmental request)

An emergency ordinance authorizing the Director of Public Health to enter into contracts with various agencies to provide AIDS-related 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 Director of Public Health is hereby authorized to enter into one or more contracts to provide AIDS-related services with the following agencies, in the following amounts:

Agency	Amount
AIDS Taskforce of Greater Cleveland - ARAP	\$135,000.00
AIDS Taskforce of Greater Cleveland - Nutrition	\$200,000.00
AIDS Taskforce of Greater Cleveland - CBI Housing	\$110,000.00
AIDS Taskforce of Greater Cleveland - Hebron House	\$160,000.00
AIDS Taskforce of Greater Cleveland - Gurnick Place	\$ 49,000.00
AIDS Taskforce of Greater Cleveland - Support Project	\$ 50,000.00
New Light Church of the Nazarene	\$ 54,000.00
Visiting Nurse Association	\$ 42,000.00

In addition, the sum of not more than \$24,000.00 is appropriated to the Department of Public Health for administrative costs of implementing the HOPWA program.

Section 2. That each agency entering into contract with the City pursuant to this ordinance shall be required to comply with the evaluation services provided by Cleveland State University's School of Social Work.

Section 3. That the costs of the contracts authorized above shall be paid from Fund No. 13 SF 519, Request No. 121455.

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 1198-02.

By Council Member Britt, Gordon and Jackson (by departmental request)

An emergency ordinance authorizing the Directors of Community Development and Public Health to enter into contracts with various agencies to provide AIDS related 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 Director of Public Health and the Director of Community Development are hereby authorized to enter into contracts with various agencies to provide HIV/AIDS prevention, education and testing in accordance with File No. 1198-02-A, attached hereto, and in addition, the sum of not more than \$60,000 is appropriated to the Department of Public Health for administrative costs of implementing the above-authorized contracts. Any agency that receives funds under this program shall be required to comply with the evaluation services provided by Cleveland State University's School of Social Work.

Section 2. That the cost of the contracts herein authorized shall not exceed \$715,000 and shall be paid from Fund No. 13 SF 538, Request No. 121431.

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

Passed June 17, 2002.
Effective June 28, 2002.

Ord. No. 1280-02.**By Council Member Cintron (by request).**

An emergency ordinance authorizing the Director of Public Service to issue a permit to St. Wendelin's Church to hang 9-banners using C.P.P. utility poles (by separate permission) which will encroach into the right-of-way of Columbus Road between Willey Avenue and Brevier Court to celebrate St. Wendelin's Church 100th Anniversary in service to the community.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to St. Wendelin's Church, 2281 Columbus Road, Cleveland, Ohio 44113, its successors and assigns, for the construction, use, and maintenance of nine (9) banners to be attached to Cleveland Public Power ("C.P.P.") utility poles (by separate permission) to celebrate the St. Wendelin's Church 100th Anniversary in service to the community, and which banners will encroach into the public right-of-way of Columbus Road between Willey Avenue and Brevier Court at the locations described as follows:

LOCATION: OWNER:	POLE #	POLE
COLUMBUS ROAD:		
1st Pole S. of Willey (E)	No Tag (44251)	C.P.P.
5th Pole S. of Willey (E)	No Tag (44250)	C.P.P.
6th Pole S. of Willey (E)	No Tag	C.P.P.
1st Pole S. of Brevier (E)	No Tag (44319)	C.P.P.
1st Pole S. of Willey (W)	AO-8-11	C.P.P.
4th Pole S. of Willey (W)	No Tag (44291)	C.P.P.
7th Pole S. of Willey (W)	No Tag (44369)	C.P.P.
8th Pole S. of Willey (W)	No Tag	C.P.P.
9th Pole S. of Willey (W)	No Tag	C.P.P.

Section 2. That nothing in this ordinance grants or shall be considered a grant to Permittee any right, privilege or permission necessary to use, attach, affix, or otherwise place signs or any other objects on or to utility poles described in Section 1 of this ordinance. That Permittee is solely responsible for obtaining any such right, privilege, or permission from the owner(s) of each such pole.

Section 3. That said banners will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a building Permit, shall be obtained before said banners are hung.

Section 4. That the Permittee herein authorized shall reserve reasonable right-of-entry to the City of Cleveland; and that the Permit shall require the Permittee to provide Commercial General Liability Insurance including Completed Operations Coverage, and that Permittee shall maintain the permitted encroachment area, and that the Permittee shall pay any applicable taxes and assessments due and/or owing on the permitted encroachment area.

Section 5. That Administrative Guidelines for all Banner Systems must be followed as approved by the City Planning Commission's Departments which include the Mayor's Streetscape Committee and the Design Review Committee.

Section 6. That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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

Passed June 17, 2002.

Effective June 28, 2002.

Ord. No. 1281-02.**By Council Member Coats.**

An emergency ordinance authorizing the Director of Parks, Properties, and Recreation to enter into an agreement with the Northwest Satellite Recreation Center for a Youth Football and Recreation Program through the use of Ward 10 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 Parks, Properties, and Recreation is authorized to enter into an agreement with the Northwest Satellite Recreation Center for a Youth Foot-

ball and Recreation Program for the public purpose of providing sporting and recreational activities for youth that reside in the City of Cleveland through the use of Ward 10 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$15,000 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 June 17, 2002.

Effective June 28, 2002.

Ord. No. 1282-02.**By Council Member Coats (by departmental request).**

An emergency ordinance authorizing the Director of Economic Development to apply to the Cuyahoga County Brownfield Redevelopment Fund for loan assistance to acquire, demolish, and remediate property located at 1084 East 152nd Street.

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 apply to the Cuyahoga County Brownfield Redevelopment Fund for loan assistance in an amount not to exceed \$1,000,000, to acquire, demolish, and remediate property located at 1084 East 152nd Street.

Section 2. That the Director of Law is authorized to assist in the preparation of said application and such other documents as may be necessary to protect the public interest.

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 June 17, 2002. Effective June 28, 2002.

Ord. No. 1283-02.

By Council Member Conwell.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Western Reserve Historical Society for the 2002 African-American Heritage and Cultural Celebration 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 with the Western Reserve Historical Society for the 2002 African-American Heritage and Cultural Celebration for the public purpose of providing educational programs to the residents of Cleveland on the contributions of African-Americans in American history, 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 \$10,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed June 17, 2002. Effective June 28, 2002.

Ord. No. 1284-02.

By Council Members Gordon and O'Malley.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Lutheran Housing Corporation for a Crime Watch and Tutoring Program through the use of Ward 15, and 16 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Lutheran Housing Corporation for a Crime Watch and Tutoring Program for the public purpose of providing safety education and tutoring services for adults and youths that reside in the City of Cleveland through the use of Wards 15, and 16 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$47,178 and shall be paid from Fund No. 10 SF 166.

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

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

Passed June 17, 2002. Effective June 28, 2002.

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