

# The City Record

Official Publication of the Council of the City of Cleveland



May the Ninth, Two Thousand and Seven

**Frank G. Jackson**  
Mayor

**Martin J. Sweeney**  
President of Council

**Emily Lipovan**  
City Clerk, Clerk of Council

Ward	Name
1	Nina Turner
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Phyllis E. Cleveland
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Anthony Brancatelli
13	Joe Cimperman
14	Joseph Santiago
15	Brian J. Cummins
16	Kevin J. Kelley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Martin J. Keane

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Containing	PAGE
City Council	3
The Calendar	15
Board of Control	15
Civil Service	19
Board of Zoning Appeals	19
Board of Building Standards and Building Appeals	20
Public Notice	21
Public Hearings	21
City of Cleveland Bids	22
Adopted Resolutions and Ordinances	24
Committee Meetings	29
Index	30

# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Nina Turner.....	16204 Sunny Glen Avenue	44128
2	Robert J. White .....	9703 Cardwell Avenue	44105
3	Zachary Reed .....	3734 East 149th Street	44120
4	Kenneth L. Johnson.....	2948 Hampton Road	44120
5	Phyllis E. Cleveland.....	2369 East 36th Street	44105
6	Patricia J. Britt.....	12402 Britton Drive	44120
7	Fannie M. Lewis.....	7416 Star Avenue	44103
8	Sabra Pierce Scott.....	1136 East 98th Street	44108
9	Kevin Conwell.....	10647 Ashbury Avenue	44106
10	Roosevelt Coats.....	1775 Cliffview Road	44112
11	Michael D. Polensek.....	17855 Brian Avenue	44119
12	Anthony Brancatelli.....	6924 Ottawa Road	44105
13	Joe Cimperman.....	3053 West 12th Street	44113
14	Joseph Santiago.....	3169 West 14th Street	44109
15	Brian J. Cummins.....	3104 Mapledale Avenue	44109
16	Kevin J. Kelley.....	6608 Woodhaven Avenue	44144
17	Matthew Zone.....	1228 West 69th Street	44102
18	Jay Westbrook.....	1278 West 103rd Street	44102
19	Dona Brady.....	1272 West Boulevard	44102
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Martin J. Keane.....	15907 Colletta Lane	44111

City Clerk, Clerk of Council – Emily Lipovan, 216 City Hall, 664–2840  
First Assistant Clerk – Sandra Franklin

**MAYOR** – Frank G. Jackson  
Ken Silliman, Secretary to the Mayor, Chief of Staff  
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer  
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs  
Tracy Y. Martin, Executive Assistant to the Mayor, Chief of Education  
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications  
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary  
Debra Linn Talley, Director, Office of Equal Opportunity

**DEPT. OF LAW** – Robert J. Triozzi, Director, Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel, Barbara A. Langhenry, Chief Counsel, Rm. 106  
Karen E. Martines, Law Librarian, Room 100

**DEPT. OF FINANCE** – Sharon Dumas, Director, Room 104;  
Frank Badalamenti, Manager, Internal Audit  
DIVISIONS: Accounts – Richard W. Sensenbrenner, Commissioner, Room 19  
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122  
City Treasury – Algeron Walker, Treasurer, Room 115  
Financial Reporting and Control – James Gentile, Controller, Room 18  
Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue  
Purchases and Supplies – James E. Hardy, Commissioner, Room 128  
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue  
Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

**DEPT. OF PUBLIC UTILITIES** – Julius Ciaccia, Director, 1201 Lakeside Avenue  
DIVISIONS – 1201 Lakeside Avenue  
Cleveland Public Power – Ivan Henderson, Commissioner  
Street Lighting Bureau – \_\_\_\_\_, Acting Chief  
Utilities Fiscal Control – Dennis Nichols, Commissioner  
Water – John Christopher Nielson, Commissioner  
Water Pollution Control – Ollie Shaw, Commissioner

**DEPT. OF PORT CONTROL** – Ricky D. Smith, Director  
Cleveland Hopkins International Airport, 5300 Riverside Drive  
Burke Lakefront Airport – Khalid Bahur, Commissioner  
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

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

**DEPT. OF PUBLIC HEALTH** – Matt Carroll, Director, Mural Building, 1925 St. Clair Ave.  
DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner  
Environment – Willie Bess, Commissioner, Mural Building, 1925 St. Clair Ave.  
Health – Anjou Parekh, Commissioner, Mural Building, 1925 St. Clair Ave.

**DEPT. OF PUBLIC SAFETY** – Martin Flask, Director, Room 230  
DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street  
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.  
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive  
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue  
Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

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

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

**DEPT. OF BUILDING AND HOUSING** – Edward W. Rybka, Director, Room 500  
DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner  
Construction Permitting – Timothy R. Wolosz, Commissioner

**DEPT. OF PERSONNEL AND HUMAN RESOURCES** – Trudy Hutchinson, Director, Room 121

**DEPT. OF ECONOMIC DEVELOPMENT** – Brian A. Reilly, Director, Room 210

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

**DEPT. OF CONSUMER AFFAIRS** – Angel Guzman, Director

**COMMUNITY RELATIONS BOARD** – Room 11, Blaine Griffin, Director; Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman Kevin Conwell, Councilman Brian J. Cummins, Councilman Joe Santiago, Councilman Matthew Zone, City Council Representatives; Charles L. Patton, Jr., Paula Castleberry, Emmett Saunders, John Banno, Kathryn M. Hall, Evangeline Hardaway, Janet Jankura, Gia Hoa Ryan, Rev. Jesse Harris, Magda Gomez, Fred J. Livingstone, Margot James Copeland.

**CIVIL SERVICE COMMISSION** – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Lucille Ambroz, Secretary; Members: Diane M. Downing, Michael L. Nelson.

**SINKING FUND COMMISSION** – Frank G. Jackson, President; Council President Martin J. Sweeney; Betsy Hruby, Asst. Sec'y.; Sharon Dumas, Director.

**BOARD OF ZONING APPEALS** – Room 516, Carol A. Johnson, Chairman; Members: John Myers, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, \_\_\_\_\_, Secretary.

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

**BOARD OF REVISION OF ASSESSMENTS** – Law Director Robert J. Triozzi, President; Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

**BOARD OF SIDEWALK APPEALS** – Service Director Jomarjie Wasik, Law Director Robert J. Triozzi; Councilman \_\_\_\_\_.

**BOARD OF REVIEW** – (Municipal Income Tax) – Law Director Robert J. Triozzi; Utilities Director \_\_\_\_\_; Council President Martin J. Sweeney.

**CITY PLANNING COMMISSION** – Room 501 – Robert N. Brown, Director; Anthony J. Coyne, Chairman; David Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Council Member Joe Cimperman.

**FAIR CAMPAIGN FINANCE COMMISSION** – Chris Warren, C. Ellen Connolly, Hillary S. Taylor.

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

**FAIR HOUSING BOARD** – Charles See, Chair; \_\_\_\_\_, Vice Chair; Daniel Conway, Doris Honsa, Lisa Camacho.

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

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

**MORAL CLAIMS COMMISSION** – Law Director Robert J. Triozzi; Chairman; Finance Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin Kelley; Councilman Nina Turner.

**POLICE REVIEW BOARD** – Thomas Jones, Board Chair Person; Vernon Collier, Vermel Whalen, Nancy Cronin, Elvin Vauss.

**CLEVELAND LANDMARKS COMMISSION** – Room 519 – India Pierce Lee, Chair; Laura M. Noble, Vice Chair; Robert Brown, Thomas Coffey, Jennifer Coleman, Lee, Michael Rastatter, Jr., John Torres, Ari Maron, N. Kurt Wiebusch, Council Member Joe Cimperman, Robert Jackimowicz; Robert Keiser, Secretary.

**AUDIT COMMITTEE** – Robert Rawson, Chairman; Yvette Ittu, Debra Janik, Bracy Lewis, Don Neebes, Council President Martin J. Sweeney; Law Director Robert J. Triozzi.

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

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	14B
Judge Ronald B. Adrine	15A
Judge Emanuella Groves	13A
Judge Kathleen Ann Keough	13D
Judge Anita Laster Mays	14C
Judge Lauren C. Moore	14A
Judge Charles Patton, Jr.	12B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Michael Ryan	12A
Judge Angela R. Stokes	15C
Judge Joan Synenberg	13C
Judge Pauline H. Tarver	12C
Judge Joseph J. Zone	14D

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

# The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 94

WEDNESDAY, MAY 9, 2007

No. 4874

## CITY COUNCIL

MONDAY, MAY 7, 2007

### The City Record

Published weekly by the City Clerk,  
Clerk of Council under authority  
of the Charter of the  
City of Cleveland

The City Record is available  
online at

[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)

Address all communications to

**EMILY LIPOVAN**

City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2006-2009

#### MONDAY—Alternating

9:30 A.M. — **Public Parks, Property & Recreation Committee:** Johnson, Chair; White, Vice Chair; Brancatelli, Cummins, Kelley, Polensek, Turner.

9:30 A.M. — **Health & Human Services Committee:** Britt, Chair; Cleveland, Vice Chair; Conwell, Kelley, Reed, Santiago, Westbrook.

11:00 A.M. — **Public Service Committee:** Brady, Chair; Turner, Vice Chair; Cleveland, Cummins, Johnson, Polensek, Reed, Santiago, White.

11:00 A.M. — **Legislation Committee:** Cleveland, Chair; Keane, Vice Chair; Cimperman, Lewis, Pierce Scott, Reed, White.

#### MONDAY

2:00 P.M. — **Finance Committee:** Sweeney, Chair; Cimperman, Vice Chair; Brady, Brancatelli, Britt, Coats, Conwell, Pierce Scott, Westbrook, White, Zone.

#### TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Pierce Scott, Chair; Brancatelli, Vice Chair; Brady, Cimperman, Cummins, Coats, Lewis, Westbrook, Zone.

1:30 P.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chair; Santiago, Vice Chair; Brancatelli, Coats, Conwell, Johnson, Turner.

#### WEDNESDAY—Alternating

10:00 A.M. — **Aviation & Transportation Committee:** Kelley, Chair; Westbrook, Vice Chair; Brancatelli, Britt, Cleveland, Keane, Turner.

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Brady, Vice Chair; Britt, Coats, Cummins, Kelley, Polensek, Santiago, Turner.

#### WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Committee:** Zone, Chair; Reed, Vice Chair; Cleveland, Cummins, Keane, Kelley, Polensek, Santiago, Westbrook.

1:30 P.M. — **City Planning Committee:** Cimperman, Chair; Westbrook, Vice Chair; Conwell, Keane, Lewis, Reed, Zone.

The following Committees are subject to the Call of the Chair:

**Rules Committee:** Sweeney, Chair; Cleveland, Kelley, Pierce Scott, Polensek.

**Personnel and Operations Committee:** Sweeney, Chair; Britt, Kelley, Pierce Scott, Santiago, Westbrook, White.

**Mayor's Appointment Committee:** Coats, Chair; Pierce Scott, Kelley, Sweeney, Westbrook.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio  
Monday, May 7, 2007

The meeting of the Council was called to order, The President, Martin J. Sweeney, in the Chair.

Council Members present: Brady, Brancatelli, Cimperman, Cleveland, Coats, Conwell, Cummins, Johnson, Keane, Kelley, Lewis, Polensek, Reed, Santiago, Pierce Scott, Sweeney, Westbrook, White and Zone.

Also present were Mayor Frank G. Jackson; Ken Silliman, Chief of Staff; Darnell Brown, Chief Operating Officer; Valarie J. McCall, Chief of Tracy Y. Martin, Chief of Education; Maureen Harper, Chief of Communications; Andrea V. Taylor, Press Secretary; Debra Linn Talley, Director of Equal Opportunity and Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Rybka, Hutchinson, Reilly, Griffin, Brown and Teresa Stevenson, Special Assistant to the Mayor for Legislative Affairs.

Pursuant to Ordinance No. 2926-76 prayer was offered by Rev. Felix Muniz of the Church of the Nazarene, 2226 West 89th Street, Cleveland, Ohio 44102, located in Ward 18. Pledge of Allegiance.

#### MOTION

On the motion of Council Member Polensek, the reading of the minutes of the last meeting were dis-

pensed with and the journal approved. Seconded by Council Member Cleveland.

