

The City Record

Official Publication of the City of Cleveland

December the Eleventh, Nineteen Hundred and Ninety-Six

Mayor	
Michael R. White	
President of Council	
Jay Westbrook	
Clerk of Council	
Artha Woods	
Ward	Name
1	Charles L. Patton, Jr.
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	Gary M. Paulenske
14	Helen K. Smith
15	James Rokakis
16	Patrick J. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Dale Miller
21	David M. McGuirk

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
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	Gary M. Paulenske	1020 East 61st Street	44103
14	Helen K. Smith	3016 Carroll Avenue	44113
15	James Rokakis	4685 Dornur Road	44109
16	Patrick J. O'Malley	6111 Brookside Drive	44144
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Dale Miller	4300 West 143rd Street	44135
21	David McGuirk	17101 Amber Drive	44111

MAYOR-Michael R. White
 LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy
 Barry Withers, Executive Assistant for Administration
 Judith Zimomra, Executive Assistant for Service
 Kenneth Silliman, Executive Assistant for Economic Development
 Richard Werner, Executive Assistant for Governmental Affairs.
 Linda Willis, Director, Office of Equal Opportunity

DEPT. OF LAW - Sharon Sobol Jordan, Director of Law, Room 106;
 Karen E. Martinez, Law Librarian; Criminal Branch-Justice Center, 8th
 Fl., Court Towers, 1200 Ontario
 Carolyn Watts-Allen, Chief Asst. Prosecutor
 Steven J. Terry, Chief Counsel

DEPT. OF FINANCE - Martin L. Carmody, Acting Director, Room 104; Carlean
 Alford, Manager, Internal Audit
DIVISIONS - Accounts - A. Schneider, Commissioner, Room 19
 City Treasury - Mary Christine Jackman, Treasurer, Room 115
 Assessments and Licenses - John Hunt, Commissioner, Room 122
 Purchases and Supplies - William A. Moon, Commissioner, Room 128
 Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside
 Avenue
 Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
 Financial Reporting and Control - Keith D. Schuster, Controller, Room 18
 Information Systems Services - Hamid Manteghi, Acting 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 - M. Blech, Commissioner
 Cleveland Public Power - Nagah M. Ramadan, Commissioner
 Street Lighting Bureau - Frank Schilling, Acting Chief.

DEPT. OF PORT CONTROL - William F. Cunningham, Jr., Director,
 Cleveland Hopkins International Airport, 5300 Riverside Drive;
 Cleveland Hopkins International Airport - Stephen Sheehan, Commissioner
 Burke Lakefront Airport - Michael C. Barth, Commissioner

DEPT. OF PUBLIC SERVICE - Henry Guzmán, Director, Room 113
DIVISIONS - Waste Collection and Disposal - Larry Hines, Commissioner,
 5600 Carnegie Avenue.
 Streets - Randall T. Scott, Commissioner, Room 25
 Engineering and Construction - J. Christopher Nielson, Acting
 Commissioner, Room 518
 Motor Vehicle Maintenance, Donald L. Haskins, Commissioner, Harvard
 Yards
 Architecture - Kenneth Nobilio, Commissioner, Room 517

DEPT. OF PUBLIC HEALTH - Robert O. Staib, Director, Mural Building
 1925 St. Clair Avenue.
DIVISIONS - Health - Juan Molina Crespo, Acting Commissioner, Mural
 Building, 1925 St. Clair Avenue
 Environment - Carolyn Wallace, Acting Commissioner, Mural Building,
 1925 St. Clair Avenue
 Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 North-
 field Road

DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, Room 230.
DIVISIONS - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300
 Ontario Street
 Fire - Robert M. Derrit, Acting Chief, 1645 Superior Avenue
 Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.
 Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
 Emergency Medical Service - Bruce Shade, Commissioner, 2001 Payne
 Ave.

DEPT. OF PARKS, RECREATION & PROPERTIES - Oliver B. Spellman,
 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 - Vernon Robinson, Commissioner,
 E. 49th & Harvard
 Parking Facilities - Michael Cox, Acting Commissioner, Public
 Auditorium, E. 6th and Lakeside Ave.

Park Maintenance and Properties - Richard L. Silva, Acting Commissioner,
 Public Auditorium - E. 6th & Lakeside.
 Recreation - Michael Cox, Acting Commissioner, Room 8
 Research, Planning & Development - M. Fallon, Commissioner, Burke
 Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT - Terri Hamilton, Director,
 3rd Floor, City Hall.
DIVISIONS - Administrative Services - Terrence Ross, Commissioner.
 Neighborhood Services - Festus Cassels, Commissioner.
 Neighborhood Development - Terri Hamilton, Commissioner.
 Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.

DEPT. OF PERSONNEL AND HUMAN RESOURCES - Joseph Nolan,
 Director, Room 121

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

DEPT. OF AGING - Rm. 122, Delores Alexander, Acting Director

COMMUNITY RELATIONS BOARD - Room 11, Jackie R. Whitner,
 Acting Director; Mayor Michael R. White, Chairman Ex-Officio; Mary
 Adele Springman, Vice-Chairman; Councilmen Michael Polensek and
 Edward Rybka, City Council Representatives; Muqit Abdul Sabur, Louise
 Boddie, Charles E. McBee, Larry C. Liou, John Gallo, Emmett Saunders,
 Mary Jan Buckshot, Sr. Joaquina Carrion, Kathryn M. Hall, Hasan
 Muheisen, Barbara S. Rosenthal, Henry Simon.

CIVIL SERVICE COMMISSION - Room 119, Freddie J. Fenderson,
 President; Timothy J. Cosgrove, Vice President; Donna K. Nelson,
 Secretary; Margaret Hopkins, Member, Earl Preston, Member.

SINKING FUND COMMISSION - Michael R. White, President; Betsy
 Hruby, Asst. Sec'y.; _____, Director; President of Council
 Jay Westbrook.

BOARD OF ZONING APPEALS - Room 516, Valerie Schwonek, Chairman;
 Dona Brady, Vice-Chairman; Anna Chatman, Carol Johnson, Tony
 Petkovsek, Anthony Costanzo, Sec'y.

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, Sharon Sobol
 Jordan; Pres. Finance Director, _____, Director Sec'y.
 Council President Jay Westbrook.

BOARD OF SIDEWALK APPEALS - Henry Guzmán, Service Director;
 Law Director, Sharon Sobol Jordan, Councilman Roosevelt Coats.

BOARD OF REVIEW - (Municipal Income Tax) - Law Director, Sharon
 Sobol Jordan, Utilities Director, Michael Konicek; President of Council, Jay
 Westbrook.

CITY PLANNING COMMISSION - Room 501 - Hunter Morrison, Director;
 Rev. Albert T. Rowan, Chairman; Todd W. Schmidt, Vice Chairman, David
 Bowen, Anthony J. Coyne, Lawrence A. Lumpkin, Gloria Jean Pinkney,
 Councilman Edward W. Rybka.

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

MORAL CLAIMS COMMISSION - Sharon Sobol Jordan, _____,
 Councilmen James Rokakis, Jay Westbrook.

BOARD OF EXAMINERS OF ELECTRICIANS - Raymond Ossovicki,
 Chairman; _____, Anton J. Eichmuller, Samuel Montfort
 J. Gilbert Steele, Laszlo V. Kemes, Secretary.

BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.;
 Earl S. Bumgarner, _____, Jozef Valencik, Martin Gallagher,
 Laszlo V. Kemes, Secretary.

CLEVELAND LANDMARKS COMMISSION - Room 519, _____,
 Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert
 Keiser, Secretary; Judge Lillian Burke, James Gibans, Hunter Morrison,
 Kenneth Nobilio, Theodore Sande, Randall Shorr, Shirley Thompson,
 Councilmen Craig E. Willis and Helen K. Smith.

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 Salvatore R. Calandra	13A
Judge Colleen C. Cooney	14A
Judge C. Ellen Connolly	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	12B
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	14C
Judge Gerald F. Sweeney	13D
Judge Robert S. Triozzi	12A

Earle B. Turner-Clerk of Courts, John J. O'Toole-Court Administrator, Robert
 C. Townsend, II-Bailiff; Kenneth Thomas-Chief Probation Officer, Michelle
 L. Paris-Chief Referee

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WEDNESDAY, DECEMBER 11, 1996

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CITY COUNCIL

MONDAY, DECEMBER 9, 1996

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

9:30 A.M.—**Public Parks, Property & Recreation Committee:** Johnson, Chairman; Rybka, Vice Chairman; Miller, Patton, Paulenske, Robinson, White.

9:30 A.M.—**Public Health Committee:** Robinson, Chairman; Miller, Vice Chairman; Britt, Jackson, Melena, O'Malley, Zone.

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Coats, Chairman; O'Malley, Vice Chairman; Britt, Johnson, McGuirk, Melena, Smith, Westbrook, White.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** Patmon, Chairman; Smith, Vice Chairman; Jackson, Lewis, Melena, Polensek, Robinson.

