

The City Record

Official Publication of the City of Cleveland


December the Sixth, Two Thousand

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

Containing	PAGE
City Council	3
The Calendar	22
Board of Control	23
Civil Service	25
Board of Zoning Appeals	25
Board of Building Standards and Building Appeals	27
Public Notices	27
Public Hearings	27
City of Cleveland Bids	27
Adopted Resolutions and Ordinances	28
Committee Meetings	50
Index	51

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

RECYCLE.....Save the Future

 Printed on Recycled Paper.....Council Cares

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

MAYOR – Michael R. White
 Judith Zimomra, Chief of Staff
 Barry Withers, Executive Assistant for Administration
 Susan E. Axelrod, Senior Executive Assistant for Health and Human Services
 Kenneth Silliman, Executive Assistant for Development
 Nicholas P. Jackson, Executive Assistant for Services
 Nina Turner, Executive Assistant for Legislative Affairs
 Lucille Ambroz, Director, Office of Equal Opportunity

DEPT. OF LAW – Cornell P. Carter, Director, Pinky Carr, Chief Counsel, Room 106
 Lauren Moore, Chief City Prosecutor; Criminal Branch – Justice Center 8th Floor, Court Towers, 1200 Ontario Street
 Karen E. Martinez, Law Librarian, Room 100

DEPT. OF FINANCE – Ronald E. Brooks, Director, Room 104;
 Frank Badalamenti, Manager, Internal Audit
DIVISIONS – Accounts – Marilyn Henderson, Commissioner, Room 19
 City Treasury – Algeron Walker, Treasurer, Room 115
 Assessments and Licenses – Robert C. Brown, Commissioner, Room 122
 Purchases and Supplies – Myrana Branche, Commissioner, Room 128
 Printing and Reproduction – Diante Fritzgerald, Acting Commissioner, 1735 Lakeside Avenue
 Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
 Financial Reporting and Control – Robert Dolan, Controller, Room 18
 Information Systems Services – Daniel Jarvis, Commissioner, 1404 E. 9th St.

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

DEPT. OF PORT CONTROL – Reuben Sheperd, Director,
 Cleveland Hopkins International Airport, 5300 Riverside Drive;
 Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner
 Burke Lakefront Airport – _____, Commissioner

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

DEPT. OF PUBLIC HEALTH – Michele C. Whitlow, Director, Mural Building 1925 St. Clair Avenue
DIVISIONS – Health – Cheri Hahn, Commissioner, Mural Building, 1925 St. Clair Avenue
 Environment – Donald Culp, Commissioner, Mural Building, 1925 St. Clair Avenue
 Correction – Thomas Hardin, Commissioner, Cleveland House of Corrections, 4041 Northfield Road

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

DEPT. OF PARKS, RECREATION & PROPERTIES – Alfred T. Miller, Jr., Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.
DIVISIONS – Convention Center & Stadium – James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
 Property Management – Tom Nagle, Commissioner, East 49th & Harvard

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.
 Recreation – Michael Cox, Commissioner, Room 8
 Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

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

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

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

DEPT. OF AGING – Dolores Alexander, Director, Room 122

COMMUNITY RELATIONS BOARD – Room 11, Dennis D. Dove, Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilman Dona Brady, Councilman Joe Cimperman, 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, Anne Bloomberg, President; _____, Vice President; Gregory J. Wilson, Secretary; Timothy J. Cosgrove, Member, Rev. Earl Preston, Member.

SINKING FUND COMMISSION – Michael R. White, President; Betsy Hruby, Asst. Sec'y.; _____, Director; Council President Michael D. Polensek.

BOARD OF ZONING APPEALS – Room 516, Carol Johnson, Chairman; Members: Chris Carmody, Margaret Hopkins, Ozell Dobbins, Tony Petkovsek, Eugene Cranford, Jr., Secretary.

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

BOARD OF REVISION OF ASSESSMENTS – Law Director Cornell P. Carter, President; Finance Director Ronald E. Brooks, Secretary; Council President Michael D. Polensek.

BOARD OF SIDEWALK APPEALS – Service Director Mark Ricchiuto; Law Director Cornell P. Carter; Councilman Nelson Cintron, Jr.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Cornell P. Carter; Utilities Director Michael Konicek; Council President Michael D. Polensek.

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

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

MORAL CLAIMS COMMISSION – Law Director Cornell P. Carter; Chairman; Finance Director Ronald E. Brooks; Council President Michael D. Polensek; Councilman Bill Patmon; 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; Paul Burik, James Gibans, Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Joseph Cimperman, Councilman Timothy J. Melena, Robert Keiser, Executive Secretary.

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 87

WEDNESDAY, DECEMBER 6, 2000

No. 4539

CITY COUNCIL

MONDAY, DECEMBER 4, 2000

The City Record

Published weekly under authority
of the Charter of the
City of Cleveland
Subscription (by mail) \$75.00 a year
January 1 to December 31
Interim subscriptions prorated
\$6.25 per month

Address all communications to

RUBY F. MOSS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

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

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Cintron, Chairman; Sweeney, Vice Chairman; Britt, Coats, Johnson, Melena, O'Malley, Westbrook, Willis.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** White, Chairman; Lewis, Vice Chairman; Cintron, Coats, Gordon, Johnson, Jones.

MONDAY

2:00 P.M.—**Finance Committee:** Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Johnson, Lewis, Melena, O'Malley, Polensek, Robinson, Sweeney.

TUESDAY

9:30 A.M.—**Community and Economic Development Committee:** Melena, Chairman; Lewis, Vice Chairman; Brady, Cimperman, Cintron, Jackson, Jones, Robinson, Willis.

TUESDAY—Alternating

1:00 P.M.—**Public Health Committee:** Gordon, Chairman; Robinson, Vice Chairman; Brady, Cimperman, Jackson, Westbrook, Willis.

1:30 P.M.—**Legislation Committee:** Lewis, Chairman; Jones, Vice Chairman; Brady, Coats, Gordon, Johnson, Westbrook.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Dolan, Chairman; O'Malley, Vice Chairman; Jones, Patmon, Robinson, Rybka, Sweeney.

10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Patmon, Vice Chairman; Britt, Cimperman, Coats, Gordon, Jackson, Melena, Sweeney.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** O'Malley, Chairman; Patmon, Vice Chairman; Britt, Coats, Dolan, Melena, Polensek, Westbrook, Willis.

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

The following Committee is subject to the Call of the Chairman:

Mayor's Appointment Committee: O'Malley, Chairman; Britt, Cimperman, Patmon, Sweeney.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, December 4, 2000.

The meeting of the Council was called to order, the President, Michael D. Polensek, in the Chair.

Councilmen present: Brady, Britt, Cimperman, Cintron, Coats, Gordon, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White and Willis.

Also present were Directors Carter, Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren, Dove, Morrison and McCall.

Absent: Mayor White and Director Alexander.

Pursuant to Ordinance No. 2976-76, the Council Meeting was opened with a prayer offered by Rev. Jesse Harris of Tabernacle Baptist Church, located at 2042 West 25th Street in Ward 14. Pledge of Allegiance.

MOTION

On the motion of Councilman Coats, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Councilman Jones.

VETO

File No. 2128-2000-A.

November 30, 2000

Via Hand Delivery

Honorable Michael D. Polensek
Council President
Cleveland City Hall, Room 216
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Council President Polensek:

Actions by City Council have forced me to return Ordinance Number 2128-00 with a veto. The reasons for this action are outlined below.

Councilman Dolan's Ordinance, number 2128-00 amends Ordinance number 552-00, passed by City Council on June 19, 2000. As you are aware, Ordinance 552-00 authorized Department of Port Control to undertake the necessary public improvements and actions for a new runway 5L-23R, at Cleveland Hopkins International Airport and all other related improvements necessary.

As part of Ordinance 552-00 City Council, without warning or discussion, removed an allocation of \$600,000 for the design of a restoration project for a portion of Doan Brook in (Councilmembers Britt, Lewis, Patmon and Willis) Wards 6, 7, 8 and 9. This restoration project is part of the Airport's Army Corps and Ohio EPA requirement for mitigation, which is necessary for runway construction. The mitigation requirements are standard requirements when any entity disturbs wetlands and streams as part of a project. City Council's elimination of the authority of Doan Brook has now jeopardized the Airport's ability to move forward on the runway project.

Ordinance number 2128-00 amends Section 1 of Ordinance 552-00, by taking funds from Doan Brook (Councilmembers Britt, Lewis, Patmon and Willis) in Wards 6, 7, 8 and 9 and giving it to Big Creek (Councilmembers Gordon, O'Malley, Brady and Sweeney) in Wards 15, 16, 19 and 20 and Mill Creek (Councilmembers Jones, White and Rybka) in Wards 1, 2, and 12. The legislation stipulates that \$600,000 be used to design a restoration of either one or both streams. The Department of Port Control's consultants, Landrum and Brown have extensively reviewed both projects, Big Creek and Mill Creek. Their review indicates that due to environmental, cost, logistical and ownership issues, neither Big Creek nor

Mill Creek meet the needs of the City as the least environmentally damaging practicable alternative, as set forth by the Army Corps.

The Army Corps District office in Buffalo, New York has also reviewed Big Creek and Mill Creek in the context of their suitability as mitigation projects. According to the Army Corps neither Big Creek nor Mill Creek provide adequate mitigation for the habitat losses associated with Abram Creek.

By stipulating that \$600,000 be taken from Doan Brook and given to either Big Creek or Mill Creek as mitigation projects, the Council will, in effect, have eliminated the funding for design of the Doan Brook restoration project.

Given the support by the Army Corps and our airport engineers for the inclusion of Doan Brook as part of the mitigation package, I am vetoing Ordinance number 2128-00. Said ordinance would exchange a project accepted by the Army Corps as an appropriate mitigation for Abram Creek, and would replace it with two projects that Army Corps has stated are clearly deficient mitigation projects as related to the Army Corps requirements for the mitigation of Abram Creek.

Sincerely,
MICHAEL R. WHITE
Mayor

Received.

COMMUNICATION

File No. 2173-2000.

From Cleveland State University re: 1999 Annual Report of the Maxine Goodman Levin College of Urban Affairs. Received.

FROM DEPARTMENT OF LIQUOR CONTROL

File No. 2174-2000.

Re: Transfer of Ownership Application - 0951145 - William Brickles, d.b.a. Harpsters Market, 4155 East 71st Street. (Ward 12). Received.

File No. 2175-2000.

Re: Transfer of Ownership Application - 1273808 - Carolyn C. Crain, d.b.a. Success Beverage & Deli, 1136 East 79th Street, first floor only. (Ward 7). Received.

File No. 2176-2000.

Re: Transfer of Ownership Application - 7679899 - Ghassen Saleh, d.b.a. Gus Food Mart, 12713-17 Woodside Avenue, first floor and basement. (Ward 9). Received.

File No. 2177-2000.

Re: Transfer of Ownership Application - 19301690005 - Dari Co., 11007 Mt. Carmel Road, first floor and basement. (Ward 6). Received.

File No. 2178-2000.

Re: Transfer of Ownership Application - 9158117 - Unit 29, Inc., 1204 Old River Road, mezzanine & patio. (Ward 13). Received.

File No. 2179-2000.

Re: Transfer of Ownership Application - 1918060 - Danial, Inc., d.b.a. Danial Food Mart, 3179 Scranton Road, first floor front. (Ward 14). Received.

File No. 2180-2000.

Re: Transfer of Ownership Application - 7642068 - SMG Food & Beverage LLC, d.b.a. Cleveland State University Convocation Center, first, third, fourth and fifth floors, 2000 Prospect Avenue. (Ward 13). Received.

File No. 2181-2000.

Re: Transfer of Location Application - 83465910002 - Sociedad Beneficia Recreativa Hijos De Juana Diaz, d.b.a. Hijos De Juana Diaz, 3486 West 25th Street. (Ward 14). Received.

File No. 2182-2000.

Re: Transfer of Location Application - 63626890001 - New Gold Inc., d.b.a. Genays, 9216-9218 Kinsman Road. (Ward 4). Received.

File No. 2183-2000.

Re: Transfer of Ownership and Location - 0348514 - B.I.M.G., Inc., d.b.a. Library, 806 Literary Road. (Ward 13). Received.

File No. 2184-2000.

Re: Transfer of Ownership and Location Application - 9187452 - Valal Corporation, 408 West St. Clair Avenue. (Ward 13). Received.

File No. 2185-2000.

Re: Stock Transfer Application - 4289981 - Jimmy's Old River Road, Inc., 1061 Old River Road, first floor and patio. (Ward 13). Received.

OATH OF OFFICE

File No. 2186-2000.

Dumas, Sharon — Oath of Office — Commissioner of Neighborhood Development. Received.

STATEMENT OF WORK ACCEPTED

File No. 2187-2000.

From the Department of Public Utilities re: Contract No. 54086, Kinsman Water Tower Rehabilitation, completed and accepted October 31, 2000. Received.

File No. 2188-2000.

From the Department of Parks, Recreation and Properties re: Contract No. 55807, Luke Easter Park Sidewalk Improvements - Phase II. Received.

PLAT

File No. 1572-2000.

Subdivision Plat for Villas of Woodhaven. (Ward 6).

Approved by Committees on Public Service and City Planning.

Without objection, Plat approved. Yeas. 20 Nays 0.

CONDOLENCE RESOLUTIONS

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

Res. No. 2189-2000 — Doreatha (Thompson) Grimes.

Res. No. 2190-2000—Ghainous W. Smiley, Jr.

Res. No. 2191-2000—Dwayne Herten.

Res. No. 2192-2000—Florence Feinberg.

CONGRATULATION RESOLUTIONS

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

Res. No. 2193-2000—Martin Hauserman.

Res. No. 2194-2000—John Petric.

Res. No. 2195-2000—Rev. Dr. Bennie Mosley, Jr.

RECOGNITION RESOLUTION

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

Res. No. 2196-2000—Nathan Clemens.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1582-A-2000 (As a substitute for Ord. No. 1582-2000).

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Public Service to issue a permit to K&S Parking Inc. and Prime Properties Limited Partnership to place a sign at the entrance of a parking lot which will encroach into the public right-of-way on Front Street between West 9th Street and West 3rd 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 Public Service hereby is authorized to issue a permit, revocable at the will of the Council, and assignable by the Permittee which the written consent of the director of Public Service to K&S Parking, Inc. and Prime Properties Limited Partnership, its successors and assigns for the placement of a sign at the entrance of a parking lot which will encroach into the public right-of-way on Front Street between West 9th Street and West 3rd Street at the location described herein:

Situated in the City of Cleveland, County of Cuyahoga and known as being part of West 3rd Street and further bounded and described as follow:

Beginning at a point in the Southwesterly line of West 3rd Street, 99 feet wide, where it intersect with the Northwesterly line of Front Avenue, now vacated, as shown on the recorded plat in Volume 216, Page 13 and Volume 225, Page 132 of the Cuyahoga County Records; thence N 33 deg 55' 55" W. along the Southwesterly line of West 3rd Street, 456.10 feet to a point which lies in the Southeasterly line of a parcel of land know as the Conrail Purchase as recorded in Volume 14900, Page 1 of the Cuyahoga County Records; thence N 60 deg 11' 44" E, along the Southeasterly line of said Parcel 34.10 feet to a point; thence S 35 deg 55' 55" E and parallel with the centerline of West 3rd Street 180.89 feet to a point which is at the end of the West 3rd Street parapet wall; thence S 56 deg 08' 25" W, along the Southwesterly line of West 3rd Street, 148.20 feet to the place of beginning containing

6,194.20 square feet of land; North is referenced from the survey completed in December, 1999 by Carl P. Gulla, Jr., Registration Number S-7418 of Cuyahoga Engineering & Surveying Service; be the same more or less.

Section 2. That said sign 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 sign is constructed.

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

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

Without objection, substitute agreed to. Ordinance No. 1582-2000 Laid on the Table.

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

Ord. No. 1583-A-2000 (As a substitute for Ord. No. 1583-2000).

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Public Service to issue a permit to K&S Parking Inc. and Prime Properties Limited Partnership for use of certain property as a parking area which will encroach into the public right-of-way on a street formerly known as James 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 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 K&S Parking, Inc. and Prime Properties Limited Partnership, its successors and assigns, for the use of certain property as a parking area which will encroach into the public right-of-way on a street formerly known as James Street at the location described herein:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of James Street and further bounded and described as follows.

Beginning at a point in the Southerly corner of the Southwesterly lines of James Street where it intersects with the Northeasterly line of the Columbus Viaduct; thence N 39 deg 04' 44" E, along a Northwesterly line of James Street, 13.63

feet to a point; thence N 31 deg 00' 35" W, along the Southwesterly line of James Street, 131.30 Feet to a point; thence S 66 deg 47' 21" E, 37.92 feet to a point; thence N 60 deg 46' 46" E, 11.76 feet to a point; thence S 31 deg 00' 16" E, 112.27 feet to a point; thence S 7 deg 17' 25" W, 1.96 feet to a point; thence N 70 deg 51' 10" W, 42.02 feet to the place of beginning, containing 4,761.42 square feet of land; North is referenced from the assumption that James Street bears N 31 deg 00' 35" W; according to the survey completed in December, 1999 by Carl P. Gulla, Jr., Registration Number S-7418 of Cuyahoga Engineering & Surveying Services; be the same more or less.

Section 2. That said parking area 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 parking area is constructed.

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

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

Without objection, substitute agreed to. Ordinance No. 1583-2000 Laid on the Table.

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

Ord. No. 2197-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a Third Amendment to the Agreement with Colliers Intl. for the management and maintenance of the Consolidated Rental Car Facility.

Whereas, pursuant to Ordinance No. 412-99, passed May 24, 1999, the Director of Port Control entered into an agreement with Colliers Intl. to manage and maintain the Consolidated Rental Car Facility near Cleveland Hopkins International Airport; and

Whereas, pursuant to Ordinance No. 1306-2000, passed August 7, 2000, the Director of Port Control entered into a First Amendment with Colliers Intl. to manage and maintain the Consolidated Rental Car Facility near Cleveland Hopkins International Airport; and

Whereas, pursuant to Ordinance No. 1974-2000, passed October 30, 2000, the Director of Port Control entered into a Second Amendment with Colliers Intl. to manage and maintain the Consolidated Rental

Car Facility near Cleveland Hopkins International Airport; and

Whereas, such Second Amendment expires November 30, 2000; and

Whereas, Council and Port Control desire to extend the agreement until December 31, 2000; and

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

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

Section 1. That the Director of Port Control is authorized to enter into a Third Amendment to the Agreement with Colliers Intl. for the management and maintenance of the Consolidated Rental Car Facility to extend the term thereof to December 31, 2000. All other terms and conditions of the agreement shall remain unchanged.

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.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 2198-2000.

By Councilman Rybka.

An emergency ordinance to amend Section 133.32 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1662-91, passed April 4, 1992, relating to rental of Halloran Skating Rink.

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

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

Section 1. That Section 133.32 of the Codified Ordinances of Cleveland, Ohio, 1976, as by enacting Ordinance No. 1662-91, passed April 6, 1992 is hereby amended to read as follows:

Section 133.32 Rental of Halloran Skating Rink

(a) The Commissioner of Recreation may allow private parties to rent Halloran Skating Rink during any period when Division of Recreation programs are not scheduled or in progress provided that said parties secure a permit from the Director pursuant to Section 133.03 and pay the fees specified in division (b) of this section.

(b) The Director of Parks, Recreation and Properties shall assess and collect the following fees and charges, **in amounts not to exceed the following**, for the rental of Halloran Skating Rink:

(1) Permit application, pursuant to Section 133.03	\$5.00
(2) Fee for rental of rink	N/A
(3) Personnel and operating expenses	\$80.00 per hour and one-half

(4) Utility charges **\$10.00 per hour and one-half**

Section 3. That Section 133.32 of the Codified Ordinances of Cleveland, Ohio, 1976, as by enacting Ordinance No. 1662-91, passed April 6, 1992 is hereby repealed.

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

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property, and Recreation, Finance.

Ord. No. 2199-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of a MICR laser check printing system, including but not limited to ancillary devices, training and maintenance for a period of one year, for the Department of Finance, on behalf of 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 make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the fol-

lowing items: a MICR laser check printing system, including but not limited to ancillary devices, training and maintenance for a period of one year, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Department of Finance, on behalf of the Cleveland Municipal Court.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-011601-641400, Request No. 7954.

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.

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

Ord. No. 2200-2000.

By Councilmen Coats, O'Malley, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. 55468 for the roof replacement/repair project at 12302 Kirby Avenue, with Advanced Roofing System, for the Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make the following alterations and modifications in Contract No. 55468 with Advanced Roofing System, for the roof replacement/repair project at 12302 Kirby Avenue, for the Department of Public Utilities:

SUBSIDIARY ADDITIONS

Complete tear off and replacement of roof and decking	\$ 120,716.00
Less amount remaining in contract	- 20,716.00
TOTAL SUBSIDIARY ADDITIONS	\$ 100,000.00
Original Contract Amount	\$ 127,615.00
Total Subsidiary Additions	+ 100,000.00
REVISED CONTRACT AMOUNT	\$ 227,615.00

which alteration has been recommended in writing by the said Director of Public Utilities, 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 Public Utilities and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$100,000.00, to be paid from Fund No. 54 SF 001.

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.

Referred to Directors of Public Utilities, City Planning Commission, Finance, Law; Committees on Public Utilities, City Planning, Finance.

Ord. No. 2201-2000.

By Councilmen O'Malley, Cimperman and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of replacing and/or cleaning and lining of various distribution mains in the City of Cleveland, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of replacing and/or cleaning and lining of various distribution mains in the City of Cleveland, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement provided however, that each separate trade and each distinct component

part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund Nos. 52 SF 001, 52 SF 223, 52 SF 225, and from the funds or subfunds to which are credited the proceeds of the sale of future waterworks revenue bonds, Request No. 33340.

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.

Referred to Directors of Public Utilities, City Planning Commission, Finance, Law; Committees on Public Utilities, City Planning, Finance.

Ord. No. 2202-2000.

By Councilmen Cintron, Cimperman and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing a salt storage dome at the Seville Station, and authorizing the Director of Public Service to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing a salt storage dome at the Seville Station, for the Division of Streets, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Public Service is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 20 SF 371, Request No. 29255.

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.

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

Ord. No. 2203-2000.

By Councilmen Cintron, Cimperman and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating, replacing or otherwise improving various Public Service facility roofs; authorizing the Director of Public Service to enter into contract for the making of the improvement; and authorizing the Director of Public Service to employ one or more professional consultants necessary to design the improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating, replacing or otherwise improving various Public Service facility roofs, for the Division of Architecture, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Public Service is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the Director of Public Service is hereby authorized to 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 design the improvement.

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

Section 4. That the cost of said professional services and improvement hereby authorized shall be paid from Fund No. 20 SF 371, Request No. 34412.

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.

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

Ord. No. 2204-2000.

By Councilmen Cintron, Cimperman and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating, reconstructing or otherwise improving various Public Service facilities; authorizing said Director to enter into contract for the making of such improvement; and authorizing the Director of Public Service to employ one or more professional consultants necessary to design the improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating, renovating, reconstructing or otherwise improving various Public Service facilities, for the Division of Architecture, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Public Service is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the Director of Public Service is hereby authorized to 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 design the improvement.

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

Section 4. That the cost of said professional services and improvement hereby authorized shall be paid from Fund No. 20 SF 362 and 20 SF 371, Request No. 28949.

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.

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

Ord. No. 2205-2000.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Service to employ one or more professional consultants necessary to provide electrical, mechanical, structural and environmental engineering services for the Division of Architecture.

Whereas, this ordinance constitutes an emergency measure providing for 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 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 electrical, mechanical, structural and environmental engineering services for the Division of Architecture.

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

Section 2. That the cost of said services herein authorized shall be paid from Fund No. 20 SF 373, Request No. 28956.

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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 2206-2000.

By Councilmen Gordon, Lewis and Patmon (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 141.28 thereof, relating to authorizing the Director of Public Health to enter into contract with educational institutions for training of corrections officers employed by the Division of Corrections.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 141.28 thereof to read as follows:

Section 141.28 Correctional Officer Training

The Director of Public Health is hereby authorized to enter into agreements with educational institutions to provide training for corrections officers employed by the Division of Corrections that meets the requirements of the Ohio Peace Officer Training Academy for such officers.

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.

Referred to Directors of Public Health, Finance, Law; Committees on Public Health, Legislation, Finance.

Ord. No. 2207-2000.

By Councilmen Cimperman, Lewis, Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to install mastarms and signals on Payne Avenue, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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

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

Section 1. That the Director of Public Safety is hereby authorized to 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 complete the Downtown signalization project on Payne Avenue in the estimated sum of \$200,000 to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, Department of Public Safety. 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 34411)

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.

Referred to Directors of Public Safety, Finance, Law; Committees on Public Safety, Finance.

Ord. No. 2208-2000.

By Councilmen Polensek, Lewis and Patmon (by departmental request).

An emergency ordinance to amend Section 405.04 of the Codified Ordinances as amended by Ordinance No. 1109-96, passed December 16, 1996, relating to storage fee at vehicle pound.

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

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

Section 1. That Section 405.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1109-96, passed December 16, 1996, is hereby amended to read as follows:

Section 405.04 Storage Fee at Vehicle Pound

Whenever any vehicle, except a bicycle, is stored in a vehicle pound for any reason, the person reclaiming the vehicle shall be charged a storage fee of **nine dollars (\$9.00)** for the first **five** days or fraction thereof, and thereafter shall be charged **six dollars (\$6.00)** for each day or fraction of a day. No fee for storage shall be charged when the vehicle is the property of the victim of a crime and said vehicle is being held by the Division of Police for processing.

Section 2. That Section 405.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1109-96, passed December 16, 1996, is hereby repealed.

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

Referred to Directors of Public Safety, Finance, Law; Committees on Public Safety, Legislation, Finance.

Ord. No. 2209-2000.
By Councilmen Polensek and Patmon (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of DARE supplies, for the Division of Police, Department of Public Safety.

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

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

Section 1. That the Director of Public Safety is hereby authorized to 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 DARE supplies in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety. 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 6145)

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.

Referred to Directors of Public Safety, Finance, Law; Committees on Public Safety, Finance.

Ord. No. 2210-2000.
By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of traffic signals, poles, controllers, sign blanks, reflective sheeting and other related materials, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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

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

Section 1. That the Director of Public Safety is hereby authorized to 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 traffic signals, poles, controllers, sign blanks, reflective sheeting and other related materials 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 Traffic Engineering and Parking, Department of Public Safety. 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 34410)

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.

Referred to Directors of Public Safety, Finance, Law; Committees on Public Safety, Finance.

Ord. No. 2211-2000.
By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of service and maintenance of the MGE UPS system and equipment at the Third District Police Station, for the Division of Police, Department of Public Safety.

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

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

Section 1. That the Director of Public Safety is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: service and maintenance of the MGE UPS system and equipment at the Third District Police Station, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-600108-611800, Request No. 15275.

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.

Referred to Directors of Public Safety, Finance, Law; Committees on Public Safety, Finance.

Ord. No. 2212-2000.
By Councilmen Willis, Rybka, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located on Parklawn Avenue to Northeastern Neighborhood Development Corporation.

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use and located on Parklawn Avenue; and

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

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

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

PPN: 110-18-042

Situated in the City of Cleveland in the County of Cuyahoga and State of Ohio and known as being all of Sublot No. 14 and the Southerly part of Sublot No. 13 in the Parklawn Subdivision of part of Original 100 Acre Lot No. 371, as shown by the recorded plat in Volume 91 of Maps, Page 37 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Southerly line of said Subdivision at the Southwesterly corner of said Sublot No. 14;

Thence Easterly along the Southerly line of said Subdivision, 261.27 feet to Southeasterly corner of said Sublot No. 14;

Thence Northwesterly along the Northeasterly line of said Subdivision, 137.32 feet to the most Easterly corner of land conveyed to Jacob Fisher by deed recorded in Volume 5485, Page 355 of Cuyahoga County Records;

Thence Southwesterly along the Southeasterly line of land so conveyed to Jacob Fisher about 143 feet to the Easterly curved line of Parklawn Avenue N.E.;

Thence Southwesterly along said curved line of Parklawn Avenue N.E., 65.19 feet to the Westerly line of said Sublot No. 14;

Thence Southerly along said Westerly line 5 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Northeastern Neighborhood Development

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

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

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

Referred to Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Committees on Public Parks, Property, and Recreation, City Planning, Finance.

Ord. No. 2213-2000.

By Councilmen Cimperman, Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with B & S Realty Associates to provide economic development assistance to partially finance the acquisition and improvement of real property and the acquisition of personal property located at 6017 Superior Avenue, Cleveland, Ohio 44103.

Whereas, this ordinance constitutes an emergency measure providing for 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 B & S Realty Associates to provide economic development assistance to partially finance the acquisition and improvement of real property and the acquisition of personal property located at 6017 Superior Avenue, Cleveland, Ohio 44103.

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2213-2000-A.

Section 3. That the costs of said contract shall not exceed Two Hundred Eighty Thousand Dollars (\$280,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 26636.

Section 4. That the Director of Economic Development is hereby authorized to accept the collateral as set forth in the Executive 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 expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

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

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

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

Ord. No. 2214-2000.

By Councilmen Cintron, Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Mark A. Rivera Production, Inc. to provide economic development assistance to partially finance the acquisition and renovation of the F.L. Thompson Building located at 3101 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 Mark A. Rivera Production, Inc. to provide economic development assistance to partially finance the acquisition and renovation of the F.L. Thompson Building located at 3101 West 25th Street, Cleveland, Ohio.

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2214-2000-A.

Section 3. That the costs of said contract shall not exceed One Hundred Twelve Thousand Five Hundred Dollars (\$12,500.00), and shall be paid from Fund No. 17 SF 008, Request No. 26642.

Section 4. That the Director of Economic Development is hereby authorized to accept the collateral as set forth in the Executive 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 expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

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

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

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

Ord. No. 2215-2000.

By Councilmen Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Twisted Pine LLC to provide economic development assistance to partially finance the acquisition, construction and making of site improvements at Parcels 1 and 2 located in the Walworth Run Industrial Park, 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 Twisted Pine LLC to provide economic development assistance to partially finance the acquisition, construction and making of site improvements at Parcels 1 and 2 located in the Walworth Run Industrial Park, Cleveland, Ohio.

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2215-2000-A.

Section 3. That the costs of said contract shall not exceed Three Hundred Thousand Dollars (\$300,000), and shall be paid from Fund No. 17 SF 008, Request No. 26641.

Section 4. That the Director of Economic Development is hereby authorized to accept the collateral as set forth in the Executive 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 expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

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

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

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

Ord. No. 2216-2000.