#### COMMUNICATIONS

##### File No. 754-07.

From the Office of Equal Opportunity — Certified MBEs and FBES, reporting period January — March, 2007. Received.

##### File No. 755-07.

From the Office of Equal Opportunity — Denials of Certifications, reporting period January — March, 2007. Received.

##### File No. 756-07.

From the Village of Woodmere — copy of Resolution No. 2007-25 regarding opposition to the quarterly customer service charge imposed by the City of Cleveland on water bills. Received.

##### File No. 757-07.

From The Richard E. Jacobs Group, Inc. — Annual report of Independent Auditor, Cumulative Minimum Return was not achieved for the period ended December 31, 2006. Received.

##### File No. 758-07.

From The Richard E. Jacobs Group, Inc. — Auditor's reports for Community Urban Redevelopment Corporations — Fiscal year ending December 31, 2006. Received.

#### FROM DEPARTMENT OF LIQUOR CONTROL

##### File No. 759-07.

Re: Transfer of Ownership Application — 1206261 — Cami Beverage Services, LLC, d.b.a. Holiday Inn, 1111 Lakeside Avenue. (Ward 13). Received.

##### File No. 760-07.

Re: Transfer of Ownership Application — 0179073 Amy's II, Inc., d.b.a. Amy's, 3133 Payne Avenue. (Ward 13). Received.

##### File No. 761-07

Re: Transfer of Ownership Application — 7744703 Michael Alexander Sarkis, LLC, d.b.a. Clark on Go, 13925 Puritas Avenue. (Ward 20). Received.

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 762-07** — David W. Whitaker, Sr.

**Res. No. 763-07** — Mello "Mel" Mitchell, Sr.

**Res. No. 764-07**—Lillie Mae Lewis.

**Res. No. 765-07**—Marcee A. Jones.

**Res. No. 766-07**—Ralph Arcuri.

#### CONGRATULATION RESOLUTIONS

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

**Res. No. 767-07**—Richard L. Hampton.

**Res. No. 768-07**—David and Renate Jacupca — Founders of the International Center for Environmental Arts.

#### RECOGNITION RESOLUTIONS

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

**Res. No. 769-07**—Staples at Steelyard Commons.

**Res. No. 770-07**—Wire Association International.

**Res. No. 771-07**—International Fastener Machinery & Suppliers Association.

#### FIRST READING EMERGENCY ORDINANCES REFERRED

**Ord. No. 731-07.**

**By Council Member Westbrook.**  
**An emergency ordinance designating Neal Terrace as a Cleveland Landmark.**

Whereas, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the "Commission"), has proposed to designate Neal Terrace as a landmark; and

Whereas, the owner of Neal Terrace has been properly notified and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of Neal Terrace as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

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

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

**Section 1.** That Neal Terrace, whose street address in the City of Cleveland is 8811 Detroit Avenue, N. W., also known as Cuyahoga County Auditor's Permanent Parcel Number 001-31-003, and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, is designated a landmark under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

**Section 2.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

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

**Ord. No. 732-07.**

**By Council Members Zone and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Public Utilities, or other appropriate Director to apply for and accept grants, gifts, and gifts of equipment and services from public and private entities to facilitate sustainability program-related projects; authorizing the purchase by one or more requirement contracts of materials, equipment, supplies, and services, and authorizing the appropriate director to employ one or more professional consultants, and authorizing one or more contracts with various agencies, entities, or individuals needed to implement the projects.**

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, or other appropriate Director, is authorized to apply for and accept grants and gifts from any source for sustainability-program-related projects for a period of two years, including but not limited to the following projects: Solar Thermal Pilot Project; Curbside Recycling Pilot Project; Biodiesel and Renewable Fuels Pilot Project; Sustainability Program Marketing and Education Materials; LEED Certification and Green Building Guidebook; and Car Sharing Pilot Program. That the appropriate Director is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance; and that the funds are appropriated for the purposes described in this ordinance.

**Section 2.** That the appropriate Director is authorized to accept the gift of equipment and services necessary to implement the projects described above from various public and private entities. The appropriate Director is further authorized to enter into one or more agreements to accept equipment and services and shall include, if necessary, terms that provide warranties to the City and indemnification of the City for infringement and other potential claims.

**Section 3.** That the appropriate Director shall deposit the gifts and grants accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the programs described in this ordinance and appropriated for that purpose.

**Section 4.** That the appropriate Director is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements during the grant terms of the necessary items of materials, equipment, supplies, and services, to be purchased by the Commissioner of Purchases

and Supplies on a unit basis for the appropriate department. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 5.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

**Section 6.** That the appropriate Director is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the projects described in this ordinance.

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

**Section 7.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The appropriate Director may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 8.** That the appropriate Director is authorized to enter into one or more contracts with agencies, entities, or individuals to implement the grants as described in this ordinance.

**Section 9.** That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited any grant proceeds or cash gifts accepted under this ordinance.

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

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

**Ord. No. 733-07.**

**By Council Members Britt and Sweeney (by departmental request). An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the United States Environmental Protection Agency for Project IMPACT; authorizing the purchase by one or more requirement contracts of equipment, materials, supplies, and services; authorizing the Director to employ one or more professional consultants to implement the grant; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.**

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

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

**Section 1.** That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$99,990, and any other funds that may become available during the grant term from United States Environmental Protection Agency, to conduct the Project IMPACT Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

**Section 2.** That the summary for the grant, File No. 733-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

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

**Section 4.** That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

**Section 5.** That the Director of Public Health is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements during the grant term of the necessary items of equipment, materials, services, and supplies, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Environment, Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 6.** That the costs of the contract or contracts shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance and shall also

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

**Section 7.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Health may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 8.** That the Director of Public Health is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the grant as described in the file.

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

**Section 9.** That the Director of Public Health is authorized to enter into one or more contracts with agencies, entities, or individuals to implement the grant as described in the file.

**Section 10.** That the cost of contract or contracts authorized shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance.

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

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

**Ord. No. 734-07.**

**By Council Members Britt, Pierce Scott and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Public Health or Community Development, as appropriate, to enter into one or more contracts with various agencies or entities to provide AIDS-related services, in conjunction with the HOPWA Grant; and authorizing the employment of one or more professional consultants to provide evaluation services.**

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

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

**Section 1.** That the Director of Public Health or Community Development, as appropriate, is authorized to enter into one or more contracts with various agencies or entities to provide AIDS-related services in conjunction with the Housing Opportunities for People With AIDS (HOPWA) Grant Program, under File No. 734-07-A, and in addition, the sum of not more than \$25,000.00 is appropriated to the Department of Public Health for administrative costs of implementing the HOPWA program.

**Section 2.** That the Director of Public Health or Community Development, as appropriate, is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide evaluation services.

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

**Section 3.** That any agency or entity that receives funds under this ordinance shall be required to comply with the evaluation services provided by the consultant.

**Section 4.** That the Directors of Public Health and the Director of Community Development are authorized to enter into a memorandum of understanding for this program under the terms authorized by this legislation.

**Section 5.** That the costs of the contract or contracts authorized above are appropriated for costs of the Department of Public Health incurred from Fund 19 following the appropriate federal regulations and shall not exceed \$890,000 and shall be paid from Fund Nos. 19 SF 612 and 19 SF 602, Request No. 157151.

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

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

**Ord. No. 735-07.**  
**By Council Members Britt and Sweeney (by departmental request). An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from Ohio Department of Health for the Women's Health Services Program; authorizing the director to charge and accept fees for this program; and to enter into one or more contracts to implement the program.**

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

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

**Section 1.** That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$100,000 and any other funds that may become available during the grant term, from Ohio Department of Health to conduct the Women's Health Services Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the summary for the grant contained in the file described below.

**Section 2.** That the summary for the grant, File No. 735-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority, is approved in all respects, including the obligation to devote program income from first and third party billings.

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

**Section 4.** That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

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

**Section 6.** That the Director of Public Health is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of the grant term of the necessary items of laboratory services necessary to implement the program as described in the file, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the grant term may be taken if desired by the Commis-

sioner of Purchases and Supplies until provision is made for the requirements for the entire grant term.

**Section 7.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts. The Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

**Section 8.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Health may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 9.** That the Director of Public Health is authorized to enter into one or more contracts with agencies, entities, or individuals to implement the grant as described in the file.

**Section 10.** That the costs of the contract or contracts shall be paid from the fund or funds to which are credited the proceeds of the grant accepted under this ordinance and from the revolving fund to which are credited first and third party billings.

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

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

**Ord. No. 736-07.**  
**By Council Members Conwell, Cimperman and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to lease property known as 23600 Mercantile Road, Unit J, from Mercantile Associates for the public purpose of leasing space to store goods necessary for the operation of the Cleveland House of Corrections, for a term not to exceed one year, with one option to renew for an additional one year period.**

Whereas, the City of Cleveland requires certain space located at 23600 Mercantile Road, Unit J, in Beachwood, Ohio, and up to ten parking spaces, and the non-exclusive use of common parking and loading areas, for the public purpose of leasing space to store goods necessary for the operation of the Cleveland House of Corrections; and

Whereas, Mercantile Associates has proposed to lease the space to the City of Cleveland; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Safety is authorized to lease from Mercantile Associates certain space more fully described as follows: approximately 5,400 square feet of space located at 23600 Mercantile Road, Unit J, Beachwood, Ohio, and up to ten parking spaces ("Leased Premises").

**Section 2.** That the term of the lease shall not exceed one year, beginning April 1, 2007, with one option to renew for an additional one year period, exercisable by the Director of Public Safety.

**Section 3.** That the rent for the lease shall be a base rate of \$3,400 per month, which includes utilities, operating costs, and the City's portion of maintenance costs for the non-exclusive use of common areas at 23600 Mercantile Road.

**Section 4.** That the lease may authorize the City to make improvements to the Leased Premises under terms to be determined by the parties consistent with the public purpose or purposes of leasing space to store goods necessary for the operation of the Cleveland House of Corrections.

**Section 5.** That the lease may provide that the City shall have non-exclusive use of common parking and loading areas at 23600 Mercantile Road.

**Section 6.** That the costs of the lease shall be paid from Fund No. 01-600702-636000, Request No. 179482.

**Section 7.** That the lease shall be prepared by the Director of Law.

**Section 8.** That the Directors of Public Safety and Law, and other appropriate City officials, are authorized to execute other documents and certificates, and take other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

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

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

**Ord. No. 737-07.**  
**By Council Members Pierce Scott and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various agencies to provide housing, commercial, industrial and real estate development activities.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into or amend con-

tracts with various agencies to provide housing, commercial, industrial and real estate development activities.

**Section 2.** That the cost of the contracts authorized in this ordinance shall not exceed \$1,889,000, and shall be paid from Fund No. 14 SF 033, Request No. 178608.

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

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

**Section 5.** That the Director of Community Development is authorized to enter into or amend contracts with for-profit or non-profit organizations serving as the fiscal agent for the various agencies to provide housing, commercial, industrial, and real estate development activities.

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

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

**Ord. No. 738-07.**

**By Council Members Pierce Scott and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts with CDBG-eligible agencies to implement the City-works Program.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into one or more contracts with various CDBG-eligible agencies to implement the City-works Program.

**Section 2.** That the aggregate cost of the contracts authorized in this ordinance shall not exceed \$142,000, and any prior years CDBG City-works program balances, and shall be paid from Fund No. 14 SF 033, Request No. 178609.

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

from and after the earliest period allowed by law.

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

**Ord. No. 739-07.**

**By Council Members Pierce Scott and Sweeney (by departmental request).**

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

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

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

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

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

**Section 3.** That the cost of the contracts shall not exceed \$6,600,000.00, and shall be paid from Fund Nos. 19 SF 610, 13 SF 236, 19 SF 600, 14 SF 032, and 14 SF 033, Request No. 178611.

**Section 4.** That the Director of Community Development is authorized to accept monies in repayment of loans authorized in this ordinance and to deposit those monies in Fund Nos. 14, and 19 and utilize said repayments and other program income in a revolving fund for making additional expenditures under this program, and such funds are hereby appropriated for that purpose.