MONDAY

2:00 P.M.—**Finance Committee:** Rokakis, Chairman; Westbrook, Vice Chairman; Coats, Johnson, Lewis, McGuirk, Patmon, Polensek, Robinson, Rybka, Smith.

TUESDAY

10:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; Paulenske, Vice Chairman; Britt, Coats, Lewis, Melena, Patton, Smith, Willis.

1:30 P.M.—**Legislation Committee:** McGuirk, Chairman; Willis, Vice Chairman; Britt, Johnson, Patton, Rokakis, Rybka.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Miller, Chairman; Paulenske, Vice Chairman; McGuirk, Patmon, Rokakis, White, Willis.

10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Willis, Vice Chairman; Jackson, Miller, O'Malley, Patmon, Patton, Paulenske, Zone.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Patton, Chairman; Polensek, Vice Chairman; Coats, Lewis, McGuirk, O'Malley, Patmon, Willis, Zone.

1:30 P.M.—**City Planning Committee:** Rybka, Chairman; Britt, Vice Chairman; O'Malley, Paulenske, Rokakis, White, Zone.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

December 4, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 4, 1996, at 11:00 a.m., with Acting Mayor Sobol Jordan presiding.

Present: Acting Mayor Sobol Jordan, Acting Directors Marks, Jackman, Directors Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Warren, Acting Director Alexander.

Absent: Mayor White, Director Konicek.

Others: William Moon, Commissioner, Purchases and Supplies, Linda Willis, Director, Office of Equal Opportunity, Julius Ciaccia, Commissioner, Division of Water.

On motion, the following resolutions were adopted.

Resolution No. 867-96.

By Director Sobol Jordan.
Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1130-93, passed by the Council of the City of Cleveland on May 24, 1993, as amended by Ordinance No. 1711-96, passed October 28, 1996, TechLaw Automation Partners, Inc. is hereby selected upon the nomination of the Director of Law from a list of qualified consultants, determined after a full and complete canvass by said Director, as the firm to be employed by contract for the purpose of providing professional services, to the City of Cleveland Law Department in order to provide the professional services necessary for conversion of all data processing

functions to a new PC-based local area network for the Department of Law.

Be it further resolved that the Director of Law is hereby requested to enter into a written contract with TechLaw Automation Partners, Inc., based upon its proposal dated July 5, 1996, which contract shall be prepared by the Director of Law, and shall provide that the compensation to be paid shall not exceed \$73,660.00.

Yeas: Acting Mayor Sobol Jordan, Acting Directors Marks, Jackman, Directors Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 868-96.

By Acting Director Carmody.
Resolved, by the Board of Control of the City of Cleveland that the bid of Concretech A Division of Libby Construction Co., Inc. for an estimated quantity of Ready Mixed Concrete, (Region I, II and II-three (3) yards or less) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 18th day of October, 1996, pursuant to the authority of Ordinance No. 737-93, passed April 19, 1993, which on the basis of the estimated quantity would amount to Three Hundred Forty-Seven Thousand Dollars and 00/100, (\$347,000.00), (2% 15 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 79578 which shall be certified against such contract in the sum of Twenty Thousand and 00/100 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 Mayor Sobol Jordan, Acting Directors Marks, Jackman, Directors Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 869-96.

By Acting Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Allegra Concrete Corporation for an estimated quantity of Ready Mixed Concrete (Regions I, II and III) (Three yards and over) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 18th day of October, 1996, pursuant to the authority of Ordinance No. 737-93, passed April 19, 1993, which on the basis of the estimated quantity would amount to Nine Hundred Thirty-Five Thousand Six Hundred Dollars and 00/100, (\$935,600.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 79579

which shall be certified against such contract in the sum of Fifty Thousand and 00/100 Dollars, (\$50,000.00).

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 Mayor Sobol Jordan, Acting Directors Marks, Jackman, Directors Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 870-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 2161-94, passed by the Council of the City of Cleveland on June 5, 1995, CC Technologies Services, Inc. is hereby selected from a list of firms determined, after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract to provide professional services necessary to conduct a corrosion control study for the installation of cathodic protection of the RTA Waterfront Rail Line, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with CC Technologies Services, Inc. based upon its proposals dated May 24, 1996 and August 6, 1996 respectively, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal upon execution of a contract for an aggregate fee not in excess of \$184,400.00 and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by CC Technologies, Inc., for the above-mentioned professional service is hereby approved:

SUBCONTRACTOR

Water Resources &
Coastal Engineering

WORK

\$18,450.00,
FBE

Lott Construction

\$55,320.00,
MBE

Yeas: Acting Mayor Sobol Jordan, Acting Directors Marks, Jackman, Directors Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 871-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Reed City Power Line Supply Co., dba Power Line Supply Co. for an estimated quantity of Meters and Metering Equipment, (Watt Hour Meters), item no. 16, 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 the 26th day of September, 1996, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Seven Hundred Twenty Seven Thousand Five Hundred and no/cents Dollars, (\$727,500.00), (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 a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 88822

which shall be certified against such contract in the sum of Thirty Six Thousand Three Hundred Seventy Five and no/cents Dollars, (\$36,375.00).

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

Yeas: Acting Mayor Sobol Jordan, Acting Directors Marks, Jackman, Directors Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 872-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Leader Electric Supply Co., Inc. for an estimated quantity of Meters and Metering Equipment, (Watt Hour Meters), item nos. 12, 15 and 16A thru 16C, 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 the 26th day of September, 1996, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Six Hundred Ninety Thousand Seven

Hundred Twenty Six and 90/cents Dollars, (\$690,726.90), (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 a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 88819

which shall be certified against such contract in the sum of Thirty Four Thousand Seven Hundred Thirty One and 40/cents Dollars, (\$34,731.40).

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

Yeas: Acting Mayor Sobol Jordan, Acting Directors Marks, Jackman, Directors Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 873-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Precision Electric, Inc. for an estimated quantity of Meters and Metering Equipment, (Watt Hour Meters), item nos. 2 thru 10, 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 the 26th day of September, 1996, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to One Hundred Ninety Six Thousand Five Hundred Seventy Eight and no/cents Dollars, (\$196,578.00), (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 a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 88821

which shall be certified against such contract in the sum of Ten Thousand Three Hundred Seventy Seven and 50/cents Dollars, (\$10,377.50).

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

Yeas: Acting Mayor Sobol Jordan, Acting Directors Marks, Jackman, Directors Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 874-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Central Electric Supply Co. for an estimated quantity of

Meters and Metering Equipment, (Watt Hour Meters), item nos. 1, 11, 13 and 14, 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 the 26th day of September, 1996, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to One Hundred Forty Three Thousand One Hundred Forty Four and no/cents Dollars, (\$143,144.00), (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 a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 88820 which shall be certified against such contract in the sum of Twelve Thousand Three Hundred Fifteen and no/cents Dollars, (\$12,315.00).

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

Yeas: Acting Mayor Sobol Jordan, Acting Directors Marks, Jackman, Directors Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 875-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Precision Electric, Inc. for an estimated quantity of Meters and Metering Equipment, (Polyphase Meters), all items, 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 the 26th day of September, 1996, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Three Hundred Thirty Nine Thousand Three Hundred and no/cents Dollars, (\$339,300.00), (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 a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 88817 which shall be certified against such contract in the sum of Seventeen Thousand Three Hundred Eighty Two and no/cents Dollars, (\$17,382.00).

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

Yeas: Acting Mayor Sobol Jordan, Acting Directors Marks, Jackman, Directors Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 876-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of F.M.E. Corporation, dba Neopost for the following: Four Station Folding Inserting System, all items, for the Division of Cleveland Public Power, Department of Public Utilities, received on the 17th day of October, 1996, pursuant to the authority of Ordinance No. 548-96, passed May 20, 1996, which on the basis of order quantities would amount to Twenty Four Thousand Six Hundred Nine and no/100 Dollars, (\$24,609.00), (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Acting Mayor Sobol Jordan, Acting Directors Marks, Jackman, Directors Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 877-96.

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland that the proposal of Shoe Shine Management Co. for a valet/shoe shine concession at Cleveland Hopkins International Airport, authorized by Ordinance No. 1014-90, passed by the Cleveland City Council on June 18, 1990, is deemed the best proposal for the valet/shoe shine concession and that the Director of Port Control is hereby authorized to enter into a Lease by Way of Concession Agreement with Shoe Shine Management Co. As rent for each year of the term, the City shall receive the greater of Seven Thousand Five Hundred Dollars (\$7,500.00) or twenty percent (20%) of gross revenues from shoeshines and product sales. The term of the Lease by Way of Concession Agreement shall be seven (7) years.

Be it further resolved that said Lease by Way of Concession Agreement shall be prepared by the Director of Law in accordance with the terms, conditions and provisions of the proposal and shall contain such additional provisions as deemed necessary to protect and benefit the public interest.