By Councilmen Melena and Patton (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into Enterprise Zone Agreements with Twisted Pine LLC and Great Lakes Merchant Services to provide for ten year abatements for certain tangible personal property and real estate taxes as an incentive to acquire machinery and equipment and to lease real property at 4507 Lorain Avenue located in the Cleveland Area Enterprise Zone.

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

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

Whereas, Twisted Pine LLC and Great Lakes Merchant Services (the "Enterprises") have proposed to acquire machinery and equipment and to lease property at Lorain Avenue; and

Whereas, the Enterprises have certified to the City that, but for abatement of personal property and real estate taxes the Enterprises would be at competitive disadvantages by operating at this location; and

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

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

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

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

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Twisted Pine LLC to provide for a sixty percent (60%) ten (10) year abatement for real estate taxes as an incentive to lease real property at 4507 Lorain Avenue. Also, that the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Great Lakes Merchant Services to provide for a sixty percent (60%) ten (10) year abatement for certain tangible personal property taxes as an incentive to lease real property at 4507 Lorain Avenue; said abatements shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatements shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2216-2000-A. The terms of said file notwithstanding, the terms of the tax abatements shall not be amended, nor shall the tax abatements be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

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

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

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

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

Councilman Sweeney left the meeting.

Ord. No. 2219-2000.

By Councilman Polensek.

An emergency ordinance to amend Section 443.26 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1145-97, passed July 16, 1997, relating to rates of fare and receipts for taxicabs.

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

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

Section 1. That Section 443.26 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1145-97, passed July 16, 1997, is hereby amended to read as follows:

Section 443.26 Rates of Fare; Receipts

(a) The maximum rates of fare for gasoline fueled or propane fueled taxicabs shall be as follows:

(1) For the first one-sixth mile or fraction thereof, one dollar and eighty cents (\$1.80).

(2) For each succeeding one quarter mile or fraction thereof, **forty cents (\$.40).**

(3) For each such taxicab employed upon an hourly rate, twelve dollars (\$12.00) per hour.

(b) The maximum rate of fare for coaches shall be as follows:

(1) For each person transported between any railroad terminal, dock or hotel within the area bounded on the north by Lake Erie, on the west by the Cuyahoga River, on the south by Central Avenue and on the east by East 14th Street, twenty-five cents (\$.25).

(2) For each person transported between the Municipal Airport and any railroad terminal or dock or hotel within the area bounded on the north by Lake Erie, on the west by the Cuyahoga River, on the south by Central Avenue and on the east by East 14th Street, two dollars (\$2.00).

(3) For each coach employed upon an hourly rate, four dollars (\$4.00) per hour.

(4) For each person transported between designated points or in connection with special events a special trip rate per person as set forth in a schedule filed with and approved by the Commissioner of Assessments and Licenses, not to exceed one dollar and twenty-five cents (\$1.25).

(c) Waiting Time or Traffic Delay Charge. The rate for waiting or traffic delay shall be fifteen dollars (\$15.00) per hour except for coaches hired at the hourly rate.

(d) The rate for each trunk carried outside shall be twenty cents (\$.20). For ordinary handbags or suitcases there shall be no charge.

(e) Hourly Rate. Public hacks may, upon request of passengers, accept employment whereby the fare to be asked may be computed on an hourly rental. When a public hack is so employed, the fare to be charged shall be computed from the time of leaving the nearest station of the owner to the time of returning to the nearest station from the point of dismissal.

(f) Receipt to be Given. Upon request of a passenger, the owner, driver, chauffeur or other person

in charge or control of a public hack shall deliver to the person paying for the hire of the same at the time of such payment a receipt therefor upon a blank, the form of which is to be prescribed and approved by the Commissioner of Assessments and Licenses. The receipt shall contain in legible type or writing the name of the owner, the City license number, the driver's City license number and other items for which a charge is made, the total amount paid and the date of payment.

Section 2. That existing Section 443.26 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1145-97, passed July 16, 1997, is hereby repealed.

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

Referred to Directors of Public Safety, Finance, Law; Committees on Public Safety, Legislation, Finance.

FIRST READING ORDINANCES REFERRED

Ord. No. 2217-2000.

By Councilman Johnson.

An ordinance to change the Use, Area and Height Districts of lands located on the southerly side of Larchmere Boulevard to Kemper Road with a depth of approximately 152.13' east of the intersection. (Map Change No. 2023, Sheet No. 9)

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

Section 1. That the Use, Area, and Height Districts of lands bounded and described as follows,

Beginning at the intersection of the center line of Larchmere Boulevard, S.E. and the northeasterly extension of the southeasterly line of Sublot No. 24 in the Van Sweringen Company No. 11 Re Subdivision as recorded in Volume 49, Page 19 of the Cuyahoga County Map Records; thence southwesterly along said northeasterly extension and along said southeasterly line of said Sublot No. 24 and along its southwesterly extension to the center line of Kemper Road, S.E.; thence northwesterly along said center line of Kemper Road, S.E. to the center line of Larchmere Boulevard, S.E.; thence southeasterly along said center line of Larchmere Boulevard, S.E. to the place of beginning,

and as outlined in red on the map hereto attached, be and the same are hereby changed to a Multi-Family Use District and 'F' Area District and a '2' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2023, Sheet No. 9 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

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

Ord. No. 2218-2000.

By Councilman Westbrook.

An ordinance to change the Use, Area, and Height Districts of lands located on the north side of Willard Avenue, N.W. between West 89 Street and West 93 Street. (Map Change No. 2024, Sheet Nos. 1 & 2)

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

Section 1. That the Use, Area, and Height Districts of lands bounded and described as follows,

Beginning at the intersection of the center line of Willard Avenue, N.W. and the center line of West 93 Street; thence northerly along said center line of West 93 Street to its intersection with the westerly extension of a line located approximately three hundred fifty three and one hundredths (353.01) feet north of the northerly line of Willard Avenue, N.W.; thence easterly along said westerly extension and along said line which is parallel to and approximately one hundred fifty three and one hundredths (353.01) feet north of said northerly line of Willard Avenue, N.W. to its intersection with a line located approximately three hundred sixty five and nineteen hundredths (365.19) feet east of the easterly line of West 93 Street; thence northerly along said line which is parallel to and approximately three hundred sixty five and nineteen hundredths (365.19) feet east of said easterly line of West 93 Street to its intersection with a line located approximately four hundred seventy nine and ninety two hundredths (479.92) feet north of said northerly line of Willard Avenue, N.W.; thence easterly along said line which is parallel to and approximately four hundred seventy nine and ninety two hundredths (479.92) feet north of said northerly line of Willard Avenue, N.W. and along its easterly extension to the center line of West 89th Street; thence southerly along said center line of West 89 Street to the center line of Willard Avenue, N.W.; thence westerly along said center line of Willard Avenue, N.W. to the place of beginning, and as outlined in red on the map hereto attached, be and the same are hereby changed to a Multi-Family Use District and 'C' Area District and a '2' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2024, Sheet Nos. 1 & 2 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 162-A-2000 (As a substitute of Ord. No. 162-2000).

By Councilmen Polensek, Patmon, Melena, Jones, White, Robinson and Rybka.

An emergency ordinance to repeal Sections 665.01 through 665.12 and 665.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended and enacted by various ordinances; to supplement said ordinances by enacting new Sections 665.01 through 665.21 and 665.99 thereof, relating to fair housing; to repeal Section 667.01 of said Codified Ordinances, as amended by Ordinance No. 77-94, passed March 14, 1994; and to supplement said ordinances by enacting new Sections 667.01, 667.011, 667.012 and 667.013, relating to unlawful discriminatory conduct.

Whereas, this ordinance constitutes an emergency measure providing for 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 following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 665.01, 665.02, 665.03, 665.04, as amended by Ordinance No. 90-96, passed March 18, 1996,

Section 665.05, as enacted by Ordinance No. 2783-87, passed January 11, 1988,

Sections 665.06, 665.07, 665.08, 665.09, as amended by Ordinance No. 90-96, passed March 18, 1996,

Sections 665.10, 665.11, as enacted by Ordinance No. 2783-87, passed January 11, 1988,

Section 665.12, as amended by Ordinance No. 90-96, passed March 18, 1996, and

Section 665.99, as enacted by Ordinance No. 2783-87, passed January 11, 1988,

are hereby repealed.

Section 2. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 665.01 through 665.21 and 665.99 thereof, to read, respectively, as follows:

CHAPTER 665 FAIR HOUSING

Section 665.01 Purpose

It is hereby declared to be the purpose of this chapter to provide, within constitutional limitations, fair housing throughout the City of Cleveland (hereinafter, the City), to assure that all persons have full and equal opportunity to consider all available housing for themselves and their families within the City without discrimination based on race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry, and to promote a stable, racially integrated community.

Section 665.02 Definitions

As used herein —

(a) "Aggrieved person" includes any person who

(1) claims to have been injured by a discriminatory housing practice; or
(2) believes that such person will be injured by a discriminatory housing practice that is about to occur.

(b) "Covered multi-family dwellings" means buildings consisting of

four or more units, if such buildings have one or more elevators, and ground floor units in other buildings consisting of four or more units.

(c) "Disability"

(1) means, with respect to a person:

A. a physical or mental impairment that substantially limits one or more major life activities, including the functions of caring for one's self such as: performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and/or working;

B. a record of a physical or mental impairment; or

C. being regarded as having a physical or mental impairment.

(2) does not include current, illegal use of, or addiction to, a controlled substance, as defined in 21 U.S.C. Section 802.

(d) "Fair Housing Administrator" means the Administrator as established and defined in Section 665.051.

(e) "Fair Housing Board" means the Board as established and defined in Section 665.05 hereof.

(f) "Familial status" refers to the status of

(1) one or more individuals (who have not attained the age of eighteen years) being domiciled with:

A. a parent or another person having legal custody of such individual or individuals; or

B. the designee of such parent or other person having such custody, with the written permission of such parent or other persons.

(2) any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of eighteen years.

(g) "Housing for older persons" means

(1) housing provided under any State or Federal program that the Secretary of the United States Department of Housing and Urban Development (hereafter HUD) determines is specifically designed and operated to assist elderly persons (as defined in the State or Federal program);

(2) housing intended for, and solely occupied by, persons 62 years of age or older; or

(3) housing intended and operated for occupancy by at least one person 55 years or older per unit. The determination as to whether housing qualifies as housing for older persons under this subsection shall be consistent with regulations promulgated by the Secretary of HUD, providing at least the following factors are present:

A. the existence of significant facilities and services specifically designed to meet the physical or social needs of older persons or if the provision of such facilities and services is not practicable, that such housing is necessary to provide important housing opportunities for older persons; and

B. that at least eighty percent (80%) of the units are occupied by at least one person 55 years of age or older per unit; and

C. the publication of, and adherence to, policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons 55 years of age or older.

(4) Housing shall not fail to meet the requirements for housing for older persons by reason of:

A. there being persons residing in such housing as of the date of enactment of the Fair Housing Act of 1988 who do not meet the age requirements of subsection (i)(2) or (3); provided that the new occupants of such housing meet the age requirements of subsection (i)(2) or (3); or

B. there being unoccupied units, provided that such units are reserved for occupancy by persons who meet the age requirements of subsection (i)(2) or (3).

(h) "Lending institution" means any bank, savings and loan association, insurance company, or other organization or person regularly engaged in the business of lending money, guaranteeing loans for profit, or otherwise providing financial assistance or insurance in connection with the purchase, sale or rental of dwellings.

(i) "Person" means one or more individuals, partnerships, associations, organizations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers, and other organized groups of persons. It also includes, but is not limited to, any owner, lessor, assignor, builder, manager, broker, salesman, appraiser, agent, employee, and lending institution.

(j) "Property", as used herein, means any building, structure, facility or portion thereof, which is used, occupied or is intended, arranged or designed to be used or occupied:

(1) as the residence, dwelling unit, or sleeping place of one or more individuals, groups, or families whether or not living independently of each other, and includes any housing accommodations held or offered for sale or rent by a real estate broker, salesman, or agent, or by any other person pursuant to authorization of the owner, by the owner, or by such person's legal representative;

(2) for the purpose of operating a business, an office, a manufactory or public accommodation; or

(3) any vacant land offered for sale, lease or held for the purpose of constructing or locating thereon any such building, structure, facility, business concern or public accommodation.

(k) "Protected group" or "protected class" refers to persons who are or may be discriminated against on the basis of race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry.

(l) "Purchase" means to obtain property through sale.

(m) "Real estate broker" means a real estate agent or salesperson, or a limited real estate broker or salesperson as defined in Section 4735.01 of the Revised Code.

(n) "Rent" or "rental" means to lease, sublease, assign or otherwise grant or obtain the right to occupy property not owned by the occupant in return for consideration, or a contract or option to do any of the foregoing.

(o) "Sale or sell" means to convey, exchange, transfer or assign legal or equitable title to, or beneficial interest in, property in return for

consideration, or a contract or option to do any of the foregoing.

(p) "Sexual orientation" means a person's actual or perceived homosexuality, bisexuality or heterosexuality, by orientation or practice.

(q) "Solicitation" or "solicit" means the mailing or delivery of any printed matter or any oral communication either in person or by telephone to the owner or occupant of property by any real estate broker, agent, sales representative or other person for any of the following purposes:

(1) advertising the accomplishments and/or abilities of the real estate broker, agent, sales representative or other person to sell or rent property;

(2) requesting or suggesting that the owner or occupant list his property for sale or rent; or

(3) offering to purchase or rent the owner's property.

(r) "Unlawful discriminatory housing practices" means any act prohibited by Section 665.03, but shall not include special outreach efforts conducted by, or under the authority of units of local government (including agencies, departments and commissioners thereof) or non-profit fair housing corporations or agencies to administer the programs and activities relating to housing and urban development in a manner which affirmatively furthers the policies of this chapter.

(s) "Watch area" means an area of the City designated by the Fair Housing Board exhibiting certain conditions of change which have historically led to panic selling, racial change and/or incidents with considerations of the factors listed in division (b) of Section 665.17.

Section 665.03 Unlawful Discriminatory Housing Practices

It shall be an unlawful discriminatory housing practice for any person to:

(a) refuse to sell, transfer, assign, rent, lease, sublease, finance, or negotiate after the making of a bona fide offer, or otherwise deny or make unavailable, because of membership in a protected class, a property to any person;

(b) represent to any person, because of membership in a protected class, that a property is not available for sale, rental, inspection, purchase, transfer, assignment, lease or sublease when, in fact, it is available;

(c) discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, if such person's business includes engaging in residential real estate-related transactions, because of race, color, religion, sex, sexual orientation, national origin, age, disability, ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry. As used in this section, the term "residential real estate-related transaction" means any of the following:

(1) The making or purchasing of loans or providing other financial assistance:

A. for purchasing, constructing, improving, repairing, or maintaining a dwelling; or

B. secured by residential real estate.

(2) The selling, brokering or appraising of real property;

(d) discriminate against any person in the terms or conditions of selling, renting, transferring, assigning, brokering, leasing or subleasing any property, or in furnishing facilities, services or privileges in connection with the ownership, occupancy or use of any property because of membership in a protected class or because of the racial composition or presence of any other protected groups in the area in which the dwelling is located;

(e) discriminate against any person in the provision of property and casualty, including but not limited to, fire, extended coverage, renter's or homeowner's insurance ("insurance") or insurance related services because of membership in a protected class of a current or prospective purchaser, renter, or occupant, or of other residents in the area or community, by any one or more of the following practices:

(1) making insurance or insurance related services unavailable or making them available on different terms or conditions;

(2) refusing to sell or renew or by canceling insurance or an insurance policy;

(3) varying the terms or conditions under which an insurance policy or insurance related services is available;

(4) establishing different qualifications, requirements or standards for making insurance or insurance related services available;

(5) offering different services, facilities or privileges in the provision of insurance or insurance related services;

(6) discouraging potential applicants from applying for insurance, including not but limited to utilizing different sales and marketing practices, except as provided in Section 665.02(r);

(7) evaluating, settling, or paying insurance claims;

(f) refuse to consider the combined income of both husband and wife for the purpose of extending mortgage credit to a married couple or either member thereof;

(g) print, publish or circulate, or cause to be printed, published or circulated, any statement or advertisement, or make or cause to be made any written or oral statement, relating to the sale, transfer, assignment, rental, lease, sublease or acquisition of any property or the loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of a property, which indicates any preference, limitation, specification or discrimination based upon protected group membership, or an intention to make any such preference, limitation, specification or discrimination;

(h) include in any sale, transfer, rental, lease or sublease of a property any restrictive covenant based on protected group membership, or honor or exercise, or attempt to honor or exercise any such restrictive covenant;

(i) induce or solicit or attempt to induce or solicit including, but not limited to a property listing, sale, rental or transaction by representing that a change has occurred or

may occur with respect to the protected class or classes of the area in which the property is located, or induce or solicit or attempt to induce or solicit such listing, sale, or transaction by representing that the actual or anticipated presence of persons of any protected class in the area will or may have results such as:

(1) the lowering of property values;

(2) a change in the composition of the area in which the property is located based upon a protected class or classes;

(3) an increase in criminal or anti-social behavior in the area;

(4) a decline in the quality of the schools serving the area.

(j) coerce, injure, intimidate, threaten or interfere with any person in the exercise or enjoyment of, or on account of that person's having exercised or enjoyed or having aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by this section;

(k) discriminate against any person because of protected group status in appraising the value of any property in connection with the sale, brokering or rental or because of the composition of the area based upon protected class or classes;

(l) deny any person access to, or membership or participation in, any multiple-listing service, real estate brokers' association or other service association or facility relating to the business of selling or renting housing accommodations or commercial property, or to discriminate against any person in the terms or conditions of such access, membership or participation, on account of membership in a protected class;

(m) refuse to permit, at the expense of a disabled person, reasonable modifications to existing premises occupied or to be occupied by such person, if such modifications may be necessary to afford such person full enjoyment of the premises, except that, in the case of a rental, a landlord may — where it is reasonable to do so — condition his or her consent to a modification on a renter's agreement, which can include the establishment of an escrow account, to restore the interior of the premises to the condition that existed prior to the modification, reasonable wear and tear excepted;

(n) refuse to make reasonable accommodations in rules, policies, practices or services, when such accommodations may be necessary to afford a disabled person equal opportunity to use and enjoy a dwelling including associated public and common use areas;

(o) construct covered multi-family dwellings that do not provide for accessibility and usability for physically disabled persons in compliance with 42 USC §3604(f)(3)(c);

(p) discriminate in any manner against any other person because that person has opposed any unlawful practice defined in this section, or because that person has made a charge, testified, assisted or participated in any manner in any investigation, proceeding or hearing under Sections 4112.01 to 4112.07 of the Revised Code;

(q) aid, abet, incite, compel or coerce the doing of any act declared by this section to be an unlawful discriminatory practice, or obstruct or prevent any person from complying with Sections 4112.01 to 4112.11 of the Revised Code, 42 USC §3601 et seq., or any order issued pursuant thereto, or attempt directly or indirectly to commit any act declared by this section to be an unlawful discriminatory practice. (ORC 4112.02 (H), (I), (J)).

Section 665.04 Exemptions

The provisions of this chapter shall not be construed to:

(a) prohibit a religious or denominational institution, organization, society or association or any non-profit charitable or educational organization that is operated, supervised or controlled by or in connection with a religious organization, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than commercial purposes to persons of the same religion or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin, nor shall anything in this chapter prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes, provides lodging which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members;

(b) require any person selling or renting property to modify such property in any way at his or her expense, provided that such person does not refuse to permit reasonable modifications by a disabled person, which are necessary for that person to fully enjoy the premises in which he or she resides, when such modifications are made at the expense of the disabled person, which permission may be reasonably based on the disabled person's promise, pursuant to division (o) of Section 665.03, to restore the premises to the condition in which it previously existed before granting permission for such modification, nor shall this chapter be construed to relieve any disabled person of any obligation generally imposed on all persons, regardless of disability, in a written lease, rental agreement or contract of purchase or sale, or to forbid distinctions based on the inability to fulfill the terms and conditions, including financial obligations, of the lease, agreement or contract, so long as such distinctions are not based on the disability, or on the landlord's refusal to make reasonable modifications in the lease, agreement or contract conditions for the purpose of denying a disabled person equal opportunity to the use and enjoyment of the premises. (ORC 4112.02 (K), (N));

(c) prohibit the restriction of a sale or rental of a property on the basis of disability when such a property is authorized, approved, financed or subsidized, in whole or in part, for the benefit of disabled persons by a unit of the local, state or federal government, so long as such restrictions do not discriminate against an otherwise qualified disabled person;

(d) require that a property be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others;

(e) prohibit the application of any reasonable local, state or federal restrictions regarding the maximum number of occupants permitted to occupy a property;

(f) with regard to familial status, apply to properties provided under any state or federal program provided that HUD has determined that such program or housing is exempt, which determination shall be conclusive, or to housing for older persons;

(g) prohibit a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than membership in a protected class.

Section 665.05 Fair Housing Board; Powers; Duties; Responsibilities

(a) There is hereby established a Fair Housing Board which shall consist of five members: one (1) appointed by the Mayor; one (1) appointed by the Council; and three (3) citizen members nominated by the Mayor and confirmed by Council. The member appointed by the Mayor and the member appointed by Council each shall be appointed for a term of three (3) years. Of the citizen members first appointed, one (1) shall be appointed for a term of one (1) year, one (1) for a term of two (2) years, and one (1) for a term of three (3) years; thereafter appointments shall be for three (3) years.

(b) The Fair Housing Board shall have the responsibility to administer the provisions of this chapter and to adjudicate complaints alleging violations of any section. The Fair Housing Board shall have and may exercise the following powers to implement the purposes of this chapter:

(1) to hold adjudicative hearings, make findings of fact, issue orders, enforce such orders and seek judicial and/or administrative relief with respect to any such complaints in accordance with the provisions of this chapter;

(2) to subpoena witnesses, compel their attendance, administer oaths, take sworn testimony and, in connection therewith, to require the production for examination of any documents relating to any matter under investigation or in question before the Fair Housing Board, and enforce such powers by proper petition to any court of competent jurisdiction;

(3) to adopt such rules and regulations as the Fair Housing Board may deem necessary or desirable for the conduct of its business and to carry out the purposes of this chapter;

(4) to do such other acts as are necessary and proper to perform those duties with which the Fair Housing Board is charged under this chapter, including the provision of referral services for the community;

(5) to collect, analyze and study the results of investigations made under this chapter and report to the Mayor and City Council on or before

January 31 of each calendar year on the working of this chapter for the purpose of advising on and recommending amendments to this chapter;

(6) to conduct a continuing program of education and community organization throughout the City;

(7) to initiate an investigation without the filing of an official complaint, provided a majority of the Fair Housing Board elects to proceed based upon reasonable cause to believe that violations of this chapter are occurring or have occurred. The Fair Housing Board shall have the same powers following this initiated investigation as it has with an investigation based on the filing of a complaint;

(8) to enter into cooperative agreements with other governmental agencies to effectuate the purposes of this chapter;

(9) to refer persons allegedly aggrieved by unlawful discriminatory housing practices to the Ohio Civil Rights Commission or other governmental or private agencies, as appropriate.

Section 665.051 Fair Housing Administrator

The Mayor, upon recommendation of the Fair Housing Board, shall appoint a Fair Housing Administrator, who shall be confirmed by Council and who may be a City employee. Said Administrator shall have such duties, responsibilities and powers as may be provided by the Fair Housing Board, including, but not limited to, receipt and processing of complaints on behalf of the Fair Housing Board. Said Administrator shall be provided adequate staff to whom the Administrator's duties under this chapter may be delegated.

Section 665.06 Complaints

(a) Any aggrieved person may allege that a violation of Section 665.03 has occurred by filing with the Fair Housing Board, within one hundred and eighty (180) days of the alleged violation, a sworn, written complaint setting forth his or her grievance. The complaint shall state the name and address of the aggrieved party (hereinafter the "complainant"), the name and address of the person(s) alleged to have committed a violation of Section 665.03 (hereinafter the "respondent"), a description and address of the property involved in the discriminatory incident and the particular facts thereof and such other information as may be required by the Board. A complaint may be amended at any time prior to the hearing conducted pursuant to Section 665.09, and thereafter only with permission of the Fair Housing Board. Upon the filing of a complaint, the Fair Housing Board shall acknowledge the receipt of the complaint and serve notice thereof to the complainant, which notice shall also contain information as to the time limits, notice of procedural rights and obligations and choice of forum provided in this chapter.

(b) Within ten (10) days after a complaint has been received by the Fair Housing Board, it shall serve or cause to be served, in person or by certified mail, a copy of the complaint on the respondent alleged to

have committed a violation of Section 665.03. Along with the service of the complaint, the Fair Housing Board shall advise the respondent, in writing, of his or her procedural rights and obligations under this chapter. The respondent may file a written verified answer to the complaint with the Fair Housing Board within ten (10) days after receipt of notice of said complaint, and thereafter only with permission of the Fair Housing Board.

Section 665.07 Investigation of Complaints

(a) Investigations shall be commenced by the Fair Housing Administrator or his or her designee or designees within thirty (30) days after a complaint has been received. Conciliation, pursuant to Section 665.08, shall be attempted beginning with the filing of the complaint and ending with the filing of a charge or a dismissal of the complaint. If conciliation has failed and the investigation has been completed, the Fair Housing Administrator shall determine that:

(1) there are reasonable grounds to believe that a violation of Section 665.03 has occurred, in which case the Fair Housing Administrator shall issue a charge stating the facts forming the basis for the finding of reasonable grounds to believe discrimination occurred or is about to occur under Section 665.03. The Fair Housing Administrator shall then forward the complaint to the Fair Housing Board for a hearing, pursuant to Section 665.09; or

(2) there are no reasonable grounds to believe that a violation of Section 665.03 has occurred, in which case the Fair Housing Administrator shall prepare and issue a written notice of dismissal, within five (5) days of the finding of no reasonable grounds, by serving a copy of the notice of dismissal by certified mail on the parties. The notice of dismissal shall advise the complainant of his or her right of appeal under this section. Within fourteen (14) days of receipt of notice of dismissal, the complainant may request, in writing, reconsideration by the Fair Housing Board of the dismissal. By a majority vote, the Fair Housing Board may affirm or reverse the dismissal. If the Fair Housing Board reverses, it shall refer the complaint to the Fair Housing Administrator for conciliation and other actions consistent with this chapter.

(b) The Fair Housing Administrator shall complete the investigation within one hundred (100) days after receipt of the complaint, unless impracticable, in which case the Fair Housing Board shall inform, in writing, the complainant and the respondent of the reasons why the investigation cannot be completed within the time prescribed.

(c) The Fair Housing Administrator and his or her designee and staff may be assisted in the investigation by a fair housing agency or other appropriate organization or person under contract with the City.

Section 665.08 Conciliation Process

(a) During the period beginning with the filing of such complaint and ending with the filing of a

charge or a dismissal by the Fair Housing Board, the Fair Housing Board shall, to the extent feasible, engage in conciliation with respect to such complaint. As appropriate, the Fair Housing Administrator or his or her designee shall:

(1) notify the complainant and respondent of the time, place and date of the conciliation conference at least ten (10) days prior thereto, and both parties shall appear at the conciliation conference in person or by attorney; and

(2) attempt to resolve the complaint by methods of conference, conciliation and persuasion with all interested parties and such representatives as the parties may choose to assist them. Conciliation conferences shall be informal and nothing said or done during such conferences shall be made public unless the parties agree thereto in writing. The terms of conciliation agreed to by the parties shall be reduced to writing and incorporated into a consent agreement to be signed by the parties, subject to approval by the Fair Housing Board. The terms of the conciliation agreement shall be made public, unless the complainant and the respondent agree otherwise and the Fair Housing Board determines that disclosure is not required to further the purposes of this chapter.

(b) A conciliation agreement may provide for binding arbitration of the dispute arising from the complaint. Any such arbitration that results from a conciliation agreement may award appropriate relief, including monetary relief.

Section 665.09 Hearings

(a) Within thirty (30) days after the complaint is received by the Fair Housing Board pursuant to division (a)(1) of Section 665.07, the Fair Housing Board shall, upon due and reasonable notice to all parties, hold a hearing on the complaint. Parties to the hearing shall be the complainant and respondent and such other persons as the Fair Housing Board may deem appropriate. The hearing shall be open to the public. At the time it determines to hold such hearing, the Fair Housing Board shall serve upon the respondent a summons requiring the attendance of named persons and the production of relevant documents and records.

(b) At any time prior to the conclusion of the hearing, the parties may request the Fair Housing Board to issue subpoenas for individuals or documents in the Fair Housing Board's name. Failure to comply with a summons or subpoena shall constitute a violation of this chapter. The parties may appear before such Board in person or by duly authorized representative and may be represented by legal counsel. The parties shall have the right to present witnesses and to cross-examine witnesses, and all testimony and evidence shall be given under oath or by affirmation.

(c) If a charge is issued pursuant to Section 665.07 (a)(1), either the complainant or the respondent, in lieu of participating in the administrative hearing process, as outlined in this Section 665.09, may elect to have the case heard in a civil action. Such civil action shall be maintained on behalf of the aggrieved

person at the expense of the Fair Housing Board. Such election must be made within twenty (20) days after the receipt of the charge.

Section 665.10 Hearing Decisions

(a) Within thirty (30) days of the close of the hearing, the Fair Housing Board shall deliver its decision, which shall be rendered in the form of a written order and which shall include findings of fact and a statement as to whether the respondent has violated Section 665.03 and such remedial actions as the Fair Housing Board may order pursuant to Section 665.13. The order shall be served upon the parties by certified mail within fifteen (15) days of the date of the decision. The order shall be available for public inspection, and a copy shall be provided to any person upon request and payment of reproduction costs.

(b) If the Fair Housing Board is unable to make a recommendation within the prescribed time frame in section (a), the Fair Housing Board shall notify the Fair Housing Administrator, the complainant and the respondent in writing of the reasons for not doing so.

Section 665.11 Hearing Officer

The Fair Housing Board, in lieu of conducting a hearing upon complaint, may appoint a hearing officer for the purpose of conducting hearings and reporting the findings thereof to the Fair Housing Board. The hearing officer shall be an attorney licensed to practice law in the State of Ohio. In conducting such hearings, the hearing officer shall be delegated all powers conferred upon the Fair Housing Board pursuant to this chapter as to subpoenaing witnesses, compelling their attendance, administering oaths, taking sworn testimony, and requiring the production for examination of any documents relating to any matter under investigation or question before the Fair Housing Board. Notice of hearing and the procedures therefor shall be in accordance with Section 665.09. After the conclusion of any hearing, the hearing officer shall report his or her findings to the Board within seven (7) days. Within fifteen (15) days after receipt of the findings of the hearing officer, the Board shall render its decision in accordance with Section 665.10.