**Section 5.** That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.

**Section 6.** That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited into Fund No. 14 and Fund 19. The revenues generated as a result of charging fees are hereby appropriated for additional program and operating expenses for Housing Trust Fund activities.

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

from and after the earliest period allowed by law.

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

**Ord. No. 740-07.**

**By Council Members Britt, Pierce Scott and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development or Public Health, as appropriate, to enter into contracts with various agencies or entities to provide AIDS-related services; and authorizing the employment of one or more professional consultants to provide evaluation services.**

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

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

**Section 1.** That the Director of Public Health or Community Development, as appropriate, is authorized to enter into one or more contracts with various agencies or entities to provide HIV/AIDS prevention, education activities, under File No. 740-07-A, and in addition, the sum of not more than \$110,000 is appropriated to the Department of Public Health for administrative costs of implementing the contracts authorized by this ordinance.

**Section 2.** That the Director of Public Health or Community Development, as appropriate, is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide evaluation services.

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

**Section 3.** That any agency or entity that receives funds under this ordinance shall be required to comply with the evaluation services provided by the consultant.

**Section 4.** That the Directors of Public Health and Community Development are authorized to enter into a memorandum of understanding for this program in accordance with the terms authorized by this legislation.

**Section 5.** That the cost of the contract or contracts authorized are appropriated for costs of the Department of Public Health incurred from Fund 19 following the appropriate federal regulations and shall not exceed \$489,000 and shall be



paid from Fund Nos. 14 SF 032 and 14 SF 033, Request No. 157152.

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

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

**Ord. No. 741-07.**

**By Council Members Coats, Pierce Scott, Johnson, Cimperman and Sweeney (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Development and other Directors of City Departments to enter into contract with various agencies to provide social service programs, authorizing the Director of Community Development to enter into Memoranda of Understanding with the various Directors of City Departments, and authorizing the Director of Parks, Recreation and Properties to lease space from the Greater New Calvary Baptist Church to provide facilities for recreation activities.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into or amend contracts with various agencies to provide social service programs.

**Section 2.** That the Director of Community Relations is authorized to enter into or amend contracts with various non-profit agencies to provide youth-at-risk programs.

**Section 3.** That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, and as amended, the Director of Parks, Recreation and Properties is authorized to lease from the Greater New Calvary Baptist Church, a gym located at 822 East 150th Street, Cleveland, Ohio, for a period of one year.

**Section 4.** That the rent for the lease shall be \$9,900 per year; that the lease may provide for the City to pay for the installation and operating cost of utility services to the leased premises; that the lease shall be for the purpose of providing a facility for recreation activities; and that the lease shall be prepared by the Director of Law.

**Section 5.** That the Director of Community Development is authorized to enter into Memoranda of Understanding with the Directors of Community Relations and Parks, Recreation and Properties for the purposes described in this ordinance.

**Section 6.** That the total cost of the contracts authorized in this ordinance shall be in an amount not to exceed \$1,800,000 and shall be paid from Fund No. 14 SF 033, Request No. 178610.

**Section 7.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it

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

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

**Ord. No. 742-07.**

**By Council Member Cimperman.**  
**An emergency ordinance designating The Sanderson-Makar House as a Cleveland Landmark.**

Whereas, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the "Commission"), has proposed to designate The Sanderson-Makar House as a landmark; and

Whereas, the owner of The Sanderson-Makar House has been properly notified and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of The Sanderson-Makar House as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

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

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

**Section 1.** That The Sanderson-Makar House, whose street address in the City of Cleveland is 3017-3101 Clinton Avenue, N. W., also known as Cuyahoga County Auditor's Permanent Parcel Number 003-27-043, and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, is designated a landmark under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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

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

**Ord. No. 748-07.**

**By Council Member Brancatelli.**  
**An emergency ordinance to add the name "Poland Street" as a secondary name to East 66th Street between Lansang Avenue and Warsaw Avenue.**

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

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

**Section 1.** That, notwithstanding and as an exception to the Codified Ordinances of the City of Cleveland, 1976, the name "Poland Street" shall be added as a secondary name to East 66th Street between Lansang Avenue and Warsaw Avenue.

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

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

**Ord. No. 753-07.**

**By Council Member Brady.**  
**An emergency ordinance designating Oppmann Terrace, also known as Boulevard Terrace Apartments, as a Cleveland Landmark.**

Whereas, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the "Commission"), has proposed to designate Oppmann Terrace, also known as Boulevard Terrace Apartments, as a landmark; and

Whereas, the owner of Oppmann Terrace, also known as Boulevard Terrace Apartments, has been properly notified and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of Oppmann Terrace, also known as Boulevard Terrace Apartments, as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

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

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

**Section 1.** That Oppmann Terrace, also known as Boulevard Terrace Apartments, whose street address in the City of Cleveland is 10107 through 10121 Detroit Avenue, N. W., and 10106 through 10118 Madison Avenue, N. W., also known as Cuyahoga County Auditor's Permanent Parcel Numbers 001-28-012, 001-28-027, 001-28-028, and 001-28-057, and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, is designated a landmark under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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

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



FIRST READING ORDINANCES REFERRED

Ord. No. 743-07.

By Council Member Brancatelli.

An ordinance to change the zoning of a parcel of land on the west side of East 80th Street, North of Aetna Road to Semi-Industry (Map Change No. 2227, Sheet No. 6).

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

Section 1. That the Use District of lands bounded and described as follows:

Beginning in the centerline of East 80th Street and its intersection with the centerline of Aetna Road;

Thence northerly along the centerline of East 80th Street to its intersection with the easterly prolongation of the southerly line of Sublot No. 39 in the Berger & Wageman Subdivision as shown on the recorded plat in Volume 7 of Maps and Page 14 of Cuyahoga County Records said parcel also being known as Cuyahoga County's Permanent Parcel Number 133-05-044 said point being hereafter known as the principal place of beginning;

Thence Westerly along said easterly prolongation and southerly line to its intersection with the easterly line of Sublot No. 52 in said Berger & Wageman Subdivision;

Thence northerly along said easterly line to its intersection with the northerly line of said Sublot Number 39;

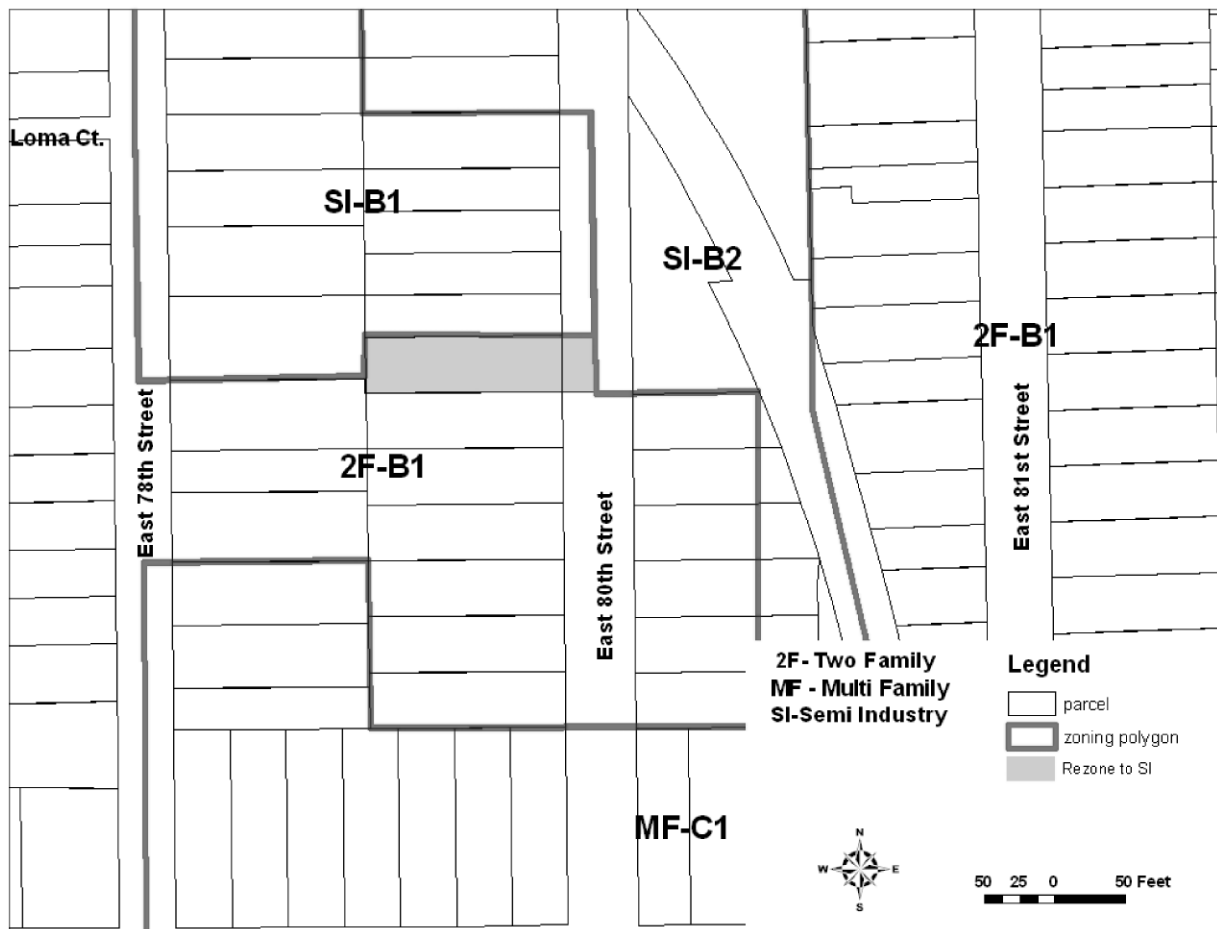
Thence easterly along said northerly line and along its easterly prolongation to its intersection with the centerline of East 80th Street;

Thence southerly along said centerline to it intersection with the centerline of Aetna Road and the principal place of beginning,

and as shaded on the attached map is changed to a Semi-Industry District.

Section 2. That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2227, Sheet No. 6 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

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



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

**Ord. No. 744-07.**

**By Council Member Cimperman.**

**An ordinance changing the Use District of land on the west side of West 14th Street north of Castle Avenue and south of Mentor Avenue from Multi-Family to Urban Garden District (Map Change No. 2228, Sheet No. 1).**

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

**Section 1.** That the Use District of lands bounded and described as follows:

Beginning in the centerline of Mentor Avenue at its intersection with the centerline of West 14th Street;  
Thence southerly along said centerline of West 14th Street to its intersection with the easterly prolongation of the north line of Parcel A of the Subdivision and Consolidation Plat for John F. Kenney and Maureen T. Luehrs-Kenney being part of Sublots in the Jacob B. Perkins South Side Allotment and part of Original Brooklyn Township Lot No. 71 and recorded in Volume 11, Page 36 of Cuyahoga County Map Records, said parcel also being known as Cuyahoga County's Permanent Parcel Number 008-03-031;

Thence westerly along said easterly prolongation of said north line to its intersection with the westerly line thereof;

Thence northeasterly along the northerly prolongation of said westerly line to it intersection with the westerly prolongation of the centerline of Mentor Avenue;

Thence easterly along said prolongation to its intersection with the centerline of West 14th Street and the principal place of beginning,

and shaded on the attached map is changed to an Urban Garden District.

**Section 2.** That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2228, Sheet No. 1, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

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



**AREA TO BE REZONED  
COMMUNITY GARDEN**

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

**Ord. No. 745-07.**

**By Council Member Turner.**

**An ordinance changing the Use District of property located on the south side of Seville Road from One Family to Semi-Industry (Map Change No. 2226, Sheet No. 10).**

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

**Section 1.** That the Use District of lands bounded and described as follows:

Beginning in the centerline of Seville Road east of Johnston Parkway at its intersection with the northerly prolongation of the westerly line of a parcel of land conveyed to Naomi Wadsworth by deed dated June 30th, 1994 and recorded in Cuyahoga County Auditor's File Number V94464610014, said parcel also being known as Cuyahoga County's Permanent Parcel Number 142-20-002;

Thence southerly along said northerly prolongation of said westerly line and along its southerly prolongation to its intersection with the southerly line of a parcel of land conveyed to the City of Cleveland's Land Reutilization Program and recorded in Cuyahoga County Auditor's File Number V94417180004, said parcel also being known as Cuyahoga County's Permanent Parcel Number 142-20-071;

Thence easterly along said southerly line to its intersection with the easterly line thereof;

Thence northerly along said easterly line and along its northerly prolongation to its intersection with the centerline of Seville Road;

Thence westerly along said centerline to its intersection with the northerly prolongation of said westerly line of said parcel conveyed to Naomi Wadsworth and the principal place of beginning, and shaded on the attached map is changed to a Semi-Industry Use District.