Yeas: Acting Mayor Sobol Jordan, Acting Directors Marks, Jackman, Directors Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 878-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Truck Services, Inc. for an estimated quantity of automotive and truck spring repair and labor (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

the 18th day of October, 1996, pursuant to the authority of Ordinance No. 1103-96, passed July 17, 1996, which on the basis of the estimated quantity would amount to approximately One hundred twenty six thousand five hundred three and no/100 Dollars, (\$126,503.00), (2% 10 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. 092016 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 shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractor to Truck Service, Inc. for the purchase of automotive and truck spring repair and labor (all items), hereby is approved:

Servco Products
MBE - \$6,325.00

Yeas: Acting Mayor Sobol Jordan, Acting Directors Marks, Jackman, Directors Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 879-96.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Erie Shores Computer, Inc., 364 Griswold Road, Elyria, OH 44035, for the following: Purchase of Computer Hardware and Printers for the Division of Engineering and Construction, Department of Public Service, received on the 25th day of October, 1996, pursuant to the authority of Ordinance No. 1163-96, passed July 17, 1996, which on the basis of order quantities would amount to \$64,624.00, (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into contract for such items.

Yeas: Acting Mayor Sobol Jordan, Acting Directors Marks, Jackman, Directors Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 880-96.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland that, in accordance with the provisions of Section 133.14(a) of the Codified Ordinances of Cleveland, Ohio 1976, Resolution No. 356-96, adopted by the Board of Control on May 29, 1996, which establishes the rental rates for the Cleveland Public Auditorium and Convention Center, is

hereby amended by adding, after SCHEDULE IV, the following schedule for the rental of Franz Pastorius Boulevard for occasional use by private parties for special events parking, effective December 4, 1996:

**"SCHEDULE V: FRANZ
PASTORIUS BOULEVARD**

FRANZ PASTORIUS BOULEVARD
Monday - Friday,
6:00 p.m. - 9:30 a.m. on the
following day: \$100

Saturday or Sunday,
\$100 per day."

Yeas: Acting Mayor Sobol Jordan,
Acting Directors Marks, Jackman,
Directors Cunningham, Guzman,
Staib, Denihan, Spellman, Hamilton,
Nolan, Warren, Acting Director
Alexander.

Nays: None.
Absent: None.

Resolution No. 881-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 118-23-045 and 118-23-046 (southerly part), 118-23-047 and 118-23-046 (northerly part) under said Land Reutilization Program; and

Whereas, Ordinance No. 2046-96 passed November 18, 1996 authorized the sale of said parcels subject to the direction of the Board of Control; and

Whereas, Burten, Bell & Carr Development Corp., or designee 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. 2046-96 passed November 18, 1996 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 Burten, Bell & Carr Development Corp., or designee for the sale and development of Permanent Parcel Nos. 118-23-045 and 118-23-046 (southerly part), 118-23-047 and 118-23-046 (northerly part) 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 parcel for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Sobol Jordan,
Acting Directors Marks, Jackman,
Directors Cunningham, Guzman,
Staib, Denihan, Spellman, Hamilton,
Nolan, Warren, Acting Director
Alexander.

Nays: None.
Absent: None.

Resolution No. 882-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1004-95, passed by the Council of the City of Cleveland on

April 1, 1996, Mycoff & Associates is hereby selected upon the nomination of the Director of Public Utilities from a list of qualified consultants, determined after a full and complete canvass by said director, as the firm to be employed by contract for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide executive management search services for the Division of Cleveland Public Power, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a written contract with MYCOFF & ASSOCIATES based upon its proposal dated November 1, 1996, which contract shall be prepared by the Director of Law and shall provide that the compensation to be paid shall not exceed \$31,000.00.

Yeas: Acting Mayor Sobol Jordan,
Acting Directors Marks, Jackman,
Directors Cunningham, Guzman,
Staib, Denihan, Spellman, Hamilton,
Nolan, Warren, Acting Director
Alexander.

Nays: None.
Absent: None.

Resolution No. 883-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Libby Construction Co., Inc. for an estimated quantity of labor and materials to repair or replace fire hydrants (Area "A", items 1A-15A; Area "B", items 1B-15B) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 25th day of October, 1996, pursuant to the authority of Ordinance No. 362-96, passed May 6, 1996, which on the basis of the estimated quantity would amount to One Million Nine Hundred Seventy Seven Thousand Five Hundred Dollars (\$1,977,500.00), (2% 15 Days), 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 commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 100030

which shall be certified against such contract in the sum of Four Hundred Thousand Dollars (\$400,000.00).

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 subcontractor by Libby Construction Co., Inc., for the abovementioned requirement contract is hereby approved:

SUBCONTRACTOR	WORK
Hooks Concrete	40%, MBE

Yeas: Acting Mayor Sobol Jordan,
Acting Directors Marks, Jackman,
Directors Cunningham, Guzman,
Staib, Denihan, Spellman, Hamilton,
Nolan, Warren, Acting Director
Alexander.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

EXAMINATION RESULTS: Each applicant whether passing or failing will be notified of the results of the examination as soon as the 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.

FREDDIE J. FENDERSON,
President

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, DECEMBER 23, 1996

9:30 A.M.

Calendar No. 96-223: 1965 E. 93 St. Cleveland Clinic Foundation, owner, and Rite Aid Corp., tenant, c/o Scott Campbell, to erect various signs to the north elevation of the one story retail store building on the north part of the 565' x 415' irregular shaped through corner lot located in a General Retail District on the northeast corner of E. 93 St. and Euclid Ave. and extending through to the northwest corner of E. 97 St. and Euclid Ave. and the southwest corner of E. 97 St. and Chester Ave. and known as 1965 E. 93 St.; said proposed signs, 171.75 square feet in area, being in excess of the 105 square feet permitted and limited by Section 350.20 of the Codified Ordinances.

Calendar No. 96-230: 4322 Clark Ave., S.W.

Alex El-Kamhawy, owner, to install a pump island, pump island canopy, underground gasoline storage tanks and other exterior modifications for a service station use to the front of the 53' x 42' one story masonry grocery store building on an 80' x 130' corner lot located in a Semi-Industry District on the northeast corner of W. 44 St. and Clark Ave. at 4322 Clark Ave.; said premises devoted to service station use being approximately 7000 sq. ft. in area instead of the 12,000 sq. ft. min-

imum required for a service station use by Section 343.13 and not in conformance with the minimum 400 square foot building required for service station use by Section 343.13 and not in total conformance with the landscaping requirements of Chapter 352 of the Codified Ordinances.

Calendar No. 96-231: 7205-09 Madison Ave., N.W.
Jeannette S. Poole, owner, appeals, under authority of Sections 329.02 and 329.03 of the Codified Ordinances, from the "Notice of Violation" issued October 23, 1996 by the Commissioner of Building and Housing regarding a change of use on an 87' x 124' irregular shaped corner parcel located in a General Retail District on the southeast corner of W. 73 St. and Madison Ave. and extending through to Guthrie Ave. at 7205-09 Madison Ave.

Calendar No. 96-232: 425-503 Prospect Ave., S.E.
Arcade Management Co., under authority of Section 76-6 of the Charter of the City of Cleveland, appeals from the "Violation Notice" issued Nov. 20, 1996 by the Commissioner of the Environment, which notice relates to conditions at 425-503 Prospect Ave. in violation of Section 203.07 of the Codified Ordinances.

Calendar No. 96-233: 3741-43 W. 36 St.
Alexandru Badea, owner, to convert to a boarding house (group home) for 15 elderly residents and with a manager's suite the 53' x 38' two story brick nonconforming 4 dwelling unit apartment building located in a B-Two-Family District on a 75' x 68' lot at 3741-43 W. 36 St.; said use as a boarding house (group home) being contrary to the two-family residence use limitations of Section 337.03 but subject to the substitution limitations of Section 359.01 and the north sideyard being 2' instead of 8' wide as required by Section 357.09 and the rear yard being 10' in depth instead of 20' as required by Section 357.08 and the total floor area of the building being approximately 78% of the lot area instead of the maximum 50% as limited by Section 355.04 and not in compliance with the off-street parking requirements of Sections 349.03 and 349.04 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, DECEMBER 9, 1996

At the Meeting of the Board of Zoning Appeals, on Monday, December 2, 1996, the following appeals were heard by the Board, and decided on Monday, December 9, 1996.

The following appeals were **Granted**:

Calendar No. 96-175: 2165 E. 89th St.
E. F. Boyd & Son Inc., owner, c/o Marina Grant, to construct a 56' x 57' one story addition. (Conditional Grant).

Calendar No. 96-191: 4700 Bridge Ave., N.W.
Mohammed Ganim, owner, to convert to a grocery store.

Calendar No. 96-212: 3536 E. 103rd St.
Christine Burrow, owner, to erect a 24' x 7' 3" addition.