Section 665.12 Injunctive Relief

At any time after the filing of a complaint referred to in Section 665.07, the Fair Housing Board may request the City's Director of Law to petition the appropriate court for temporary or preliminary relief pending final determination of the proceedings under this chapter, or as otherwise necessary to carry out the purposes of this chapter, including an order or decree restraining the respondent from doing or causing any act which would render ineffectual any order or action by the Fair Housing Board.

Section 665.13 Remedial Actions

(a) If the Fair Housing Board finds that the respondent has not violated Section 665.03, its order under Section 665.10 shall dismiss the complaint.

(b) If the Fair Housing Board finds that the respondent has vio-

lated Section 665.03, its order under Section 665.10 shall provide for the taking of such remedial action, as it deems appropriate, which may include but not be limited to:

(1) directing the respondent to cease and desist from violations of Section 665.03 and to take such affirmative steps as necessary to effectuate the purposes of this chapter;

(2) initiating, at the Fair Housing Board's expense, an appropriate court action for the enforcement of Section 665.03, and for such other or further relief as the court may deem appropriate including, but not limited to, injunctive relief, compensatory damages, punitive damages to the complainant and/or attorneys' fees and costs incurred by the complainant and/or the Fair Housing Board and/or the City; such court action shall be required in the event the respondent does not voluntarily comply with remedial actions ordered by the Fair Housing Board;

(3) initiating proceedings based upon violation of federal or state law and/or regulations;

(4) initiating proceedings with any contracting agency, in the case of any violation of Section 665.03 by respondent in the course of performing under a contract or subcontract with the State or any political subdivision or agency thereof, or with the United States of America or any agency or instrumentality thereof, for the purpose of terminating such contract or any portion thereof, or obtaining other relief;

(5) initiating proceedings with the State of Ohio, where applicable, to revoke, suspend or refuse to renew the license of any person found to have violated any provision of Section 665.03;

(6) directing the respondent to reimburse the complainant and/or the City, as applicable, for his or her actual and reasonable expenses incurred and to be incurred as a result of each violation found including, but not limited to, expenses for moving and temporary storage of household furnishings, additional expenses in connection with the purchase or rental of a dwelling for alternative accommodations, and reasonable attorneys' fees and costs;

(7) directing the respondent to reimburse the City for its actual reasonable direct expenses incurred and to be incurred as a result of each violation found including reasonable attorneys' fees and costs.

(8) assessing compensatory damages, as appropriate, or arrange to have adjudicated in court, at the Fair Housing Board's expense, the award of compensatory damages against the respondent.

(9) assessing civil penalties, as appropriate, or arranging to have adjudicated in court at the Fair Housing Board's expense, the award of punitive damages against the respondent. For purposes of this chapter, civil penalties are defined as penalties assessed against the respondent to vindicate the public interest in an amount:

A. not exceeding \$50,000 for a first violation; and

B. not exceeding \$100,000 for any subsequent violation.

(10) such other further relief as the Fair Housing Board may deem appropriate for enforcement of Section 665.03.

(c) The Fair Housing Board shall make a final administrative disposition of a complaint within one (1) year after the complaint has been filed, unless it is impracticable to do so, in which case the complainant and respondent shall be notified, in writing, of the reasons why disposition of the complaint cannot be made within the time prescribed.

(d) Nothing herein shall be construed to prevent the City, at its own expense, from initiating appropriate court action on behalf of the complainant in order to enforce the provisions of this chapter.

(e) The complainant and the respondent shall have the right to appeal an adverse final determination by the Board to the Cuyahoga County Common Pleas Court pursuant to Chapter 2506 of the Revised Code, or in such other forum or court of competent jurisdiction as provided by law.

Section 665.14 Judicial Relief

The City, the complainant, or any person aggrieved by a violation of any provision of this chapter may at any time within one (1) year from the date of the alleged violation and in lieu of proceeding with the administrative process set forth in this chapter, apply to any court of competent jurisdiction for appropriate relief including, but not limited to:

(a) injunctive relief or an order otherwise compelling compliance with this chapter;

(b) compensatory damages and/or punitive damages;

(c) reasonable attorneys' fees and costs to complainant and/or the City as applicable; and/or

(d) such other or further relief as is appropriate for the enforcement of this ordinance and elimination of violations thereof.

The City shall notify the complainant of all statutes of limitations for the filing of complaints in state and/or federal court.

Section 665.15 Intimidation or Interference in Housing

No person, whether or not acting under color of law, shall by force or threat of force willfully injure, intimidate or interfere with, or attempt to injure, intimidate or interfere with any of the following:

(a) any person because of race, religion, color, sex, sexual orientation, national origin, age, disability, or ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry and because that person is or has been selling, purchasing, renting, financing, occupying, contracting, or negotiating for the sale, purchase, rental, financing, or occupation of any property; or applying for or participating in any service, organization, or facility relating to the business of selling or renting housing accommodations;

(b) any person because that person is, or has been, or is considering:

(1) participating, without discrimination on account of race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry, in any of the

activities, services, organizations or facilities described in division (a)(1) of this section;

(2) affording another person or class of persons opportunity or protection so to participate;

(c) any person because that person is, or is considering lawfully aiding or encouraging other persons to participate, without discrimination on account of race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry, in any of the activities, services, organizations or facilities described in division (a)(1) of this section, or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate.

Section 665.16 Watch Area Designation

(a) Upon consideration of the factors listed in division (b) of Section 665.17, the Fair Housing Board may designate, by a simple majority, any area of the City as a "watch area". A watch area designation shall signify that the area is sensitive to change and that real estate brokers, agents, salespersons or other persons who are licensed or required to be licensed pursuant to Chapter 4735 of the Revised Code are advised to solicit the area only with due caution. Whenever an area of the City is designated as a watch area, the Fair Housing Board shall monitor the situation and actively work towards eliminating or reducing the factors that caused the area to be designated as a watch area. In any area designated as a watch area, the Fair Housing Board may seek a voluntary real estate solicitation moratorium for such length of time as appropriate, but only if such voluntary moratorium is warranted in the opinion of the Fair Housing Board by the circumstances in a given watch area.

(b) At any time that an area is not under a non-solicitation area designation pursuant to Section 665.17, the Fair Housing Board may cancel a watch area designation if it finds that the factors that caused the area to be designated as a watch area have been eliminated or reduced and that the designation is no longer warranted.

(c) Upon each designation or cancellation of a watch area, the Fair Housing Board shall promptly notify the Mayor and the Council, in writing, and publish a notice in the City Record or newspaper of general circulation describing the boundaries of the area by reference to streets, census tracts or common landmarks. Each designation or cancellation shall take effect upon publication. The Fair Housing Board shall maintain a list of designated watch areas and make it available to any person upon request.

Section 665.17 Non-solicitation

(a) No real estate broker, agent, sales representative or other person who is licensed or required to be licensed pursuant to Chapter 4735 of the Revised Code shall solicit the owner or occupant of any housing accommodation located within a non-solicitation area designed by the Fair Housing Board.

(b) Any area that the Fair Housing Board has designated as a watch area may be designated as a non-solicitation area for an initial period of up to forty-five (45) days upon making written findings based on substantial evidence introduced at a public hearing that real estate solicitation in the area is or is likely to cause or contribute to block-busting or panic selling. A vote of two-thirds (2/3) of the Fair Housing Board is needed in order to designate an area as a non-solicitation area. In determining whether a non-solicitation area should be designated, the Fair Housing Board shall consider the following factors, and such other factors it may deem appropriate, as they pertain to the area under consideration:

(1) the frequency of real estate solicitation;

(2) the content of the solicitations;

(3) the racial composition and rate of racial changes;

(4) the frequency of home sales and other real estate activity; and

(5) the number, severity and history of racial incidents.

(c) The Fair Housing Board may extend the designation of a non-solicitation area for one (1) additional consecutive period of forty-five (45) days upon making written findings based on substantial evidence that continuation of the solicitation ban is warranted. If an area is designated as a non-solicitation area and the designation is extended one more time, the designation shall cease after the extension expires.

(d) The Fair Housing Board may, following a public hearing, cancel the designation of a non-solicitation area or extension of any such designation made pursuant to this section.

(e) If the designation of a non-solicitation area expires without extension or is canceled, or if an extension made pursuant to division (a) of this section expires or is canceled, the Fair Housing Board may, no earlier than ninety (90) days following such expiration or cancellation, designate the area anew as a non-solicitation area pursuant to division (b) of this section.

(f) Upon expiration or cancellation of a designation or extension of a non-solicitation area, the area shall remain a watch area until the watch area designation is canceled by the Fair Housing Board pursuant to division (b) of Section 665.16.

(g) Upon each designation, extension or cancellation made pursuant to this section, the Fair Housing Board shall promptly notify the Mayor and Council in writing and publish a notice in the City Record or newspaper of general circulation describing the boundaries of the area by reference to streets, census, tracts, or common landmarks. Each designation or cancellation shall take effect upon publication. The Fair Housing Board shall maintain a list of designated non-solicitation areas and make it available to any person upon request.

Section 665.18 Pattern or Practice of Discrimination

Whenever the Fair Housing Board has reasonable cause to believe that any person or persons are engaged in a pattern or practice of resistance to a person's or persons' full enjoy-

ment of the rights granted by Section 665.03 or 665.19, of this chapter, or that any group of persons has been denied any of the rights granted by such section and the denial raises an issue of public policy, the Fair Housing Board may refer the matter to the Director of Law for commencement of a civil action in a court of competent jurisdiction on behalf of the City. The Director of Law may seek any relief considered necessary to ensure the full enjoyment of the rights granted by this chapter.

Section 665.19 Prohibitions Against Real Estate Steering

No person who receives or expects to receive pecuniary gain from the sale or rental of housing accommodations shall:

(a) influence or attempt to influence any other person who purports or represents himself or herself to be a prospective purchaser, occupant or tenant of housing accommodations to refrain from purchasing or renting housing accommodations by referring to race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry, of occupants or prospective occupants of other housing accommodations in the neighborhood;

(b) influence or attempt to influence, by any words, acts, or failure to act, any person who purports or represents himself to be a prospective seller, purchaser, occupant, landlord or tenant of housing accommodations, in connection with the sale or rental of housing accommodations, in connection with the sale or rental of housing accommodations, so as to promote or tend to promote the continuance or maintenance of segregated housing or so as to retard, obstruct or discourage integrated housing on or in any street, block or neighborhood;

(c) discriminate against any person who purports or represents himself to be a prospective seller, purchaser, occupant, landlord or tenant of housing accommodations by any influence, suggestion, act or failure to act, or accord any differential treatment among such persons, in connection with the sale or rental of housing accommodations or in the furnishing of information, services, or facilities relative thereto because of the race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry of any person.

Section 665.20 Additional Remedies

This chapter shall not prevent the City or any person from exercising any right or seeking any remedy to which that person might otherwise be entitled, or from filing any complaint with any other agency or court of law or equity.

Section 665.21 Scope/Severability

(a) Scope. The provisions of this chapter shall apply to all property, as defined herein, located within the territorial limits of the City of Cleveland, Ohio.

(b) Severability. If any provision of this chapter is held to be unconstitutional or otherwise invalid by

any court of competent jurisdiction, the remaining provisions of the chapter shall not be invalidated.

Section 665.99 Penalty

(a) Whoever violates division (b) of Section 665.09 of this chapter is guilty of a misdemeanor of the third degree.

(b) Whoever violates division (a) of Section 665.17 of this chapter is guilty of a misdemeanor of the second degree on the first offense, and a misdemeanor of the first degree on the second and all subsequent offenses.

(c) Whoever violates Section 665.15 of this chapter is guilty of a misdemeanor of the first degree.

(d) The Fair Housing Board may not initiate any criminal proceeding arising under this chapter. However, nothing in this Section 665.99 shall prevent such Board from referring a possible criminal violation to the appropriate authorities.

Section 3. That Section 667.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 77-94, passed March 14, 1994, is hereby repealed.

Section 4. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 667.01, 667.011, 667.012, and 667.013 to read, respectively, as follows:

Section 667.01 Unlawful Discriminatory Public Accommodations Practices

It shall be an unlawful discriminatory practice in a place of public accommodation for any person who is the owner, operator, lessee, manager, administrator, servant, agent or employee of any place of public accommodation:

(a) to refuse, deny, segregate, discriminate or make a distinction, directly or indirectly, in offering its goods, services, facilities or accommodations to any person because of membership in a protected class;

(b) To refuse, deny, segregate, separate, discriminate, or make a distinction, directly or indirectly in any way, against any person in the full and equal use and enjoyment of the services, facilities, privileges, advantages or enforcement powers of the City, or any unit or office thereof, because of membership in a protected class;

(c) For any person, whether or not specifically prohibited from discriminating under any provisions of this section, to aid, abet, incite, compel, or coerce the doing of any act declared to be an unlawful discriminatory practice by this section, or to attempt to do so;

(d) To coerce, intimidate, threaten, retaliate against, or otherwise interfere with any person, or attempt to do so, because he or she has promoted the provisions of this section, or because he or she has filed a complaint, testified, or assisted in any proceeding, investigation or hearing authorized by Sections 667.011 through 667.013 or by appropriate state or federal law;

(e) Nothing in this section shall prohibit a religious or denominational institution, organization, society or association or any non-profit charitable or educational organization that is operated, supervised or controlled by or in connection with a religious organization, from limiting its offerings

of goods, services, facilities and accommodations to persons of the same religion, or from giving preference to such persons, provided that such offerings mentioned above are not, in fact, offered for commercial purposes;

(f) Nothing in this section shall prohibit the establishment of programs or other public accommodations designed and operated for a particular age group. However, such public accommodations shall not discriminate on the basis of membership in a protected class.

Section 667.011 Definitions

(a) As used herein, "public accommodation" or "place of public accommodation" means any inn, restaurant, eating house, barber-shop, public conveyance by air, land, or water, theater, store or other place for the sale of merchandise or provision of services, amusement or accommodation of which the accommodations, advantages, facilities, or privileges are offered or available to the public.

(b) All other terms used in Sections 667.01 through 667.013 shall have the meanings and definitions given in Chapter 665, except as may be specifically provided herein or as required by the context.

Section 667.012 Complaints; Procedure; Hearings

Any aggrieved person may allege that a violation of Section 667.01 has occurred by filing a complaint with the Fair Housing Board in the time, manner and form prescribed under Section 665.06 for complaints of unlawful practices under Section 665.03. The Fair Housing Board shall have the same powers, duties and responsibilities with respect to a complaint alleging a violation of Section 667.01 as it has under Sections 665.05 through 665.10 with respect to a complaint alleging a violation of Section 665.03, except as may be inapplicable or required by the context or by law.

Section 667.013 Remedies and Relief

The City, the Fair Housing Board, any person aggrieved by a violation of Section 667.01 and any respondent thereto shall have the same rights, powers, duties and responsibilities with respect to remedies and relief for violation of Section 667.01 as they have under Section 665.11 through Section 665.13 with respect to a violation of Section 665.03, except as may be inapplicable or required by the context or by law.

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.

Without objection, substitute agreed to. Ordinance No. 162-2000 Laid on the Table.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 2220-2000.
By Councilman Cimperman.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cuyahoga Metropolitan Housing Authority to provide educational, recreational and social service programs in order to carry out the public purpose of such programs to increase the quality of life of the residents of the City of Cleveland through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Cuyahoga Metropolitan Housing Authority to provide educational, recreational and social service programs in order to carry out the public purpose of such programs to increase the quality of life of the residents of the City of Cleveland through the use of Ward 13 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$20,000 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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 2221-2000.
By Councilmen Cimperman and Polensek.

An emergency ordinance to change the name of a portion of Superior Avenue to "Plain Dealer Plaza".

Whereas, this ordinance constitutes an emergency measure providing for 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 name of that portion of Superior Avenue (width varies) from East 18th Street extending Easterly to East 21st Street, is changed to "Plain Dealer Plaza".

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

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 1.

Those voting yea were Councilmen Polensek, Brady, Britt, Cimperman, Cintron, Coats, Gordon, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Robinson, Rybka, White and Westbrook.

Voting nay was Councilman Willis.

Ord. No. 2222-2000.
By Councilman Polensek.
An emergency ordinance authorizing the purchase by contract of labor and materials necessary to install a security system for Cleveland City Council offices.

Whereas, this ordinance constitutes an emergency measure providing for 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 Clerk of Cleveland City Council is hereby authorized to make written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to install a security system for Cleveland City Council offices, to be purchased by the Commissioner of Purchases and Supplies for a gross price for Cleveland City Council.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 20 SF 371, Request No. 18137.

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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 2223-2000.
By Councilmen Polensek, Patmon, Brady, Britt Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Robinson, Rybka, Sweeney, Westbrook, White and Willis.

An emergency ordinance authorizing the President of Council to pay for certain costs associated with the Winter Festival for underprivileged children sponsored by the Cuyahoga County Commissioners, Cuyahoga County Department of Children & Family Services, NAACP and IX Center.

Whereas, this ordinance constitutes an emergency measure providing for 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 President of Council is authorized to expend twenty thousand dollars (\$20,000.00) to help underwrite expenses associated with the Winter Festival for underprivileged children sponsored by the NAACP, Cuyahoga County Commissioners, Cuyahoga County Department of Children & Family Services and the IX Center to be held on December 10, 2000.

Section 2. That the cost shall be paid from Fund 01 001 Org. 9998000.

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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 2224-2000.
By Councilmen Polensek, Patmon, White, Jones and Melena.
An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 173.67 thereof, relating to compensation for members of the Fair Housing Board.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 173.67 thereof, to read as follows:

Section 173.67 Fair Housing Board

The salaries of the members of the Fair Housing Board shall be four thousand five hundred dollars (\$4,500.00) per annum, except that the member designated as Chairman shall receive additional compensation of five hundred and seventy-five dollars (\$575.00) per annum.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

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

Res. No. 2225-2000.

By Councilman Lewis.

An emergency resolution calling for a vigil to pray for good works to be done in the City of Cleveland.

Whereas, the Council of the City of Cleveland strives to do the work of the people of the City of Cleveland and to make our neighborhoods a safe, livable place; and

Whereas, Mayor White and certain members of his Administration launch daily vitriolic attacks against members of Council, many of which are not only personal but are also without merit; and

Whereas, reasoned and intelligent people, particularly those charged with representing the interests of the public, should engage in reasoned and intelligent public discourse, absent personal and vicious name calling; and

Whereas, the persistent and negative attacks perpetuated by Mayor White have created an environment in which evil can flourish; and

Whereas, this Council can not sit idly by and allow evil to grow and permeate Cleveland City Hall; and

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

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

Section 1. That this Council of the City of Cleveland calls for prayer vigil, at a date and time to be announced, in which the religious leaders, Council members and people of Cleveland can join together to pray for the triumph of good over evil and pray for the good works being done and to be done in our City.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 2.

Those voting yea were Councilmen Polensek, Brady, Britt, Cimperman, Cintron, Gordon, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Robinson, Rybka, White and Westbrook.

Those voting nay were Councilmen Coats and Willis.

Res. No. 2226-2000.

By Councilman Polensek.

An emergency resolution supporting the proposal by Northeast Shores Development Corporation for the development and construction of a multi-family residential development funded by the Ohio Housing Finance Agency.

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, Northeast Shores Development Corporation is proposing a

multi-family residential development, located at 276 East 156th Street in Ward 11 of the City of Cleveland, comprised of 5 residential units including the conversion of one storefront to a residential unit; and

Whereas, this Council of the City of Cleveland supports the proposal of Northeast Shores Development Corporation to develop this affordable housing for the benefit of the citizens of Cleveland; now, therefore,

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

Section 1. That the Council of the City of Cleveland supports the proposal of Northeast Shores Development Corporation to construct a multi-family residential development at 276 East 156th Street, in Ward 11 of the City of Cleveland, through use of housing tax credits from Ohio Housing Finance Agency.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this resolution to Anne Coan, Executive Director of the Northeast Shores Development Corporation and to Richard Everhart, Executive Director of the Ohio Housing Finance Agency.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 2227-2000.

By Councilmen Rybka and White.

An emergency resolution supporting the OEPA in its objection to the plan of the Northeast Ohio Regional Sewer District and its contractor to dump shale from its sewer interceptor project into the Mill Creek Valley.

Whereas, the Council of the City of Cleveland, through passage of resolution, has expressed its strong support of the Mill Creek improvement project and the positive impact it will have on the development of our neighborhoods; and

Whereas, the Northeast Ohio Regional Sewer District (NEORS) is preparing to start a 2.5 mile long sewer tunnel under Garfield Heights that will greatly reduce the amount of pollution spewing into Mill Creek during rainstorms; however, NEORS is contracting to dump approximately 250,000 cubic yards of shale from the sewer project into the Mill Creek Valley; and

Whereas, the dumping of shale into Mill Creek would ultimately cause pollution and degradation of the water stream and riparian areas adjacent to the stream; and

Whereas, the dumping of shale into the Mill Creek Valley has been opposed by the Ohio Environmental Protection Agency; and

Whereas, this Council of the City of Cleveland is opposed to the dumping of shale into the Mill Creek Valley by NEORS and its contractor and, as such, is supportive of the position of the Ohio Environmental Protection Agency; and

Whereas, this City Council opposes an alternative dumping location

that would re-open a now closed sanitary landfill in the Warner Road area; and

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

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

Section 1. That this Council of the City of Cleveland strongly opposes the plan of the Northeast Ohio Regional Sewer District and its contractor to dump shale from its sewer interceptor project into the Mill Creek Valley and, as such, is supportive of the position of the Ohio Environmental Protection Agency to prohibit such dumping that will ultimately cause pollution and degradation to the water stream.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this resolution to Governor Robert Taft and to Chris Jones, Director of the Ohio Environmental Protection Agency.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**SECOND READING
EMERGENCY ORDINANCES**

Ord. No. 1747-99.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating, or otherwise improving City Hall; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; and authorizing the purchase by contract of carpeting, furniture and equipment necessary for the improvement.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Property and Recreation, City Planning, Finance; when amended as follows:

1. In Section 2, line 2, after "contract" insert **"in an amount not to exceed \$520,000.00."**

Amendment agreed to.

Ord. No. 643-2000.

By Mayor White.

An emergency ordinance determining the method of making the public improvement of installing navigational and lighting systems at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into an Agreement with Continental Airlines for the making of such improvement; authorizing the Director to reimburse Continental Airlines for the making of such improvement; authorizing the Director of Port Control to enter into contract for the making of such improvement; and authorizing said director to employ one or

more professional consultants to design the improvement.

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

1. In Section 1, line 1, after "That," insert **"notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary and"**.

2. In Section 2, line 11, strike "\$543,000.00" and insert **"\$279,867.88"**. Amendments agreed to.

Ord. No. 1796-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 996-2000, passed June 19, 2000, relating to a grant from the State of Ohio, Department of Justice for the 2000 TEAM Approach to Violence Against Women Program, and to appropriate the remaining grant funds.

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

Ord. No. 1875-2000.

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair, maintain and service MSA breathing apparatus, for the Division of Fire, Department of Public Safety.

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

Ord. No. 2093-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to lease property at 1449 West 117th Street from Montlack Realty, or their designees, for a term not to exceed three years, with one additional three-year option to renew, for the public purpose of providing office space for the Adult Probation Program of the Cleveland Municipal Court; and to enter into contract for the purchase of furnishings and equipment to refurbish the property authorized to be leased for the Adult Probation Program Office Space.

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 905-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of relocating the offices of Internal Audit to Rooms 1, 2 and 30 of City Hall, and improving Room 15 of City Hall for use by the Department of Law; and authorizing the Director of Finance and the Director of Law to enter into contract for the making of such improvement.

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

1. In the title 5, strike "1, 2" and insert in lieu thereof **"22, 24"**; and in line 7, after "Law;" insert the following: **"renovating Rooms 1, 2, and 6 for other City offices; and improving Cleveland City Council offices"**.

2. In Section 1, line 4, strike "1, 2" and insert in lieu thereof **"22, 24"**; and in line 6, after "space," insert the following: **"and renovating Rooms 1, 2 and 6 for other City offices,"**.

3. Insert new Sections 5 and 6 to read, respectively, as follows:

"Section 5. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of improving the Cleveland City Council offices for use by Cleveland City Council, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 6. That the Clerk of Council is hereby authorized to enter into contract, in an amount not to exceed \$200,000, for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis."

4. Renumber existing Sections 5 and 6 to new **"Section 7"** and **"Section 8"**.

Amendments agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. Nays 0.

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

Ord. No. 995-2000.

By Mayor White.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Section 443.051 of the Codified Ordinances of Cleveland, Ohio, 1976, to require the installation of protective shields or a surveillance system in taxicabs and to amend Section 621.03 thereof to increase the penalty for assault upon a taxicab driver.

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

1. In Section 1, at Section 443.051(a), lines 1 and 2, strike "From and after the licensing period commencing December 1, 2000," and insert in lieu thereof **"Effective six months from the date of passage of this ordinance,"** and also in line 2, strike "either," and insert **"at least one"**.

2. In Section 1, at Section 443.051(a)(2), at the end of line 2, strike the period and insert **"; or"**.

3. In Section 1, at Section 443.051(a), after division "(a)(2)" insert the following: **"(3) A safe meeting the requirements of division (d)."**

4. In Section 1, at Section 443.051, add new division (d) and (e) to read, respectively, as follows:

"(d) All safes installed in taxicabs shall be suitable in design to provide a taxicab driver with the ability to deposit money in a safe that may not be removed from the taxicab and may only be opened under limited circumstances so as to protect the driver of the taxicab. The safe shall meet any additional requirements that may be established by regulation. Each taxicab driver with a safe shall possess no more than ten dollars (\$10.00) in cash and a sign shall be posted conspicuously stating, "Driver carries no more than \$10.00 in cash." Such

sign shall be legible from the interior and exterior of the taxicab.

(e) Each owner or independent operator shall submit its design proposal for safety partitions, surveillance cameras or safes prior to the installation of the same, or if partitions, cameras or safes were installed prior to the effective date of this ordinance, then the owner or independent operator shall instead submit a detailed description of that equipment to the Commissioner within thirty days of the effective date of this ordinance. No taxicab partitions, surveillance cameras or safes, whether or not installed prior to the effective date of this ordinance, shall be permitted from and after six months after passage of this ordinance unless the Commissioner determines that they comply with all requirements of this section."

5. In Section 1, at existing Section 443.051, strike division (d) in its entirety and reletter existing divisions "(e)" and "(f)", respectively, to new divisions **"(f)"** and **"(g)"**.

6. In Section 2, line 1, strike "623.03" and insert in lieu thereof **"621.03"**.

7. Insert new Sections 4 and 5 to read, respectively, as follows:

"Section 4. That this Council urges the Administration to fill the position of Chief of the Bureau of Taxicab Regulation as contemplated by Sections 127.39 and 127.40 of these codified ordinances.

Section 5. That this Council shall conduct annual hearings to review this legislation for necessary changes."

8. Renumber existing Section 4 to new **"Section 6"**.

Amendments agreed to. The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. Nays 0.

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

THIRD READING EMERGENCY ORDINANCES PASSED

Ord. No. 1397-2000.

By Mayor White.

An emergency ordinance authorizing the purchase by contract of transformers, switchgear and circuitry for the Redundant Electrical Source, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1687-2000.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance to amend the title and Section 2 of Ordinance No. 944-2000, passed June 19, 2000, relating to the sale of City-owned property no longer needed for public use located in Block A-5 of the Cleveland Industrial Park.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1881-2000.

By Councilmen Jackson, Britt, Lewis, Patmon, Willis, Cimperman, Melena (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a grant from the U.S. Department of Labor for the School-to-Work Grant, Year II; and to enter into contract with the Cleveland Municipal School District and Youth Opportunities Unlimited to implement the program.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1965-2000.

By Councilman Cimperman.
An emergency ordinance authorizing the Director of Public Service to issue a permit to Network Parking Company, LTD to encroach into a four (4) foot area of the public right-of-way of Columbus Road N.W. for landscaping and a parking lot.
Read third time. Passed. Yeas 19. Nays 0.

THIRD READING EMERGENCY RESOLUTION ADOPTED**Res. No. 1690-2000.**

By Councilmen Dolan, O'Malley, Rybka, Melena, Polensek, Patmon and Lewis.

An emergency resolution strongly opposing proposed mergers of major air carriers including the proposed merger of US Airways and United Airlines and urging the U.S. Senate to disapprove said proposed merger as not being in the public interest.
Read third time. Adopted. Yeas 19. Nays 0.

RECORDING OF VOTE OF ABSENT MEMBER

Pursuant to Rule 22 of the Rules of Order Governing the Council of the City of Cleveland, Councilman Jay Westbrook, having been absent at the Council meeting on November 27, 2000, records his vote as "Yea" on the passage of Ordinance No. 1668-2000, an emergency ordinance authorizing the Director of Economic Development to enter into a Neighborhood Development Investment Fund contract and a grant agreement with the Eliza Jennings Group to provide economic development assistance to partially finance the renovation of real property and the acquisition of personal property located at 10603 Detroit Avenue, Cleveland, Ohio.

Without objection, the vote on Ordinance No. 1668-2000 is Yeas 19 and Nays 0.

MOTION

By Councilman Coats and seconded by Councilman Jones, and unanimously carried that the absence of Councilman Michael A. Dolan be and is hereby authorized.

MOTION

The Council adjourned at 8:40 p.m. to meet on Monday, December 11, 2000, at 7:00 p.m. in the Council Chambers.



Clerk of Council

THE CALENDAR

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

ORDINANCES**Ord. No. 1747-99.**

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

An emergency ordinance determining the method of making the public improvement of rehabilitat-

ing, renovating, or otherwise improving City Hall; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; and authorizing the purchase by contract of carpeting, furniture and equipment necessary for the improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating, renovating, or otherwise improving City Hall, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract, in an amount not to exceed \$520,000.00, for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: carpeting, furniture and equipment necessary for said improvement, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

Section 4. That the cost of said improvement and purchases hereby authorized shall be paid from Fund Nos. 11 SF 006, 20 SF 362 and 20 SF 351, Request No. 5029.

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

Ord. No. 643-2000.

By Mayor White.

An emergency ordinance determining the method of making the public improvement of installing navigational and lighting systems at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into an Agreement with Continental Airlines for the making of such Improvement; authorizing the Director to reimburse Continental Airlines for the making of such Improvement; authorizing the Director of Port Control to enter into contract for the making of such improvement; and authorizing said director to employ one or

more professional consultants to design the improvement.

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

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

Section 1. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary and pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of installing a precision approach navigation system ("PAPI") and a land and hold short lighting system ("LAHSO") on Runway 5R at Cleveland Hopkins International Airport (the "Improvement"), for the Division of Cleveland Hopkins International Airport, Department of Port Control, by entering into an Agreement with Continental Airlines ("Continental") for the Improvement.