**Section 2.** That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2226, Sheet No. 10, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

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



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

**Ord. No. 746-07.**

**By Council Member Sweeney.**

**An ordinance changing the Use District of property located on the east side of Grayton Road north of Brookpark Road from a One Family Residential District to a Residence Office District (Map Change No. 2225, Sheet No. 13).**

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

**Section 1.** That the Use District of lands bounded and described as follows:

Beginning in the centerline of Grayton Road at its intersection with the westerly prolongation of the southerly line of a parcel of land conveyed to Kim C. Curtis by deed dated October 8, 1981 and recorded in Cuyahoga County's Auditor's File Number V81154900299, said parcel also being known as Cuyahoga County's Permanent Parcel Number 029-09-002;

Thence easterly along said southerly line to its intersection with the easterly line thereof;

Thence northeasterly along said easterly line to its intersection with the northerly line thereof;

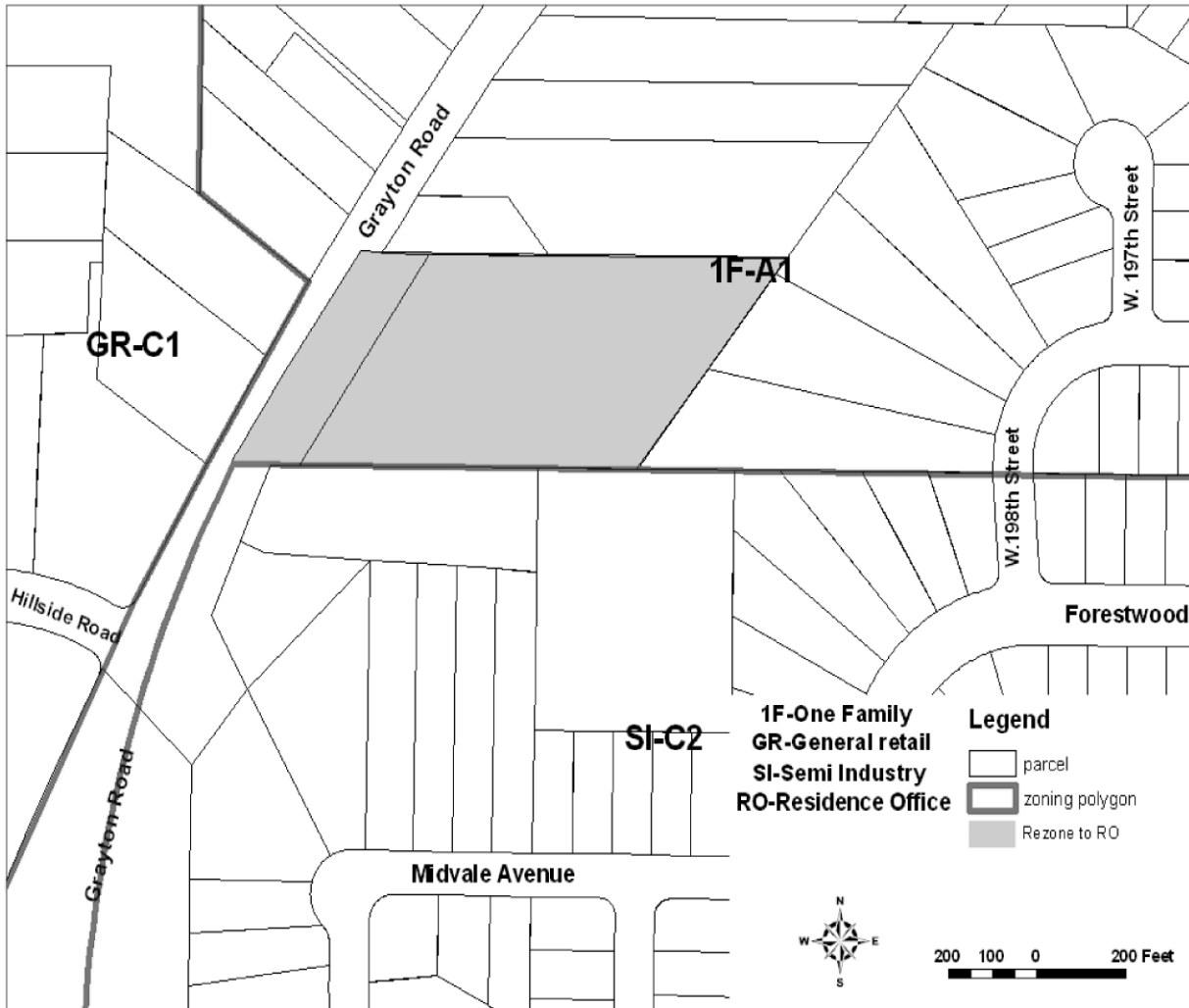
Thence westerly along said northerly line and along its westerly prolongation to its intersection with the centerline of Grayton Road;

Thence southwestwardly along said centerline to its intersection with the southerly line of said parcel so conveyed and the principal place of beginning,

and shaded on the attached map is changed to a Residence Office District.

**Section 2.** That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2225, Sheet No. 13, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

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



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

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

**Ord. No. 747-07.**

**By Council Member Brady.**

**An emergency ordinance authorizing the Director of Community Development to enter into contract with Friends of the Historic Variety Theatre, Inc. to provide assistance to partially finance project costs associated with the acquisition, capital reserves, and maintenance of property located at 11816-11824 Lorain Avenue, and other associated costs necessary to redevelop the property and provide parking for the Variety Theatre.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into contract with Friends of the Historic Variety Theatre, Inc., a corporation for non-profit, to provide assistance to partially finance project costs associated with the acquisition, capital reserves, and maintenance of property located at 11816-11824 Lorain Avenue, also known as Permanent Parcel Nos. 021-22-018 and 021-22-019, and other associated costs necessary to redevelop the property and provide parking for the Variety Theatre.

**Section 2.** That the terms of the loan shall be according to the terms set forth in the Summary contained in File No. 747-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, and are approved in all respects and shall not be changed without additional legislative authority.

**Section 3.** That the costs of the contract shall not exceed \$175,000 and shall be paid from Fund No. 14 SF 032, which funds are appropriated for this purpose, Request No. 178605.

**Section 4.** That the Director of Community Development is authorized to accept the collateral as set forth in the file referenced above in order to secure repayment of the loan. Any loan agreement, security instrument, or other document shall be prepared and approved by the Director of Law.

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

**Section 6.** That the Director of Community Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 14.

**Section 7.** That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

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

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

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

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

**Res. No. 749-07.**

**By Council Member Brady.**

**An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 3655-57 Bosworth Road, 1st floor.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Masich, Inc., 3655-57 Bosworth Road, 1st floor, Cleveland, Ohio 44111, Permanent Number 5604495 to Marjorie E. Frierson, DBA Bosworth Tavern, 3655-57 Bosworth Road, 1st floor, Cleveland, Ohio 44111, Permanent Number 2932986; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit from Masich, Inc., 3655-57 Bosworth Road, 1st floor, Cleveland, Ohio 44111, Permanent Number 5604495 to Marjorie E. Frierson, DBA Bosworth Tavern, 3655-57 Bosworth Road, 1st floor, Cleveland, Ohio 44111, Permanent Number 2932986; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 750-07.**

**By Council Members Cleveland, Pierce Scott, Turner, Zone, Westbrook, Coats, Cummins, Brancatelli, Lewis, Cimperman, Conwell, Sweeney and Brady.**

**An emergency resolution recognizing that April 26, 2007 was Cleveland Community Voice Mail Day and acknowledging the Cleveland Community Voice Mail staff that help provide a vital service to the homeless in Cleveland**

Whereas, Cleveland's homeless population surpasses 25,000 people over the course of a year, with over 4,000 people homeless every night and 2,000 living in shelters; and

Whereas, Cleveland's homeless population needs access to safe, affordable, decent housing and jobs that pay a living wage; and

Whereas, the Cleveland Community Voice Mail program provides a telephone number and message service to those who are homeless and those with very low incomes in Cleveland, allowing those struggling to find housing to receive messages from potential landlords, employers and social service providers; and

Whereas, Cleveland Community Voice Mail has a 70% success rate in linking people to employers, landlords and social service providers; and

Whereas, Cleveland Community Voice Mail has been in operation for the past 7 years and has served over 18,500 people by providing them safe, reliable access to messages; and

Whereas, the Cleveland Community Voice Mail service has expanded to Lorain County; currently over 60

agencies distribute Voice Mail boxes in Cuyahoga and Lorain counties; and

Whereas, Cleveland Community Voice Mail won the Golden Phone Award in 2005 as the best voice mail system out of 37 voice mail programs in the United States; and

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

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

**Section 1.** That this Council hereby recognizes that April 26, 2006 was Cleveland Community Voice Mail Day and acknowledges the Cleveland Community Voice Mail staff that help provide a vital service to the homeless in Cleveland.

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

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

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

**Res. No. 751-07.**

**By Council Member Pierce Scott and Cummins.**

**An emergency resolution declaring this Council's support of the proposal of Cleveland Housing Network, Inc., Cleveland Green Homes LP I to the Ohio Housing Finance Agency for the use of housing tax credits for its Cleveland Green Homes development.**

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

Whereas, Cleveland Housing Network, Inc., Cleveland Green Homes LP I is proposing to develop 60 housing units on scattered sites throughout the City of Cleveland with a special emphasis on the East submarket as defined by Ohio Housing Finance Agency; and

Whereas, 100% of these homes are affordable and no housing units are market rate; and

Whereas, the proposed development does not serve a special needs population; and

Whereas, Cleveland City Council supports the Cleveland Housing Network, Inc., Cleveland Green Homes LP I proposal for affordable housing for the benefit the citizens of the City of Cleveland; and

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

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

**Section 1.** That this Council hereby declares its support of the pro-

posal of Cleveland Housing Network, Inc., Cleveland Green Homes LP I to the Ohio Housing Finance Agency for the use of housing tax credits for its Cleveland Green Homes development.

**Section 2.** That the Clerk of Council is hereby directed to transmit two certified copies of this resolution to the Executive Director of Cleveland Housing Network, Inc.

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

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

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

**Res. No. 752-07.**

**By Council Member Sweeney. An emergency resolution fixing the summer schedule of meetings of the Council of the City of Cleveland.**

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

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

**Section 1.** That the schedule of meetings during the summer months of the Council of the City of Cleveland is hereby fixed as follows:

July 11, 2007

August 8, 2007

A notice identifying the time of the meeting as well as a schedule of committee meetings, if any, to be held prior to the meeting shall be prepared by the Clerk prior to each of the above meeting dates. The Council will resume regular session at 7:00 p.m. on Monday, September 10, 2007.

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

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

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

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 537-07.**

**By Council Members Pierce Scott and Sweeney (by departmental request).**

An emergency ordinance authorizing the Director of Economic De-

velopment to enter into an amendment of the agreement with the Cleveland Neighborhood Development Coalition to provide financial assistance for the administration and staffing of the Cleveland Industrial Retention Initiative authorized under Ordinance No. 1813-06, passed November 20, 2006; and authorizing the Director of Economic Development to enter into a grant agreement with the Westside Industrial Retention and Expansion Network to provide financial assistance for the administration and staffing of the Cleveland Industrial Retention Initiative.

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

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

**Ord. No. 569-07.**

**By Council Member Sweeney (by departmental request).**

An emergency ordinance authorizing payment of membership dues of the City of Cleveland in various professional organizations.

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

1. In Section 1, line 2, after "be made to" insert "**the Greater Cleveland International Trade Alliance,**".

2. In Section 2, line 2, after "Fund Nos." insert "**01-999800-624800,**".

Amendments agreed to.