Calendar No. 96-214: 3193 West 95th St.

Tom Friend, owner, to erect a 2' 34" x 19' 4" second floor addition and convert to a dwelling unit.

Calendar No. 96-215: 4298 Pearl Rd., S.W.

Robert L. Goff, owner, to raze the existing 38' x 85' one and two story masonry and frame front portion and to erect a two story masonry addition.

The following appeals were **Refused**:

Calendar No. 96-208: 4529 West 130th Street

Richard Bogdan, owner, to erect a 45' x 8" one story addition.

Calendar No. 96-210: Appeal of Joseph A. Barton

Joseph A. Barton, appealed, under Section 76-6 of the Charter, from the refusal to issue a Handgun Registration and Handgun Owner's identification card.

Calendar No. 96-211: 4492 State Road, S.W.

Evelyn E. Kinsey, Inc., owner, c/o Evelyn E. Kinsey, to erect a 30' x 30' one story masonry tavern building.

The following appeal was **Withdrawn**:

Calendar No. 96-220: 1554-62 E. 105th Street

The following appeals were **Postponed** to December 23, 1996:

Calendar No. 96-219: 4829 Superior Ave., N.E.

Calendar No. 96-224: 2621 E. 122nd Street

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

Notice of Public Hearing By the Council Committee on City Planning

Mercedes Cotner Committee Room 217 City Hall, Cleveland, Ohio On Monday, December 16, 1996 9:30 A.M.

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Monday, December 16, 1996, at 9:30 A.M., to consider the following ordinances now pending in the Council:

Ord. No. 1620-96.

By Councilman Jackson.
An ordinance to change the Use, Area, and Height Districts of lands on the northerly side of Central Avenue, S.E. between E. 33 Street and E. 40 Street and the south side of Central Avenue, S.E. between E. 37 Street and E. 40 Street. (Map Change No. 1916, Sheet No. 5)

Ord. No. 1621-96.

By Councilman Patmon.
An ordinance establishing the Glenville Business Revitalization District. (Map Change No. 1914, Sheet Nos. 4, 8, & 9)

Ord. No. 1712-96.

By Councilman Lewis.
An ordinance to change the Use, Area, and Height Districts of lands on the westerly side of East 76 Place to approximately 212 feet west, and south of Superior Avenue. (Map Change No. 1918, Sheet No. 4)

Ord. No. 1944-96.

By Councilman Robinson.
An emergency ordinance to change the Use and Area Districts of lands on the east side of E. 131 Street between Southview Avenue, S.E. and Chapelside Avenue, S.E. (Map Change No. 1920, Sheet No. 10)

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

Edward W. Rybka,
Chairman
Committee on City Planning

December 4 and December 11, 1996

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

THURSDAY, JANUARY 2, 1997

Various Sewer Maintenance Appurtenances (Castings), for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27 of the Codified Ordinances of Cleveland, 1976.

Maintenance Contract for Radio Equipment, for the Division of Emergency Medical Service, Department of Public Safety, as authorized by Ordinance No. 1192-96, passed by the Council of the City of Cleveland, September 23, 1996.

December 4 and December 11, 1996

THURSDAY, JANUARY 9, 1997

Cleveland City Hall Mayor's Office Rehabilitation, for the Division of Architecture, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1282-96, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 17, 1996, 10:00 A.M. AT CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE, ROOM 517, 601 LAKESIDE AVENUE, CLEVELAND, OHIO.

December 4 and December 11, 1996

THURSDAY, JANUARY 2, 1997

Transportation, Receiving, Processing, Marketing and Disposition of Mixed Recyclable Materials Collected by the City, for the Division of Waste Collection and Disposal, Department of Public Service.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, DECEMBER 18, 1996, 9:30 A.M. IN THE DEPARTMENT OF PUBLIC SERVICE, ROOM 113, CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO.

Lease of One (1) High Capacity Medium Sized Copier, for the Department of Personnel and Human Resources, as authorized by Ordinance No. 1984-96, passed by the Council of the City of Cleveland, November 25, 1996.

December 11 and December 18, 1996

WEDNESDAY, JANUARY 8, 1997

Baldwin Filtration Plant - Phase IV, Landscaping and Site Improvements, for the Divisions of Water and Research, Planning and Development, Departments of Public Utilities and Parks, Recreation and Properties, respectively, as authorized by Ordinance No. 877-

90, passed by the Council of the City of Cleveland, June 11, 1990.

A DEPOSIT OF TWENTY-FIVE DOLLARS (\$25.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON FRIDAY, DECEMBER 20, 1996, 2:00 P.M. AT THE UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 1ST FLOOR CONFERENCE ROOM (AUDITORIUM A), CLEVELAND, OHIO.

December 11 and December 18, 1996

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 2155-96.

By Councilman Willis.

An emergency resolution urging satisfactory resolution of the issues involved in contract negotiations at The Cleveland Orchestra.

Whereas, The Cleveland Orchestra is internationally recognized as one of the finest symphony orchestras in the world and continues to be a source of pride and a cultural gemstone for the City of Cleveland and the State of Ohio; and

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

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

Section 1. That this Council urges the parties involved in The Cleveland Orchestra contract negotiations to reach a satisfactory agreement for all involved in order for this City's cultural gemstone to continue making music.

Section 2. That the Clerk of Council transmit a copy of this resolution to Thomas W. Morris, Executive Director of The Cleveland Orchestra, Richard J. Bogomolny, President of The Musical Arts Association and Richard Weiner, a member of Local 4 of AFM.

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 December 2, 1996.

Effective December 10, 1996.

Res. No. 2159-96.

By Councilman Melena.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 5901 Detroit Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 4500904, Kashou Enterprises Inc., dba Savers Bi-Rite, 5901 Detroit

Avenue, Cleveland, Ohio 44102, to Permit No. 4103044, I & R Enterprises Inc., dba Gordon Square Food Centre, 5901 Detroit Avenue, Cleveland, Ohio 44102; 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, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 4500904, Kashou Enterprises Inc., dba Savers Bi-Rite, 5901 Detroit Avenue, Cleveland, Ohio 44102, to Permit No. 4103044, I & R Enterprises Inc., dba Gordon Square Food Centre, 5901 Detroit Avenue, Cleveland, Ohio 44102, 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 hereby is 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 December 2, 1996.

Effective December 10, 1996.

**Res. No. 2160-96.
By Councilman Patmon.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 9301 Yale Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 0192436, Sarah Anderson, dba Anderson's BBQ & Groceries, 9301 Yale Avenue, Cleveland, Ohio 44108; 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, property, 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 issuance of a C1 Liquor Permit to Permit No. 0192436, Sarah Anderson, dba Anderson's BBQ & Groceries, 9301 Yale Avenue, Cleveland, Ohio 44108, 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 hereby is 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 December 2, 1996.
Effective December 10, 1996.

**Res. No. 2161-96.
By Councilman Rokakis (by departmental request).**

An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit to 2071 Broadview Road, first floor and basement, and repealing Res. No. 1530-96, objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 Liquor Permit to 2071 Broadview Road, first floor and basement, by Res. No. 1530-96, adopted August 14, 1996; and

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

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

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

Section 1. That objection to the renewal of a D5 Liquor Permit to 2071 Broadview Road, first floor and basement, be and the same is hereby withdrawn and Res. No. 1530-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted December 2, 1996.
Effective December 10, 1996.

**Res. No. 2162-96.
By Councilmen Robinson, Westbrook, Miller, Britt, Jackson, Melena, O'Malley, Zone, Willis, Rybka, Smith, Patton, Patmon, White, Coats, Rokakis, Miller and Johnson.**

An emergency resolution urging Governor George Voinovich and the Ohio General Assembly to support a \$4,000,000 increase in the Ohio Department of Health's 1998-1999 HIV Drug Assistance budget for protease inhibitors.

Whereas, there are 1,400 citizens of Cleveland's neighborhoods currently living with AIDS; and

Whereas, AIDS is the number one cause of death in Cuyahoga County in people between 25 and 44; and

Whereas, AIDS has stricken men, women and children of all races, all economic levels, all religions, in cities and rural areas all over Ohio; and

Whereas, the Ohio Department of Health's AIDS Drug Advisory Committee, composed of physicians and health care professionals, view the inclusion of protease inhibitors in the overall AIDS program as an absolute necessity; and

Whereas, these protease inhibitors have all been approved by the U.S. Food and Drug Administration and are widely praised by physicians and scientists at the International AIDS Conference; and

Whereas, Ohio's HIV Drug Assistance Program is the only state government assistance program that does not include protease inhibitors and the only state among those with the highest number of AIDS cases, that does not cover protease inhibitors in its HIV Drug Assistance Program; and

Whereas, Ohio's failure to include the protease inhibitors in its program may cause Ohio to forfeit new Ryan White funds in the amount of \$5,000,000; and

Whereas, the evidence so far on protease inhibitors is that these therapies are providing improved overall quality of life for its participants and it may even reduce the cost of in-patient health care services; and

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

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

Section 1. That this Council strongly supports a \$4,000,000 increase in the Ohio Department of Health's 1998-1999 HIV Drug Assistance budget for the purpose of providing protease inhibitors therapies to patients unable to afford these medications and where their physician deems the therapy as medically appropriate.