Section 2. That the Director of Port Control is authorized to enter into an agreement with Continental to provide for the City to reimburse Continental for costs incurred by Continental in the design, construction and installation of navigational and lighting systems at Cleveland Hopkins International Airport in accordance with Federal Aviation Administration requirements, consisting of a PAPI and LAHSO; and to provide for the city to reimburse Continental for certain costs involved in the design, construction and installation of such PAPI and LAHSO systems, in an amount not to exceed \$279,867.88.

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

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

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

Section 5. That the Director of Port Control is further authorized to execute any documents necessary and appropriate to issue such credits.

Section 6. That the cost of said improvement, professional services and reimbursement hereby authorized shall be paid from Fund No. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, and from any funds or subfunds 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 bonds issued for a purpose which includes the above improvement, Request Nos. 8253 and 8254.

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

Ord. No. 1796-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 996-2000, passed June 19, 2000, relating to a grant from the State of Ohio, Department of Justice for the 2000 TEAM Approach to Violence Against Women Program, and to appropriate the remaining grant funds.

Ord. No. 1875-2000.

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair, maintain and service MSA breathing apparatus, for the Division of Fire, Department of Public Safety.

Ord. No. 2093-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to lease property at 1449 West 117th Street from Montlack Realty, or their designees, for a term not to exceed three years, with one additional three-year option to renew, for the public purpose of providing office space for the Adult Probation Program of the Cleveland Municipal Court; and to enter into contract for the purchase of furnishings and equipment to refurbish the property authorized to be leased for the Adult Probation Program Office Space.

BOARD OF CONTROL

November 29, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, November 29, 2000, at 11:00 a.m. with Acting Director Carr presiding.

Present: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Absent: Mayor White.

Others: Myrna Branche, Commissioner, Purchases and Supplies, Lucille Ambroz, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 793-00.

By Director Brooks.

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 October, 2000 in the amount of \$1,975.29, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 794-00.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Feldman Mechanical, Inc., for an estimated quantity of maintenance, repair and/or replacement of HVAC systems, Group B (all items), for Various Divisions, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on September 28, 2000, pursuant to the authority of Ordinance No. 825-2000, passed June 12, 2000 on the basis of the estimated quantity would amount to One Hundred Thousand and no/100 Dollars (\$100,000.00) (2% 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 22630

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

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Feldman Mechanical, Inc., for maintenance, repair and/or replacement of HVAC systems for the above-mentioned Requirement Contract is hereby approved:

SUBCONTRACTOR	MBE/FBE
Coleman Spohn	\$97,500.00 (MBE)
Duct Fabricators	\$32,500.00 (FBE)

Yeas: None.

Nays: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Absent: Mayor White.

Resolution No. 795-00.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Feldman Mechanical, Inc., for an estimated quantity of maintenance, repair and/or replacement of HVAC systems, Group B (all items), for various divisions, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on September 28, 2000, pursuant to the authority of Ordinance No. 825-2000, passed June 12, 2000 on the basis of the estimated quantity would amount to One Hundred Thousand and no/100 Dollars (\$100,000.00) (2% 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 22630

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

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

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 796-00.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of United Rentals for an estimated quantity of Rental of Various Heavy-Duty Construction Equipment, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on the 21st day of September 2000, pursuant to the authority of Ordinance No. 211-93 passed March 15, 1993 on the basis of the estimated quantity would amount to Fifty Thousand and no/100 Dollars (\$50,000.00) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 31573

which shall be certified against such contract in the sum of Fifteen Thousand and no/100 Dollars (\$15,000.00).

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

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whit-

low, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 797-00.

By Director Konicek.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Asplundh Tree Expert Co., for an estimated quantity of labor and materials to trim trees at various locations throughout the City of Cleveland for the division of Cleveland Public Power, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on November 9, 2000, pursuant to the authority of Ordinance No. 745-2000, passed June 12, 2000, which on the basis of the estimated quantity would amount to One Hundred Nine Thousand, Two Hundred Thirty-Seven no/100 Dollars (\$109,237.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities 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. 10382 which shall be certified against such contract in the sum of Twenty Thousand and no/100ths Dollars (\$20,000.00).

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: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 798-00.

By Director Ricchiuto.
Resolved, by the Board of Control of the City of Cleveland that the bid of The South East Chevrolet Co., d.b.a. Tony La Riche Chevrolet for an estimated quantity of Chevrolet parts and labor if necessary for cars, light duty trucks and vans (all items), for the Division of Motor Vehicle Maintenance Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on September 29, 2000, pursuant to the authority of Ordinance No. 270-2000, passed May 1, 2000, which on the basis of the estimated quantity would amount to Three Hundred Twenty Thousand and no/100 Dollars (\$320,000.00) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 29305 which shall be certified against such contract in the sum of Twenty Thousand and no/100 Dollars (\$20,000.00).

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: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 799-00.

By Director Guzman.
Be it resolved by the Board of Control of the City of Cleveland, that all bids received on August 17, 2000 for an estimated quantity of Horse Supplies, item no. 4, for the Division of Police, Department of Public Safety, pursuant to the authority of Ordinance No. 737-2000, passed June 12, 2000 be and the same are hereby rejected.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 800-00.

By Director Guzman.
Resolved by the Board of Control of the City of Cleveland that the bid of Fire Force, Inc. for Self-Contained Breathing Apparatus for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on October 19, 2000, pursuant to the authority of Ordinance No. 1005-2000, which was passed on July 17, 2000, on the basis of the estimate would amount to One Hundred Forty One Thousand, Three Hundred Sixty Eight and 00/100 Dollars (\$141,368.00) net 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 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. 37003 Items as specified which shall be certified against such contract in the sum of Thirty Six Thousand, One Hundred and 00/100 (\$36,100.00).

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: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 801-00.

By Director Guzman.
Resolved by the Board of Control of the City of Cleveland that the bid of Smith Brothers, Inc., for an estimated quantity of Horse Supplies, item nos. 1, 2, 3, 5 and 6, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on August 17, 2000, pursuant to the authority of Ordinance No. 737-2000, passed on June 12, 2000, which on the basis of the estimated quantity would amount to Forty Two Thousand, Six Hundred One and 60/100 Dollars (\$42,601.60) (Net 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. 23285 as specified which shall be certified against such contract in the sum of Forty Two Thousand, Six Hundred One and 60/100 Dollars (\$42,601.60).

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

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 802-00.

By Director Guzman.
Resolved by the Board of Control of the City of Cleveland that the bid of Standard Law Enforcement Supply Company, for an estimated quantity of 9MM pistols, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on October 19, 2000, pursuant to the authority of Section 135.065 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Fifty One Thousand, Seven Hundred Sixty and 00/100 Dollars (\$51,760.00) (Net 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. 32224 as specified, which shall be certified against such contract in the sum of Fifty One Thousand, Seven Hundred Sixty and 00/100 Dollars (\$51,760.00).

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: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 803-00.

By Director Miller.

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to enter into a concession agreement with AMPCO System Parking for the operation of the Gateway Garages consisting of the East Garage, located at 650 Huron Road, and the North Garage, located at 2151 Ontario Avenue, for a period of two (2) years commencing February 1, 2001 with three (3) options to renew for one (1) year terms, for a concession fee of \$75,000 per year for each year of the initial and renewal term.

Be it further resolved that concession agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions, as he deems necessary to benefit and protect the public interest.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 804-00.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel Nos. 121-33-102, 121-33-103, 126-16-033, 126-16-035, 126-16-053, 126-16-055, 126-16-067, 126-16-080, 126-16-032, 126-17-056, 126-17-057, 126-17-063, 128-01-047, 128-02-060, 128-02-154, 128-06-013, 128-17-004, 128-17-070, 128-17-075, 128-17-083, 128-18-026, 128-18-028, 128-18-086, 128-18-097, 128-19-038, 128-13-050, 129-14-050, 129-19-113, 129-23-087, 129-30-069, 129-23-083, 130-07-084, 130-08-127, 128-20-073, 128-03-114, 126-17-055, under said Land Reutilization Program; and

Whereas, Ordinance No. 1808-2000 passed October 30, 2000, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Cleveland New Homes L.P. has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1808-2000 passed October 30, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Cleveland New Homes

L.P. for the sale and development of Permanent Parcel Nos. 121-33-102, 121-33-103, 126-16-033, 126-16-035, 126-16-053, 126-16-055, 126-16-067, 126-16-080, 126-16-032, 126-17-056, 126-17-057, 126-17-063, 128-01-047, 128-02-060, 128-02-154, 128-06-013, 128-17-004, 128-17-070, 128-17-075, 128-17-083, 128-18-026, 128-18-028, 128-18-086, 128-18-097, 128-19-038, 128-13-050, 129-14-050, 129-19-113, 129-23-087, 129-30-069, 129-23-083, 130-07-084, 130-08-127, 128-20-073, 128-03-114, 126-17-055, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 805-00.

By Director Hudecek.

Resolved by the Board of Control of the City of Cleveland that all bids received on November 9, 2000 for a Hybrid Mini-lab for various divisions in the Department of Community Development, Department of Community Development, pursuant to the authority of Ordinance No. 1210-2000 passed by the Council of the City of Cleveland on August 7, 2000, be and the same are hereby rejected.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 806-00.

By Director Whitlow.

Whereas, Resolution No. 660-00, adopted by this Board on September 27, 2000, pursuant to authority of Ordinance No. 1964-99 passed by the Council of the City of Cleveland February 7, 2000, authorized the Director of Public Health to enter into an agreement with Wiggins Interiors for public improvements at various City of Cleveland Health Centers; and

Whereas, said Resolution No. 660-00 requires modification of the contract alternates approved and the contract amount to include additional work for the components of the project; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Board of Control Resolution No. 660-00 adopted September 27, 2000, is hereby amended by substituting the words "Alternates 1b, 1c, 1d, 2b, 2c, 2d, 2e, 2g, 3d, 3i, 3k and 3m" for the words "Alternates 1b, 1c, 1d, 2b, 2c, 2e, 2g, 3a, 3b, 3c, 3d, 3i, 3k, and 3m" in the first paragraph, and substituting "Eighty-Nine Thousand Seven Hundred Eighty-Eight and no/100

Dollars (\$89,788.00)" for the words "One Hundred Eleven Thousand Seven Hundred Twenty Four and no/100 Dollars (\$111,724.00)," in the second paragraph.

Be it further resolved, that all other provisions of said Resolution No. 660-00 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Directors Warren and Alexander.

Nays: None.
Absent: Mayor White.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date 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, DECEMBER 18, 2000

9:30 A.M.

Calendar No. 00-333: 3035 West 47th Street (Ward 14)

Ed Polk, owner, appeals to construct an 18' x 6' one-story, open front porch to the front of an existing one dwelling unit house situated on a 40' x 125' parcel and located in a B-1 Two-Family District on the east side of West 47th Street at 3035 West 47th Street, said construction being contrary to the Yards and Courts Requirements of Section 357.13(b)(4) where the proposed front porch extends 1' within the right of way and 10' is required and Section 357.04(a) where the required front yard setback is 9.95' and sub-

ject to the non-conforming use limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 00-334: 17325 Lorain Avenue (Ward 21)

Steak N' Shake, owner c/o Joe Scott, appeal to construct a 93' x 41' one-story restaurant with a drive-through situated on a 150' x 149' parcel and located in a Local Retail Business District on the south side of Lorain Avenue at 17325 Lorain Avenue; said construction being contrary to the Specific Uses Regulations where retail sales from drive-through lanes of a drive-through establishment abutting a residential district shall be prohibited from 6 a.m. to 11 p.m. daily as stated in Section 347.16(g)(6) of the Codified Ordinances.

Calendar No. 00-336: 11620 Edgewater Drive (Ward 17)

Jeff Eisenberg, owner, appeals to construct a 24' x 20' one-story frame, 2-car, gable private garage situated on an approximate 129' x 150' parcel located in a limited One-Family District on the northeast corner of West 117th Street and Edgewater Drive; said construction being contrary to the Residential District Regulations where the proposed access building is located in the front half of the lot and shall be located on the rear half of the lot as stated in Section 337.23(a) of the Codified Ordinances.

Calendar No. 00-339: 1278 West 9th Street (Ward 13)

Bingham-Burnside LLC, owners, appeal to change the use of an existing approximate 199' x 435', fourteen-story warehouse building to a fourteen-story multi-dwelling unit and assembly and retail store building situated on an acreage parcel and located in a Limited Retail District on the west side of West 9th Street at 1278 West 9th Street; said change of use being contrary to the Height Regulations of Section 353.01(b) where the maximum height permitted is 175' and 194' is proposed and contrary to the Area Requirements of Section 355.04 where the maximum gross floor area permitted shall equal one-half the lot area which is $86,298/2 = 43,149$ sq. ft. and $678,125$ sq. ft. is proposed and contrary to the Yards and Courts Requirements of Section 357.04(a) where the required front yard setback is 30' and 0' is proposed and Section 357.08(b)(1) where the required rear yard setback is 20' and 0' is proposed and where an interior side yard of 5' on the north side and 0' on the south side are provided and the required interior side yard is 36' as stated in Section 357.09(b)(2)C of the Codified Ordinances.

Calendar No. 00-340: 2601 Henninger Road (Ward 15)

Nextel West Corporation, owner c/o John Kunz, appeal to install a 10' x 20' one-story unit equipment shelter and a 115' high monopole tower on an irregular shaped acreage parcel located in a Semi-Industry District on the south side of Henninger Road at 2601 Henninger Road; said installation being contrary to the Height Regulation Requirements of Section 353.01

where the maximum height permitted in a "2" height district is 60' and 115' is proposed and 353.06(b)(4) where the proposed tower is required to be 230' from a residential district and the proposed tower is located 165' from a residential district line and contrary to the Off-Street Parking and Loading Requirements where a gravel driveway and maneuvering area is proposed and driveway and maneuvering areas are required to be hard surfaced as stated in Section 349.07(a) of the Codified Ordinances.

Calendar No. 00-343: 7010 St. Clair Avenue (Ward 13)

Sonia Johnson, d.b.a. Happy Feet Child Care, appeals to change the use of an existing approximate 127' x 47' one-story masonry retail store building into a day care facility situated on an approximate 80' x 175' corner parcel and located in a Local Retail Business District on the northeast corner of East 70th Street and St. Clair Avenue at 7010 St. Clair Avenue; said change of use being contrary to the Business District Regulations where as regulated in the least restricted adjacent residence district (Two-Family) is within 30' of a residence district and requires the Board of Zoning Appeals approval as stated in Section 343.01(b)(1) of the Codified Ordinances.

Calendar No. 00-344: 3735 West 136th Street (Ward 20)

Brian Peterson, owner, appeals to install approximately 55 linear feet of 6' high wooden fencing to the east of an approximate 32' x 92' corner parcel located in a Two-Family District at the northeast corner of San Diego Avenue and West 136th Street at 3735 West 136th Street; said installation being contrary to the Yards and Courts Requirements where a 6' high fence is proposed within the setback area and the maximum height of fencing allowed within the setback area is 4'-6" as stated in Section 357.13(b)(3) of the Codified Ordinances.

Calendar No. 00-365: 2201 West 93rd Street (Ward 18)

City of Cleveland, owner, and W Tech, LP, c/o George Hannen, appeal to change the use of an existing approximate 355' x 293' four-story masonry high school building into a 184 unit apartment building situated on an acreage parcel on the east side of West 93rd Street between Sauer Avenue and Willard Avenue and located in a Two-Family District at 2201 West 93rd Street; said change of use being contrary to the Residential District Regulations of Section 337.03 where a multi-unit apartment building is not permitted in a Two-Family District but first permitted in a Multi-Family District and contrary to the Area Requirements of Section 355.04 where the maximum gross floor area permitted shall equal one-half the lot area which is $239,581/2 = 119,791$ sq. ft. and $356,052$ sq. ft. is proposed and subject to the non-conforming use limitations of Section 359.01 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, DECEMBER 4, 2000

At the meeting of the Board of Zoning Appeals on Monday, December 4, 2000, the following appeals were heard by the Board:

The following appeals were **Approved**:

Calendar No. 00-312: 2189 Professor Avenue

Primo Acquisitions, owner c/o Adam Waldbaum, president, appealed to change the use of an existing two-story building into a store and office on the first floor and an office on the second floor situated on a parcel located in zoning for a General Retail Business District and a Multi-Family District.

Calendar No. 00-314: 3702 East 149th Street

Beatrice Jordan, owner, appealed to enclose an existing 8' x 20' front porch of a one and one-half dwelling house in a Two-Family District.

Calendar No. 00-316: 6900 Harvard Avenue

Harvard Elderly Ltd. Partnership, owner, appealed to change the use of (2) three story school buildings and (2) two-story school buildings (all attached) into an elderly apartment complex in a Multi-Family District.

Calendar No. 00-317: 10602-10708 Shaker Boulevard

SB-92 Ltd. Partnership, owner, and Borchert Fencing Company appealed to install 676 linear feet of 6' high tubular ornamental fencing to the north, west and southeast of a parcel in a Multi-Family District.

Calendar No. 00-318: 10800-10950 Shaker Boulevard

SB-92 Ltd. Partnership, owners, and Borchert Fencing Company appealed to install 600 linear feet of 6' high tubular ornamental fencing to the north, west and east of a parcel in a Multi-Family District.

Calendar No. 00-320: 3919 Lorain Avenue

Rach-Land, Inc., owners c/o Mark Pestak and Chuck Fiala, appealed to change the use of a one-story masonry store building into a day care facility in a Local Retail Business District and Two-Family District.

Calendar No. 00-279: 1075 East 145th Street

Juanita Griffin, owner, appealed to enclose an existing 6' x 20' front porch of a two dwelling unit in a Two-Family District.

Calendar No. 00-294: 741 East 96th Street

Ronald Simpson, owner, appealed to enclose an existing 8' x 20' front porch of an existing two dwelling unit in a Two-Family District.

The following appeal was **Denied**:

Calendar No. 99-321: 6703 Fleet Avenue

Mary Miller, owner, and Psychic c/o Barbara Miller, tenant, appealed to change the use of a two-story one

family dwelling house into a psychic office in a Multi-Family District.

The following appeal was **Postponed**:

Calendar No. 00-322: 4548 State Road postponed to January 2, 2001.

On Monday, December 4, 2000, in Executive Session:

The following appeals were heard on Monday, November 27, 2000 and said decisions were approved and adopted by the Board on December 4, 2000.

The following appeals were **Approved**:

Calendar No. 00-308: 2862 Martin Luther King Boulevard, a.k.a. 2856 MLK Boulevard Full Gospel Church, owner, and Great Lakes Fence, agent, appealed to install 600 linear feet of 5' high ornamental fencing to the north and east of a 359' x 198' corner parcel in a Two-Family District.

Calendar No. 00-311: 4682 Broadale Road Petros and Samrong Avgerinos, owners, appealed from a Warning Notice issued September 5, 2000 by the Division of Building and Housing.

Calendar No. 00-337: 775 East 152nd Street North Point Properties, Inc., owners, and Volunteers of America of Northeast and North Central Ohio, Inc., prospective purchasers c/o of Dennis J. Kresak, agent, appealed to change the use of a day care building into a transitional housing facility for homeless veterans situated in Local Retail and Two-Family Districts.

The following appeals were **Denied**:

Calendar No. 99-272: 11601 Shaker Boulevard Prima Marketing LLC, owner c/o Brian Healey, agent, appealed to construct a one-story Mini-Mart and Gas Station with 4 islands and dispensing equipment on a corner parcel in a Local Retail Business District.

Calendar No. 00-257: 1820 Belvoir Boulevard Thomas Branch, owner, appealed to change the use of a one-story gas station to a tire service center on a corner parcel in a Local Retail Business District.

The following appeal was heard on Monday, November 20, 2000, and said decision was approved and adopted by the Board on December 4, 2000:

The following appeal was **Approved**:

Calendar No. 00-299: 4216 Pearl Road St. Luke UCC, c/o Mel Grosser appealed to expand an existing two-story school from 90 students and 7 staff members to 142 students and 11 staff members in a General Retail Business District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

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

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, December 13, 2000
1:00 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, December 13, 2000, at 1:00 P.M., to consider the following ordinances now pending in the Council:

Ord. No. 1118-2000.

By Councilmen Brady and Westbrook.

An ordinance establishing the Clifton Road / West Boulevard Historic Landmark District Extension (Map Change No. 2014, Sheet Nos. 1 & 2)

Ord. No. 1643-2000.

By Councilman Jones.

An ordinance establishing the Lee-Harvard Business Revitalization District (BRD). (Map Change No. 2017, Sheet No. 10).

Ord. No. 1763-2000.

By Councilman Brady.

An ordinance to change the Use, Area and Height Districts on both sides of Lorain Avenue, N.W. between W. 119 Street and W. 115 Street and both sides of West 117 Street between Triskett Road, N.W. and Governor Avenue, S.W. (Map Change No. 2020, Sheet Nos. 2 & 12)

Ord. No. 1882-2000.

By Councilman Melena.

An ordinance to change the Use District of lands located on the northwesterly corner of West 54 Street and Bridge Avenue, N.W. (Map Change No. 2021, Sheet No. 1)

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

JOSEPH C. CIMPERMAN,
Chairman
Committee on City Planning

November 29, 2000 and December 6, 2000

2991

NOTICE OF PUBLIC HEARING

**Notice of Public Hearing
By the Joint Board
Regarding Extracurricular Activities**

**Board Library Room, 3rd floor
Cleveland Municipal School District
1380 East 6th Street
Cleveland, Ohio 44114
Friday, December 8, 2000
9:00 A.M.**

Notice is hereby given to all interested parties that the Joint Board, created by Ordinance No. 1025-A-95, will hold a public hearing in the Board Library Room, 3rd floor of the Cleveland Municipal School District, 1380 East 6th Street, Cleveland, Ohio on Friday, December 8, 2000 at 9:00 a.m. in order to receive an update regarding the Cleveland Municipal School District's recreational, cultural and extracurricular activities.

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

November 29, 2000 and December 6, 2000

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, JANUARY 10, 2001

Baldwin Filter Rehabilitation Project, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 818-2000, passed by the Council of the City of Cleveland, October 9, 2000. A NON-REFUNDABLE FEE OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK, BANK CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER FOR BID DOCUMENTS. OUT OF AREA BIDDERS — PLEASE PROVIDE FEDERAL EXPRESS, UPS OR OTHER ACCOUNT INFORMATION FOR SHIPMENT. PACKAGE/FEE INCLUDES PLANS, TECHNICAL SPECIFICATIONS AND CONTRACTUAL REQUIREMENTS AND ANY ADDENDA.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, DECEMBER 6, 2000, 10:00 A.M., AT THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, AUDITORIUM. THOUGH NOT MANDATORY, ATTENDANCE IS STRONGLY RECOMMENDED. ALL QUESTIONS PRIOR TO AND/OR SUBSEQUENT TO THE PRE-BID MEETING MUST BE SUBMITTED IN WRITING VIA FACSIMILE TO MITCHELL BROOKS IN THE DIVISION OF PURCHASES AND SUPPLIES (FAX 216-664-2611). A COPY MUST ALSO BE FORWARDED TO DAVE ROSSETTI, PROGRAM MANAGEMENT CONSULTANT (FAX 216-623-2683). QUESTIONS WILL BE RECEIVED UNTIL **5:00 P.M. WEDNESDAY, JANUARY 3, 2001.** PROJECT SCOPE INCLUDES, BUT IS NOT LIMITED TO: TWENTY (20) OF FORTY (40) RAPID SANDS FILTERS WILL BE REMOVED FROM SERVICE AND RELATED EQUIPMENT DEMOLISHED. THE CAPACITY OF THE TWENTY REMAINING FILTERS WILL BE INCREASED BY PROCESS AND MECHANICAL REHABILITATION TO COMPENSATE FOR THE FILTERS THAT ARE TO BE REMOVED FROM SERVICE. ALSO PLANNED LOW VOLTAGE ELECTRICAL, PIPING, VALVES AND HVAC RENOVATION, AND UPGRADING FILTER INSTRUMENTATION AND CONTROL. WATER CONDUIT MODIFICATIONS AND CONSTRUCTION OF NEW BUILDING STAIRS IS PLANNED.

November 22, 2000, November 29, 2000 and December 6, 2000

THURSDAY, DECEMBER 14, 2000

Rock Salt, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1680-2000, passed by the Council of the City of Cleveland, November 13, 2000.

Flight Helmets, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1005-2000, passed by the Council of the City of Cleveland, July 17, 2000.

November 29, 2000 and December 6, 2000

WEDNESDAY, DECEMBER 20, 2000

STRUCTURAL EXPANSION JOINTS INCLUDING ELASTOMERIC COMPRESSION SEAL (MATERIAL FURNISH ONLY). BEGINNING DECEMBER 4, 2000, AN ALL-INCLUSIVE BID PACKAGE MAY BE **PURCHASED** IN THE DIVISION OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114, FOR THE NON-REFUNDABLE FEE OF SEVENTY-FIVE DOLLARS (\$75.00) **CERTIFIED CHECK OR MONEY ORDER ONLY**. PACKAGE FEE INCLUDES PLANS, TECHNICAL SPECIFICATIONS GENERAL AND CONTRACTUAL REQUIREMENTS AND ANY ADDENDA. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER FOR BID DOCUMENTS. OUT OF AREA BIDDERS — PLEASE INCLUDE FEDERAL EXPRESS OR OTHER ACCOUNT NUMBER FOR PROMPT SHIPMENT. DETAILS: THE WORK SHALL INCLUDE FURNISHING OF ALL MATERIALS, LABOR, SERVICES, TOOLS, EQUIPMENT AND INCIDENTALS NECESSARY TO DESIGN, PREPARE SHOP DRAWINGS, FABRICATE, SHOP PAINT/PRIME, INSPECT, TEST, AND DELIVER TO THE PROJECT SITE, SIX (6) EXPANSION JOINT ASSEMBLIES FOR THE INGRESS/EGRESS-UPPER ROADWAY PROJECT, IN THE CITY OF CLEVELAND, OHIO. THE EXPANSION JOINTS ASSEMBLIES SHALL BE DELIVERED TO THE PROJECT SITE NO LATER THAN MARCH 29, 2001. ALL QUESTIONS MUST BE DIRECTED TO DEBORAH MIDGETT IN THE DIVISION OF PURCHASE AND SUPPLIES VIA FACSIMILE AT (216) 664-2177. THE CUT-OFF DATE FOR QUESTIONS IS **MONDAY, DECEMBER 11, 2000.**

November 29, 2000 and December 6, 2000

THURSDAY, DECEMBER 28, 2000

Photo Supplies, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 741-2000, passed by the Council of the City of Cleveland, June 12, 2000.

November 29, 2000 and December 6, 2000

Request for Qualifications (RFQ): WBS No. M246 — Electrical Vaults 5 and 7 Project

Interested firms may obtain Qualification Packages beginning December 1, 2000 by going to:

www.clevelandairport.com

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

proposal@clevelandairport.com

SUBMITTAL DUE DATE:

THURSDAY, JANUARY 4, 2001
AT 12:00 O'CLOCK NOON

PRE-QUALIFICATION MEETING:

MONDAY, DECEMBER 11, 2000
10:00 a.m.
Program Management
Team Office
19501 Five Points Road
Cleveland, Ohio 44135

For Further Information Contact:

Denise Hale, M-F 8 A.M. to 5 P.M.
(216) 676-9699 x 103
(216) 676-9778 (fax)

November 29, 2000 and December 6, 2000

WEDNESDAY, DECEMBER 20, 2000

Biological and Chemical Testing Supplies (Secondary Turbidity Standards), for the Division of Water, Department of Public Utilities, as authorized by Section 129.28 of the Codified Ordinances of the City of Cleveland, 1976.

Hybrid MiniLab, for the Department of Community Development, as authorized by Ordinance No. 1210-2000, passed by the Council of the City of Cleveland, August 7, 2000.

Office Furniture, for the Department of Port Control, as authorized by Ordinance No. 412-2000, passed by the Council of the City of Cleveland, June 12, 2000.

December 6, 2000 and December 13, 2000

THURSDAY, DECEMBER 28, 2000

Various Dump Bodies, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1685-2000, passed by the Council of the City of Cleveland, October 30, 2000.

Aerial Ladder Platform, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 904-2000, passed by the Council of the City of Cleveland, August 14, 2000.

Hopper/Spreader Inserts, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1685-2000, passed by the Council of the City of Cleveland, October 30, 2000.

December 6, 2000 and December 13, 2000

ADOPTED RESOLUTIONS AND ORDINANCES**Res. No. 1605-2000.**

By Councilman Rybka (by request).

An emergency resolution declaring the intention to vacate a portion of East 73rd Place.

Whereas, this Council; is satisfied that there is good cause to vacate a portion of East 73rd Place, as hereinafter described; and

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

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

Section 1. That it hereby declares its intention to vacate the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of EAST 73RD PLACE (40.00 feet wide), extending Southerly from the Southerly line of Aetna Road S.E. (40.00 feet wide) to its Southerly terminus.

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

Adopted November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1813-2000.

By Councilman Cimperman.

An emergency resolution declaring the intention to vacate a portion of Marquette Street N.E.

Whereas, this Council; is satisfied that there is good cause to vacate a portion of Marquette Street N.E. as hereinafter described; and

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

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

Section 1. That it hereby declares its intention to vacate the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of MARQUETTE STREET N.E. (100.00 feet wide), extending Southerly from the Southerly line of St. Clair Avenue N.E. (99.00 feet wide) to its intersection with the Northerly line of Stanard Avenue N.E. (50.00 feet wide) and the Westerly line of East 55th Street (100.00 feet wide).

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

Adopted November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Res. No. 2138-2000.

By Councilman Cintron.

An emergency resolution welcoming German Cardona, Mayor of Manizales, Colombia and declaring Manizales, Colombia a sister city to the City of Cleveland.

Whereas, German Cardona, Mayor of Manizales, Colombia, is visiting the City of Cleveland to explore different aspects of local government, the local political process and large and small city administrative structures;

Whereas, Manizales, Colombia, with a population of 400,000 people, is the most populated City in Colombia; and

Whereas, Manizales, Colombia is located in the middle of Colombia in the Andean region; and

Whereas, Manizales, Colombia boasts a university and is the coffee capital of Colombia; and

Whereas, the City of Cleveland supports being a sister city to Manizales, Colombia in order to exchange political, cultural and economic ideas; and

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

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

Section 1. That this Council welcomes German Cardona, Mayor of Manizales, Colombia to the City of Cleveland and declares Manizales, Colombia a sister city to the City of Cleveland.

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

Adopted November 20, 2000.

Effective November 30, 2000.

Res. No. 2139-2000.

By Councilman Polensek.