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

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

**Ord. No. 570-07.**

**By Council Member Sweeney (by departmental request).**

An emergency ordinance authorizing the purchase by one or more requirement contracts of various laboratory, medical, pharmaceutical supplies and equipment, and nursing supplies for the various divisions of City government.

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance.

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

**Ord. No. 571-07.**

**By Council Member Sweeney (by departmental request).**

An emergency ordinance authorizing the purchase by one or more requirement contracts of welding equipment, supplies, and materials for the various divisions of City government.

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance.

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

**Ord. No. 636-07.**

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of paper and envelopes, for the Division of Printing and Reproduction, Department of Finance.

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance.

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

**Ord. No. 647-07.**

By Council Members Cleveland, Pierce Scott and Sweeney (by departmental request).

An emergency ordinance to amend Sections 1, 2, and 3 of Ordinance No. 1664-05, passed September 12, 2005 to apply for and accept funding from the Cuyahoga County Redevelopment Fund to partially finance the demolition and environmental remediation of the Nurses Building and the Main Hospital Building on the St. Michael's Hospital site located at 5163 Broadway Avenue.

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

1. In Section 1, at amended Section 3, line 2, strike "1664-05-B" and insert "1664-05-C".

Amendment agreed to.

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

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

**Ord. No. 652-07.**

By Council Members Pierce Scott and Sweeney (by departmental request).

An emergency ordinance appropriating Community Development Block Grant and NEF Administrative Cost funds for administrative expenses of the Department of Community Development; authorizing the director to enter into one or more contracts with various agencies and entities for activities relating to promoting housing events; and authorizing the director to enter into one or more contracts with Executive Information Systems, LLC for SAS software maintenance, for a period not to exceed one year.

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

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

**Ord. No. 653-07.**

By Council Members Pierce Scott and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various social service agencies, community development or local development corporations and private for profit entities; to enter into or amend memorandums of

understanding with various City of Cleveland departments to implement the City's community development programs; and to expend funds for the operation of programs administered by the Department of Community Development.

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

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

**Ord. No. 654-07.**

By Council Members Pierce Scott and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts with Cleveland Action to Support Housing, Inc. (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs.

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

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

**Ord. No. 655-07.**

By Council Members Pierce Scott and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contracts with one or more non-profit agencies to operate a community garden program.

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

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

**MOTION**

By Council Member Santiago, seconded by Council Member Cimperman, and unanimously carried that the absence of Council Members Patricia J. Britt and Nina Turner be and is hereby authorized.

**MOTION**

The Council Meeting adjourned at 7:48 p.m. to meet at 7:00 p.m. on Monday, May 14, 2007 at Josaphat Arts/Covivium 33 Gallery, located at 1433 East 33rd Street in Ward 13.



City Clerk, Clerk of Council

**THE CALENDAR**

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

NONE

**BOARD OF CONTROL**

May 2, 2007

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 2, 2007, at 10:30 a.m. with Mayor Jackson presiding.

Present: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Absent: None.

Others: Jim Hardy, Commissioner, Purchases and Supplies.

Debra Linn Talley, Director, Office of Equal Opportunity.

On motions, the following resolutions were adopted, except as may be otherwise noted:

**Resolution No. 202-07.**

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1025-05, passed by the Council of the City of Cleveland on August 3, 2005, Brown & Caldwell Ohio LLC is 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 consulting services necessary to assist CWD in preparing for upcoming drinking water regulations, enhance water quality operations, and assist with other water quality initiatives. Tasks may include services as operations assistance, specialized laboratory analysis, water quality data review and analysis, Partnership for Safe Water assistance, Ohio Environmental Protection Agency Continuing Education for operators, plan review, water quality planning, project monitoring, preparation of reports for water regulatory agencies, and specialized technical assistance related to water quality issues, for a period not exceeding two years, for the various Divisions of the Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with Brown & Caldwell Ohio LLC based upon its proposal dated February 23, 2007, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services described in the proposal, for an aggregate fee not exceeding \$299,055.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subcontractors by Brown & Caldwell Ohio LLC for the above-mentioned professional services is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Tucker Young Jackson	
Tull, Inc. (MBE)	\$45,000.00 15.05%
Water Resources & Coastal Engineering, Inc. (FBE)	\$15,000.00 5.02%
HDR, Inc.	\$30,000.00 10.03%



Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.  
Absent: None.

**Resolution No. 203-07.**

By Director Ciaccia.  
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by DLZ Ohio, Inc. under Contract No. 64518 for professional services to provide engineering, design, water quality assessments and analysis, environmental, safety, forensic, and other services needed, for the Division of Water, Department of Public Utilities, is approved:

Subcontractor	Work Percentage
RNR Consulting (MBE)	\$269,700.00 9.52%

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.  
Absent: None.

**Resolution No. 204-07.**

By Director Ciaccia.  
Whereas, under Board of Control Resolution No. 587-05, adopted on October 19, 2005, the City of Cleveland entered into City Contract No. 65205 with CalciQuest, Inc. for an estimated quantity of corrosion control chemical for the Division of Water, Department of Public Utilities; and

Whereas, by its letter, Carus Phosphates, Inc., informed the City that on December 11, 2006, it acquired CalciQuest, Inc.; and will honor the bid price of \$1.18 per pound until December 26, 2007 and all other terms and conditions that the City previously agreed upon with CalciQuest, Inc. under City Contract No. 65205; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that this Board acknowledges and consents to the assignment of City Contract No. 65205 from CalciQuest, Inc. to Carus Phosphates, Inc.

Be it further resolved that the Director of Public Utilities is authorized to execute any documents necessary to effect and recognize the consent to the assignment of City Contract No. 65205 authorized above. A copy of the consent to assignment and the assignment of Contract No. 65205 shall be filed with the original contract in the custody of the Commissioner of Accounts.

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.  
Absent: None.

**Resolution No. 205-07.**

By Director Ciaccia.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of Utilicon Corp. for an estimated quantity of labor and materials necessary to repair or replace water mains, fire hydrants, valves, service connections and appurtenances - Area D, all items, for the Division of Water, Department of Public Utilities, for a period of one year starting upon the later of execution of the contract or the day following expiration of the currently effective contract for the labor and materials, received on March 9, 2007, under the authority of Ordinance No. 1018-05, passed August 3, 2005, which on the basis of the estimated quantity would amount to \$2,778,661.00 (0%), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the labor and materials, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 173638 which shall be certified against the contract in the sum of \$500,000.00.

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Utilicon Corp. for the above-mentioned service is approved:

SUBCONTRACTOR	WORK PERCENTAGE
Dan-Ray Construction, LLC (MBE)	\$417,000.00 15.01%
Elite Contracting & Construction Company (FBE)	\$139,000.00 5.00%

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.  
Absent: None.

**Resolution No. 206-07.**

By Director Ciaccia.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of Terrace Construction Company, Inc. for an estimated quantity of labor and materials necessary to repair or replace water mains, fire hydrants, valves, service connections and appurtenances - Area C, all items, for the Division of Water, Department of Public Utilities, for a period of one year starting upon the later of execution of the contract or the day following expiration of the currently effective contract for the labor and materials, received on March 9, 2007, under the authority of Ordinance No. 1018-05, passed August 3, 2005, which on the

basis of the estimated quantity would amount to \$3,631,902.00 (0%), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the labor and materials, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 173637 which shall be certified against the contract in the sum of \$500,000.00.

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Terrace Construction Company, Inc. for the above-mentioned service is approved:

SUBCONTRACTOR	WORK PERCENTAGE
Rockport Construction & Materials, Inc. (FBE)	\$182,000.00 5.01%
The Vallejo Co. Inc. (MBE)	\$545,000.00 15.01%
Corlett Trenching and Plumbing (MBE)	\$182,000.00 5.01%

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.  
Absent: None.

**Resolution No. 207-07.**

By Director Smith.  
Be it resolved by the Board of Control of the City of Cleveland, that under Section 571.88 of the Codified Ordinances of Cleveland, Ohio, 1976, the schedule of fees that the Director of Port Control proposes to assess and collect from parties for use and rental of meeting room space at Cleveland Hopkins International Airport; excepting those parties that Section 571.88 permits to be excepted, is set as follows:

Location and square footage:

Cleveland Hopkins International Airport	Event Charges (Not to Exceed)
1-500 square feet meeting room	\$ 150.00 per day \$75.00 per 1/2 day \$ 25.00 per hour
501-1,000 square feet meeting room	\$ 200.00 per day \$100.00 per 1/2 day \$ 30.00 per hour
Over 1,001 square feet meeting room	\$ 350.00 per day \$175.00 per 1/2 day \$ 50.00 per hour

Be it further resolved that the schedule of rates set above shall be effective for a one year period from and after April 30, 2007.

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.  
Absent: None.

**Resolution No. 208-07.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland, that under Section 571.88 of the Codified Ordinances of Cleveland, Ohio, 1976, the schedule of fees that the Director of Port Control proposes to assess and collect from parties for use and rental of meeting room space at Burke Lakefront Airport, excepting those parties that Section 571.88 permits to be excepted, is set as follows:

Location:	Event Charges (Not to Exceed)
<b>BURKE LAKEFRONT AIRPORT</b>	
Main Lobby/West Concourse	\$1,000.00 per day
Second floor banquet room	\$ 700.00 per day
Small Conference room	\$ 200.00 per day \$100.00 per half day
Large Conference room	\$ 250.00 per day \$150.00 per half day

Be it further resolved that the schedule of rates set above shall be effective for a one year period from and after April 30, 2007.

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.  
Absent: None.

**Resolution No. 209-07.**

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that all bids received for the public improvement of constructing taxiway, ramp and runway improvements at Cleveland Hopkins International Airport for the Department of Port Control, received on June 14, 2006, under the authority of Ordinance No. 2376-02, passed by the Council of the City of Cleveland on March 10, 2003, be and the same are rejected.

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.  
Absent: None.

**Resolution No. 210-07.**

By Director Wasik.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Terrace Construction Company Inc., for the public improvement of the Kamm's Streetscape Underground Ducts, Phase 1, for the Division of Engineering and Construction, Department of Public Service, received on March 29, 2007, under the authority of Ordinance No. 985-06, passed by the Cleveland City Council on June 12, 2006, upon a unit basis for the improvement, in the aggregate amount of \$2,755,606.25 for Item Nos. 1 - 83 is affirmed and approved as the lowest responsible bid, and the Director of Public Service is authorized to enter into contract for the improvement with the bidder.

Be it further resolved that the employment of the following subcontractors by Terrace Construction Company Inc. for the above-mentioned public improvement is approved:

The Vallejo Co.	(MBE) — \$414,000.00 — (15.02%)
Rockport Construction	(FBE) — \$138,000.00 — (5.01%)

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.  
Absent: None.

**Resolution No. 211-07.**

By Director Carroll.

Resolved, by the Board of Control of the City of Cleveland that the bid of The Jands Co. for snow and ice removal at the Miles-Broadway Health Center (9127 Miles Ave.), McCafferty Health Center (4242 Lorain Ave.), and the J. Glen Smith Health Center (11100 St. Clair Ave.), all items, for the Division of Health, Department of Public Health, for the period beginning November 1, 2007 and ending April 30, 2008, received on February 15, 2007, under the authority of Ordinance No. 2012-06, passed on December 11, 2006, which on the basis of the estimated quantity would amount to \$20,000, is affirmed and approved as the lowest and best bid, and the Director of Public Health is requested to enter into a requirement contract for such labor and materials necessary, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 174315 which shall be certified against the contract in the sum of \$20,000.00.

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

Be it further resolved by the Board of Control that the employ-

ment of the following subcontractors by The Jands Co., is approved:

<u>Subcontractor</u>	<u>MBE/FBE Amount</u>
Pro Construction	30% MBE \$6,000.00
Multiple Services	10% FBE \$2,000.00

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.  
Absent: None.

**Resolution No. 212-07.**

By Director Cox.