Section 2. That the Clerk of Council be and she hereby is directed to transmit copies of this resolution to Governor George Voinovich, State Senators Finan and Espy, State Representatives Davidson and Sweeney and all members of the Greater Cleveland delegation.

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 December 2, 1996.
Effective December 10, 1996.

**Res. No. 2163-96.
By Councilmen Rybka, Coats, McGuirk, Patton, Rokakis, Johnson, Miller, Robinson, Smith and Westbrook.**

An emergency resolution to urge the U.S. Congress support certain principles and re-authorize funding for the Intermodal Surface Transportation Efficiency Act (ISTEA).

Whereas, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) was created in part to distribute federal transportation funds on a regional basis, to efficiently address the diverse regional demands for transportation infrastructure; and

Whereas, the U.S. Department of Transportation identifies the Surface Transportation Program "provided unprecedented flexibility to state and local officials and helped assure that transportation investments would meet the unique needs of their communities;" and

Whereas, the major findings of a Cleveland State University study for the Greater Cleveland Growth Association regarding surface transportation issues in Greater Cleveland include the need for integration of surface transportation planning with other transportation decisions for cost effective intermodal linkages, and more consistency between regional transportation decisions, and regional economic development strategies; and

Whereas, ISTEA empowered the Northeast Ohio Areawide Coordinating Agency (NOACA) as the metropolitan planning organization

(MPO) responsible for planning and distributing federal transportation funds in Greater Cleveland; and

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

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

Section 1. That this Council strongly urges our local federal representatives to support the reauthorization of the Intermodal Surface Transportation Efficiency Act so that it may: 1) Further strengthen the role of MPOs such as NOACA in the area of regional planning and the distribution of federal transportation funds, and 2) Promote intermodal transportation linkages, and 3) That priority be given to the maintenance of existing infrastructure.

Section 2. The Clerk of Council transmit copies of this resolution to U.S. Senators John Glenn and Michael DeWine and U.S Representatives Louis Stokes, Steven LaTourette, Sherrod Brown, Martin Hoke and U.S. Representative-Elect Dennis Kucinich.

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 December 2, 1996.
Effective December 10, 1996.

Ord. No. 1310-96.
By Councilmen Polensek, McGuirk and Rybka (by departmental request).

An emergency ordinance to enact Sections 633.01, 633.02, 633.03, 633.04, and 633.99 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to obstruction marking and lighting for aviation safety.

Whereas, current federal law requires obstructions 200 feet or higher to be equipped with aviation safety lighting and or markings to promote aviation safety; and

Whereas, federal law also requires lighting and marking for some obstructions under 200 feet, depending on the proximity of the obstructions to airports; and

Whereas, the proliferation of cellular phones and personal pagers has resulted in a tremendous growth of unlighted and unmarked towers, antennas, and obstructions being constructed at a height just under 200 feet to meet the increasing demand of these conveniences; and

Whereas, these unlighted and unmarked towers, antennas, and obstructions constitute an extremely dangerous and potentially deadly menace to the Aviation Unit night patrol officers who fly at altitudes ranging from 100 feet to 300 feet above the ground, and jeopardize the safety of the citizens of Cleveland; and

Whereas, construction cranes left extended upward overnight pose a similar problem, particularly when no notice or warning has been made of the location of these cranes; and

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

a municipal department; now, therefore,

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 633.01, 633.02, 633.03 and 633.99 thereof, to read, respectively, as follows:

**CHAPTER 633
OBSTRUCTION MARKING
AND LIGHTING**

Section 633.01 Definitions

As used in this Chapter:

(a) "Crane" shall mean a construction crane, derrick, rig or other construction equipment with parts that extend or may be elevated to a height of 50 feet or greater.

(b) "Lighting" means use of lighting systems that meet specified intensities, beam patterns, color, and flash rates as specified in the Federal Aviation Administration Advisory Circular 70/7460-1H.

(c) "Marking" means painting or coloring of an obstruction, as specified in the Federal Aviation Administration Advisory Circular 70/7460-1H.

(d) "Obstruction" shall mean a tower, antenna, or any temporary or permanent object, including all appurtenances and roof structures, that reaches an overall height of between 150 feet and 200 feet above ground level (AGL) or that exceeds any obstruction standard for objects under 200 feet contained in 14 C.F.R. pt. 77, subpt. C.

(e) "Operator" means contractor or construction company directly in control of the crane or construction equipment.

**Section 633.02 Installation
Required; Notification Required;
Federal Regulation**

(a) No person shall own or construct a new or existing obstruction that exceeds an overall height of between 150 feet and 200 feet without aviation safety marking and obstruction lighting, as prescribed by the Federal Aviation Administration Advisory Circular 70/7460-1H for structures between 150 feet and 200 feet AGL.

(b) No owner or operator of a crane shall leave a crane extended into the air overnight to a height of 50 feet or greater, unless the crane contains aviation safety marking and obstruction lighting as prescribed in the Federal Aviation Administration Advisory Circular 70/7460-1H, and without first notifying the Aviation Unit of the Cleveland Police Department of the location of the crane.

(c) This chapter does not apply to towers, antennas, roof structures, or other obstructions that exceed 200 feet, or to towers, antennas, roof structures, or other obstructions under 200 feet which are otherwise regulated by 14 C.F.R. pt. 77.

**Section 633.03 Governmental
Agency Cooperation**

The Mayor shall annually request such governmental and educational agencies having obstructions as defined in this Chapter within the City of Cleveland to cooperate and comply with this Chapter.

Section 633.04 Enforcement

The Commissioner of Building and Housing of the City shall have concurrent jurisdiction with the Chief of Police to inspect the installation

of any aviation safety marking and obstruction lighting required pursuant to Section 633.02. If, upon inspection, a violation of Section 633.02 is found, the inspector shall issue a written notice of such violation to the owner requiring the owner to conform to Section 633.02 within twenty-one (21) calendar days of issuance of such notice.

Section 633.99 Penalty

Anyone who violates any provisions of Sections 633.02 or 633.03 shall be guilty of a minor misdemeanor. For a second offense such person is guilty of a misdemeanor of the fourth degree. On a third or subsequent offense, such person is guilty of a misdemeanor of the first degree. Each day of a continuing violation shall be deemed a separate offense.

Section 2. That this ordinance is 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 December 2, 1996.
Effective December 10, 1996.

Ord. No. 1462-96.

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

An emergency ordinance authorizing the Director of Community Development to enter into contract with Mt. Pleasant Now Development Corporation, or its designee, to provide financial assistance in the form of a Community Development Float Loan to partially finance the rehabilitation of the K.A.R.E. Building at 13010-16 Kinsman Road.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into a Community Development Float Loan Agreement with Mt. Pleasant Now Development Corporation, or its designee, to provide financial assistance to partially finance the rehabilitation of the K.A.R.E. Building at 13010-16 Kinsman Road.

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. 1462-96-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. 14 SF 810, Request No. 23055.

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

Section 5. That the Director of Community Development is hereby authorized to accept monies in repayment of the loan and to deposit

said monies in Fund No. 14 SF 810.

Section 6. That the Director of Community 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.

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 December 2, 1996.
Effective December 10, 1996.

Ord. No. 1752-96.
By Councilmen Miller, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Eagle Engineering & Manufacturing, Inc., or its designee, to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to expand its facilities to 4540 West 160th Street 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, Eagle Engineering & Manufacturing, Inc., (the "Enterprise") has proposed to expand its facilities at its operation in the City of Cleveland; and

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

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

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

Section 1. That this Council hereby approves the application of Eagle Engineering & Manufacturing, Inc., or its designee(s), for

enterprise zone incentives on the basis that Eagle Engineering & Manufacturing, Inc., 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 Eagle Engineering & Manufacturing, Inc., or its designee(s), to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to expand its facilities at 4540 West 160th Street in Cleveland, Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the term as set forth in the Executive Summary contained in File No. 1752-96-A.

Section 4. 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 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 December 2, 1996.
Effective December 10, 1996.

Ord. No. 1754-96.
By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into a concession agreement with The Ohio College of Podiatric Medicine to provide podiatric services at City health centers.