An emergency resolution strongly urging Tops Friendly Markets to continue its plans to expand its supermarket located at East 185th Street and Neff Road despite plans to build a new supermarket in downtown Euclid, and urging the administration to work closely with Tops to ensure that such expansion takes place.

Whereas, for over one year now, Tops Friendly Markets has planned a comprehensive expansion of its supermarket located at East 185th Street and Neff Road; and

Whereas, the current Tops is the only supermarket located in the East 185th Street and Neff Road area available to those area residents, many of whom are elderly and in need of an easily accessible supermarket; and

Whereas, Tops' expansion is an important economic benefit and necessity for the residents in that area of the City and for the City as a whole; and

Whereas, Council has learned that Tops Friendly Markets plans to build a new supermarket on Lakeshore Boulevard in the Euclid downtown area, thus calling into question its plans to expand its supermarket at East 185th Street and Neff Road; and

Whereas, it would create a great economic and personal hardship on Cleveland residents should Tops build a new supermarket in downtown Euclid, but abandon its plans to expand its store at East 185th Street and Neff Road; and

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

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

Section 1. That this Council strongly urges Tops Friendly Markets to continue its plans to expand its supermarket located at East 185th Street and Neff Road despite plans to build a new supermarket in downtown Euclid and further urges the administration to work closely with Tops to ensure that the expansion of the East 185th Street and Neff Road supermarket takes place.

Section 2. That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to Jeff B. Olsen, Director of Real Estate, Tops Friendly Markets.

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

Adopted November 20, 2000.

Effective November 30, 2000.

Res. No. 2140-2000.

By Councilman Willis.

An emergency resolution declaring this Council's desire, interest and commitment to work toward establishing a permanent sister city relationship with Ibadan, Nigeria, Africa.

Whereas, the cities of Cleveland and Ibadan, Nigeria, Africa, have expressed interest in an active exchange of culture, medical knowledge, and business, educational and governmental opportunities; and

Whereas, such exchange would serve to support the development and growth of both cities, as well as to expand and enhance knowledge and understanding between people of diverse cultures; and

Whereas, the leaders of Cleveland and Ibadan, Nigeria have expressed an interest of in working toward establishing a permanent sister city relationship between the cities; and

Whereas, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health or safety in that peace and understanding in the world can only be assured through a strengthening of relationships among the world's peoples, now, therefore,

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

Section 1. That this Council of the City of Cleveland declares its desire, intent and commitment to work toward the establishment of a permanent sister city relationship with Ibadan, Nigeria, Africa.

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

Adopted November 20, 2000.

Effective November 30, 2000.

Res. No. 2166-2000.**By Councilman Brady.**

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 13429 Lakewood Hgts. Blvd., 1st Fl. & Bsmt. Excl. 2nd Fl.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Permit No. 1410123, Cheer-Up Inc., 13429 Lakewood Hgts. Blvd., 1st Fl. & Bsmt. Excl. 2nd Fl., Cleveland, Ohio 44107; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Permit No. 1410123, Cheer-Up Inc., 13429 Lakewood Hgts. Blvd., 1st Fl. & Bsmt. Excl. 2nd Fl., Cleveland, Ohio 44107 to Permit No. 8850749, Terrapin Station Ltd., 13429 Lakewood Hgts. Blvd., 1st Fl. & Bsmt. Excl. 2nd Fl., Cleveland, Ohio 44107 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

Adopted November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Res. No. 2167-2000.**By Councilman Brady.**

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 11730 Lorain Avenue, 1st Fl./Front.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Permit No. 7220737, Ray Bons Inc., 11730 Lorain Avenue, 1st Fl./Front to Permit No. 2095642, Desolve Inc., DBA Neighborhood Bar & Grill, 11730 Lorain Avenue, 1st Fl./Front; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Permit No. 7220737, Ray Bons Inc., 11730 Lorain Avenue, 1st Fl./Front to Permit No. 2095642, Desolve Inc., DBA Neighborhood Bar & Grill, 11730 Lorain Avenue, 1st Fl./Front and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two

copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Res. No. 2168-2000.**By Councilman Cimperman.**

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 819 Jefferson Avenue, 1st Fl.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 4121072, Ideal Market Inc., 819 Jefferson Avenue, 1st Fl., Cleveland, Ohio 44113 to Permit No. 1595175, Thomas K. Bell, 819 Jefferson Avenue, 1st Fl., Cleveland, Ohio 44113; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 4121072, Ideal Market Inc., 819 Jefferson Avenue, 1st Fl., Cleveland, Ohio 44113 to Permit No. 1595175, Thomas K. Bell, 819 Jefferson Avenue, 1st Fl., Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said

application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Res. No. 2169-2000.

By Councilman Gordon.

An emergency resolution withdrawing objection to the stock transfer of a C1 and C2 Liquor Permit to 2118 Broadview Road, and repealing Res. No. 1534-2000 objecting to said stock transfer.

Whereas, this Council objected to the stock transfer of a C1 and C2 Liquor Permit to 2118 Broadview Road by Res. No. 1534-2000 adopted by Council on August 28, 2000; and

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

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

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

Section 1. That objection to the stock transfer of a C1 and C2 Liquor Permit to 2118 Broadview Road, be and the same is hereby withdrawn and Res. No. 1534-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock transfer thereof.

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

Adopted November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Res. No. 2170-2000.

By Councilman Jones.

An emergency resolution urging the Administration to issue at least \$10 million in general obligation bonds in 2001, doubling the amount from 2000, for the repair and rehabilitation of our streets and sidewalks throughout the neighborhoods of the City of Cleveland.

Whereas, many streets and sidewalks throughout the neighborhoods of the City of Cleveland are in deteriorated condition; and

Whereas, the deteriorated condition of our streets and sidewalks present safety hazards for our resi-

dents and detract for the quality of life in our neighborhoods; and

Whereas, the City of Cleveland allocates money annually for the resurfacing and rehabilitation of the City's streets and sidewalks, with \$4 million being allocated in 2000 for street resurfacing and \$1 million being allocated in 2000 for sidewalk repair; and

Whereas, this Council of the City of Cleveland believes that such funding should be increased by 100% in 2001 and that the Administration should plan to issue at least \$10 million in general obligation bonds in 2001 for street and sidewalk repairs in our neighborhoods; and

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

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

Section 1. That this Council of the City of Cleveland urges the Administration to plan on issuing at least \$10 million in general obligation bonds in 2001, doubling the amount from 2000, for the repair and rehabilitation of our streets and sidewalks throughout the neighborhoods of the City of Cleveland.

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

Adopted November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Res. No. 2171-2000.

By Councilman Sweeney.

An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 4611 West 130th Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Permit No. 84189840500, Speedway Superamerica LLC, DBA Speedway #3371, 4611 West 130th Street, Cleveland, Ohio 44135 to Permit No. 91610350015, United Petroleum Marketing LLC, DBA UPM 201, 4611 West 130th Street, Cleveland, Ohio 44135; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Permit No. 84189840500, Speedway Superamerica LLC, DBA Speedway #3371, 4611 West 130th Street, Cleveland, Ohio 44135 to Permit No. 91610350015, United Petroleum Marketing LLC, DBA UPM 201, 4611 West 130th Street, Cleveland, Ohio 44135 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 849-2000.

By Councilmen Britt, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2363 East 83rd Street to Diocese of Cleveland, Bishop Anthony Pilla (St. Adalbert Church).

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 119-30-021, as more fully described in Section 2 below, to Diocese of Cleveland, Bishop Anthony Pilla (St. Adalbert Church).

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

P. P. No. 119-30-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 39 in Clewell and Worley's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 56 of Cuyahoga County Records and being 50 feet front on the Easterly side of East 83rd Street (formerly Lincoln Street) 176 feet 9 inches deep on the Northerly line, 177 feet deep on the Southerly line and 50 feet wide in the rear, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 850-2000.
By Councilmen Britt, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12120 Woodland Avenue to The Pentecostal Faith Holiness Church of God.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 128-03-014, as more fully described in Section 2 below, to The Pentecostal Faith Holiness Church of God.

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

P. P. No. 128-03-014

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 55 in Barbara and Albert Stastny's Subdivision of part of Original One Hundred Acre Lot No. 419, as shown by the recorded plat of said Subdivision in Volume 32 of Maps, Page 24 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Woodland Avenue, S.E., and extending back between parallel lines 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1103-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Air Services of Cleveland, Inc. for use and occupancy of certain space in the Secondary Hangar at Cleveland Hopkins International Airport and for ramp and parking areas adjacent to the premises.

Whereas, this ordinance constitutes an emergency measure providing for 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 ("Director") is authorized to enter into a Lease By Way of Concession ("Lease") with Air Services of Cleveland, Inc. ("Lessee") for use and occupancy of approximately 36,400 square feet of space known as Bays D and E, and 46,800 square feet of adjacent preferential use ramp area, and 12,480 square feet of space known as Bay F and 18,720 square feet of adjacent preferential use ramp area in the Secondary Hangar, and preferential use of the parking lot immediately adjacent to the Secondary Hangar (together, the "Premises") at Cleveland Hopkins International Airport for operation of an aircraft hangar and for jet maintenance services. The term of the Lease shall be for a period of ten (10) years beginning upon execution of the Lease (the "Initial Term") with an option by Lessee to extend the term of the Lease for two (2) additional five-year periods (the "First Extended Term" and "Second Extended Term", respectively). In the event that Lessee chooses to exercise its option to extend the term of the Lease, Lessee shall, at least one hundred twenty (120) days prior to expiration of the term of the Lease, notify the President of City Council, the Chairman of the Aviation & Transportation Committee, and the Clerk of City Council of its decision to extend the term of the Lease.

Lessee shall pay rent for use of the Premises as follows: Bays D and E, including associated ramp and parking areas - \$8.50 per square foot per year; Bay F, including associated ramp and parking areas - \$8.65 per square foot per year. The annual rent shall be increased by 5% for the First Extended Term and increased an additional 5% for the Second Extended Term.

Lessee shall make a minimum of \$189,060 in capital improvements to the Premises and purchase \$173,530 in new equipment during the first year of the Initial Term. The City shall issue credits against rent for the capital improvements made to the Premises by Lessee, provided such improvements are first approved by the Director, in writing. The credits against rent shall be

amortized over the first five years of the Initial Term of the Lease. Notwithstanding rent credits issued by the City, Lessee shall pay to the City a minimum annual guaranteed rent of \$7,500 during the Initial Term. Any rent credits not applied during the Initial Term shall be forfeited by Lessee.

Section 2. That the Lease authorized herein shall contain the following provision:

The City reserves the right to recapture the Premises, wholly or partially, any time during the Initial Term, First Extended Term, or Second Extended Term, upon six (6) months written notice, in the event that City Council, by ordinance, determines that such recapture of the leased Premises or any portion thereof is required by the City in order to comply with federal, state or local laws or regulations governing airports, or for general airport purposes. In the event of such recapture as described in this paragraph, the Lessee shall not be entitled to a credit, reimbursement, payment, or any other type of compensation for termination of the Lease and recapture of the Premises. Notwithstanding the foregoing provision, if the City shall recapture the leased Premises within the first five (5) years of the Initial Term, Lessee shall be entitled to compensation equal to: (a) any unamortized facility investment cost; and/or (b) any amortized rent credits approved by the Director and not received by Lessee. In the event of recapture, the City shall work cooperatively with Lessee to find a suitable location at which Lessee may operate, under such terms and conditions as may be mutually agreed to by the City and Lessee.

Section 3. That the Lease authorized herein shall be prepared by the Director of Law and shall contain such other terms and conditions as said Director deems necessary to protect and benefit the public interest.

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1107-2000.
By Councilman Cimperman.
An emergency ordinance to vacate a portion of Branch Avenue S.W. hereinafter described.

Whereas, on the 15th day of December 1999, the Council of the City of Cleveland adopted Resolution No. 1854-99 declaring its intention to vacate a portion of Branch Avenue S.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1854-99 has been served upon the owners of all the property abutting Branch Avenue S.W., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 14th day of June, 2000, the Board of Revision of Assessments approved the vacation of Branch Avenue S.W., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

Section 1. That all that portion of Branch Avenue S.W. (60.00 feet wide), extending Easterly from the Easterly line of West 14th Street (100.00 feet wide) to the Southerly prolongation of the Westerly line of Sublot Number 68 in the Branch Subdivision as shown in Volume 5, Page 9 of Cuyahoga County Map Records, is hereby vacated.

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

The description is as follows:

That portion of Branch Avenue S.W. (60.00 feet wide), extending Easterly from the Easterly line of West 14th Street (100.00 feet wide) to the Southerly prolongation of the Westerly line of Sublot Number 68 in the Branch Subdivision as shown in Volume 5, Page 9 of Cuyahoga County Map Records.

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

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

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1401-2000.
By Councilmen Jackson and Cimperman (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Maingate Business Development Corporation to encroach into the public right-of-way of various streets in Wards 5 and 13 with six (6) Entryway Identification Signs

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Maingate Business Development Corporation, 3800 Orange Avenue, Cleveland, Ohio 44115, its successors and assigns, for the construction, use and maintenance of six (6) Entryway Identification Signs to be attached to fourteen (14) foot high poles owned by Maingate, Business Development Corporation which will encroach into the public right-of-way of various streets in Wards 5 and 13 at the locations more fully shown in File No. 1401-2000-A, on file with the Clerk of the Council of the City of Cleveland and further described as follows:

MAINGATE BUSINESS DEVELOPMENT CORPORATION SIGNAGE SITES:

SITE 1: This sign is located forty (40) feet East of the Interstate 77 Exit Ramp at Woodland Avenue and East 34th Street on the grass three (3) feet South of the sidewalk area.

SITE 1A: This sign is located on the Southwest corner six and one-half (6-1/2) feet South of Woodland Avenue and five (5) feet West of the West curb of East 40th Street.

SITE 2: This sign is located at Northwest side of Woodland Avenue and East 55th Street, about forty (40) feet East of an RTA sign and about two and one-half to three (2-1/2 to 3) feet North of the curb area.

SITE 3: This sign is located at the Easterly side of East 55th Street near Grand Avenue about forty-five (45) feet South of a Cleveland Public Power Utility Pole about two and one-half to three (2-1/2 to 3) feet East of the curb area.

SITE 4: This sign is located on the Easterly side of Broadway near Dille Avenue, and is about eight (8) feet East of the curb area and twenty (20) feet North of a fire hydrant.

SITE 5: This sign is located on Broadway near its intersection with East 14th Street just South of Orange Avenue, and about fifteen (15) feet West of a utility pole #BO-18-6, which is on the South side of Broadway in the grass immediately back from the curb area.

Section 2. That said signs 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 constructed is commenced.

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

Section 4. That this ordinance is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1409-2000.

By Councilmen Cimperman, Melema and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Bredt-Zanick LLC to provide economic development assistance to partially finance site improvements, machinery and equipment acquisition and the construction and renovation of real property located at 2850 West 3rd Street, Cleveland, Ohio 44113.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Bredt-Zanick LLC to provide economic development assistance to partially finance site improvements, machinery and equipment acquisition and the construction and renovation of real property located at 2850 West 3rd Street, Cleveland, Ohio 44113.

Section 2. That the terms of said agreement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1409-2000-A.

Section 3. That the costs of said contract shall not exceed Four Hundred Thousand Dollars (\$400,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 26624.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept collateral as said Director shall deem adequate 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 accept charges and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

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

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

shall take effect and be in force from and after the earliest period allowed by law.

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1410-2000.

By Councilmen Cimperman, Melema and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Bredt-Zanick LLC to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to make site improvements, acquire machinery and equipment and construct on and renovate the real property located at 2850 West 3rd Street, Cleveland, Ohio 44113.

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

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

Whereas, Bredt-Zanick LLC (the "Enterprise") has proposed to make site improvements, acquire machinery and equipment and construct on and renovate the real property located at 2850 West 3rd Street, Cleveland, Ohio 44113; and

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

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

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

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

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to make site improvements, acquire machinery and equipment and construct on and renovate the real property located at 2850

West 3rd Street, Cleveland, Ohio 44113; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1410-2000-A. That terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferred to any entity, without the prior legislative authorization by Cleveland City Council.

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

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

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1584-2000.

By Councilmen Cimperman, Cinton and Patmon (by departmental request).

An emergency ordinance giving consent of the City of Cleveland for the resurfacing of East 13th Street/Chester Avenue between Superior Avenue and East 22nd Street to the State of Ohio; and authorizing the Director of Public Service to enter into any agreements relative thereto.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is hereby given to the Director of Transportation of the State of Ohio (the "Director of Transportation") to make the following improvements in accordance with the plans, specifications and estimates approved by said Director of Transportation: The resurfacing of East 13th Street/Chester Avenue between Superior Avenue and East 22nd Street in the City of Cleveland, a distance of 0.58 miles (the "Improvement").

Section 2. That the City hereby proposes to cooperate with the Director of Transportation in the cost of the Improvement by assuming and contributing twenty percent (20%) of the cost and expense of the construction phase of this improvement determined to be eligible for State Highway Fund. In

addition, the City agrees to assume and contribute one hundred percent (100%) of the cost of any work included in the construction contract, at the request of the City, which are in addition to those now existing and not provided for elsewhere in the Agreement.

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

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

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

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

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

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

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

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

b) That the City agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The City also understands that right-of-way costs include eligible utility costs.

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

d) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other City-owned utilities and appurtenances thereto which do not comply with the provisions of ODOT Directive No. 38-A, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement, and that said rearrangements shall be done at such time as requested by the State.

e) That the construction, reconstruction and rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operations of the contractor or contractors constructing the Improvement, and all backfilling of trenches made necessary by such

utility rearrangement shall be performed in accordance with the provisions of the ODOT Construction and Material Specifications and shall be subject to approval by the State.

f) That the City hereby agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the City's obligations made or agreed to in this section.

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

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

i) That the installation of all utility facilities on the right-of-way shall conform with the requirements of Title 23 CFR 645 and the ODOT Utilities Manual.

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

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

Section 8. That the Clerk of Council is hereby authorized to transmit to the Director of Transportation three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

Section 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 November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1587-2000.

By Councilmen Jackson, Cimperman, Cintron and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating East 40th Street, Phase 3, and authorizing the Director of Public Service to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating East 40th Street, Phase 3, for the Division of

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

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund Nos. 20 SF 400, 20 SF 364, 58 SF 001, 52 SF 223 and 54 SF 001, Request No. 26564.

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1588-2000.

By Councilmen Jackson, Lewis, Rybka, Cimperman, Cintron and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating East 55th Street, Phase 3, and authorizing the Director of Public Service to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating East 55th Street, Phase 3, for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the Director of Public Service and Cleveland City Council shall work cooperatively with the Ohio Department of Transportation and the railroads to design

and expand the East 55th Street bridge and coordinate such expansion with the rehabilitation of East 55th Street.

Section 4. That the cost of said improvement hereby authorized shall be paid from Fund Nos. 20 SF 401, 20 SF 364, 58 SF 001, 52 SF 001 and 54 SF 001, Request No. 26563.

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 November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1589-2000.

By Councilman Westbrook.

An emergency ordinance to vacate a portion of Tuscan Avenue N.W. hereinafter described.

Whereas, on the 27th day of March 2000, the Council of the City of Cleveland adopted Resolution No. 2180-99 declaring its intention to vacate a portion of Tuscan Avenue N.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 2180-99 has been served upon the owners of all the property abutting Tuscan Avenue N.W., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 24th day of August, 2000, the Board of Revision of Assessments approved the vacation of Tuscan Avenue N.W., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

Section 1. That all that portion of TUSCAN AVENUE N.W. (15.00 feet wide) extending Westerly from the Westerly line of West 111th Street (50.00 feet wide) to the Easterly line of West 112th Street (50.00 feet wide), is hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Tuscan Avenue N.W., herein provided by sending him a copy of this Ordinance.

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1590-2000.

By Councilmen Dolan, O'Malley, Cimperman and Patmon (by departmental request).

An emergency ordinance to amend the title, Section 1 and Section 3 of Ordinance No. 1000-2000, passed June 19, 2000, relating to the public improvement of rehabilitating sewers on Westpark and Lydian Roads and authorizing the Director of Public Utilities to enter into contract therefor; to supplement said ordinance by adding new Section 4 relating to an agreement with the Northeast Ohio Regional Sewer District to allow the City to accept additional allocations to partially finance the improvement; and to renumber existing Section 4 to Section 5.

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

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

Section 1. That the title, Section 1 and Section 3 of Ordinance No. 1000-2000, passed June 19, 2000, are hereby amended to read, respectively, as follows:

An emergency ordinance determining the method of making the public improvement of rehabilitating the Westpark Road and Lydian Avenue sewers and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating the Westpark road sewer between Rocky River Drive and Lydian Avenue and Lydian Avenue between Westpark Road and West 155th Street, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001 and from any fund or funds to which are credited any allocations received from the Northeast Ohio Regional Sewer District to contribute to the cost of this improvement.

Section 2. That the title, Section 1 and Section 3 of Ordinance No. 1000-2000, passed June 19, 2000, are hereby repealed.

Section 3. That Ordinance No. 1000-2000, passed June 19, 2000, is hereby supplemented by adding new Section 4 thereof to read as follows:

Section 4. That the Director of Public Utilities is hereby authorized to enter into an agreement with the Northeast Ohio Regional Sewer ("NEORS") to allow the City to accept additional allocations from NEORS to partially finance the improvement described above. Such agreement shall contain such additional terms as are acceptable to the Director of Law to protect the public interest. The Director of Public Utilities is further authorized to file all papers and execute all documents necessary to receive the additional allocation from NEORS; and that said additional allocations are hereby appropriated for the purposes described herein.

Section 4. That existing Section 4 of Ordinance No. 1000-2000, passed June 19, 2000, is hereby renumbered to new Section 5.

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1594-2000.

By Councilmen Johnson, Rybka and Patmon (by departmental request).

An emergency ordinance to amend the title and Section 2 and Section 8 of Ordinance No. 930-2000, passed June 19, 2000, relating to a grant from the Ohio Department of Natural Resources for Phase II of the Woodland Recreation Center site improvements.

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

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

Section 1. That the title and Section 2 and Section 8 of Ordinance No. 930-2000, passed June 19, 2000, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Natural Resources for Phase II of the Woodland Recreation Center site improvement; determining the method of making the public improvement of constructing the improvement; and authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement.

Section 2. That the program description for said grant, File No. 930-2000-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide twenty-five percent (25%) of the total project cost to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for the purpose which includes the above improvement, is hereby approved in all respects.

Section 8. That the cost of said improvement hereby authorized shall be paid from the fund or funds to which are credited the proceeds of the grant accepted pursuant to this ordinance and the cash match and the amount of \$300,000 or less from Fund No. 10 SF 166.

Section 2. That the title and Section 2 and Section 8 of Ordinance No. 930-2000, passed June 19, 2000, are hereby repealed.

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1595-2000.
By Councilmen Lewis, Melena,
Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Hough Avenue to Mansfield S. Frazier and Brenda W. Frazier.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 118-05-045 (Westerly parts of), as more fully described in Section 2 below, to Mansfield S. Frazier and Brenda W. Frazier.

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

P. P. No. 118-05-045
 (Westerly parts of)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 30 and 31 in the Stevens and Cass Re-Subdivision of part of Original One Hundred Acre Lot No. 338, as shown by the recorded plat in Volume 15, Page 12 of Cuyahoga County Maps Records;

Beginning at a 5/8" iron pin found at the intersection of the Southerly line of Hough Avenue, 66 feet wide, and the Easterly line of East 66th Street, 60 feet wide, the Northwest corner of aforesaid Sublot No. 29; thence South 88° 10' 40" East along the Southerly line of Hough Avenue and the Northerly line of Sublot No. 29, 130.00 feet to a 5/8" iron pin found at a Northeast corner of land conveyed to Levy Builders by deed dated October 19, 1999 and recorded in A.F.N. 199910190064 of Cuyahoga County Records; thence South 01° 30' 00" West along the Easterly line of land so conveyed, 44.99 feet to the principal point of beginning; thence North 88° 11' 02" West along a Southerly line of land so conveyed, 10.00 feet to a point; thence South 01° 30' 00" West along an Easterly line of land so conveyed, 40.00 feet to a point; thence North 88° 11' 23" East along a Southerly line of land so conveyed, 15.00 feet to a point; thence South 01° 30' 00" West along an Easterly line of land so conveyed, 40.00 feet to a point; thence South 88° 11' 43" East along the Southerly line of land so conveyed, 25.00 feet to a point; thence North 01° 30' 00" East, 80.00 feet to the principal point of beginning and containing 0.0321 acres of land as

calculated and described by North Coast Engineering and Surveying Company, Inc. in August 2000, be the same more or less, but subject to all legal highways.

Note: all 5/8" iron pins set and capped, E.B. Dudley, P.L.S. No. 6747

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

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

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

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1600-2000.

By Councilmen Willis, Melena,
Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 11307 Parklawn Avenue to Northeastern Development Corporation or designee.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the

Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 110-18-039, as more fully described in Section 2 below, to Northeastern Development Corporation or designee.

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

P. P. No. 110-18-039

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 10 and 11 in the Parklawn Improvement Company's Parklawn Subdivision of part of Original One Hundred Acre Lot No. 371, as shown by the recorded plat in Volume 91 of Maps, Page 37 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning in the Northeasterly line of Parklawn Drive, N.E., at a point distant Southeasterly (measured along said Northeasterly line), 25 feet from the most Westerly corner of Sublot No. 11; thence Northwesterly along said Northeasterly line of Parklawn Drive, N.E., 50 feet to a point which is distant Easterly (measured along the Northerly line of Parklawn Drive N.E.) 15 feet from the Southwesterly corner of said Sublot No. 10; thence Northeasterly parallel with the Northwesterly line of said Sublot No. 10, about 136 feet to the Northerly line of said Sublot No. 10; thence Easterly along the Northerly line of said Sublot No. 10, about 1.92 feet to an angle; thence Southeasterly along the Northeasterly line of said Sublot No. 10, 60 feet to the most Easterly corner of said Sublot No. 10; thence Southwesterly in a direct line, about 125 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1636-2000.

By Mayor White and Councilman Polensek.

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2001 Federal AIDS Prevention Program and to enter into contract with various agencies to implement the program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$878,532.00, and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the 2001 Federal AIDS Prevention Program, for the purposes set forth in the executive 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 executive summary for said grant.

Section 2. That the executive summary for said grant, File No. 1636-2000-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 hereby authorized to enter into one or more contracts for the implementation of the program as described in the executive summary contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to this ordinance with the following agencies, in the following amounts:

Agency	Amount
AIDS Taskforce of Greater Cleveland	\$91,997
AIDS Taskforce of Greater Cleveland	\$32,167
AIDS Taskforce of Greater Cleveland	\$68,002
AIDS Taskforce of Greater Cleveland	\$32,167
AIDS Taskforce of Greater Cleveland	\$75,000
AIDS Taskforce of Greater Cleveland	\$31,667
BlackOut Unlimited	\$20,000
Cleveland Treatment Center	\$64,000
Cleveland Treatment Center	\$40,000
Cleveland Treatment Center	\$100,000
Free Clinic	\$40,000
Free Clinic	\$54,500
HUMADAOP	\$20,000
HUMADAOP	\$18,175
HUMADAOP	\$40,000
NEON	\$32,325
Recovery Resources	\$20,000
Xchange Point	\$20,000

Section 4. That in addition to the contracts authorized above, the Director of Public Health is hereby authorized to enter into contract in an amount not to exceed \$20,000, with one additional entity for implementation of the program as described in the executive summary contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to this ordinance.

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1638-2000.

By Councilmen Cintron, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding of various infrastructure capital improvement projects and state funding to obtain credit enhancements and loan assistance in support of the City's 2000 general obligation issued for road and bridge improvements; and authorizing the Mayor to accept grants from the Ohio Public Works Commission for improvements to Central Avenue, Western Avenue East 79th Street, Kinsman Road, Bellaire Road and St. Clair Avenue.

Whereas, pursuant to Article VIII, Section 2k of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

Whereas, pursuant to Section 164.03 of the Revised Code, the District One Public Works Integrating Committee has been created to evaluate applications for state financing of capital improvement projects of local subdivisions in Cuyahoga County; and

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

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

Section 1. That the Mayor is hereby authorized to apply to the District One Public Works Integrating Committee for state funding of the following infrastructure capital improvement projects:

1. Central Avenue (from East 22nd Street to East 55th Street);
2. Western Avenue (from West Boulevard to West 117th Street);
3. East 79th Street (from Chester Avenue to St. Clair Avenue);
4. Kinsman Road (from East 93rd Street to the east corporation line);
5. Bellaire Road (from West 105th Street to West 130th Street);
6. St. Clair Avenue (from East 26th Street to East 55th Street).

Section 2. That the Mayor is hereby authorized to apply to the District One Public Works Integrating Committee for state funding to obtain credit enhancements and

loan assistance in support of the City's 2000 general obligation bond issued for bridge and road improvements.

Section 3. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$4,240,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Central Avenue from East 22nd Street to East 55th Street; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes of the grant including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$1,060,000, to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for this purpose.

Section 4. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$2,320,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Western Avenue from West Boulevard to West 117th Street; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes of the grant including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$580,000, to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for this purpose.

Section 5. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$5,705,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating East 79th Street from Chester Avenue to St. Clair Avenue; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes of the grant including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$1,426,400, to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for this purpose.

Section 6. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$3,963,200, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Kinsman Road from East 93rd Street to the east corporation line; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes of the grant including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$990,800, to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for this purpose.

Section 7. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$6,304,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Bellaire Road from West 105th Street to West 130th Street; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes of the grant including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$1,576,000, to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for this purpose.

Section 8. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$3,840,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating St. Clair Avenue from East 26th Street to East 55th Street; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes of the grant including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$960,000, to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for this purpose.

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 November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1639-2000.

By Councilmen Cintron, Cimprman and Patmon (by departmental request).

An emergency ordinance giving consent of the City of Cleveland for the cleaning of the structure and drainage system and the removal of a portion of the catwalk of the Main Avenue Bridge No. 193 over the Cuyahoga River to the County of Cuyahoga; authorizing the Director of Public Service to enter into any agreements relative thereto; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is hereby given to the County of Cuyahoga (the "County") to construct the following improvement in accordance with plans, specifications and estimates approved by the County: The cleaning of the structure and

drainage system and the removal of a portion of the catwalk of the Main Avenue Bridge No. 193 over the Cuyahoga River (the "Improvement").

Section 2. That the City hereby proposes to cooperate with the County in the cost of the Improvement by cooperating to the extent of funds received by an allocation from the County Motor Vehicle \$5.00 License Tax Fund; and by applying to the Board of County Commissioners to use the License Tax Fund for said Improvement.