Whereas, Ordinance No. 1271-04, passed by the Council of the City of Cleveland on August 11, 2004 and Board of Control Resolution No. 339-05, adopted June 22, 2005, authorized the Director of Parks, Recreation and Properties to enter into a three-year Concession Agreement with Innovative Foods, Inc. ("Concessionaire") for the operation of food and beverage concession stands at Brookside and Gordon Parks for a concession fee of the greater of \$4,000.00 per year or 5% of gross profits for Brookside Park and the greater of \$2,000.00 per year or 5% of the gross profits for Gordon Park; and

Whereas, the City of Cleveland and Concessionaire wish to modify the minimum yearly concession fee commensurate with the prospective food and beverage concession sales opportunities at Gordon and Brookside Parks to ensure continued firstclass food and beverage service to the public through the term of the agreement; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that the Director of Parks, Recreation and Properties is authorized to enter into a first modification to the Concession Agreement with Innovative Foods, Inc. for the operation of the food and beverage concession stands at Gordon and Brookside Parks to change the concession fee stated in Board of Control Resolution No. 339-05, adopted June 22, 2005, to the greater of \$2,500.00 per year or 5% of gross profits for Brookside Park and the greater of \$1,500.00 per year or 5% of the gross profits for Gordon Park, effective upon execution of the modification. The modification authorized above shall be prepared by the Director of Law and shall include such additional provisions as the Director of Law deems necessary to benefit and protect the public interest.

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.  
Absent: None.

**Resolution No. 213-07.**

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 137-11-046, located at East 131st Street under the Land Reutilization Program; and

Whereas, Ordinance No. 297-07 passed April 16, 2007, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Ralph D. Cowan has proposed to the City to purchase and develop the parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 297-07 passed April 16, 2007, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Ralph D. Cowan for the sale and development of Permanent Parcel No. 137-11-046, as described in the Ordinance according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the parcel shall be \$1,400.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Land Reutilization Program.

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.

Absent: None.

**Resolution No. 214-07.**

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 106-08-022, located at East 65th Street under the Land Reutilization Program; and

Whereas, Ordinance No. 1637-06 passed November 20, 2006, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Johann Wheeler and Evelyn Wheeler have proposed to the City to purchase and develop the parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1637-06 passed November 20, 2006, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Johann Wheeler and Evelyn Wheeler for the sale and development of Permanent Parcel No. 106-08-022, as described in the Ordinance according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the parcel shall be \$3,200.00, which amount is determined to be not less than the fair

market value of the parcel for uses according to the Land Reutilization Program.

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.

Absent: None.

**Resolution No. 215-07.**

By Director Rush.

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

Whereas, City has acquired Permanent Parcel Nos. 126-38-009, 126-38-010, 126-38-011, 126-38-019, located at Manor Avenue under the Land Reutilization Program; and

Whereas, Ordinance No. 849-05 passed June 6, 2005, authorized the sale of the parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Cleveland Screw Products, Inc. has proposed to the City to purchase and develop the parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 849-05 passed June 6, 2005, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Cleveland Screw Products, Inc. for the sale and development of Permanent Parcel Nos. 126-38-009, 126-38-010, 126-38-011, 126-38-019, as described in the Ordinance according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the parcels shall be \$4,500.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Land Reutilization Program.

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.

Absent: None.

**Resolution No. 216-07.**

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 125-25-005, located at East 55th and Luffkin Avenue under the Land Reutilization Program; and

Whereas, Ordinance No. 449-07 passed April 23, 2007, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Cleveland Housing Network, Inc. has proposed to the City to purchase and develop the parcel; now, therefore,

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

under the authority of Ordinance No. 449-07 passed April 23, 2007, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Cleveland Housing Network, Inc. for the sale and development of Permanent Parcel No. 125-25-005, as described in the Ordinance according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the parcel shall be \$100.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Land Reutilization Program.

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.

Absent: None.

**Resolution No. 217-07.**

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 115-26-153, located at Alhambra Road under the Land Reutilization Program; and

Whereas, Ordinance No. 450-07 passed April 23, 2007, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Cresthaven Development, Inc. has proposed to the City to purchase and develop the parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 450-07 passed April 23, 2007, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Cresthaven Development, Inc. for the sale and development of Permanent Parcel No. 115-26-153, as described in the Ordinance according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the parcel shall be \$100.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Land Reutilization Program.

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.

Absent: None.

**Resolution No. 218-07.**

By Director Rush.

Whereas, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under the Program, the City has acquired Permanent Parcel

No. 019-13-094 located at Emery Avenue in Ward 19; and

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

Whereas, Mabel Holivay, abutting/adjacent landowner, has proposed to the City to purchase and develop the parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 19 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Mabel Holivay for the sale and development of Permanent Parcel No. 019-13-094 located at Emery Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Mayor Jackson, Acting Director Langhenry, Director Dumas, Acting Director Nelson, Director Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Fumich, Guzman and Rybka.

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 commis-

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

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

REYNALDO GALINDO,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, MAY 21, 2007**

**9:30 A.M.**

**Calendar No. 07-48:** 3420 East 93rd Street (Ward 5)

3420 East 93rd Street Company, owner, and David Tryon, agent, appeal to construct a 60 unit apartment building, proposed to be situated on an irregular shaped acreage parcel located between East 93rd Street and East 88th Street in split zoning between a General Retail District and a Two-Family District at 3420 East 93rd Street; the proposed multiple dwelling unit building being subject to the limitations of Section 337.03 and not permitted in a Two-Family District but first permitted in a Multi-Family District as stated in Section 337.08 of the Codified Ordinances.

**Calendar No. 07-58:** 3920 Lee Road (Ward 1)

John Barnes, Jr., owner, appeals to erect a 2nd and 3rd floors addition to an existing one-story building, situated on a 38' x 125.59' parcel located in a Local Retail Business District on the west side of Lee Road at 3902 Lee Road; subject to Section 357.07(a) there is a 10' specific setback required from Lee Road; and the expansion of an existing nonconforming use requires the Board of Zoning Appeals approval, according to the provisions of Section 359.01 of the Codified Ordinances.

**Calendar No. 07-59:** 1954 East 124th Street (Ward 6)

Alan Swick, owner, appeals to erect a 16' x 22' two-story frame room addition to an existing single family residence, situated on a 35' x 100' parcel located in a C1 Multi-Family District on the west side of East 124th Place at 1954 East 124th Place; contrary to Section 359.09, a distance of 4'6" is provided where no building shall be erected less than 10' from a main building on an adjoining lot; and a 120' area of interior side yard is provided where 672' is required for a Multi-Family District, calculated by multiplying one-half the building height by the building length, according to the provisions of Section 357.09(2)C, and the expansion of a nonconforming building requires Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

**Calendar No. 07-60:** 5918 Hawthorne Avenue (Ward 5)

Monique Williams, owner, appeals to change use of a 2 1/2-story frame

dwelling to a use for a child boarding home, situated on a 45' x 150' parcel, located in a Multi-Family District on the south side of Hawthorne Avenue at 5918 Hawthorne Avenue; as proposed the use is adjacent to a residence district and is required to be 15' from an adjoining residence district not used for a similar purpose; no legal parking spaces are shown on the plan and four spaces are required, one per each six beds and one per each staff member, according to Section 349.04(c) of the Codified Ordinances.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, MAY 7, 2007**

At the meeting of the Board of Zoning Appeals on Monday, May 7, 2007, the following appeals were heard by the Board.

The following appeals were **Approved:**

**Calendar No. 07-45:** 4315 West 140th Street

The Cleveland Municipal School District appealed to construct a two-story Kindergarten through Eighth Grade public school building in split zoning between One and Two-Family residential districts; subject to condition.

**Calendar No. 07-46:** 4550 West 150th Street

The Cleveland Municipal School District appealed to construct a two-story Kindergarten through Eighth Grade public school building in a Two-Family District; subject to condition.

**Calendar No. 07-47:** 7600 Wade Park Avenue

The Cleveland Municipal School District appealed to construct a two-story Kindergarten through Eighth Grade public school building in split zoning between General Retail and Multi-Family Districts; subject to condition.

**Calendar No. 07-56:** 3800 West 140th Street

The Cleveland Municipal School District appealed to construct a Kindergarten through Eighth Grade public school building in an One-Family District.

The following appeal was **Denied:**

**Calendar No. 07-35:** 1370 West 89th Street

Algart Realty appealed to construct a parking lot in a Multi-Family District.

The following appeal was **Withdrawn:**

**Calendar No. 07-49:** 9606 Empire Avenue

Clifton Dove appealed to enclose an existing front porch of a one family dwelling in an A1 One-Family District.

The following appeal was **Dismissed:**

None.

The following appeal was **Postponed**:

None.

In Executive Session on May 7, 2007, the following appeals heard by the Board on April 30, 2007 were ratified by the Board.

The following appeals were **Approved**:

**Calendar No. 07-41:** 2314 West 6th Street

Sammy Ross Catania appealed to erect a 15' x 20' one-story frame garage addition to a single family dwelling in a B1 Multi-Family District.

**Calendar No. 07-43:** 3181 West 41st Street

The Catholic Diocese of Cleveland and St. Procop Church appealed to install an industrialized trailer for food distribution on church property located in split zoning between Multi-Family and Two-Family Districts.

The following appeal was **Denied**:

**Calendar No. 07-38:** 7807 Cedar Avenue

Dionne Carmichael appealed to change use from a dwelling unit to independent housing for ex-offenders in a Local Retail Business District.

Secretary

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

Re: Report of the Meeting of May 2, 2007

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

\* \* \*

**Docket A-15-07.**

RE: Appeal of Associated Estates Management Company, Owner of the Sign (Euclid Beach Arch) located on the premises known as 16001 Lakeshore Boulevard from a NOTICE OF VIOLATION — HAZARDOUS STRUCTURE of the Director of the Department of Building and Housing, dated January 11, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).  
BE IT RESOLVED, a motion is in order at this time to grant the Appellant an additional forty-five (45) days in which to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saunders.  
Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

**Docket A-24-07.**

RE: Appeal of Polster Family Trust, Etc., Owner of the Two Story Masonry Multi-Family Property located on the premises known as 8610 Franklin Avenue (aka 8611 Detroit Avenue) from a 30 DAY CONDEMNATION ORDER of the Director of the Department of Building and Housing, dated January 24, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-24-07 has been POSTPONED; to be rescheduled for May 16, 2007.

\* \* \*

**Docket A-36-07.**

RE: Appeal of Marianne Jarosiak, Owner of the One Dwelling Unit Single Family Residential Property located on the premises known as 18901 Shawnee Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated February 7, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until June 1st, 2007 in which to remove all cars, except the minivan, and until July 1st, 2007 in which to abate all the violations and including licensing or removing the minivan; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.  
Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

\* \* \*

**Docket A-37-07.**

RE: Appeal of Jack Weingold, Owner of the One Story Masonry general Industry located on the premises known as 9525 Woodland Avenue from a NOTICE OF VIOLATION — UNAUTHORIZED USE of the Director of the Department of Building and Housing, dated January 31, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 9525 Woodland Avenue to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Saab.  
Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

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**Docket A-38-07.**

RE: Appeal of Danford K. Jones, Owner of the Two Dwelling Units Two-Family Residential Property located on the premises known as 532 East 107th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated January 29, 2007, requiring compliance with the

Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to abate the violations the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

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**Docket A-40-07.**

RE: Appeal of Garlin Rudolph, Owner of the One Dwelling Unit Two Story Frame Single Family Residential Property located on the premises known as 4618 East 147th Street from a 14 DAY CONDEMNATION ORDER — MS of the Director of the Department of Building and Housing, dated February 22, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 4618 East 147th Street to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

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**Docket A-44-07.**

RE: Appeal of GMC Mortgage Corporation, Mortgagee of the One Dwelling Unit Two Story Wood Frame/Siding/Masonry Veneer Single Family Residential Property located on the premises known as 2093 West 73rd Street from a 30 DAY CONDEMNATION ORDER — MS of the Director of the Department of Building and Housing, dated March 3, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant's request for additional time and to REMAND the property at 2093 West 73rd Street to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

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**Docket A-49-07.**

RE: Appeal of John Katsaros, Owner of the Property located on the premises known as 1870 West 25th Street from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated April 2, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the request for a variance and to not permit the building to be con-

structed without compliance with the current code, the property is REMANDED at this time to the DEPARTMENT of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

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**Docket A-50-07.**

RE: Appeal of John Katsaros, Owner of the Property located on the premises known as 11633 Clifton Boulevard from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated April 2, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date, the docket will be rescheduled by May 16, 2007.