Whereas, The Ohio College of Podiatric Medicine ("OCOP") operates a school for podiatric medicine and desires that its residents and students receive clinical experience; and

Whereas, the City is a municipal corporation, organized under the laws of the State of Ohio, and as part of its municipal duties and services, provides public health services through its Department of Public Health to City residents; and

Whereas, the OCOP's has made a proposal to the City whereby its residents and students could receive valuable experience by assisting the City in the provision of podiatric services in City health centers; and

Whereas, the City, with the assistance of the OCOP's residents and students will be better able to provide public health podiatric services to its City residents; 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 Section 183.04 and to any other provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Health is hereby

authorized to enter into a concession agreement with OCOP in which OCOP agrees to provide podiatric services at City health centers at no cost to the City of Cleveland in exchange for the right to establish, operate and maintain a concession for podiatric services and the right to revenues derived from third parties with respect to those services.

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

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

Passed December 2, 1996.
Effective December 10, 1996.

Ord. No. 1788-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1358 East 88 Street to Yucon Harris.

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. 107-14-069, as more fully described in Section 2 below, to Yucon Harris.

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. 107-14-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly one-half of Sublot No. 19 in W. H. Van Tine, Jr., Trustee Subdivision of part of Original One Hundred Acre Lot No. 384, as shown by the recorded plat of Volume 19 of Maps, Page 29 of Cuyahoga County Records and being 20 feet front on the Westerly side of East 88th Street (formerly Brookdale Street) and extending back of equal width 114 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed December 2, 1996.

Effective December 10, 1996.

Ord. No. 1789-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1787 Crawford Road to Lovell and Constance Whitaker.

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. 119-03-073, as more fully described in Section 2 below, to Lovell and Constance Whitaker.

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. 119-03-073

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No.

3, in Sarah E. Washington's Subdivision of part of Original One Hundred Acre Lot No. 399, as shown by the recorded plat in Volume 14 of Maps, Page 29 of Cuyahoga County Records, and being 50 feet on the Southeasterly side of Crawford Road, N.E., and extending back between parallel lines 171.5 feet deep on the Northeasterly line, 206 feet deep on the Southwesterly line and 60.8 feet across the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed December 2, 1996.

Effective December 10, 1996.

Ord. No. 1790-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1315-17 East 75 Place to Willie D. Sims.

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 Ordina-

nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-04-115, as more fully described in Section 2 below, to Willie D. Sims.

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. 106-04-115

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 345, and bounded and described as follows:

Beginning in the Northerly line of Star Avenue, N.E., 50 feet wide, at the Southeasterly corner of a parcel of land conveyed to M. and A. Kostabinic by deed recorded in Volume 5678, Page 518 of Cuyahoga County Records; thence North 88 Degrees 20' 15" East, along the Northerly line of said Star Avenue, N.E., 36.58 feet to a point in the center line of a nine foot easement as recorded in Volume 8010, Page 104 and Volume 8014, Page 94 of Cuyahoga County Records; thence North 0 Degrees 52' 15" West, along the center line of said nine foot easement 140.01 feet to an angle point therein, to the principal place of beginning of land herein described;

Course 1: Thence North 7 Degrees 26' 10" West, continuing along the center line of said nine foot easement, 32.88 feet;

Course 2: Thence North 82 Degrees 20' 00" East, 66.11 feet, to a point in the Westerly line of land conveyed to Edward V. Matiska by deed recorded in Volume 6296, Page 55 of Cuyahoga County Records;

Course 3: Thence South 7 Degrees 40' 00" East, being in part along Westerly line of land so conveyed to Edward V. Matiska, and in part along a Westerly line of land conveyed to Joseph and Mary Arnold by deed recorded in volume 5008, Page 274 of Cuyahoga County Records, a distance of 39.86 feet to a corner therein;

Course 4: Thence South 88 Degrees 20' 15" West, 66.11 feet to the principal place of beginning, according to a survey made by Bauer Surveys Company and dated March 22, 1955, be the same more or less, but subject to all legal highways.

Restrictions of record and Zoning Ordinances, if any.

P.P. No. 106-04-116

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being further bounded and described as follows: Beginning in the northerly line of Starr Avenue, N.E., 50 feet wide at the southeasterly corner of a parcel of land conveyed to M. and A. Kostabinic by deed recorded in Volume 5678, Page 518 of Cuyahoga County Records; thence North 88 degrees 20' 15" East, along the northerly line of said Starr Avenue, 36.58 feet to a point in the center line of a nine foot easement as recorded in Volume 8010, Page 104 Cuyahoga County Records; thence North 0 degrees 52' 15" West, along the center line of said nine foot easement 140.01 feet to an angle point therein; thence North 7 degrees 26' 10" West along the center line of said nine foot easement; 32.88 feet to the principal place of beginning of land herein described;

Course 1: Thence North 7 degrees 25' 10" West continuing along the

center line of said nine foot easement, 34.00 feet;

Course 2: Thence North 82 degrees 20' 00" East, 65.97 feet to a point in the westerly line of land conveyed to Edward V. Matiska, by deed recorded in Volume 6296, Page 55 of Cuyahoga County Records;

Course 3: Thence South 7 degrees 40' 00" East, along the Westerly line of land so conveyed to Edward V. Matiska, 34.00 feet;

Course 4: Thence South 82 degrees 20' 00" West, 66.11 feet to the principal place of beginning, according to a survey made by Bauer Surveys Company and dated March 22, 1955.

Excepting and reserving to the Grantors, Walter Clemons and Ola Mae Clemons and their assigns, and estate in the above described premises for and during the natural life of said Grantors, Walter Clemons and Ola Mae Clemons.

Reservations recorded in Volume 12917, Page 449 of Cuyahoga County Records. Restrictions, terms and conditions recorded in Miscellaneous Volume 111, Page 9 and in Miscellaneous Volume 111, Page 43 of Cuyahoga County Records. Easement recorded in Volume 8010, Page 104 of Cuyahoga County Records. Zoning Ordinances, if any.

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

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

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

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

Passed December 2, 1996.

Effective December 10, 1996.

Ord. No. 1791-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9731 Woodward Avenue to Ida Mason.

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. 119-12-088, as more fully described in Section 2 below, to Ida Mason.

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. 119-12-088

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 401, and bounded and described as follows:

Beginning at a point in the Southerly line of land conveyed by Jacob Dille and Eleanor Dille to Minerva Fuller by deed dated March 29, 1864 and recorded in Volume 135, Page 588 of Cuyahoga County Records, which point of beginning is distant 340 33/100 feet South 88 degrees 20' 30" West, in said Southerly line, from the center line of East 101st Street, as now established, 60 feet wide, assuming the course of said center line to be due North and South according to survey made by F. B. Krause, Civil Engineer in September 1919; thence from said place of beginning, South 88 degrees 20' 30" West, 33 feet in the Southerly line of land conveyed to Minerva Fuller, as aforesaid; thence South 1 degree 39' 30" East 68 42/100 feet in a line at right angles with said Southerly line to the Northerly line of Woodward Court, N.E., extension; thence South 88 degrees 20' East, 33 054/1000 feet in the Northerly line of said Court; thence North 1 degree 39' 30" West, 70 32/100 feet to the place of beginning, according to a survey made by F. B. Krause Civil Engineer, 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 Direc-

tor of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

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

Passed December 2, 1996.

Effective December 10, 1996.

Ord. No. 1792-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1412 East 84 Street to V. O. Frazier and Lucy 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 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. 106-07-101, as more fully described in Section 2 below, to V. O. Frazier and Lucy 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. 106-07-101

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 383 and bounded and described as follows: Beginning at a point on the Westerly line of East 84th Street, (formerly Van Ness Avenue) 408 feet northerly from its intersection with the Northerly line of Wade Park Avenue, N.E.; thence Northerly along said Westerly line of East 84th Street, 42 feet; thence Westerly parallel with Wade Park Avenue, N.E., 102 feet; thence Southerly parallel with the Westerly line of East 84th Street, 42 feet; thence Easterly, parallel with Wade Park Avenue, N.E., 102 feet to the place of beginning and being further known as all of Parcel No. 239 and the Southerly 30 feet of Parcel No. 226 in L. M. Southern's proposed Wade Park Allotment of part of Original 100 Acre Lots Nos. 383 and 391.

Also subject to zoning ordinances,

if any.

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

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

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

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 December 2, 1996.

Effective December 10, 1996.

Ord. No. 1797-96.

By Councilmen Paulenske, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Even Cut Abrasive Company, or its designee, to provide economic development assistance to partially finance the acquisition and renovation of a building located at 850 East 72nd Street and the acquisition and partial demolition of adjacent property, in Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Even Cut Abrasive Company, or its designee, to provide economic development assistance to partially finance the acquisition and renovation of a building located at 850 East 72nd Street and the acquisition and partial demolition of adjacent property located at 880-900 East 72nd 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. 1797-96-A.

Section 3. That the costs of said contract shall not exceed Three Hundred Fifty Thousand Dollars (\$350,000.00), and shall be paid from Fund Nos. 17 SF 003 and 12 SF 954, Request No. 23301.

Section 4. That the Director of Economic Development is hereby authorized 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 003 and 12 SF 958.