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

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

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

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

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

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

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

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

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

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

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

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

f) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other City-owned utilities

and appurtenances thereto which do not comply with the provisions of ODOT Directive No. 28-A, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement, and that said rearrangements shall be done at such time as requested by the County.

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

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

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

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

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

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

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

a) That the County will arrange for the preparation of construction plans and specifications for the Improvement, including necessary engineering reports, under current County Engineer standards for construction of County roads and bridges.

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

c) That if, by ordinance of this Council, the City requests the County, to include in the Improvement the construction of sanitary sewers, water lines, sewers for drainage of the area surrounding the Improve-

ment, sidewalks, alternate bid items or other items that are in addition to those now existing in the plans for the Improvement and not provided for elsewhere in the agreement, the County will do so, provided that the construction of such additional items is approved by the County and the City, and provided further that the City agrees to pay or cause to be paid the cost of said additional construction and of preliminary and design engineering therefor, but the City shall not be responsible for the cost of supervision of said additional construction.

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

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

Section 8. That the Director of Public Service is hereby authorized to apply to the County for an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project, and to enter into such agreements with the County as are necessary to finance the Improvement.

Section 9. That the Director of Public Service is hereby authorized to apply to the County Board of Commissioners for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept said funds and to file all papers and execute all documents necessary to receive said funds; and that said funds be and are hereby appropriated for the purposes set forth above.

Section 10. That the Clerk of Council is hereby authorized and directed to transmit to the County three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

Section 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 November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1640-2000.
By Councilmen Cintron, Cimprman and Patmon (by departmental request).

An emergency ordinance giving consent of the City of Cleveland for the sealing of the concrete decks of various bridges to the County of Cuyahoga; authorizing the Director of Public Service to enter into any agreements relative thereto; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement.

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

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

Section 1. That it is declared to be in the public interest that the con-

struction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the County.

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

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

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

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

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

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

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

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

a) That the County will arrange for the preparation of construction plans and specifications for the Improvement, including necessary engineering reports, under current County Engineer standards for construction of County roads and bridges.

b) That the County will arrange for the supervision and administration of the construction contract for

struction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the County.

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

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

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

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

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

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

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

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

a) That the County will arrange for the preparation of construction plans and specifications for the Improvement, including necessary engineering reports, under current County Engineer standards for construction of County roads and bridges.

b) That the County will arrange for the supervision and administration of the construction contract for

the Improvement, and will review the construction plans for conformance with division a) of this section and make an inspection of the completed project.

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

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

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

Section 8. That the Director of Public Service is hereby authorized to apply to the County for an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project, and to enter into such agreements with the County as are necessary to finance the Improvement.

Section 9. That the Director of Public Service is hereby authorized to apply to the County Board of Commissioners for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept said funds and to file all papers and execute all documents necessary to receive said funds; and that said funds be and are hereby appropriated for the purposes set forth above.

Section 10. That the Clerk of Council is hereby authorized and directed to transmit to the County three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

Section 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 November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1641-2000.
By Councilmen Jones, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Florida Avenue to Amistad Development Corporation or designee.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 142-27-061 as more fully described in Section 2 below, to Amistad Development Corporation or designee.

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

P. P. No. 142-27-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 228 in Bella Villa Allotment of part of Original Warrensville Township Lot No. 104, as shown by the recorded plat in Volume 28 of Maps, Page 22 of Cuyahoga County Records, and being 30 feet front on the Northerly side of Florida Avenue, S.E., and extending back of equal width, 100 feet deep, be the same more or less, but subject to all legal highways.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 142-27-062 as more fully described in Section 4 below, to Amistad Development Corporation or designee.

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

P. P. No. 142-27-062

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 229 in Bella Villa Allotment of part of Original Warrensville Township Lot No. 104, as shown by the recorded plat in Volume 28 of Maps, Page 22 of Cuyahoga County Records, and being 30 feet front on the Northerly line of Florida Avenue, S.E., and extending back of equal width 100 feet deep, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 142-27-063 as more fully described in Section 6 below, to Amistad Development Corporation or designee.

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

P. P. No. 142-27-063

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 234 in Bella Villa Allotment of part of Original Warrensville Township Lot No. 104 as shown by the recorded plat in Volume 28 of Maps, Page 22 of Cuyahoga County Records. Said Sublot No. 234 has a frontage of 30 feet on the Southerly side of Florida Avenue, and extending back between parallel lines 100 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 147-27-064 as more fully described in Section 8 below, to Amistad Development Corporation or designee.

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

P. P. No. 142-27-064

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 235 in the Bella Villa Allotment recorded in Volume 28 of Maps, Page 22 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 142-26-083 as more fully described in Section 10 below, to Amistad Development Corporation or designee.

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

P. P. No. 142-26-083

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 233 in Bella Villa Allotment Subdivision of part of Original One Hundred Acre Lot No. 104 as shown by the recorded plat in Volume 28 of Maps, Page 22 of City as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any

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

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

Section 13. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the

Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 14. That this ordinance is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed November 27, 2000.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 1676-2000.

By Councilmen O'Malley and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of not to exceed three hundred sixty winter jacket liners, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed three hundred sixty (360) winter jacket liners, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Cleveland Public Power, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 58 SF 001, Request No. 31512.

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 November 20, 2000.
Effective November 30, 2000.

Ord. No. 1677-2000.

By Councilmen O'Malley and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of one folding/insert system, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland,

Ohio, 1976, for each or all of the following items: one folding/insert system, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Cleveland Public Power, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 58 SF 001, Request No. 31513.

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 November 27, 2000.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 1678-2000.

By Councilmen O'Malley and Patmon (by departmental request).

An Emergency Ordinance authorizing the purchase by contract of not to exceed fifteen meter reading computers, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed fifteen (15) meter reading computers, 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.

Section 2. That the cost of said contract hereby authorized shall not exceed Seventy-Five Thousand Dollars (\$75,000) and shall be paid from Fund No. 58 SF 001, Request No. 31511.

Section 3. That within one year of the passage of this ordinance, the Director of Public Utilities shall make a report to this Council concerning the benefits and shortcomings of the meter reading computers. The report shall include an analysis of whether the computers help to reduce reliance on estimated meter readings.

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

Passed November 27, 2000.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 1681-2000.

By Councilmen Cintron, Cimperman and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of grinding pave-

ment and authorizing the Director of Public Service to enter into a public improvement requirement contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of grinding pavement, for the Division of Streets, Department of Public Service, by a public improvement requirement contract duly let to the lowest responsible bidder upon a unit basis for the improvement.

Section 2. That the Director of Public Service is hereby authorized to enter into a requirement contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement for the period of not to exceed one year. 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 Director of Public Service until provision is made for the requirements for the entire year. (RL 29213)

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 November 27, 2000.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 1688-2000.

By Councilmen Westbrook, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a Neighborhood Development Investment Fund contract and a grant agreement with the Eliza Jennings Group to provide economic development assistance to partially finance the renovation of real property and the acquisition of personal property located at 10603 Detroit Avenue, Cleveland, Ohio.

Whereas, through Ordinance No. 56-94, passed June 13, 1994, the City established the Neighborhood Development Investment Program and the Neighborhood Development Investment Fund (NDIF) for the purpose of stimulating the development of major opportunities for job creation, retention, and expansion in the City's neighborhoods; and

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

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

Section 1. That, subject to the provisions of Section 9 of this ordi-

nance, the Director of Economic Development is hereby authorized to enter into a Neighborhood Development Investment Fund contract and a Neighborhood Development Investment Fund grant agreement with The Eliza Jennings Group to provide economic development assistance to partially finance the renovation of real property and the acquisition of personal property located at 10603 Detroit Avenue, Cleveland, Ohio.

Section 2. That the terms of said contract and grant agreement shall comply with the requirements of the Neighborhood Development Investment Program and NDFP, as set forth in Section 1 of Ordinance No. 56-94, passed June 13, 1994, and shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1688-2000-A.

Section 3. That the costs of said contract shall not exceed One Million Two Hundred Thousand Dollars (\$1,200,000.00), and shall be paid from Fund No. 10 SF 501, Request No. 26622.

Section 4. That the costs of said grant shall not exceed Four Hundred Thousand Dollars (\$400,000.00), and shall be paid from Fund No. 10 SF 501, Request No. 26621.

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

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 under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such loan shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

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

Section 9. That, prior to entering into any contract authorized herein, the Director of Finance is required to certify that un-appropriated funds equal to the contract amount set forth in this ordinance have been collected by the City and are available to be allocated to such contract.

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1723-2000.
By Councilmen O'Malley and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and replace various water, sewer and gas lines and labor and materials necessary to make plumbing repairs to various items damaged by pole replacements, 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 of the necessary items of labor and materials necessary to repair and replace various water, sewer and gas lines and labor and materials necessary to make plumbing repairs to various items damaged by pole replacements performed by the Division of Cleveland Public Power, 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 31514)

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 November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1803-2000.
By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of inmate clothing, bedding and shoes, for the Division of Corrections, Department of Public Health.

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

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

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

Section 2. 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 21857)

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 November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1804-2000.
By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of prescription and non-prescription drugs for inmates, for the Division of Corrections, Department of Public Health.

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

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

Section 1. That the Director of Public Health is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of prescription and non-prescription drugs for inmates in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Sup-

plies upon a unit basis for the Division of Corrections, Department of Public Health. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. 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 21856)

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 November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1807-2000.
By Councilmen Polensek, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 15231 Plato Avenue, and 791 East 156th Street to Northeast Shores Development Corporation.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 115-22-031, and 115-24-063, as more fully described in Section 2 below, to Northeast Shores Development Corporation.

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

P. P. No. 115-22-031

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 16 in J. Hale's Subdivision of part of Original Euclid Township Lot No. 42, as shown by the recorded plat in Volume 11 of Maps, Page 20 of Cuyahoga County Records and being 44 feet 8 inches front on the Northerly side of Plato Avenue, N.E., (formerly Laurel Street), and extending back 130 feet on the Easterly line (which is also the Westerly side of East 154th Street), 130 feet on the Westerly line, and having a rear line of 44 feet 8 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P. P. No. 115-24-063

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 45 in Moses and Burton's Subdivision of part of Original Euclid Township Lot No. 42, Tract No. 10, as shown by the recorded plat of said Subdivision in Volume 9 of Maps, Page 33 of Cuyahoga County Records. Said Sublot No. 45 has a frontage of 40 feet on the North-easterly side of East 156th Street (formerly Putnam Street) and extends back between parallel lines 135 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1809-2000.

By Councilmen Britt, Melena, Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Swift Davis Cleaning and Laundry, Inc. to provide economic development assistance to partially finance the renovation of real property located at 8220 Carnegie Avenue, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into an Empowerment Zone Business Opportunity contract with Swift Davis Cleaning and Laundry, Inc., to provide economic development assistance to partially finance the renovation of real property located at 8220 Carnegie Avenue, Cleveland, Ohio.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1809-2000-A.

Section 3. That the Director of Economic Development shall, pursuant to the authority of Ordinance No. 82-96, passed April 1, 1996, put Economic Development Initiative Grant funds in an amount equal to the Loan amount in the Empowerment Zone Debt Service Reserve account created by that ordinance. Said grant funds shall be paid from Fund No. 18 SF 003.

Section 4. That the costs of said contract shall not exceed a Loan Amount of \$109,345 and a Rebate Amount of \$43,738. The Loan shall be paid from Fund Nos. 18 SF 001 and 18 SF 003 and the Rebate Amount shall be paid from Fund No. 18 SF 003, Request No. 13133.

Section 5. That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced above 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 expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited and expended from Fund No. 18 SF 004.

Section 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 November 20, 2000.
Effective November 30, 2000.

Ord. No. 1862-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of commercial gases, 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 commercial gases, 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 3065)

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 November 20, 2000.
Effective November 30, 2000.

Ord. No. 1863-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of computer hardware, for the various divisions of City government.

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

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

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

Section 2. 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 3064)

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 November 20, 2000.
Effective November 30, 2000.

Ord. No. 1864-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and material necessary to maintain typewriters, 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 labor and material necessary to maintain typewriters, 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 3066)

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 November 20, 2000.
Effective November 30, 2000.

Ord. No. 1870-2000.
By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2001 Cardiovascular Disease Grant.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$60,000, and any other funds as they become available during the grant term, from the Cuyahoga County Board of Health, to conduct the 2001 Cardiovascular Disease Grant, for the purposes set forth in the proposal and budget narrative 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 proposal and budget narrative for said grant.

Section 2. That the proposal and budget narrative for said grant, File No. 1870-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Health shall submit quarterly reports to the Committee on Public Health beginning March 1, 2001, detailing the progress and findings on the study.

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

Passed November 27, 2000.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 1871-2000.
By Councilmen Gordon and Pat-
mon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Solid Waste District for the 2001 Solid Waste 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 \$96,160, and any other funds as they become available during the grant term, from the Cuyahoga County Solid Waste District, to conduct the 2001 Solid Waste Program, for the purposes set forth in the award letter and budget narrative 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 award letter and budget narrative for said grant.

Section 2. That the award letter and budget narrative for said grant, File No. 1871-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1876-2000.
By Councilmen Melena and Pat-
mon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend funds and to enter into contract with various non-profit agencies for the implementation of homeless assistance activities and with Cuyahoga County for the operation of the Cleveland/Cuyahoga County Office of Homeless 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 Community Development is hereby authorized to expend funds and enter into contract with the following non-profit agencies for the implementation of homeless assistance activities:

Bishop Cosgrove Center (Catholic Charities)
 Care Alliance
 Cleveland Women, Inc.
 Continue Life
 Cornerstone Connection
 East Side Catholic Shelter
 Family Transitional Housing
 Mental Health Services, Inc.

Salvation Army
 Transitional Housing, Inc.
 University Settlement
 West Haven Youth Shelter (Lutheran Metropolitan Ministry)
 West Side Community Mental Health

Section 2. That the aggregate cost authorized in Section 1 of this ordinance shall be in an amount not to exceed \$1,479,000.00 and shall be paid from Fund No. 13 SC 894, 14 SC 026 Request No. 20699.

Section 3. That the Director of Community Development is hereby authorized to enter into contract with Cuyahoga County to operate the Cleveland/Cuyahoga County Office of Homeless Services.

Section 4. That the cost of said contract authorized in Section 3 of this ordinance shall be in an amount not to exceed \$45,000.00 and shall be paid from Fund No. 14 SC 026 and Request No. 20699.

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 November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1969-2000.
By Councilmen Gordon and Pat-
mon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to lease space at the Mural Building, located at 1925 St. Clair Avenue, and associated parking lots, from Mural Properties Company, or its designee, for a term not to exceed two years, for the purpose of providing office and administrative space for the Department of Public Health.

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

Whereas, Mural Properties Company, or its designee, has proposed to lease said space to the City of Cleveland; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Health is authorized to lease from Mural Properties Company, or its designee, approximately 26,000 square feet of space located on two stories and in the basement of the Mural Building, 1925 St. Clair, and two (2) surrounding parking lots.

Section 2. That the term of the lease authorized herein shall not exceed two years, commencing January 1, 2001 and ending December 31, 2002, cancellable upon thirty days written notice by the Director of Public Health.

Section 3. That, subject to annual appropriation, in consideration for the leasing of the premises described above by Lessor, Lessee covenants and agrees to pay to Lessor as rent for said premises during the period of this lease extending from January 1, 2001 to December 31, 2002, the sum of two hundred fourteen thousand two hundred forty dollars (\$214,240.00) per year, payable in equal monthly installments of seventeen thousand, eight hundred and fifty-three dollars and 33/100 (\$17,853.33) per month. Said payments shall be due and payable on the first day of each month.

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

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

Section 6. That the costs of the lease shall be paid from Fund Nos. 01-500500-636000, 01-500600-636000, 13 SF 570, 13 SF 560 and from the fund or funds appropriated for such purpose and subject to annual appropriation, Request No. 18483.

Section 7. 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 8. That the Director of Public Health 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 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 November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2126-2000.
By Councilmen Britt and Jackson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Second Metropolitan Baptist Church to stretch three (3) banners on East 79th St. at Quincey and Sherman Avenues on C.P.P. utility poles (by separate permission) for the period of November 1, 2000 to December 31, 2001 inclusive, celebrating their Church's Anniversary.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Second Metropolitan Baptist Church, 2424 East 79th Street, Cleveland, Ohio 44104, to

install, maintain and remove three (3) banners to be stretched on Cleveland Public Power utility poles, (by separate permission) celebrating their Church's Anniversary, for the period of November 1, 2000 to December 31, 2000, inclusive, and which banners are to be hung at the following pole locations and on the following pole numbers: at East 79th Street; 1st Pole S. of Quincy Avenue (W), Pole # 75463 (No Tag); and the 2nd Pole N. of Sherman Avenue (W), Pole No Tag; and the 1st Pole S. of Sherman Avenue (W), Pole # 75426 (No Tag); and which poles location and banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

Passed November 20, 2000.
Effective November 30, 2000.

Ord. No. 2127-2000.

By Councilmen Cimperman and Jackson.

An emergency ordinance to amend the Title and Sections 1 and 2 of Ordinance No. 442-2000, passed March 20, 2000, relating to a grant agreement with the Maingate Business Development Corporation for the installation of entryway signage to the Maingate industrial area, to carry out the public purpose of creating or retaining jobs and employment opportunities to preserve the economic welfare of the State, through the use of Wards 5 and 13 and 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 Title and Sections 1 and 2 of Ordinance No. 442-2000, passed March 20, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with the Maingate Business Development Corporation for the installation of entryway signage to the Maingate industrial area, to carry out the public purpose of creating or retaining jobs and employment opportunities to preserve the economic welfare of the State, through the use of Wards 5 and 13 Neighborhood Equity Funds.

Section 1. That Director of Economic Development is authorized to enter into a grant agreement with the Maingate Business Development Corporation for the installation of entryway signage to the Maingate industrial area, to carry out the pub-

lic purpose of creating or retaining jobs and employment opportunities to preserve the economic welfare of the State, through the use of Wards 5 and 13 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed Seven Thousand Dollars (\$7,000), and shall be paid from Fund No. 10 SF 166.

Section 2. That the existing Title and Sections 1 and 2 of Ordinance No. 442-2000, passed March 20, 2000 are hereby repealed.

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

Passed November 20, 2000.
Effective November 30, 2000.

Ord. No. 2128-2000.

By Councilman Dolan.

An emergency ordinance amending Sections 1 and 11 of Ordinance No. 552-2000, passed June 19, 2000, relating to the construction of a new runway at Cleveland Hopkins International Airport.

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

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

Section 1. That Sections 1 and 11 of Ordinance No. 552-2000 passed June 19, 2000 are hereby amended to read as follows:

Section 1. That the Director of Port Control is hereby authorized to employ by contract or contracts one or more 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 related to the construction of a new runway known as 5L-23R (Phase I) and its necessary appurtenances and the following project components necessary to effectuate the construction and use of the Phase I runway improvements ("Improvements");

(1) Design of FAA TRACON Renovation, in an amount not to exceed \$345,771.00;

(2) Design of NASA Facilities and Relocation, in an amount not to exceed \$20,335,402.00; and

(3) Design of Mill Creek and/or Big Creek, in an amount not to exceed \$600,000.00.

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

Section 11. That, as a condition precedent to entering into any contracts or agreements contemplated to make the improvements authorized in Sections 1 and 2 hereof, the Department of Port Control shall be

in receipt of all necessary federal approvals, including the Record of Decision for the Environmental Impact Statement, and other such regulatory approvals as may be required.

Section 2. That existing Sections 1 and 11 of Ordinance No. 552-2000 passed June 19, 2000 are hereby repealed.

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

Passed November 20, 2000.
Vetoed November 30, 2000.

Ord. No. 2129-2000.

By Councilman Lewis.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cleveland Public Schools-East High School in order to carry out the public purpose of providing recreational programming and tutoring services through the use of Ward 7 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 Cleveland Public Schools-East High School in order to carry out the public purpose of providing recreational programming and tutoring services through the use of Ward 7 Neighborhood Equity Funds.

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

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

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

Passed November 20, 2000.
Effective November 30, 2000.

Ord. No. 2130-2000.

By Councilman Melena.

An emergency ordinance authorizing the Director of Community Development to amend the agreement with Detroit Shoreway Community Development Corporation, City Contract No. 55951, amending contract #55951 to increase the contribution towards basement renovations of Gordon Square Arcade in order to carry out the public purpose of providing office space for the operation of a non-profit community development corporation and social service programs through the use of Ward 17 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 amend the agreement with Detroit Shoreway Community Development Corporation, City Contract No 55951, to increase the contribution towards basement renovations of Gordon Square Arcade in order to carry out the public purpose of providing office space for the operation of a non-profit community development corporation and social service programs through the use of Ward 17 Neighborhood Equity Funds.

Section 2. That the cost of said amendment shall be in an amount not to exceed \$30,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed November 20, 2000.
Effective November 30, 2000.

Ord. No. 2131-2000.

By Councilman Patmon.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cleveland Restoration Society in order to carry out the public purpose of rehabilitation of housing and furthering the community plan for East 105th and East Blvd. neighborhood by the conversion of six cooperative housing units to condominiums through the use of Ward 8 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 Cleveland Restoration Society in order to carry out the public purpose of rehabilitation of housing and furthering the community plan for East 105th and East Blvd. neighborhood by the conversion of six cooperative housing units to condominiums through the use of Ward 8 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$9,000 and shall be paid from Fund No. 10 SF 166 for services rendered by grantee on or after October 18, 2000.

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

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

Passed November 20, 2000.
Effective November 30, 2000.

Ord. No. 2132-2000.

By Councilman Patmon.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Glenville Development Corporation for initiating a curfew enforcement policy in order to carry out the public purpose of promoting safety and crime prevention through the use of Ward 8 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 Glenville Development Corporation for initiating a curfew enforcement policy in order to carry out the public purpose of promoting safety and crime prevention through the use of Ward 8 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$3,300 and shall be paid from Fund No. 10 SF 166.

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

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

Passed November 20, 2000.
Effective November 30, 2000.

Ord. No. 2133-2000.

By Councilman Polensek.

An emergency ordinance amending Section 3 of Ordinance No. 555-2000, passed April 10, 2000, relating to the improvement, renovation or modification of the offices of Cleveland City Council.

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

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

Section 1. That Section 3 of Ordinance No. 555-2000 passed April 10, 2000 is hereby amended to read as follows:

Section 3. That the cost of any expenditures authorized by this ordinance shall be paid from Fund No. 01 SF 001 and other such funds, including proceeds from the issu-

ance of general obligation bonds, as may be designated for such purposes.

Section 2. That existing Section 3 of Ordinance No. 555-2000 passed April 10, 2000 is hereby repealed.

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

Passed November 20, 2000.
Effective November 30, 2000.

Ord. No. 2134-2000.

By Councilman Polensek.

An emergency ordinance authorizing the Clerk of Council to extend the term of contract with Brothers Printing Company, City Contract No. 52446 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, notwithstanding and as an exception to any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Clerk of Council is authorized to extend the term of contract with Brothers Printing, City Contract No. 52446, for a period not to exceed two years. All other provisions of City Contract No. 52446, except for the term, shall remain the same.

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

Passed November 20, 2000.
Effective November 30, 2000.

Ord. No. 2135-2000.

By Councilman Polensek.

An emergency ordinance authorizing the Clerk of Council to extend the term of contract with Cleveland Letter Service, City Contract No. 52509 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, notwithstanding and as an exception to any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Clerk of Council is authorized to extend the term of contract with Cleveland Letter Service, City Contract No. 52509, for a period not to exceed two years. All other provisions of City Contract No. 52509, except for the term, shall remain the same.

Section 2. That this ordinance is hereby declared to be an emergency measure and provided it receives the

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

Passed November 20, 2000.
Effective November 30, 2000.

Ord. No. 2136-2000.

By Councilman Polensek.

An emergency ordinance authorizing the Clerk of Council to further extend the term of the current contract with Legal News Publishing Company, City Contract No. 52706, for a period not to exceed one year.

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

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

Section 1. Notwithstanding and as an exception to Ordinance No. 1313-2000, passed by the Council of the City on August 2, 2000, the Clerk of Council is hereby authorized to further extend the term of the contract with Legal News Publishing Company, City Contract No. 52706, for a period not to exceed one year beginning October 1, 2000 provided, however, that all other terms of said contract shall remain the same.

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

Passed November 20, 2000.
Effective November 30, 2000.

Ord. No. 2137-2000.

By Councilman Robinson.

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with the Buckeye Area Development Corporation for the acquisition and demolition of properties at 3511 and 3517 East 93rd Street, in order to carry out the public purpose of providing low income housing through the use of Ward 3 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 a grant agreement with the Buckeye Area Development Corporation for the acquisition and demolition of properties at 3511 and 3517 East 93rd Street, in order to carry out the public purpose of providing low income housing through the use of Ward 3 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$30,000 and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions

as he deems necessary to protect the City's interest.

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

Passed November 20, 2000.
Effective November 30, 2000.

Ord. No. 2160-2000.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Cleveland Municipal School District for partial support of their "Count Me Smart" program at Case Elementary School to carry out the public purpose of providing education and tutoring services to residents of the City of Cleveland through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with the Cleveland Municipal School District for partial support of their "Count Me Smart" program at Case Elementary School to carry out the public purpose of providing education and tutoring services to residents of the City of Cleveland through the use of Ward 13 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$12,000, and shall apply to purchases or services rendered by the grantee on or after July 1, 2000, and shall be paid from Fund No. 10 SF 166.

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

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

Passed November 27, 2000.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 2161-2000.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Slavic Village Development for assisting with the acquisition and construction of new housing in order to carry out the public purpose of providing housing through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Slavic Village Development for assisting with the acquisition and construction of new housing in order to carry out the public purpose of providing housing through the use of Ward 13 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$50,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2162-2000.

By Councilman Cintron.

An emergency ordinance to amend the Title and Sections 1 and 2 of Ordinance No. 429-2000, passed March 20, 2000, relating to the Roberto Clemente Little League Baseball Program, to carry out the public purpose of providing recreational programs for the residents of the City of Cleveland, through the use of Ward 14 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 Title and Sections 1 and 2 of Ordinance No. 429-2000, passed March 20, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with The Spanish American Committee for the Roberto Clemente Little League Baseball Program, to carry out the public purpose of providing recreational programs for the residents of the City of Cleveland, through the use of Ward 14 Neighborhood Equity Funds.

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with The Spanish American Committee for the Roberto Clemente Little League Baseball Program, to carry out the public purpose of providing recreational programs for the residents of the City of Cleveland, through the use of Ward 14 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 2. That the existing Title and Sections 1 and 2 of Ordinance No. 429-2000, passed March 20, 2000 are hereby repealed.

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2163-2000.

By Councilman Gordon.

An emergency ordinance authorizing the Director of City Planning to enter into an agreement with Northeast Ohio Areawide Coordinating Agency for partial support of the Big Creek Environmental Study to carry out the public purpose of conducting an environmental planning study through the use of Ward 15 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 City Planning is authorized to enter into an agreement with Northeast Ohio Areawide Coordinating Agency for partial support of the Big Creek Environmental Study to carry out the public purpose of conducting an environmental planning study through the use of Ward 15 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$68,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2164-2000.

By Councilmen Gordon and O'Malley.

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Senior Resources, Inc. for assistance with rent expenses for its office located at 5202 Memphis Avenue to carry out the public purpose of supporting the operations of a non-profit social service agency through the use of Wards 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 a grant agreement with Senior Resources, Inc. for rent expenses for its office located at 5202 Memphis Avenue to carry out the public purpose of supporting the operations of a non-profit social service agency 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 \$25,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2165-2000.

By Councilman Polensek.

An emergency ordinance authorizing the Clerk of Council to further extend the term of the current contract with Legal News Publishing Company, City Contract No. 52710, for a period not to exceed one year.

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

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

Section 1. Notwithstanding and as an exception to Ordinance No. 1444-98, the Clerk of Council is hereby authorized to further extend the term of the contract with Legal News Publishing Company, City Contract No. 52710, for a period not to exceed one year provided, however, that all other terms of said contract shall remain the same.

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2172-2000.

By Councilman Jackson.

An emergency ordinance to amend the Title and Section 1 of Ordinance No. 1237-2000, passed July 17, 2000, relating to a commemorative sculpture for Colonel Charles Young Square at East 46th Street and Prospect Avenue, through the use of Ward 5 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 Title and Section 1 of Ordinance No. 1237-2000, passed July 17, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Midtown Cleveland for a commemorative sculpture for Colonel Charles Young Square at East 46th Street and Prospect Avenue, to carry out the public purpose of making improvements to a public park through the use of Ward 5 Neighborhood Equity Funds.

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with Midtown Cleveland for a commemorative sculpture for Colonel Charles Young Square at East 46th Street and Prospect Avenue, to carry out the public purpose of making improvements to a public park through the use of Ward 5 Neighborhood Equity Funds.

Section 2. That the existing Title and Section 1 of Ordinance No. 1237-2000, passed July 17, 2000 are hereby repealed.

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

Passed November 27, 2000.

Awaiting the approval or disapproval of the Mayor.

COUNCIL COMMITTEE MEETINGS

Monday, December 4, 2000

Public Parks, Property and Recreation Committee: 9:30 a.m.—Present: Rybka, Chairman; Brady, Britt, Johnson, Sweeney, White. Excused: Dolan, Vice Chairman.

Public Service Committee: 11:00 a.m.—Present: Cintron, Chairman; Sweeney, Vice Chairman; Britt, Coats, Johnson, Melena, Westbrook, Willis. Excused: O'Malley.

Finance Committee: 2:00 p.m.—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Johnson, Lewis, Melena, O'Malley, Polensek, Robinson, Sweeney. Excused: Dolan.

Tuesday, December 5, 2000

Community & Economic Development Committee: 9:30 a.m.—Present: Melena, Chairman; Lewis, Vice Chairman; Brady, Jackson, Robinson, Willis. Excused: Cimperman, Cintron, Jones.