\* \* \*

**Docket A-54-07.**

RE: Appeal of 1717 East 9th Street LLC, Owner of the Property located on the premises known as 1717 East 9th Street from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated April 26, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date, the docket will be rescheduled by May 16, 2007.

\* \* \*

**APPROVAL OF RESOLUTIONS:**

Separate motions were entered by Mr. Saab and seconded by Mr. Gallagher for Approval and Adoption of the Resolutions as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

- A-13-07—William E. Bienias.
- A-16-07—Mario A. Houston.
- A-17-07—Mario A. Houston.
- A-33-07—Leslie M. Vannorsdall.
- A-34-07—Angela Bennett.
- A-35-07—Third Federal Savings.
- A-46-07—C.W.R.U.
- A-48-07—C.W.R.U.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

\* \* \*

**APPROVAL OF MINUTES:**

Separate motions were entered by Mr. Saab and seconded by Mr. Bradley for Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

April 18, 2007

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

\* \* \*

Secretary

**PUBLIC NOTICE**

**COUNCIL MEETING  
MAY 14, 2007**

Notice is hereby given that the Council of the City of Cleveland will hold its regular meeting on Monday, May 14, 2007 at 7:00 p.m. at Josaphat Arts Hall/Covivium 33 Gallery, 1433 East 33rd Street, Cleveland, Ohio.

Emily Lipovan,  
Clerk of Council

May 9, 2007

**NOTICE OF PUBLIC HEARING**

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

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, May 30, 2007  
1:00 p.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, May 30, 2007, at 1:00 p.m., to consider the following ordinances now pending in the Council:

**Ord. No. 69-07.**

By Council Member Lewis.  
An ordinance changing the zoning of land on the north side of Chester Avenue between East 90th Street and East 97th Street from a Multi-Family Residential Use District to Local Retail Business, a General Retail Business District and a '3' Height District (Map Change No. 2206; Sheet No. 5).

**Ord. No. 70-07.**

By Council Member Reed.  
An ordinance to change the Use District of land on the east and west sides of East 152nd Street north of Kinsman Road from a Two Family Residential District to a Residence Office District (Map Change No. 2210; Sheet No. 10).

**Ord. No. 71-07.**

By Council Member Zone.  
An ordinance to change the Height District of land on the north side of Detroit Avenue between West 65th Street to West 67th Street from a '1' or a '2' Height District to a '3' Height District (Map Change No. 2209; Sheet No. 1).

**Ord. No. 145-07.**

By Council Member Polensek.  
An ordinance to change the Use District of property located on the northeast corner of East 185th Street and Neff Road from Local Retail Business District to an RA2 Townhouse District (Map Change No. 2212; Sheet No.7).

**Ord. No. 298-07.**

By Council Member Cimperman.  
An ordinance to change the zoning of property located on the west

side of East 33rd Street north of Perkins Avenue from Multi-Family Residential to Residence Industry District (Map Change No. 2216 Sheet No. 5).

**Ord. No. 299-07.**

By Council Member Cimperman.  
An ordinance to change the zoning of property located between East 41st Street and East 43rd Street south of Superior from Two-Family Residential to Semi-Industry (Map Change No. 2218 Sheet No. 4).

**Ord. No. 300-07.**

By Council Member Reed.  
An ordinance to change the zoning of property located on the southwest corner of Kinsman Road and East 123rd Street from RA-2 to Local Retail Business and a 'C' Area District (Map Change No. 2215 Sheet No. 10).

**Ord. No. 301-07.**

By Council Member Zone.  
An ordinance to change the zoning of property located on the northwest and southwest corners of Father Caruso at West 65th Street and at West 67th Street to Two Family Residential and a '1' Height District (Map Change No. 2217 Sheet No. 1).

**Ord. No. 415-07.**

By Council Member Britt.  
An ordinance to change the Use District of a parcel of land located on the northeast corner of East 105th Street and Norman Avenue from a Local Retail Business District to a General Retail Business District (Map Change Number 2220, Sheet 9).

**Ord. No. 498-07.**

By Council Member Polensek.  
An ordinance establishing a Pedestrian Retail Overlay (PRO) District along East 185th Street between Lake Shore Boulevard and Waterloo Road (Map Change No. 2221, Sheet No. 7).

**Ord. No. 499-07.**

By Council Member Polensek.  
An ordinance establishing a Pedestrian Retail Overlay (PRO) District on lands fronting on Waterloo Road and East 156th Street bounded by Huntmere Avenue to the north, East 152nd Street to the west and E. 163rd Street to the east (Map Change No. 2222, Sheet No. 7).

**Ord. No. 544-07.**

By Council Member Zone.  
An ordinance changing the Use Districts of parcels on the northeast corner or West 65th Street and Franklin Avenue from a Two Family District to Local Retail Business District. (Map Change Number 2223, Sheet 1)

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

Joseph C. Cimperman  
Chairman  
Committee on City Planning

May 9, 2007, May 16, 2007 and May 23, 2007

**CITY OF CLEVELAND BIDS****For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

**FRIDAY, MAY 18, 2007**

**Electrical Parts and Equipment, Including Labor, Materials and Installation**, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 191-07, passed by the Council of the City of Cleveland, March 12, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MAY 11, 2007 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT, CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

**Property Insurance for Cleveland Browns Stadium**, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 445-07, passed by the Council of the City of Cleveland, April 2, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, MAY 15, 2007 AT 10:30 A.M., DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

THERE WILL BE A **NON-MANDATORY SITE VISIT AFTER THE PRE-BID MEETING** TUESDAY, MAY 15, 2007.

May 2, 2007 and May 9, 2007

**FRIDAY, MAY 25, 2007**

**Purchase of Motorcycle Parts and Labor**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 501-06, passed by the Council of the City of Cleveland, May 1, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, MAY 14, 2007 AT 10:00 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

May 2, 2007 and May 9, 2007

**WEDNESDAY, MAY 30, 2007**

**Various Laboratory, Medical, Pharmaceutical Supplies and Equipment and Nursing Supplies**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 570-07, passed by the Council of the City of Cleveland, pending.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, MAY 14, 2007 AT 10:00 A.M., CLEVELAND EMS HEADQUARTERS, CONFERENCE ROOM, 1701 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

May 2, 2007 and May 9, 2007

**THURSDAY, MAY 24, 2007**

**New Air Quality Monitoring Facility**, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 1870-06, passed by the Council of the City of Cleveland, November 27, 2006.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS** IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER. (NO COMPANY CHECKS AND NO CASH WILL BE ACCEPTED).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, MAY 16, 2007 AT 2:00 P.M., CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE, ROOM #517, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**West 160th Street Sanitary Sewer Replacement Project**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 873-06, passed by the Council of the City of Cleveland, July 12, 2006.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS** IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER. (NO COMPANY CHECKS AND NO CASH WILL BE ACCEPTED).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MAY 18, 2007 AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

May 9, 2007 and May 16, 2007

**FRIDAY, MAY 25, 2007**

**2007 Summer Food Program**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 253-07, passed by the Council of the City of Cleveland, April 2, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, MAY 21, 2007 AT 10:00 A.M., DIVISION OF RECREATION, CONFERENCE ROOM, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**Rental of Large 17 Ton Capacity Trucks with Operators**, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 198-07, passed by the Council of the City of Cleveland, March 5, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, MAY 21, 2007 AT 10:00 A.M., DIVISION OF STREETS, CONFERENCE ROOM #26, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**Purchase of Various Case and Gradall Construction Equipment Parts and Labor**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 501-06, passed by the Council of the City of Cleveland, May 1, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, MAY 21, 2007 AT 10:30 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

May 9, 2007 and May 16, 2007

**WEDNESDAY, MAY 30, 2007**

**Improvements to Harvard Yards Service Facility for the Division of Motor Vehicle Maintenance**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 692-06, passed by the Council of the City of Cleveland, June 12, 2006.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS** IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER. (NO COMPANY CHECKS AND NO CASH WILL BE ACCEPTED).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, MAY 24, 2007 AT 10:00 A.M., HARVARD YARDS, DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

**Various Fuel Dispensing System Maintenance and Repair**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 501-06, passed by the Council of the City of Cleveland, May 1, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, MAY 22, 2007 AT 10:00 A.M., HARVARD YARDS, DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

May 9, 2007 and May 16, 2007



**Certified MBEs and FBE  
Reporting Period: January-March, 2007**

Pursuant to Chapter 187 of the Codified Ordinances of the City of Cleveland, Ohio, listed below are the firms that have been certified as Minority Business Enterprises (MBEs) and Female Business Enterprises (FBEs) by the Mayor's Office of Equal Opportunity during the period of January-March, 2007.

Company	MBE/FBE	Cerdate	Description
Bonnie E. Smith, Architect	FBE	02-Jan-07	Architectural, planning & programming services for civic, school, residential, & restoration projects. Use AutoCad & MASTERSPEC systems.
Design Room dba Design Room Creative	FBE	31-Jan-07	Graphic design firm. Services include logo and identity creation; digital media design; strategic campaign development; advertising; packaging; signage; copywriting; and illustration.
Heatherlily, Inc.	FBE	18-Jan-07	Custom floral & event design firm; weddings; corporate functions; non-profit events. Provide fresh flowers, chair covers, table linens.
Time Line Photography	FBE	16-Feb-07	Construction Photography: photos & videos; pre-construction, progress, & completed work.
Royal Landscape & Gardening	FBE	26-Feb-07	Exterior landscaping; irrigation; pavers; retaining walls; excavation; masonry; concrete; fence and guard rail.
Warren Chaney Office Furniture	FBE	23-Mar-07	Sales of office furniture and related services. Move management.
Artcomm Construction	MBE	06-Feb-07	Provide construction labor for commercial construction projects specializing in plumbing.
Champion Clinical	MBE	26-Mar-07	Drug, alcohol and DNA testing, background finger printing and phlebotomy services.
Floors by RJ Enterprises	MBE	29-Mar-07	Flooring contractors specializing in ceramic tile, tile, vinyl, wood flooring, plush carpeting, laminate.
J.A. Easterling	MBE	21-Feb-07	Masonry contractor specializing in installation of concrete and brick for new construction and rehabilitation including various construction projects.
Moody-Nolan, Inc.	MBE	19-Jan-07	Architectural firm providing full service architecture, civil engineering, interior architecture/design.
New Generation Painters	MBE	19-Mar-07	Interior / Exterior commercial and residential painting, decorating and rehab.
Roma Design, LLC	MBE	01-Mar-07	Specializing in the installment, repair & stripping of poured-in-place reinforced concrete. Installation & repair of divider walls, rails, sound barrier walls, guard rails.
Saunders & Sons Painting Co. LLC	MBE	12-Jan-07	General contractor specializing in commercial & property management, residential painting, staining, minor drywall repair, exterior power washing, gutter cleaning interior/exterior masonry painting, specialty coatings.
United Cab Company	MBE	28-Feb-07	Taxi services.
Wilberto Reyes	MBE	20-Mar-07	General contractor: concrete, installation of window siding, carpentry, masonry, and roofing installation.
Yesmar, LLC dba Furniture Medic by Ramsey	MBE	28-Feb-07	On-site repair, refinishing, restoration of furniture.

**MBEs/FBEs DELETED FROM OEO'S DATABASE  
Reporting Period: January-March, 2007**

The attached firms, that were previously certified as a MBE and/or FBE have been dropped from the MBE/FBE database. The firms listed were sent at least two (2) letters and elected not to re-certify for various reasons, including going out of business and changes in geographic location.

MBE/FBE	Company
FBE	Summit Drilling
FBE	Crosby O' Brien & Associates
FBE	SKM Creations
FBE	LMR Construction
MBE	Sierra Lobo

**Denials of Certification - Reporting period January-March, 2007**

Pursuant to Chapter 187 of the Codified Ordinances of the City of Cleveland and its amendment, Ordinance No. 1186-92, which was passed by City Council on Monday, June 15, 1992, attached is a listing of firms that have applied for certification and were denied. However, these firms are not prohibited from doing business as prime contractors with the City of Cleveland. Denials were based upon the purported owner's inability to clearly define that they were bona fide minority and/or female owned and controlled firms, or they applied for certification and were out of the geographic area that met the requirements of the MBE/FBE Ordinances and the Regulations that govern the MBE/FBE certification status, or they failed to respond to OEO's written requests for additional information in order to process the file.