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 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. Such contract shall contain a condition that, prior to arrangements for electric service for its expanded facilities, Even Cut Abrasive Company shall solicit a proposal from Cleveland Public Power to provide electric service to such facilities.

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 December 2, 1996.

Effective December 10, 1996.

Ord. No. 1798-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed two spectrum analyzers, for the Division of Environment, 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 and directed 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 two (2) spectrum analyzers, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Environment, Department of Public Health.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 13 SF 437, Request No. 21838.

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 December 2, 1996.

Effective December 10, 1996.

Ord. No. 1833-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Service to employ software development, engineering and data processing consultants to provide professional services necessary to design, develop and implement the Geographic Information System and related record management systems and authorizing the purchase of equipment, materials, and supplies necessary to develop such systems for the Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to employ by contract a software development assistance firm to purchase, lease, or license a computer software program for a Geographic Information System ("GIS") and related record management systems, for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional data processing programming and software development assistance necessary to develop such computer software program.

The selection of said consultant 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 Director of Public Service is hereby authorized to make a written contract for the purchase, lease, or lease with option to purchase in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: ancillary data processing supplies and equipment, data processing system equipment, data processing software, office equipment and other materials and supplies as may be necessary for the design, development and implementation of a GIS and related record management systems, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Public Service.

Section 3. That the Director of Public Service is hereby authorized to employ by contract one or more engineering, surveying or data processing consultants or firms of engineering, surveying or data processing consultants and such other professional consultants as are necessary 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, develop and implement a GIS and related record management systems, including field surveying and global positioning.

The selection of such consultants

shall be made by the Board of Control upon the nomination of the Director of Public Service from a list of qualified professionals available for such employment as may be determined after a full and complete canvass by such Director for the purpose of compiling such a list. The compensation for such services shall be fixed by the Board of Control. The contract or contracts 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 costs for such services herein authorized shall be paid from Fund Nos. 20 SF 334, 20 SF 322, and 20 SF 312, Request No. 21924.

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 December 2, 1996.
Effective December 10, 1996.

Ord. No. 1836-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1328 Ansel Road to Leonzie Smith.

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. 107-12-178, as more fully described in Section 2 below, to Leonzie Smith.

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. 107-12-178

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 2 in The Park View Subdivision of part of Original One Hundred Acre Lot No. 385 ad Re-subdivision of John Hewitt's Allotment in Volume 7 of Maps, Page 10 of Cuyahoga County Records, as shown by the recorded plat of said Re-subdivision in Volume 31 of Maps, Page 15 of Cuyahoga County Records. Said

Sublot No. 2 has a frontage of 40 feet on the Southwesterly side of Ansel Road N.E. (formerly Ansel Avenue), and extends back 130 feet on the Southeasterly line, 89-95/100 feet on the Northwesterly line and has a rear broken line of 59-26/100 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

Passed December 2, 1996.
Effective December 10, 1996.

Ord. No. 1839-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1487 East 71 Street to George Thomas.

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 Ordina-

nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-10-137, as more fully described in Section 2 below, to George Thomas.

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. 106-10-137

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 20 feet of the Westerly 66 feet of Sublot No. 18 in S.A. Dellenbaugh's Subdivision of part of Original One Hundred Acre Lot No. 342, as shown by the recorded plat of said Subdivision in Volume 13 of Maps, Page 25 of Cuyahoga County Records, said part of Sublot No. 18 has a frontage of 20 feet on the Easterly side of East 71st Street (formerly Giddings Avenue), and extends back between parallel lines 66 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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 December 2, 1996.
Effective December 10, 1996.

Ord. No. 1840-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1228 East 84 Street to Henry and Rosetta Barksdale.

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. 107-09-166, as more fully described in Section 2 below, to Henry and Rosetta Barksdale.

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. 107-09-166

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 10, in A. Poelking's Subdivision of part of Original One Hundred Acre Lots Nos. 375 and 383, as shown by the recorded plat in Volume 23 of Maps, Page 11 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 84th Street, and extending back 104.82 feet on the Northerly line, 104.84 feet on the Southerly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

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

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

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

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 December 2, 1996.
Effective December 10, 1996.

Ord. No. 1841-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6906 Quimby Avenue to Clara M. Gardner.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 106-15-064, as more fully described in Section 2 below, to Clara M. Gardner.

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. 106-15-064

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 200 and 201 in Streater and Adams' Re-Subdivision of Streater and Adams' Subdivision of part of Original One Hundred Acre Lot Nos. 338 and 341, as shown by the recorded plat in said Re-Subdivision in Volume 13 of Maps, Pages 6 and 7 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point on the Southerly line of Quimby Avenue, N.E., (formerly Quimby Street) 111 feet and 2 inches Westerly from the Westerly line of East 70th Street (formerly Russell Avenue); thence Southerly on a line parallel with the Westerly line of said East 70th Street, 91.78 feet to the Southerly line of Sublot No. 201; thence Westerly along said Southerly line 35 feet; thence Northerly on a line parallel with the first described line, 91.78 feet to the Southerly line of Quimby Avenue, N.E., thence Easterly on the Southerly line of Quimby Avenue, N.E., 35 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

Passed December 2, 1996.
Effective December 10, 1996.

Ord. No. 1889-96.
By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the Ryan White Planning and Evaluation Project, and to enter into contract with Case Western Reserve University 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 amount of \$15,000, from the Ohio Department of Health, to conduct the Ryan White Planning and Evaluation Project, for the purposes set forth in the application 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 application for said grant.

Section 2. That the application for said grant, File No. 1889-96-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 contract with Case Western Reserve University to implement said program, and that said contract is payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 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 approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed December 2, 1996.
Effective December 10, 1996.

Ord. No. 1890-96.
By Councilmen Patmon and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Personnel and Human Resources to accept a Pilot and Demonstration Program grant under Title IV Part D of the Job Training Partnership Act from the U.S. Department of Labor and enter into a contract with Youth Opportunities Unlimited for the Quantum Opportunities Project.

Whereas, under the authority of Title IV Part D of the Job Training Partnership Act (JTPA), the Employment and Training Administration of the U.S. Department of Labor ("DOL/ETA") has made available Year Two (2) funds for demonstration projects to replicate and formally evaluate a successful model by the Ford Foundation, known as the Quantum Opportunities Project (QOP) to service delivery areas under JTPA, which need to have the local public school district as a co-applicant and identify a community based organization to operate the demonstration; and

Whereas, DOL/ETA has awarded a grant to the City of Cleveland for this purpose; 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 Personnel and Human Resources is hereby authorized to accept a grant from the National Partnership and Special Training Programs, Pilot and Demonstration Programs, for a Quantum Opportunities Project (QOP), under JTPA Title IV Part D from the U.S. Department of Labor for delivery of allowable program services to eligible individuals, and to credit said grant to Fund No. 15 SF 057, in the amount of Two Hundred Thousand Dollars (\$200,000.00). That the Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to accept and receive the funds under said grant.

Section 2. That the following sums in Section 1 herein are hereby appropriated as follows to provide for administration of the QOP program:

Personnel and Related Expenses	\$ 20,000.00
Other Expenses	+ 180,000.00
Total	\$ 200,000.00

Section 3. That the Director of Personnel and Human Resources is further authorized to enter into a contract with Youth Opportunities Unlimited in the amount of Three Hundred Eighty Thousand Dollars (\$380,000.00) (\$200,000.00 of which are required matching funds from the Youth Training Program, JTPA Title II Part C 82%).

Section 4. That the cost of said contract will be paid from Fund Nos. 15 SF 057 and 15 SF 065.

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 December 2, 1996.
 Effective December 10, 1996.

Ord. No. 1891-96.
By Councilmen Patmon and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into various contracts for Training Services For The Disadvantaged and Employment and Training Assistance For Dislocated Workers under the Job Training Partnership Act.

Whereas, the Job Training Partnership Act of 1982, Public Law 97-300, as amended by the Job Training Reform Amendments of 1992, Public Law 102-367 ("JTPA"), is a New Federalism program, the purpose of which to "establish programs to prepare youth and adults facing serious barriers to employment for participation in the labor force by providing job training and other services that will result in increased employment and earnings, increased educational and occupational skills, and decreased welfare dependency, thereby improving the quality of the workforce and enhancing the productivity and competitiveness of the Nation"; and

Whereas, the United States Department of Labor has allotted JTPA funds to the Ohio Bureau of Employment Services ("OBES") which in turn has issued allocations under JTPA Titles II and III to the City of Cleveland, which has developed its annual job training and substate plan with OBES for Program Year 96, for the period of July 1, 1996 to June 30, 1997; and Ordinance No. 1451-96, passed September 30, 1996 by the Council of the City of Cleveland authorizes the Director of Personnel and Human Resources to accept such allocations; and

Whereas, the Director of Personnel and Human Resources desires to enter into several contracts with various service deliverers and set aside amounts of allocations to pay tuition for "enrollment of individual participants in classroom training", 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 Personnel and Human Resources is hereby authorized to enter into Occupational Skills Training contracts for Training Services For The Disadvantaged, Title II and Employment and Training Assistance For Dislocated Workers, Title III with the following educational institutions: American Red Cross, Breakwall Corporation dba Total Technical Institute, Inc., The Brentley Institute, Inc., Bryant & Stratton Business Institute, Cleveland Industrial Training Center, Cleveland Institute of Medical-Dental Assistants, Cuyahoga Community College, King College of Business, Inc. dba Sawyer College of Business, Meadowmark Computer Service, Inc., Modern Secretary, Inc. dba Sawyer College of Business, Polaris Career Center, and West Side Institute of Technology.