Index

O—Ordinance; R—Resolution; F—File
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
Bold type in sections indicates amendments

Agreements

Cleveland City Council Offices — improvement, renovation or modification — amend Ord.
No. 555-2000 — Agreement (O 2133-2000) **3012**

Consolidated Rental Car Facility — Third Amendment to the Agreement — Colliers Intl.
(O 2197-2000)..... 2969

Arrowhead Industries Corporation

Block A-5 of the Cleveland Industrial Park — sale of City-owned property — amend the
title and Section 2 of Ordinance No. 944-2000 (O 1687-2000)..... 2985

Banners

Second Metropolitan Church (Wards 5 and 6) — three banners (O 2126-2000) **3010**

Board of Control - Cleveland Public Power Division

Construction equipment, heavy duty, rental of - contract pursuant to Ord. 211-93 to
United Rentals - Division of Cleveland Public Power, Dept. of Public Utilities
(BOC Res. 796-00) 2987

Tree trimming - contract pursuant to Ord. 745-2000 to Asplundh Tree Expert Co. - Division
of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 797-00) 2987

Board of Control - Community Development Department

Cleveland New Homes L.P. - various parcels (Wards 3, 4 and 6) pursuant to Ord. 1808-2000
(BOC Res. 804-00) 2989

Hybrid mini-lab - pursuant to Ord. 1210-2000 - all bids rejected - Dept.
of Community Development (BOC Res. 805-00) 2989

Board of Control - Concession Agreement

Gateway garages - contract pursuant to C.O. Sec. 183.04 to AMPCO System Parking - Dept.
of Parks, Recreation and Properties (BOC Res. 803-00) 2989

Board of Control - Finance Department

Sale of scrap, personal property and by-products - Report for October 2000 - Commissioner
of Purchases and Supplies, Dept. of Finance (BOC Res. 793-00) 2987

Board of Control - Fire Division

Self-contained breathing apparatus - contract pursuant to Ord. 1005-2000 to Fire Force,
Inc. - Division of Fire, Dept. of Public Safety (BOC Res. 800-00) 2988

Board of Control - Gateway Garages

Gateway garages - contract pursuant to C.O. Sec. 183.04 to AMPCO System Parking - Dept.
of Parks, Recreation and Properties (BOC Res. 803-00) 2989

Board of Control - Health Division

Improvements to health centers - amend contract pursuant to BOC Res. 660-00 - Division
of Health, Dept. of Public Health (BOC Res. 806-00) 2989

Board of Control - Land Reutilization Program

Cleveland New Homes L.P. - various parcels (Wards 3, 4 and 6) pursuant to Ord. 1808-2000
(BOC Res. 804-00) 2989

Board of Control - Land Reutilization Program (Ward 3)

Cleveland New Homes L.P. - various parcels (Wards 3, 4 and 6) pursuant to Ord. 1808-2000
(BOC Res. 804-00) 2989

Board of Control - Land Reutilization Program (Ward 4)

Cleveland New Homes L.P. - various parcels (Wards 3, 4 and 6) pursuant to Ord. 1808-2000
(BOC Res. 804-00) 2989

Board of Control - Land Reutilization Program (Ward 6)

Cleveland New Homes L.P. - various parcels (Wards 3, 4 and 6) pursuant to Ord. 1808-2000
(BOC Res. 804-00) 2989

Board of Control - Motor Vehicle Maintenance Division

Chevrolet parts for cars, light duty trucks and vans - contract pursuant to Ord. 270-2000
to The South East Chevrolet Co., d.b.a. Tony La Riche Chevrolet - Division of Motor
Vehicle Maintenance, Dept. of Public Service (BOC Res. 798-00) 2988

Board of Control - Parks, Recreation and Properties Department

Gateway garages - contract pursuant to C.O. Sec. 183.04 to AMPCO System Parking - Dept.
of Parks, Recreation and Properties (BOC Res. 803-00) 2989

Board of Control - Police Division

Horse supplies - contract pursuant to Ord. 737-2000 to Smith Brothers, Inc. - Division
of Police, Dept. of Public Safety (BOC Res. 801-00) 2988
Horse supplies - pursuant to Ord. 737-2000 - bids rejected - Division of Police, Dept.
of Public Safety (BOC Res. 799-00) 2988
Pistols, 9mm - contract pursuant to C.O. Sec. 135.065 to Standard Law Enforcement
Supply Company - Division of Police, Dept. of Public Safety
(BOC Res. 802-00) 2988

Board of Control - Public Health Department

Improvements to health centers - amend contract pursuant to BOC Res. 660-00 - Division
of Health, Dept. of Public Health (BOC Res. 806-00) 2989

Board of Control - Public Improvement Contracts

Improvements to health centers - amend contract pursuant to BOC Res. 660-00 - Division
of Health, Dept. of Public Health (BOC Res. 806-00) 2989

Board of Control - Public Safety Department

Horse supplies - contract pursuant to Ord. 737-2000 to Smith Brothers, Inc. - Division
of Police, Dept. of Public Safety (BOC Res. 801-00) 2988
Horse supplies - pursuant to Ord. 737-2000 - bids rejected - Division of Police, Dept.
of Public Safety (BOC Res. 799-00) 2988
Pistols, 9mm - contract pursuant to C.O. Sec. 135.065 to Standard Law Enforcement
Supply Company - Division of Police, Dept. of Public Safety
(BOC Res. 802-00) 2988
Self-contained breathing apparatus - contract pursuant to Ord. 1005-2000 to
Fire Force, Inc. - Division of Fire, Dept. of Public Safety
(BOC Res. 800-00) 2988

Board of Control - Public Service Department

Chevrolet parts for cars, light duty trucks and vans - contract pursuant to Ord. 270-2000 to The South East Chevrolet Co., d.b.a. Tony La Riche Chevrolet - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 798-00) 2988

Board of Control - Public Utilities Department

Construction equipment, heavy duty, rental of - contract pursuant to Ord. 211-93 to United Rentals - Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 796-00) 2987

HVAC systems, maintain, repair and/or replace - contract pursuant to Ord. 825-2000 to Feldman Mechanical, Inc. - rejected - Dept. of Public Utilities (BOC Res. 794-00) 2987

HVAC systems, maintain, repair and/or replace - contract pursuant to Ord. 825-2000 to Feldman Mechanical, Inc. - Dept. of Public Utilities (BOC Res. 795-00) 2987

Tree trimming - contract pursuant to Ord. 745-2000 to Asplundh Tree Expert Co. - Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 797-00) 2987

Board of Control - Purchases and Supplies Division

Sale of scrap, personal property and by-products - Report for October 2000 - Commissioner of Purchases and Supplies, Dept. of Finance (BOC Res. 793-00) 2987

Board of Control - Requirement Contracts

Chevrolet parts for cars, light duty trucks and vans - contract pursuant to Ord. 270-2000 to The South East Chevrolet Co., d.b.a. Tony La Riche Chevrolet - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 798-00) 2988

Construction equipment, heavy duty, rental of - contract pursuant to Ord. 211-93 to United Rentals - Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 796-00) 2987

Horse supplies - contract pursuant to Ord. 737-2000 to Smith Brothers, Inc. - Division of Police, Dept. of Public Safety (BOC Res. 801-00) 2988

HVAC systems, maintain, repair and/or replace - contract pursuant to Ord. 825-2000 to Feldman Mechanical, Inc. - Dept. of Public Utilities (BOC Res. 795-00) 2987

Pistols, 9mm - contract pursuant to C.O. Sec. 135.065 to Standard Law Enforcement Supply Company - Division of Police, Dept. of Public Safety (BOC Res. 802-00) 2988

Self-contained breathing apparatus - contract pursuant to Ord. 1005-2000 to Fire Force, Inc. - Division of Fire, Dept. of Public Safety (BOC Res. 800-00) 2988

Tree trimming - contract pursuant to Ord. 745-2000 to Asplundh Tree Expert Co. - Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 797-00) 2987

Board of Zoning Appeals - Report

Belvoir Boulevard, 1820, (Ward 10) – Thomas Branch, owner - appeal denied and adopted on 12/4/00 (Cal. 00-257) 2991

Broadale Road, 4682, (Ward 15) – Petros and Samrong Avgerinos, owners - appeal granted and adopted on 12/4/00 (Cal. 00-311) 2991

East 145th Street, 1075, (Ward 10) – Juanita Griffin, owner - appeal heard on 12/4/00 (Cal. 00-279) 2990

East 149th Street, 3702, (Ward 3) – Beatrice Jordan, owner - appeal heard on 12/4/00 (Cal. 00-314) 2990

East 152nd Street, 775, (Ward 11) – North Point Properties, Inc., owners, and Volunteers of America of Northeast and North Central Ohio, Inc. - appeal granted and adopted on 12/4/00 (Cal. 00-337) 2991

East 96th Street, 741, (Ward 8) – Ronald Simpson, owner - appeal heard on 12/4/00 (Cal. 00-294) 2990

Fleet Avenue, 6703, (Ward 12) – Mary Miller, owner, and Psychic, c/o Barbara Miller, tenant - appeal heard on 12/4/00 (Cal. 00-321).....2990

Harvard Avenue, 6900, (Ward 12) – National Church Residences, owner, c/o John Holway - appeal heard on 12/4/00 (Cal. 00-316)2990

Lorain Avenue, 3919, (Ward 14) – Rach-Land, Inc., owners, c/o Mark Pestak and Chuch Fiala - appeal heard on 12/4/00 (Cal. 00-320)2990

Martin Luther King Boulevard, 2862, (a.k.a. 2856 MLK Boulevard), (Ward 4) – Full Gospel Church, owner, and Great Lakes Fence, agent - appeal granted and adopted on 12/4/00 (Cal. 00-308).....2991

Pearl Road, 4216, (Ward 15) – St. Luke UCC, c/o Mel Grosser - appeal granted and adopted on 12/4/00 (Cal. 00-299)2991

Professor Avenue, 2189, (Ward 13) – Primo Acquisitions, owner, c/o Adam Waldbaum, President - appeal heard on 12/4/00 (Cal. 00-312).....2990

Shaker Boulevard, 10602-10708, (Ward 6) – SB92 Ltd. Partnership, owners, and Borchert Fencing Company, c/o Nancy Borchert, owner - appeal heard on 12/4/00 (Cal. 00-317).....2990

Shaker Boulevard, 10800-10950, (Ward 6) – SB92 Ltd. Partnership, owners, and Borchert Fencing Company, c/o Nancy Borchert, owner - appeal heard on 12/4/00 (Cal. 00-318).....2990

Shaker Boulevard, 11601, (Ward 6) – Prima Marketing LLC, owner, c/o Brian Healey, agent - appeal denied and adopted on 12/4/00 (Cal. 99-272).....2991

State Road, 4548, (Ward 16) – Mercedes Ballado, owner - appeal postponed to 1/2/01 on 12/4/00 (Cal. 00-322)2991

Board of Zoning Appeals - Schedule

Edgewater Drive, 11620, (Ward 17) – Jeff Eisenberg, owner - appeal to be heard on 12/18/00 (Cal. 00-336)2990

Henniger Road, 2601, (Ward 15) – Nextel West Corpoartion, owner, c/o John Kunz - appeal to be heard on 12/18/00 (Cal. 00-340).....2990

Lorain Avenue, 17325, (Ward 21) – Steak N’ Shake, owner c/o Joe Scott - appeal to be heard on 12/18/00 (Cal. 00-334)2990

St. Clair Avenue, 7010, (Ward 13) – Sonia Johnson, d.b.a. Happy Feet Child Care - appeal to be heard on 12/18/00 (Cal. 00-343).....2990

West 136th Street, 3735, (Ward 20) – Brian Peterson, owner - appeal to be heard on 12/18/00 (Cal. 00-344).....2990

West 47th Street, 3035, (Ward 14) – Ed Polk, owner - appeal to be heard on 12/18/00 (Cal. 00-333).....2989

West 93rd Street, 2201, (Ward 18) – City of Cleveland, owner and W Tech, LP, c/o George Hannen - appeal to be heard on 12/18/00 (Cal. 00-365).....2990

West 9th Street, 1278, (Ward 13) – Bingham-Burnside LLC, owners - appeal to be heard on 12/18/00 (Cal. 00-339).....2990

Bonds

General Obligation Bonds — \$10 million — issue in 2001 for repair and rehabilitation of streets and sidewalks (R 2170-2000)2995

Bridges

City’s 2000 general obligation issued for road and bridge improvements — Central Avenue, Western Avenue East 79th Street, Kinsman Road, Bellaire Road and St. Clair Avenue — grants from the Ohio Public Works Commission (O 1638-2000).....3002

Main Avenue Bridge No. 193 — cleaning of the structure and drainage system and the removal of a portion of the catwalk — allocation of County Motor Vehicle License Tax Funds (O 1639-2000)3003

Sealing of the concrete decks of various bridges to the County of Cuyahoga — Public Service — apply for and accept an allocation of County Motor Vehicle License Tax Funds (O 1640-2000)3004

Buckeye Area Development Corporation

Buckeye Area Development Corporation — acquisition and demolition of 3511 and 3517 East 93rd Street — Ward 3 Neighborhood Equity Funds (O 2137-2000).....3013

Business Revitalization District (BRD)

Lee-Harvard Business Revitalization District (BRD) — Establishing — (Ward 1)
(O 1643-2000)..... 2991

City of Cleveland Bids

Aerial ladder platform - Department of Public Service - Division of Motor Vehicle
Maintenance - per Ord. 904-2000 - bid due December 28, 2000
(advertised 12/6/2000 and 12/13/2000)..... 2992

Baldwin Water Works filter rehabilitation project - Department of Public Utilities
- Division of Water - per Ord. 818-2000 - bid due January 10, 2001
(advertised 11/22/2000 and 11/29/2000 and 12/6/2000) 2992

Dump bodies - Department of Public Service - Division of Motor Vehicle Maintenance - per
Ord. 1685-2000 - bid due December 28, 2000
(advertised 12/6/2000 and 12/13/2000)..... 2992

Electrical vaults 5 & 7 project (RFQ Package M246) - Department of Port Control -
Division of Cleveland Hopkins International Airport - due January 4, 2001
(advertised 11/29/2000 and 12/6/2000)..... 2992

Flight helmets - Department of Public Safety - Division of Police - per Ord. 1005-2000
- bid due December 14, 2000 (advertised 11/29/2000 and 12/6/2000)..... 2992

Furniture, office - Department of Port Control - per Ord. 412-2000 - bid due December 20, 2000
(advertised 12/6/2000 and 12/13/2000)..... 2992

Hopper/spreader inserts - Department of Public Service - Division of Motor Vehicle
Maintenance - per Ord. 1685-2000 - bid due December 28, 2000
(advertised 12/6/2000 and 12/13/2000)..... 2992

Hybrid mini-lab - Department of Community Development - per Ord. 1210-2000 - bid due
December 20, 2000 (advertised 12/6/2000 and 12/13/2000) 2992

Photo supplies - Department of Public Safety - Division of Police - per Ord. 741-2000 -
bid due December 28, 2000 (advertised 11/29/2000 and 12/6/2000) 2992

Rock salt - Department of Public Service - Division of Streets - per Ord. 1680-2000 - bid
due December 14, 2000 (advertised 11/29/2000 and 12/6/2000) 2992

Structural expansion joints, elastometric compression seals - - bid due December
20, 2000 (advertised 11/29/2000 and 12/6/2000)..... 2992

Testing supplies, biological and chemical (Second Turbidity Standards) - Department of
Public Utilities - Division of Water - per C.O. Sec. 129.28 - bid due December 20,
2000 (advertised 12/6/2000 and 12/13/2000) 2992

City Clerk

Cleveland Letter Service — extend City Contract No. 52509
(O 2135-2000)..... 3012

Legal News Publishing Company — further extend City Contract No. 520706
(O 2136-2000)..... 3013

Legal News Publishing Company — further extend City Contract No. 52710
(O 2165-2000)..... 3014

City Council

Brothers Printing — extend City Contract No. 52446
(O 2134-2000)..... 3012

Cleveland City Council Offices — improvement, renovation or modification — amend Ord.
No. 555-2000 — Agreement (O 2133-2000) 3012

Cleveland Letter Service — extend City Contract No. 52509
(O 2135-2000)..... 3012

Legal News Publishing Company — further extend City Contract No. 520706
(O 2136-2000)..... 3013

Legal News Publishing Company — further extend City Contract No. 52710
(O 2165-2000)..... 3014

Prayer Vigil — for good works to be done in the City of Cleveland
(R 2225-2000) 2984

Security System — Cleveland City Council Offices (O 2222-2000) 2983

Winter Festival for underprivileged children — Council
(O 2223-2000)..... 2983

City Hall

City Hall — public improvement — Parks, Recreation and Properties Department (O 1747-99)	2984-2986
---	-----------

City Planning Commission

Clifton Road/West Boulevard Historic Landmark District Extension — Establishing (O 1118-2000).....	2991
Larchmere Blvd to Kemper Rd — change the Use, Area and Height Districts (O 2217-2000).....	2976
Lee-Harvard Business Revitalization District (BRD) — Establishing — (Ward 1) (O 1643-2000).....	2991
Lorain Avenue, N. W. between W. 119 Street and W. 115 Street — West 117 Street between Triskett Road, N. W. and Governor Avenue, S. W. — change the Use, Area and Height Districts (O 1763-2000).....	2991
West 54 Street and Bridge Avenue, N.W. — change the Use District (O 1882-2000).....	2991
Willard Avenue, N.W. — change the Use, Area and Height District (O 2218-2000).....	2976

City Planning Committee—Public Hearings—Zoning

Clifton Road/West Boulevard Historic Landmark District Extension — Establishing (O 1118-2000).....	2991
Lee-Harvard Business Revitalization District (BRD) — Establishing — (Ward 1) (O 1643-2000).....	2991
Lorain Avenue, N. W. between W. 119 Street and W. 115 Street — West 117 Street between Triskett Road, N. W. and Governor Avenue, S. W. — change the Use, Area and Height Districts (O 1763-2000).....	2991
West 54 Street and Bridge Avenue, N.W. — change the Use District (O 1882-2000).....	2991

City Record

Legal News Publishing Company — further extend City Contract No. 520706 (O 2136-2000).....	3013
---	------

Clerk of Council

Brothers Printing — extend City Contract No. 52446 (O 2134-2000).....	3012
Security System — Cleveland City Council Offices (O 2222-2000)	2983

Cleveland Hopkins International Airport

5L/23R (Phase 1 — new runway — amend Ord. No. 552-2000 — Port Control (O 2128-2000).....	3011-V
Mayor's Letter — Vetoing Ordinance No. 2128-2000 (F 2128-2000-A)	2967
Navigational and lighting systems — installing — Cleveland Hopkins International Airport (O 643-2000)	2984-2986
Transformers, switchgear and circuitry for the Redundant Electrical Source — purchase — Cleveland Hopkins International Airport (O 1397-2000).....	2985
Use and occupancy of certain space in the Secondary Hangar — ramp and parking areas adjacent to the premises — Lease By Way of Concession — Air Services of Cleveland, Inc. (O 1103-2000)	2996

Cleveland Industrial Park

Block A-5 of the Cleveland Industrial Park — sale of City-owned property — amend the title and Section 2 of Ordinance No. 944-2000 (O 1687-2000).....	2985
--	------

Cleveland Municipal Court

Adult Probation Program Office Space — 1449 West 117th Street (O 2093-2000)	2985-2987
--	-----------

Cleveland Public Power

Meter reading computers — purchase by requirement contract — Cleveland Public Power
(O 1678-2000).....3006
One folding/insert system — purchase — Cleveland Public Power
(O 1677-2000).....3006
Three hundred sixty winter jacket liners — purchase — Cleveland Public Power
(O 1676-2000).....**3006**
Water, sewer and gas lines — plumbing repairs to various buildings — Cleveland Public
Power (O 1723-2000).....3007

Cleveland Public Schools

Cleveland Public Schools - East High School — recreational programming and tutoring
services — Ward 7 Neighborhood Equity Funds (O 2129-2000)**3011**

Codified Ordinances

Fair Housing — enact new Sections 665.01 through 665.20 and 665.99 of Codified Ordinances
— Unlawful discriminatory conduct — enact new Sections 667.01, 667.011, 667.012,
and 667.013 of Codified Ordinances (O 162-A-2000).....2976
Fair Housing — enact new Sections 665.01 through 665.20 and 665.99 of Codified Ordinances
— Unlawful discriminatory conduct — enact new Sections 667.01, 667.011, 667.012,
and 667.013 of Codified Ordinances (O 162-2000).....**2982-T**
Halloran Skating Rink — rental — amend Sections 133.32 (O 2198-2000).....2969
Rates of fare and receipts for taxicabs — amend Section 443.26
(O 2219-2000).....2975
Section 173.67 — enact new Section of Codified Ordinances — Fair Housing Board
(O 2224-2000).....2983
Storage fee at vehicle pound — amend Section 405.04 (O 2208-2000)2972
Surveillance system in taxicabs — new Section 443.051 — increase the penalty for assault
upon a taxicab driver — amend Section 621.03 (O 995-2000).....2985
Training of corrections officers — new Section 141.28 (O 2206-2000).....2972

Communications

1999 Annual Report — Maxine Goodman Levin College of Urban Affairs
(F 2173-2000).....2968

Community Development

Big Creek Environmental Study — Northeast Ohio Area-wide Coordinating Agency — Ward 15
Neighborhood Equity Funds (O 2163-2000)3014
Buckeye Area Development Corporation — acquisition and demolition of 3511 and 3517 East
93rd Street — Ward 3 Neighborhood Equity Funds (O 2137-2000).....**3013**
Case Elementary school — “Count Me Smart” program — Cleveland Municipal School District
— Ward 13 Neighborhood Equity Funds (O 2160-2000).....3013
Cleveland Public Schools - East High School — recreational programming and tutoring
services — Ward 7 Neighborhood Equity Funds (O 2129-2000)**3011**
Cleveland Restoration Society — rehabilitation of housing and furthering the community
plan for East 105th and East Boulevard neighborhood — Ward 8 Neighborhood Equity
Funds (O 2131-2000)**3012**
Colonel Charles Young Square — Midtown Cleveland — commemorative sculpture — amend Ord.
No. 1237-2000 — Ward 5 Neighborhood Equity Funds (O 2172-2000).....3014
Cuyahoga Metropolitan Housing Authority — educational, recreational and social service
programs — Ward 13 Neighborhood Equity Funds (O 2220-2000).....2983
Detroit Shoreway Development Corporation — amend City Contract No. 55951 — basement
renovations of Gordon Square Arcade — Ward 17 Neighborhood Equity Funds
(O 2130-2000).....**3011**
East 83rd Street, 2363 — Land Reutilization Program — Diocese of Cleveland, Bishop
Anthony Pilla (St. Adalbert Church) (O 849-2000)2995
Fair Housing — enact new Sections 665.01 through 665.20 and 665.99 of Codified Ordinances
— Unlawful discriminatory conduct — enact new Sections 667.01, 667.011, 667.012,
and 667.013 of Codified Ordinances (O 162-A-2000).....2976

Fair Housing — enact new Sections 665.01 through 665.20 and 665.99 of Codified Ordinances — Unlawful discriminatory conduct — enact new Sections 667.01, 667.011, 667.012, and 667.013 of Codified Ordinances (O 162-2000).....	2982-T
Florida Avenue — Land Reutilization Program — Amistad Development Corporation (O 1641-2000).....	3005
Glenville Development Corporation — initiate a curfew enforcement policy — Ward 8 Neighborhood Equity Funds (O 2132-2000)	3012
Homeless assistance activities — Cleveland/ Cuyahoga County Office of Homeless Services — implementation — Community Development (O 1876-2000).....	3010
Hough Avenue — Land Reutilization Program — Mansfield S. Frazier and Brenda W. Frazier (O 1595-2000).....	3001
Maingate Business Development Corporation — installation of one (1) dimension entryway sign to the Maingate Industrial Area — amend Ord. No. 442-2000 — Wards 5 and 13 Neighborhood Equity Funds (O 2127-2000)	3011
Parklawn Avenue, 11307 — Land Reutilization Program — Northeastern Development Corporation (O 1600-2000).....	3001
Plato Avenue, 15231 — 791 East 156th Street — Land Reutilization Program — Northeast Shores Development Corporation (O 1807-2000).....	3008
Roberto Clemente Little League — provide recreational programs — Spanish American committee — amend Ord. No. 429-2000 — Ward 14 Neighborhood Equity Funds (O 2162-2000).....	3013
Senior Resources, Inc. — assistance with rent expenses for office at 5202 Memphis Avenue — Wards 15 and 16 Neighborhood Equity Funds (O 2164-2000).....	3014
Slavic Village Development — acquisition and construction of new housing — Ward 13 Neighborhood Equity Funds (O 2161-2000).....	3013
Woodland Avenue, 11210 — Land Reutilization Program — The Pentecostal Faith Holiness Church of God (O 850-2000).....	2996

Condolences

Feinberg, Florence (R 2192-2000).....	2968
Grimes, Doreatha (Thompson) (R 2189-2000)	2968
Hernton, Dwaine (R 2191-2000).....	2968
Smiley, Ghainous W. Jr. (R 2190-2000).....	2968

Congratulations

Hauserman, Martin (R 2193-2000).....	2968
Mosley, Bennie Jr. Dr. (Reverend) (R 2195-2000)	2968
Petric, John (R 2194-2000)	2968

Contracts

5L/23R (Phase 1 — new runway — amend Ord. No. 552-2000 — Port Control (O 2128-2000).....	3011-V
Brothers Printing — extend City Contract No. 52446 (O 2134-2000).....	3012
Cleveland Letter Service — extend City Contract No. 52509 (O 2135-2000).....	3012
Legal News Publishing Company — further extend City Contract No. 520706 (O 2136-2000).....	3013
Legal News Publishing Company — further extend City Contract No. 52710 (O 2165-2000).....	3014
Mayor's Letter — Vetoing Ordinance No. 2128-2000 (F 2128-2000-A)	2967
MICR laser check printing system — purchase — Cleveland Municipal Court (O 2199-2000).....	2970
Security System — Cleveland City Council Offices (O 2222-2000)	2983

Correction Division

Inmate clothing, bedding and shoes — Division of Corrections (O 1803-2000).....	3007
Prescription and non-prescription drugs for inmates — Divisions of Corrections (O 1804-2000).....	3007
Training of corrections officers — new Section 141.28 (O 2206-2000).....	2972

Cuyahoga Metropolitan Housing Authority

Cuyahoga Metropolitan Housing Authority — educational, recreational and social service programs — Ward 13 Neighborhood Equity Funds (O 2220-2000)2983

Detroit-Shoreway Community Development Corporation

Detroit Shoreway Development Corporation — amend City Contract No. 55951 — basement renovations of Gordon Square Arcade — Ward 17 Neighborhood Equity Funds (O 2130-2000).....3011

Economic Development Department

Block A-5 of the Cleveland Industrial Park — sale of City-owned property — amend the title and Section 2 of Ordinance No. 944-2000 (O 1687-2000).....2985
Carnegie Avenue, 8220 — Empowerment Zone Business Opportunity contract — Swift Davis Cleaning and Laundry, Inc. — Economic Development (O 1809-2000)3008
Detroit Avenue, 10603 — Neighborhood Development Investment Fund contract and a grant agreement — Eliza Jennings Group — Economic Development (O 1688-2000)3006
F.L. Thompson Building — 3101 W. 25th St. — acquisition and renovation — Mark A. Rivera Production, Inc. (O 2214-2000).....2974
Lorain Ave., 4507 — Entrpr ZA — Twisted Pine LLC — Great Lakes Merchant Services (O 2216-2000).....2975
School-to-Work Grant, Year II — grant — U.S. Department of Labor — Economic Development (O 1881-2000).....2985
Superior Avenue, 6017 — acquisition and improvement — B & S Realty Associates (O 2213-2000).....2974
Walworth Run Industrial Park — Parcels 1 and 2 — acquisition, construction and site improvements — Twisted Pine LLC (O 2215-2000).....2974
West 3rd Street, 2850 — construction and renovation — Bredt-Zanick LLC — Economic Development (O 1409-2000).....2998
West 3rd Street, 2850 — Enterprise Zone Agreement — Bredt-Zanick LLC — ten year abatement — Economic Development (O 1410-2000).....2998

Empowerment Zone

Carnegie Avenue, 8220 — Empowerment Zone Business Opportunity contract — Swift Davis Cleaning and Laundry, Inc. — Economic Development (O 1809-2000)3008

Encroachments

K&S Parking Inc. and Prime Properties Limited Partnership — place a sign at entrance of parking lot (O 1582-A-2000).....2968
K&S Parking Inc. and Prime Properties Limited Partnership —permit — use of certain property as a parking area (O 1583-A-2000).....2969

Enterprise Zone Agreement

West 3rd Street, 2850 — Enterprise Zone Agreement — Bredt-Zanick LLC — ten year abatement — Economic Development (O 1410-2000).....2998

Fair Housing Review Board

Section 173.67 — enact new Section of Codified Ordinances — Fair Housing Board (O 2224-2000)2983

Fees

Storage fee at vehicle pound — amend Section 405.04 (O 2208-2000)2972

Finance Department

2000 TEAM Approach to Violence Against Women Program — grant — amend Section 1 of Ordinance No. 996-2000 (O 1796-2000)2985-2987
Commercial gases — purchase — various divisions of City government (O 1862-2000)3009
Computer hardware — purchase — various divisions of City government (O 1863-2000).....3009
Relocating the offices of Internal Audit — Rooms 1, 2 and 30 of City Hall — improving Room 15 — use by the Department of Law (O 905-2000)2985
Typewriters — purchase of labor and material to maintain — various divisions of City government (O 1864-2000).....3009

Glenville Development Corporation

Glenville Development Corporation — initiate a curfew enforcement policy — Ward
8 Neighborhood Equity Funds (O 2132-2000) **3012**

Gordon Square Arcade

Detroit Shoreway Development Corporation — amend City Contract No. 55951 — basement
renovations of Gordon Square Arcade — Ward 17 Neighborhood Equity Funds
(O 2130-2000)..... **3011**

Grants

2000 TEAM Approach to Violence Against Women Program — grant — amend Section 1 of
Ordinance No. 996-2000 (O 1796-2000) 2985-2987

2001 Cardiovascular Disease Grant — grant — Public Health — Cuyahoga County Board of
Health (O 1870-2000) 3009

2001 Federal AIDS Prevention Program — grant — Ohio Department of Health
(O 1636-2000)..... 3002

2001 Solid Waste Program — grant — Cuyahoga County Solid Waste District — Public Health
(O 1871-2000)..... 3010

City's 2000 general obligation issued for road and bridge improvements — Central Avenue,
Western Avenue East 79th Street, Kinsman Road, Bellaire Road and St. Clair Avenue
— grants from the Ohio Public Works Commission (O 1638-2000) 3002

Detroit Avenue, 10603 — Neighborhood Development Investment Fund contract and a grant
agreement — Eliza Jennings Group — Economic Development (O 1688-2000) 3006

School-to-Work Grant, Year II — grant — U.S. Department of Labor — Economic Development
(O 1881-2000)..... 2985

Woodland Recreation Center site improvements, Phase II — amend the title and Section 2
of Ordinance No. 930-2000 — grant (O 1594-2000) 3000

Halloran Skating Rink

Halloran Skating Rink — rental — amend Sections 133.32 (O 2198-2000)..... 2969

Health Department

2001 Cardiovascular Disease Grant — grant — Public Health — Cuyahoga County Board of
Health (O 1870-2000) 3009

2001 Federal AIDS Prevention Program — grant — Ohio Department of Health
(O 1636-2000)..... 3002

2001 Solid Waste Program — grant — Cuyahoga County Solid Waste District — Public Health
(O 1871-2000)..... 3010

Inmate clothing, bedding and shoes — Division of Corrections (O 1803-2000)..... 3007

Office and administrative space for the Department of Public Health — Mural Building —
lease space (O 1969-2000) 3010

Prescription and non-prescription drugs for inmates — Divisions of Corrections
(O 1804-2000)..... 3007

Historic Landmark District

Clifton Road/West Boulevard Historic Landmark District Extension — Establishing
(O 1118-2000)..... 2991

Housing

Fair Housing — enact new Sections 665.01 through 665.20 and 665.99 of Codified Ordinances
— Unlawful discriminatory conduct — enact new Sections 667.01, 667.011, 667.012,
and 667.013 of Codified Ordinances (O 162-A-2000)..... 2976

Fair Housing — enact new Sections 665.01 through 665.20 and 665.99 of Codified Ordinances
— Unlawful discriminatory conduct — enact new Sections 667.01, 667.011, 667.012,
and 667.013 of Codified Ordinances (O 162-2000) **2982-T**

Northeast Shores Development Corporation — support proposal for development
and construction of multi-family residential development — Ohio Housing Finance
Agency (R 2226-2000)..... 2984

Land Reutilization Program

East 83rd Street, 2363 — Land Reutilization Program — Diocese of Cleveland, Bishop Anthony Pilla (St. Adalbert Church) (O 849-2000)2995
 Florida Avenue — Land Reutilization Program — Amistad Development Corporation (O 1641-2000).....3005
 Hough Avenue — Land Reutilization Program — Mansfield S. Frazier and Brenda W. Frazier (O 1595-2000).....3001
 Parklawn Avenue, 11307 — Land Reutilization Program — Northeastern Development Corporation (O 1600-2000).....3001
 Plato Avenue, 15231 — 791 East 156th Street — Land Reutilization Program — Northeast Shores Development Corporation (O 1807-2000)3008
 Woodland Avenue, 11210 — Land Reutilization Program — The Pentecostal Faith Holiness Church of God (O 850-2000).....2996

Law Department

2000 TEAM Approach to Violence Against Women Program — grant — amend Section 1 of Ordinance No. 996-2000 (O 1796-2000)2985-2987
 Relocating the offices of Internal Audit — Rooms 1, 2 and 30 of City Hall — improving Room 15 — use by the Department of Law (O 905-2000)2985

Lease by Way of Concession

Use and occupancy of certain space in the Secondary Hangar — ramp and parking areas adjacent to the premises — Lease By Way of Concession — Air Services of Cleveland, Inc. (O 1103-2000)2996

Leases

Office and administrative space for the Department of Public Health — Mural Building — lease space (O 1969-2000)3010

Liquor Permits

Broadview Road, 2118 (Ward 15) — withdraw objection — repeal Res. No. 1534-2000 (R 2169-2000)2995
 East 71st Street, 4155 — Transfer of Ownership — (Ward 12) (F 2174-2000).....2968
 East 79th Street, 1136 — first floor only — Transfer of Ownership (F 2175-2000)2968
 Jefferson Avenue, 819, 1st Fl. (Ward 13) — objection — transfer of ownership (R 2168-2000)2994
 Kinsman Road, 9216-9218 — Transfer of Location (F 2182-2000)2968
 Lakewood Hgts. Blvd., 13429, 1st Fl. & Bsmt. Excl. 2nd Fl. (Ward 19) — objection — transfer of ownership (R 2166-2000).....2994
 Literary Road, 806 — Transfer of Ownership (F 2183-2000)2968
 Lorain Avenue, 11730, 1st. Fl./Front (Ward 19) — objection — transfer of ownership (R 2167-2000)2994
 Mt. Carmel Road, 11007 — first floor and basement — Transfer of Ownership (F 2177-2000).....2968
 Old River Road, 1061 — first floor and patio — Stock Transfer Application (F 2185-2000).....2968
 Old River Road, 1204 — mezzanine & patio — Transfer of Ownership (F 2178-2000)2968
 Prospect Avenue, 2000 — first, third, fourth and fifth floors — Cleveland State University Convocation Center — Transfer of Ownership (F 2180-2000).....2968
 Scranton Road, 3179 — first floor front — Transfer of Ownership (F 2179-2000)2968
 West 130th Street, 4611 (Ward 20) — objection — transfer of ownership (R 2171-2000)2995
 West 25th Street, 3486 — Transfer of Location (F 2181-2000).....2968
 West St. Clair Avenue, 408 — Transfer of Ownership and Location (F 2184-2000)2968
 Woodside Avenue, 12713-17 — first floor and basement — Transfer of Ownership (F 2176-2000).....2968

Mayor's Office

Mayor's Letter — Vetoing Ordinance No. 2128-2000 (F 2128-2000-A)2967

NASA

5L/23R (Phase 1 — new runway — amend Ord. No. 552-2000 — Port Control (O 2128-2000).....	3011-V
Mayor's Letter — Vetoing Ordinance No. 2128-2000 (F 2128-2000-A)	2967

Neighborhood Equity Funds

Big Creek Environmental Study — Northeast Ohio Areawide Coordinating Agency — Ward 15 Neighborhood Equity Funds (O 2163-2000)	3014
Buckeye Area Development Corporation — acquisition and demolition of 3511 and 3517 East 93rd Street — Ward 3 Neighborhood Equity Funds (O 2137-2000).....	3013
Case Elementary school — "Count Me Smart" program — Cleveland Municipal School District — Ward 13 Neighborhood Equity Funds (O 2160-2000).....	3013
Cleveland Public Schools - East High School — recreational programming and tutoring services — Ward 7 Neighborhood Equity Funds (O 2129-2000)	3011
Cleveland Restoration Society — rehabilitation of housing and furthering the community plan for East 105th and East Boulevard neighborhood — Ward 8 Neighborhood Equity Funds (O 2131-2000)	3012
Colonel Charles Young Square — Midtown Cleveland — commemorative sculpture — amend Ord. No. 1237-2000 — Ward 5 Neighborhood Equity Funds (O 2172-2000).....	3014
Cuyahoga Metropolitan Housing Authority — educational, recreational and social service programs — Ward 13 Neighborhood Equity Funds (O 2220-2000).....	2983
Detroit Shoreway Development Corporation — amend City Contract No. 55951 — basement renovations of Gordon Square Arcade — Ward 17 Neighborhood Equity Funds (O 2130-2000).....	3011
Glenville Development Corporation — initiate a curfew enforcement policy — Ward 8 Neighborhood Equity Funds (O 2132-2000)	3012
Maingate Business Development Corporation — installation of one (1) dimension entryway sign to the Maingate Industrial Area — amend Ord. No. 442-2000 — Wards 5 and 13 Neighborhood Equity Funds (O 2127-2000)	3011
Roberto Clemente Little League — provide recreational programs — Spanish American committee — amend Ord. No. 429-2000 — Ward 14 Neighborhood Equity Funds (O 2162-2000).....	3013
Senior Resources, Inc. — assistance with rent expenses for office at 5202 Memphis Avenue — Wards 15 and 16 Neighborhood Equity Funds (O 2164-2000).....	3014
Slavic Village Development — acquisition and construction of new housing — Ward 13 Neighborhood Equity Funds (O 2161-2000).....	3013

Northeast Ohio Areawide Coordinating Agency (NOACA)

Big Creek Environmental Study — Northeast Ohio Areawide Coordinating Agency — Ward 15 Neighborhood Equity Funds (O 2163-2000)	3014
--	------

Northeast Ohio Regional Sewer District

Mill Creek Valley — support Ohio Environmental Protection Agency in its objection of Northeast Ohio Regional sewer district and its contractor in dumping shale from sewer interceptor project (R 2227-2000).....	2984
---	------

Oath of Office

Dumas, Sharon — Commissioner of Neighborhood Development (F 2186-2000)	2968
--	------

Ohio Environmental Protection Agency

Mill Creek Valley — support Ohio Environmental Protection Agency in its objection of Northeast Ohio Regional sewer district and its contractor in dumping shale from sewer interceptor project (R 2227-2000).....	2984
---	------

Parking

K&S Parking Inc. and Prime Properties Limited Partnership — permit — use of certain property as a parking area (O 1583-A-2000).....	2969
--	------

Parks, Recreation and Properties Department

City Hall — public improvement — Parks, Recreation and Properties Department
(O 1747-99)2984-2986

Woodland Recreation Center site improvements, Phase II — amend the title and Section 2
of Ordinance No. 930-2000 — grant (O 1594-2000) 3000

Permits

K&S Parking Inc. and Prime Properties Limited Partnership — place a sign at entrance of
parking lot (O 1582-A-2000).....2968

K&S Parking Inc. and Prime Properties Limited Partnership —permit — use of certain
property as a parking area (O 1583-A-2000).....2969

Network Parking Company, LTD — permit — landscaping and a parking lot — Columbus Road
N.W. (O 1965-2000)2986

Second Metropolitan Church (Wards 5 and 6) — three banners (O 2126-2000) **3010**

Six (6) Entryway Identification Signs — Wards 5 and 13 — permit — Maingate Business
Development Corporation (O 1401-2000)2997

Plats

Villas of Woodhaven — Subdivision plat (F 1572-2000)2968

Police Division

DARE supplies — Division of Police (O 2209-2000).....2973

MGE UPS system — maintenance — Division of Police (O 2211-2000)2973

Port Control Department

5L/23R (Phase 1 — new runway — amend Ord. No. 552-2000 — Port Control
(O 2128-2000)..... **3011-V**

Consolidated Rental Car Facility — Third Amendment to the Agreement — Colliers Intl.
(O 2197-2000).....2969

Mayor’s Letter — Vetoing Ordinance No. 2128-2000 (F 2128-2000-A)2967

Navigational and lighting systems — installing — Cleveland Hopkins International Airport
(O 643-2000)2984-2986

Transformers, switchgear and circuitry for the Redundant Electrical Source — purchase
— Cleveland Hopkins International Airport (O 1397-2000).....2985

Use and occupancy of certain space in the Secondary Hangar — ramp and parking areas
adjacent to the premises — Lease By Way of Concession — Air Services of Cleveland,
Inc. (O 1103-2000)2996

Public Hearings (Notices)

Clifton Road/West Boulevard Historic Landmark District Extension — Establishing
(O 1118-2000).....2991

Lee-Harvard Business Revitalization District (BRD) — Establishing — (Ward 1)
(O 1643-2000).....2991

Lorain Avenue, N. W. between W. 119 Street and W. 115 Street — West 117 Street between
Triskett Road, N. W. and Governor Avenue, S. W. — change the Use, Area and Height
Districts (O 1763-2000).....2991

West 54 Street and Bridge Avenue, N.W. — change the Use District
(O 1882-2000).....2991

Public Improvements

City Hall — public improvement — Parks, Recreation and Properties Department
(O 1747-99)2984-2986

Public Right-of-Way

City Hall — public improvement — Parks, Recreation and Properties Department
(O 1747-99)2984-2986

Purchases and Supplies Division

Block A-5 of the Cleveland Industrial Park — sale of City-owned property — amend the title and Section 2 of Ordinance No. 944-2000 (O 1687-2000).....	2985
Parklawn Avenue — sell City-owned property — Northeaster Neighborhood Development Corp. (O 2212-2000).....	2973

Recognition

Clemons, Nathan (R.2196-2000).....	2968
------------------------------------	------

Resolution of Support

Northeast Shores Development Corporation — support proposal for development and construction of multi-family residential development — Ohio Housing Finance Agency (R 2226-2000).....	2984
---	------

Resolutions - Miscellaneous

Air carriers — opposing proposed mergers of US Airways and United Airlines and urging the U. S. Senate to disapprove said mergers (R 1690-2000).....	2986
General Obligation Bonds — \$10 million — issue in 2001 for repair and rehabilitation of streets and sidewalks (R 2170-2000).....	2995
Ibadan, Nigeria, Africa — establish permanent sister city relationship (R 2140-2000).....	2993
Manizales, Colombia — declare Sister City — welcome Mayor German Cardona (R 2138-2000).....	2993
Prayer Vigil — for good works to be done in the City of Cleveland (R 2225-2000).....	2984
Tops Friendly Markets — continue to expand at East 185th Street and Neff Road (R 2139-2000).....	2993

Right-of-Way

Network Parking Company, LTD — permit — landscaping and a parking lot — Columbus Road N.W. (O 1965-2000).....	2986
Six (6) Entryway Identification Signs — Wards 5 and 13 — permit — Maingate Business Development Corporation (O 1401-2000).....	2997

Safety Department

MSA breathing apparatus — maintain and service — purchase — Division of Fire — Public Safety (O 1875-2000).....	2985-2987
Surveillance system in taxicabs — new Section 443.051 — increase the penalty for assault upon a taxicab driver — amend Section 621.03 (O 995-2000).....	2985

Service Department

Branch Avenues S.W. — vacate a portion (O 1107-2000).....	2997
City's 2000 general obligation issued for road and bridge improvements — Central Avenue, Western Avenue East 79th Street, Kinsman Road, Bellaire Road and St. Clair Avenue — grants from the Ohio Public Works Commission (O 1638-2000).....	3002
East 13th Street/Chester Avenue — resurfacing — Giving consent — State of Ohio (O 1584-2000).....	2998
East 40th Street, Phase 3 — rehabilitating — Public Service (O 1587-2000).....	2999
East 55th Street, Phase 3 — rehabilitating — Public Service (O 1588-2000).....	2999
Electrical, mechanical, structural and environmental engineering services — Division of Architecture (O 2205-2000).....	2972
Grinding pavement — Public Service (O 1681-2000).....	3006
K&S Parking Inc. and Prime Properties Limited Partnership — place a sign at entrance of parking lot (O 1582-A-2000).....	2968
K&S Parking Inc. and Prime Properties Limited Partnership — permit — use of certain property as a parking area (O 1583-A-2000).....	2969
Main Avenue Bridge No. 193 — cleaning of the structure and drainage system and the removal of a portion of the catwalk — allocation of County Motor Vehicle License Tax Funds (O 1639-2000).....	3003
Marquette Street N.E. — intention to vacate — (Ward 13) (R 1813-2000).....	2993

Network Parking Company, LTD — permit — landscaping and a parking lot — Columbus Road
 N.W. (O 1965-2000)2986
 Plain Dealer Plaza — change name of portion of Superior Avenue (O 2221-2000)2983
 Public Service facilities — rehabilitating, renovating, reconstructing
 (O 2204-2000).....2971
 Public Service facility roofs — rehabilitating, replacing (O 2203-2000).....2971
 Salt storage dome at the Seville Station — constructing (O 2202-2000).....2971
 Sealing of the concrete decks of various bridges to the County of Cuyahoga — Public
 Service — apply for and accept an allocation of County Motor Vehicle License Tax
 Funds (O 1640-2000)3004
 Second Metropolitan Church (Wards 5 and 6) — three banners (O 2126-2000) **3010**
 Six (6) Entryway Identification Signs — Wards 5 and 13 — permit — Maingate Business
 Development Corporation (O 1401-2000)2997
 Tuscan Avenue N. W. — vacate a portion (O 1589-2000)3000

Sewers

Mill Creek Valley — support Ohio Environmental Protection Agency in its objection
 of Northeast Ohio Regional sewer district and its contractor in dumping shale from
 sewer interceptor project (R 2227-2000)2984
 Westpark and Lydian Roads — rehabilitating sewers — amend the title, Section 1 and
 Section 3 of Ordinance No. 1000-2000 (O 1590-2000).....3000

Signs

K&S Parking Inc. and Prime Properties Limited Partnership — place a sign at entrance of
 parking lot (O 1582-A-2000)2968

Sister Cities

Ibadan, Nigeria, Africa — establish permanent sister city relationship
 (R 2140-2000) **2993**
 Manizales, Colombia — declare Sister City — welcome Mayor German Cardona
 (R 2138-2000) **2993**

Slavic Village Association

Slavic Village Development — acquisition and construction of new housing — Ward
 13 Neighborhood Equity Finds (O 2161-2000)3013

State of Ohio

East 13th Street/Chester Avenue — resurfacing — Giving consent — State of Ohio
 (O 1584-2000).....2998

Statement of Work Acceptance

Kinsman Water Tower Rehabilitation — Contract No. 54086 — Department of Public Utilities
 (F 2187-2000).....2968
 Luke Easter Park Sidewalk Improvements - Phase II — Contract No. 55807 — Department of
 Parks, Recreation and Properties (F 2188-2000)2968

Street Vacation

Branch Avenues S.W. — vacate a portion (O 1107-2000)2997
 East 73rd Place — intention to vacate (R 1605-2000)2992
 Marquette Street N.E. — intention to vacate — (Ward 13) (R 1813-2000)2993
 Tuscan Avenue N. W. — vacate a portion (O 1589-2000)3000

Streets - Name

Plain Dealer Plaza — change name of portion of Superior Avenue (O 2221-2000)2983
 Ibadan, Nigeria, Africa — establish permanent sister city relationship
 (R 2140-2000) **2993**
 Manizales, Colombia — declare Sister City — welcome Mayor German Cardona
 (R 2138-2000) **2993**

Tabled Legislation

Fair Housing — enact new Sections 665.01 through 665.20 and 665.99 of Codified Ordinances — Unlawful discriminatory conduct — enact new Sections 667.01, 667.011, 667.012, and 667.013 of Codified Ordinances (O 162-2000).....	2982-T
K&S Parking Inc. and Prime Properties Limited Partnership — place a sign at entrance of parking lot (O 1582-2000)	2968-T
K&S Parking Inc. and Prime Properties Limited Partnership —permit — use of certain property as a parking area (O 1583-2000).....	2969-T

Taxicabs

Surveillance system in taxicabs — new Section 443.051 — increase the penalty for assault upon a taxicab driver — amend Section 621.03 (O 995-2000).....	2985
Training of corrections officers — new Section 141.28 (O 2206-2000).....	2972

Traffic Engineering & Parking Division

Mastarms and signals on Payne Avenue — install (O 2207-2000)	2972
Traffic signals and related materials — Traffic Engineering and Parking Div. (O 2210-2000).....	2973

United Airlines

Air carriers — opposing proposed mergers of US Airways and United Airlines and urging the U. S. Senate to disapprove said mergers (R 1690-2000).....	2986
---	------

US Air

Air carriers — opposing proposed mergers of US Airways and United Airlines and urging the U. S. Senate to disapprove said mergers (R 1690-2000).....	2986
---	------

Utilities Department

Kirby Avenue, 12302 — roof replacement/repair project — Advanced Roofing System (O 2200-2000).....	2970
Meter reading computers — purchase by requirement contract — Cleveland Public Power (O 1678-2000).....	3006
One folding/insert system — purchase — Cleveland Public Power (O 1677-2000).....	3006
Three hundred sixty winter jacket liners — purchase — Cleveland Public Power (O 1676-2000).....	3006
Various distribution mains — replacing and/or cleaning and lining (O 2201-2000).....	2970
Water, sewer and gas lines — plumbing repairs to various buildings — Cleveland Public Power (O 1723-2000).....	3007
Westpark and Lydian Roads — rehabilitating sewers — amend the title, Section 1 and Section 3 of Ordinance No. 1000-2000 (O 1590-2000).....	3000

Vetos

5L/23R (Phase 1 — new runway — amend Ord. No. 552-2000 — Port Control (O 2128-2000).....	3011-V
Mayor's Letter — Vetoing Ordinance No. 2128-2000 (F 2128-2000-A)	2967

Ward 01

Block A-5 of the Cleveland Industrial Park — sale of City-owned property — amend the title and Section 2 of Ordinance No. 944-2000 (O 1687-2000).....	2985
Florida Avenue — Land Reutilization Program — Amistad Development Corporation (O 1641-2000).....	3005
Grimes, Doreatha (Thompson) (R 2189-2000)	2968
Lee-Harvard Business Revitalization District (BRD) — Establishing — (Ward 1) (O 1643-2000).....	2991

Ward 02

Mill Creek Valley — support Ohio Environmental Protection Agency in its objection of Northeast Ohio Regional sewer district and its contractor in dumping shale from sewer interceptor project (R 2227-2000)2984

Ward 03

Buckeye Area Development Corporation — acquisition and demolition of 3511 and 3517 East 93rd Street — Ward 3 Neighborhood Equity Funds (O 2137-2000)..... **3013**

Ward 04

Kinsman Road, 9216-9218 — Transfer of Location (F 2182-2000)2968
 Larchmere Blvd to Kemper Rd — change the Use, Area and Height Districts (O 2217-2000).....2976
 Woodland Recreation Center site improvements, Phase II — amend the title and Section 2 of Ordinance No. 930-2000 — grant (O 1594-2000)3000

Ward 05

Colonel Charles Young Square — Midtown Cleveland — commemorative sculpture — amend Ord. No. 1237-2000 — Ward 5 Neighborhood Equity Funds (O 2172-2000)3014
 East 40th Street, Phase 3 — rehabilitating — Public Service (O 1587-2000)**2999**
 East 55th Street, Phase 3 — rehabilitating — Public Service (O 1588-2000)2999
 Maingate Business Development Corporation — installation of one (1) dimension entryway sign to the Maingate Industrial Area — amend Ord. No. 442-2000 — Wards 5 and 13 Neighborhood Equity Funds (O 2127-2000)**3011**
 Six (6) Entryway Identification Signs — Wards 5 and 13 — permit — Maingate Business Development Corporation (O 1401-2000)2997

Ward 06

Carnegie Avenue, 8220 — Empowerment Zone Business Opportunity contract — Swift Davis Cleaning and Laundry, Inc. — Economic Development (O 1809-2000).....**3008**
 East 83rd Street, 2363 — Land Reutilization Program — Diocese of Cleveland, Bishop Anthony Pilla (St. Adalbert Church) (O 849-2000)2995
 Mt. Carmel Road, 11007 — first floor and basement — Transfer of Ownership (F 2177-2000).....2968
 Second Metropolitan Church (Wards 5 and 6) — three banners (O 2126-2000)**3010**
 Villas of Woodhaven — Subdivision plat (F 1572-2000)2968
 Woodland Avenue, 11210 — Land Reutilization Program — The Pentecostal Faith Holiness Church of God (O 850-2000).....2996

Ward 07

Cleveland Public Schools - East High School — recreational programming and tutoring services — Ward 7 Neighborhood Equity Funds (O 2129-2000)**3011**
 East 55th Street, Phase 3 — rehabilitating — Public Service (O 1588-2000).....2999
 East 79th Street, 1136 — first floor only — Transfer of Ownership (F 2175-2000).....2968
 Hough Avenue — Land Reutilization Program — Mansfield S. Frazier and Brenda W. Frazier (O 1595-2000).....3001
 Mosley, Bennie Jr. Dr. (Reverend) (R 2195-2000)2968

Ward 08

Cleveland Restoration Society — rehabilitation of housing and furthering the community plan for East 105th and East Boulevard neighborhood — Ward 8 Neighborhood Equity Funds (O 2131-2000)**3012**
 Glenville Development Corporation — initiate a curfew enforcement policy — Ward 8 Neighborhood Equity Funds (O 2132-2000)**3012**
 Smiley, Ghainous W. Jr. (R 2190-2000)2968

Ward 09

Parklawn Avenue — sell City-owned property — Northeaster Neighborhood Development Corp. (O 2212-2000).....	2973
Parklawn Avenue, 11307 — Land Reutilization Program — Northeastern Development Corporation (O 1600-2000).....	3001
Woodside Avenue, 12713-17 — first floor and basement — Transfer of Ownership (F 2176-2000).....	2968

Ward 11

Clemons, Nathan (R 2196-2000).....	2968
Feinberg, Florence (R 2192-2000).....	2968
Hauserman, Martin (R 2193-2000).....	2968
Northeast Shores Development Corporation — support proposal for development and construction of multi-family residential development — Ohio Housing Finance Agency (R 2226-2000).....	2984
Petric, John (R 2194-2000).....	2968
Plato Avenue, 15231 — 791 East 156th Street — Land Reutilization Program — Northeast Shores Development Corporation (O 1807-2000).....	3008
Tops Friendly Markets — continue to expand at East 185th Street and Neff Road (R 2139-2000).....	2993

Ward 12

East 55th Street, Phase 3 — rehabilitating — Public Service (O 1588-2000).....	2999
East 71st Street, 4155 — Transfer of Ownership — (Ward 12) (F 2174-2000).....	2968
East 73rd Place — intention to vacate (R 1605-2000).....	2992
Mill Creek Valley — support Ohio Environmental Protection Agency in its objection of Northeast Ohio Regional sewer district and its contractor in dumping shale from sewer interceptor project (R 2227-2000).....	2984

Ward 13

Branch Avenues S.W. — vacate a portion (O 1107-2000).....	2997
Case Elementary school — “Count Me Smart” program — Cleveland Municipal School District — Ward 13 Neighborhood Equity Funds (O 2160-2000).....	3013
Cuyahoga Metropolitan Housing Authority — educational, recreational and social service programs — Ward 13 Neighborhood Equity Funds (O 2220-2000).....	2983
East 13th Street/Chester Avenue — resurfacing — Giving consent — State of Ohio (O 1584-2000).....	2998
Jefferson Avenue, 819, 1st Fl. (Ward 13) — objection — transfer of ownership (R 2168-2000).....	2994
K&S Parking Inc. and Prime Properties Limited Partnership — place a sign at entrance of parking lot (O 1582-A-2000).....	2968
K&S Parking Inc. and Prime Properties Limited Partnership — permit — use of certain property as a parking area (O 1583A-2000).....	2969
Literary Road, 806 — Transfer of Ownership (F 2183-2000).....	2968
Maingate Business Development Corporation — installation of one (1) dimension entryway sign to the Maingate Industrial Area — amend Ord. No. 442-2000 — Wards 5 and 13 Neighborhood Equity Funds (O 2127-2000).....	3011
Marquette Street N.E. — intention to vacate — (Ward 13) (R 1813-2000).....	2993
Mastarms and signals on Payne Avenue — install (O 2207-2000).....	2972
Network Parking Company, LTD — permit — landscaping and a parking lot — Columbus Road N.W. (O 1965-2000).....	2986
Old River Road, 1061 — first floor and patio — Stock Transfer Application (F 2185-2000).....	2968
Old River Road, 1204 — mezzanine & patio — Transfer of Ownership (F 2178-2000).....	2968
Plain Dealer Plaza — change name of portion of Superior Avenue (O 2221-2000).....	2983
Prospect Avenue, 2000 — first, third, fourth and fifth floors — Cleveland State University Convocation Center — Transfer of Ownership (F 2180-2000).....	2968
Six (6) Entryway Identification Signs — Wards 5 and 13 — permit — Maingate Business Development Corporation (O 1401-2000).....	2997
Slavic Village Development — acquisition and construction of new housing — Ward 13 Neighborhood Equity Funds (O 2161-2000).....	3013
Superior Avenue, 6017 — acquisition and improvement — B & S Realty Associates (O 2213-2000).....	2974

West 3rd Street, 2850 — construction and renovation — Bredt-Zanick LLC — Economic Development (O 1409-2000).....2998
 West 3rd Street, 2850 — Enterprise Zone Agreement — Bredt-Zanick LLC — ten year abatement — Economic Development (O 1410-2000).....2998
 West St. Clair Avenue, 408 — Transfer of Ownership and Location (F 2184-2000).....2968

Ward 14

F.L. Thompson Building — 3101 W. 25th St. — acquisition and renovation — Mark A. Rivera Production, Inc. (O 2214-2000).....2974
 Lorain Ave., 4507 — Entrpr ZA — Twisted Pine LLC — Great Lakes Merchant Services (O 2216-2000).....2975
 Roberto Clemente Little League — provide recreational programs — Spanish American committee — amend Ord. No. 429-2000 — Ward 14 Neighborhood Equity Funds (O 2162-2000).....3013
 Scranton Road, 3179 — first floor front — Transfer of Ownership (F 2179-2000).....2968
 West 25th Street, 3486 — Transfer of Location (F 2181-2000).....2968

Ward 15

Big Creek Environmental Study — Northeast Ohio Areawide Coordinating Agency — Ward 15 Neighborhood Equity Funds (O 2163-2000)3014
 Broadview Road, 2118 (Ward 15) — withdraw objection — repeal Res. No. 1534-2000 (R 2169-2000)2995
 Senior Resources, Inc. — assistance with rent expenses for office at 5202 Memphis Avenue — Wards 15 and 16 Neighborhood Equity Funds (O 2164-2000).....3014

Ward 16

Senior Resources, Inc. — assistance with rent expenses for office at 5202 Memphis Avenue — Wards 15 and 16 Neighborhood Equity Funds (O 2164-2000).....3014

Ward 17

Detroit Shoreway Development Corporation — amend City Contract No. 55951 — basement renovations of Gordon Square Arcade — Ward 17 Neighborhood Equity Funds (O 2130-2000).....**3011**
 West 54 Street and Bridge Avenue, N.W. — change the Use District (O 1882-2000).....2991

Ward 18

Clifton Road/West Boulevard Historic Landmark District Extension — Establishing (O 1118-2000).....2991
 Detroit Avenue, 10603 — Neighborhood Development Investment Fund contract and a grant agreement — Eliza Jennings Group — Economic Development (O 1688-2000).....3006
 Tuscan Avenue N. W. — vacate a portion (O 1589-2000)3000
 Willard Avenue, N.W. — change the Use, Area and Height District (O 2218-2000).....2976

Ward 19

Clifton Road/West Boulevard Historic Landmark District Extension — Establishing (O 1118-2000).....2991
 Lakewood Hgts. Blvd., 13429, 1st Fl. & Bsmt. Excl. 2nd Fl. (Ward 19) — objection — transfer of ownership (R 2166-2000)2994
 Lorain Avenue, 11730, 1st. Fl./Front (Ward 19) — objection — transfer of ownership (R 2167-2000)2994
 Lorain Avenue, N. W. between W. 119 Street and W. 115 Street — West 117 Street between Triskett Road, N. W. and Governor Avenue, S. W. — change the Use, Area and Height Districts (O 1763-2000).....2991

Ward 20

West 130th Street, 4611 (Ward 20) — objection — transfer of ownership
(R 2171-2000)2995

Ward 21

Westpark and Lydian Roads — rehabilitating sewers — amend the title, Section 1 and
Section 3 of Ordinance No. 1000-2000 (O 1590-2000).....3000

Welcome

Manizales, Colombia — declare Sister City — welcome Mayor German Cardona
(R 2138-2000)**2993**

Zoning

Lorain Avenue, N. W. between W. 119 Street and W. 115 Street — West 117 Street between
Triskett Road, N. W. and Governor Avenue, S. W. — change the Use, Area and Height
Districts (O 1763-2000)2991
West 54 Street and Bridge Avenue, N.W. — change the Use District (O 1882-2000)2991