Section 2. That the cost of the contracts in Section 1 shall not exceed Nine Hundred Ninety Eight Thousand Eight Hundred Forty One Dollars (\$998,841.00), and will be paid

from Fund Nos. 15 SF 061, 15 SF 062, 15 SF 066, 15 SF 065, and 15 SF 063.

Section 3. That the Director of Personnel and Human Resources is hereby authorized to enter into contracts with the following service deliverers in amounts not to exceed those listed below, for the delivery of the Adult Training Program, Title II Part A - 77%:

for Basic Education Skills Remedial Education, and GED Preparation Training Activities:

The Merrick House	\$49,350.00
MetroHealth Medical Center	\$15,000.00

Section 4. That the cost of the contracts in Section 3 shall not exceed Sixty Four Thousand Three Hundred Fifty Dollars (\$64,350.00), and will be paid from Fund No. 15 SF 061.

Section 5. That the Director of Personnel and Human Resources is hereby authorized to enter into a contract with the following service deliverer in amounts not to exceed that listed below:

for In-School Youth Activities:

Jewish Family Service Association of Cleveland, Ohio	\$99,450.00
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Section 6. That the cost of the contract in Section 5 shall not exceed Ninety Nine Thousand Four Hundred Fifty Dollars (\$99,450.00), and will be paid from Fund No. 15 SF 066.

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

Passed December 2, 1996.
 Effective December 10, 1996.

Ord. No. 1933-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the Director of Public Utilities to enter into contract without competitive bidding with Pitney Bowes for maintenance of one mail inserter system, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Pitney Bowes. Therefore, the Director of Public Utilities is hereby authorized and directed to make a written contract with said Pitney Bowes upon the basis of its proposal dated September 15, 1996, for maintenance on a mail inserter system, including appurtenances, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be

paid from Fund No. 52 SF 001, Request No. 20973.

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 December 2, 1996.

Effective December 10, 1996.

Ord. No. 1934-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials to maintain and repair elevators at various plants and facilities, for the Division of Water, 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 and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials to maintain and repair elevators at various plants and facilities 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 Water, 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 two years.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20971)

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 December 2, 1996.

Effective December 10, 1996.

Ord. No. 1936-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to haul and dispose of water plant residuals, for the Division of Water, 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 and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials necessary to haul and dispose of water plant residuals, 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 Water, 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 two years.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20972)

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 December 2, 1996.

Effective December 10, 1996.

Ord. No. 1939-96.
By Councilmen Polensek and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of meals served to prisoners at the Police Justice Center and various district jails, for the Division of Police, Department of Public Safety, 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 Safety is hereby authorized

and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of meals served to prisoners at the Police Justice Center and various district jails 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 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 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 two years.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20103)

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 December 2, 1996.

Effective December 10, 1996.

Ord. No. 1970-96.
By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of antifreeze for all City vehicles, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed 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 antifreeze for all City vehicles in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable

by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21059)

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 December 2, 1996.

Effective December 10, 1996.

**Ord. No. 1973-96.
By Councilmen Coats and Rokakis
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of towing services for City vehicles and equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed 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 towing services for City vehicles and equipment in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21058)

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 December 2, 1996.

Effective December 10, 1996.

**Ord. No. 1974-96.
By Councilmen Coats and Rokakis
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of Case construction equipment parts, and labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed 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 Case construction equipment parts, and labor if necessary, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21060)

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 December 2, 1996.

Effective December 10, 1996.

**Ord. No. 1978-96.
By Councilmen Patmon, Jackson
and Rokakis (by departmental
request).**

An emergency ordinance authorizing the Director of Community Development to enter into contract with Famicos Foundation, or its designee, to provide financial assistance in the form of a Community Development Float Loan to partially finance the conversion of the Notre Dame School into housing

units for the elderly and to create retail and office space at 1325 Ansel Road.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into a Community Development Float Loan Agreement with Famicos Foundation, or its designee, to provide financial assistance to partially finance the conversion of the Notre Dame School into housing units for the elderly and to create retail and office space at 1325 Ansel Road.

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. 1978-96-A.

Section 3. That the costs of said contract shall not exceed Two Million Dollars (\$2,000,000.00), and shall be paid from Fund No. 14 SF 810, Request No. 23060.

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

Section 5. That the Director of Community Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 14 SF 810.

Section 6. That the Director of Community 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.

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 December 2, 1996.

Effective December 10, 1996.

**Ord. No. 1979-96.
By Councilmen Patmon, Jackson
and Rokakis (by departmental
request).**

An emergency ordinance authorizing the Director of Community Development to apply for a Section 108 Loan from the United States Department of Housing and Urban Development in order to provide economic assistance to partially finance the conversion of the Notre Dame School into housing units for the elderly and to create retail and office space at 1325 Ansel Road with Famicos Foundation, or its designee, to provide economic development assistance for said conversion.

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 apply for a loan in the amount of Eight Hundred Thousand Dollars (\$800,000.00), from the United States Department of Housing and Urban Development ("HUD") Section 108 Loan Program ("108 Loan"), for the purposes set forth in the application and according thereto.

Section 2. That the Director of Community Development is hereby authorized to file all papers and execute all documents necessary to apply for the 108 Loan from HUD, to enter into contract with HUD to pledge any and all collateral necessary to secure repayment thereof under the 108 Loan agreement (including without limitation future Community Development Block grant funds), and receive the funds; and that said funds be and they hereby are appropriated for the purposes of providing economic assistance to partially finance the conversion of the Notre Dame School into housing units for the elderly and to create retail and office space at 1325 Ansel Road, as more specifically set forth in the application for said 108 loan.

Section 3. That the application for said 108 Loan, File No. 1979-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 4. That the Director of Community Development is hereby authorized to enter into a contract with Famicos Foundation, or its designee, to provide economic development assistance to conversion of the Notre Dame School into housing units for the elderly and to create retail and office space at 1325 Ansel Road.

Section 5. That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary also contained in the file mentioned in Section 3.

Section 6. That the costs of said contract shall not exceed Eight Hundred Thousand Dollars (\$800,000.00), and shall be paid from Fund No. 13 SF 839, Request No. 23061, and from future community development block grant funds and UDAG repayment funds which are appropriated to pay the costs of said contract.

Section 7. That the Director of Community Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Sections 3 and 5 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 8. That the Director of Community Development is hereby authorized to accept monies in repayment of the loan, and to deposit said monies into Fund No. 13 SF 839.

Section 9. That the Director of Community 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. 13 SF 839.

Section 10. 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 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 December 2, 1996.

Effective December 10, 1996.

Ord. No. 1982-96.

**By Councilmen Polensek and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the National Institute of Justice for the Law Enforcement Technology Development 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 Safety is hereby authorized to apply for and accept a grant in the amount of \$108,557.71, from the National Institute of Justice, to conduct the Law Enforcement Technology Development, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the Director of Public Safety may enter into direct or competitively bid contracts in accordance with the Charter and Codified Ordinances with various persons or entities for any item or materials or services needed to carry out the purposes set forth in the application for this grant. The funding source for these contracts shall be the funds appropriated in Section 1 of this ordinance and may also include any other monies that may have been appropriated for such purposes.

Section 3. That the application for said grant, File No. 1982-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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 December 2, 1996.

Effective December 10, 1996.

Ord. No. 1983-96.

**By Councilmen Polensek and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice for the Problem Solving Partnership 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 Safety is hereby authorized to apply for and accept a grant in the amount of \$128,417.86, from the U.S. Department of Justice, to conduct the Problem Solving Partnership Grant, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the Director of Public Safety may enter into direct or competitively bid contracts in accordance with the Charter and Codified Ordinances with various persons or entities for any item or materials or services needed to carry out the purposes set forth in the application for this grant. The funding source for these contracts shall be the funds appropriated in Section 1 of this ordinance and may also include any other monies that may have been appropriated for such purposes.

Section 3. That the application for said grant, File No. 1983-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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 December 2, 1996.

Effective December 10, 1996.

**COUNCIL COMMITTEE
MEETINGS**

NO MEETINGS

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