MBE/FBE	Company
MBE	North Coast Roofing
MBE	Innovative Architectural
MBE	MPS Group, Inc.
MBE	Organic Way
MBE	Washington Enterprises

**ADOPTED RESOLUTIONS  
AND ORDINANCES**

**Res. No. 706-07.**

**By Council Member Zone.**

**An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 3224 West 73rd Street, 1st floor and basement.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Hanan Shihadeh, 3224 West 73rd Street, 1st floor and basement, Cleveland, Ohio 44102, Permanent Number 8087286 to Sam Express Beverage, LLC, 3224 West 73rd Street, 1st floor and basement only, Cleveland, Ohio 44102, Permanent Number 2596014; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Hanan Shihadeh, 3224 West 73rd Street, 1st floor and basement, Cleveland, Ohio 44102, Permanent Number 8087286 to Sam Express Beverage, LLC, 3224 West 73rd Street, 1st floor and basement only, Cleveland, Ohio 44102, Permanent

Number 2596014; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 30, 2007.

Effective May 3, 2007.

**Res. No. 707-07.**

**By Council Member Brady.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit at 13501-05 Lakewood Heights Boulevard, and repealing Resolution No. 144-07, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 13501-05 Lakewood Heights Boulevard by Resolution No. 144-07 adopted by the Council on January 29, 2007; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit to Kishen, Inc., DBA Stop-n-Save, 13501-05 Lakewood Heights Boulevard, Cleveland, Ohio 44107, Permanent Number 4678478 be and the same is hereby withdrawn and Resolution No. 144-07, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted April 30, 2007.

Effective May 3, 2007.

**Res. No. 708-07.**

**By Council Member Cimperman.**

**An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 3146 West 14th Street, and repealing Resolution No. 1551-05, objecting to said renewal.**

Whereas, this Council objected to a D5 Liquor Permit to 3146 West 14th Street by Resolution No. 1551-05 adopted by the Council on August 3, 2005; 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 a D5 Liquor Permit to Molnar Entertainment Corporation, 3146 West 14th Street, Cleveland, Ohio 44109, Permanent Number 6094234 be and the same is hereby withdrawn and Resolution No. 1551-05, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 30, 2007.

Effective May 3, 2007.

**Res. No. 709-07.**

**By Council Member Cleveland.**

**An emergency resolution withdrawing objection to the renewal of a C1, C2 and D6 Liquor Permit at 7028 Cedar Avenue, and repealing Resolution No. 1304-06, objecting to said renewal.**

Whereas, this Council objected to a C1, C2 and D6 Liquor Permit to Jamie Clay, DBA People's Variety, 7028 Cedar Avenue, Cleveland, Ohio 44103, Permanent Number 1531971 by Resolution No. 1304-06 adopted by the Council on August 9, 2006; 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 a C1, C2 and D6 Liquor Permit to Jamie Clay, DBA People's Variety, 7028 Cedar Avenue, Cleveland, Ohio 44103, Permanent Number 1531971 be and the same is hereby withdrawn

and Resolution No. 1304-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 30, 2007.  
Effective May 3, 2007.

**Res. No. 710-07.**  
**By Council Member Reed.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit at 13401 Kinsman Avenue, and repealing Resolution No. 226-07, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to Ferrer, Inc., 13401 Kinsman Avenue, Cleveland, Ohio 44120, Permanent No. 2694710, by Resolution No. 226-07 adopted by the Council on February 5, 2007; and

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

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

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

**Section 1.** That objection to a C1 Liquor Permit to Ferrer, Inc., 13401 Kinsman Avenue, Cleveland, Ohio 44120, Permanent Number 2694710 be and the same is hereby withdrawn and Resolution No. 226-07, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted April 30, 2007.  
Effective May 3, 2007.

**Res. No. 711-07.**  
**By Council Member Sweeney.**

**An emergency resolution fixing the location for a certain meeting of Cleveland City Council on Monday, May 14, 2007.**

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

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

**Section 1.** That the Council of the City of Cleveland shall hold its regular meeting on Monday, May 14, 2007 at Josaphat Arts Hall/Covivium 33 Gallery, 1433 East 33rd Street at 7:00 pm.

**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 April 30, 2007.  
Effective May 3, 2007.

**Ord. No. 448-07.**

**By Council Members Turner, Brady, Cimperman and Sweeney (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of erecting a fence surrounding Johnston Parkway Park Maintenance Station; and authorizing the Director of Parks, Recreation and Properties to enter into one or more public improvement contracts for the making of the improvement.**

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

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

**Section 1.** That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of erecting a fence surrounding Johnston Parkway Park Maintenance Station, for the Division of Park Maintenance, Department of Parks, Recreation and Properties, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

**Section 2.** That the Director of Parks, Recreation and Properties is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

**Section 3.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Parks, Recreation and Properties may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the pur-

chases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 4.** That the cost of the improvement authorized shall be paid from Fund No. 01-701207-661200, Request No. 164146.

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

Passed April 30, 2007.  
Effective May 3, 2007.

**Ord. No. 493-07.**

**By Council Members Brady and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to apply for and accept a grant from the State of Ohio through the Northeast Ohio Area Coordinating Agency to assist the City in participating in NOACA's Regional Pavement Management System; and authorizing the Director to employ one or more professional consultants to prepare a pavement management 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 Service is authorized to apply for and accept a grant in the approximate amount of \$200,000, and any other funds that may become available from the State of Ohio through the Northeast Ohio Area Coordinating Agency to assist the City in participating in NOACA's Regional Pavement Management System; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the legislative summary for the grant contained in the file described below.

**Section 2.** That the legislative summary for the grant, File No. 493-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority, is approved in all respects.

**Section 3.** That the Director of Public Service is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional ser-

vices necessary to implement the pavement management program which will include, but not be limited to, surveying each roadway, creating a video log, perform testing, and data sharing with NOACA for inclusion into the pavement management program.

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

**Section 4.** That the cost of contract or contracts authorized shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance, and from the fund or funds to which are credited proceeds from the sale of 2007 general obligation bonds issued for this purpose and Fund Nos. 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, and 20 SF 506, Request No. 173241.

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

Passed April 30, 2007.  
Effective May 3, 2007.

**Ord. No. 494-07.**  
**By Council Members Brady and Sweeney (by departmental request).**  
**An emergency ordinance authorizing the purchase by one or more requirement contracts for contingency services for the disposal of municipal solid waste, for the Division of Waste Collection and Disposal, 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 authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year or two years for the necessary items of contingency services for the disposal of municipal solid waste to various approved and certified transfer facilities and landfills, in the approxi-

mate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items of services as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Bids shall also be taken so as to permit an award to be made for provision of such services citywide or by separate contracts for the districts determined by the Director of Public Service.

**Section 2.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Service may require that each bid be accompanied by a single bond securing both the execution of a contract and the performance of the term of each contract. If a single bond securing both execution and performance is required by the Director, it shall be substantially in accordance with the form attached as Exhibit "A". Each bond, whether to secure the execution of a contract, its performance, or both, shall be in an amount determined by the Director of Public Service. Each bond submitted to secure the contract or contracts authorized by this ordinance shall be executed by a surety authorized to do business in the State of Ohio and shall be acceptable to the Director of Law.

**Section 3.** That the cost of the contract or contracts shall be charged against the proper appropriation account and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130715)

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

**BID GUARANTY AND CONTRACT BOND**

KNOW ALL MEN BY THESE PRESENTS, that we the \_\_\_\_\_

\_\_\_\_\_  
(Name and Address)  
as Principal and \_\_\_\_\_

\_\_\_\_\_  
(Name of Surety)  
as Surety are hereby held and firmly bound unto the City of Cleveland, hereinafter called the Obligee, in the penal sum hereinafter stated, pertaining to the bid submitted by the Principal to the Obligee on \_\_\_\_\_ (date) to undertake the project known \_\_\_\_\_

\_\_\_\_\_  
The penal sum referred to herein shall be \_\_\_\_\_

\_\_\_\_\_. For the payment of the penal sum well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

**THE CONDITION OF THE ABOVE OBLIGATION IS SUCH,** that whereas the above named Principal has submitted a bid on the above referred project;

**NOW, THEREFORE,** if the Obligee accepts the bid of the Principal and the Principal fails to enter into a proper contract in accordance with the bid, plans, details, specifications, and bills of material; and in the event the Principal pays to the Obligee the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid and such larger amount for which the Obligee may in good faith contract with the next lowest and best bidder to perform the work covered by the bid; or in the event the Obligee does not award the contract to the next lowest and best bidder and resubmits the project for bidding, the Principal will pay the Obligee the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid, or the costs in connection with the resubmission, of printing new contract documents, required advertising, and printing and mailing notices to prospective bidders, whichever is less, then this obligation shall be void, otherwise to remain in full force and effect. If the Obligee accepts the bid of the Principal and the Principal within ten days after the awarding of the contract and submitting to the Principal a contract for execution, enters into a proper contract in accordance with the bid, plans, details, specifications, and bills of material, which said contract is made a part of this bond the same as though set forth herein; and

**IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Obligee against all damage suffered by failure to perform such contract according to the provisions thereof and in accordance with the plans, details, specifications, and bills of material there-**

for; and shall pay all lawful claims of subcontractors, materialmen, and laborers for labor performed and materials furnished in the carrying forward, performing, or completing said contract; we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim as well as for the Obligee herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

THE SAID Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the terms of said contract or in or to the plans and specifications therefor shall in any wise affect the obligations of said Surety on this bond, and it does hereby waive notice of any such modifications, omissions or additions to the terms of the contract or to the work or to the specifications.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

PRINCIPAL: \_\_\_\_\_ SURETY: \_\_\_\_\_

BY: \_\_\_\_\_ BY: \_\_\_\_\_  
 Attorney-in-Fact

TITLE: \_\_\_\_\_

SURETY COMPANY  
 ADDRESS:

\_\_\_\_\_ Street

\_\_\_\_\_ City State ZIP

SURETY AGENT'S  
 ADDRESS:

\_\_\_\_\_ Agency Name

\_\_\_\_\_ Street

\_\_\_\_\_ City State ZIP

"Exhibit A"

Passed April 30, 2007.  
 Effective May 3, 2007.

**Ord. No. 534-07.**  
**By Council Members Brady and Sweeney (by departmental request).**  
**An emergency ordinance authorizing the purchase by one or more requirement contracts of various types of furniture, fixtures, and equipment, for the Division of Architecture, 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 authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements of the necessary items of various types of furniture, fixtures, and equipment needed to complete the public improvements authorized under Ordinance Nos. 485-07, 486-07, 487-07, 488-07, 489-07, and 490-07, for the period of one or two years, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Architecture, Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

**Section 2.** That the costs of the contract or contracts shall be paid from the fund of funds to which are credited proceeds from the sale of 2007 general obligation bonds issued for this purpose and Fund Nos. 20 SF 362, 20 SF 371, 20 SF 381, 20 SF 391, and 20 SF 503 and shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 156216)

**Section 3.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Service may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

shall take effect and be in force from and after the earliest period allowed by law.

Passed April 30, 2007.  
 Effective May 3, 2007.

**Ord. No. 536-07.**  
**By Council Members Brady and Sweeney (by departmental request).**  
**An emergency ordinance to amend Section 3 of Ordinance No. 837-05, passed June 6, 2005, as amended by Ordinance No. 567-06, passed June 12, 2006, and to amend Section 3 of Ordinance No. 838-05, passed June 6, 2005, relating to constructing general improvements to the Willard Park garage and Gateway garages.**

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

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

**Section 1.** That Section 3 of Ordinance No. 837-05, passed June 6, 2005, as amended by Ordinance No. 567-06, passed June 12, 2006, is amended to read as follows:

Section 3. That the cost of the contracts authorized by this ordinance shall be paid from Fund Nos. 65 SF 003, 65 SF 005, and 65 SF 006, Request No. 142496.

**Section 2.** That existing Section 3 of Ordinance No. 837-05, passed June 6, 2005, as amended by Ordinance No. 567-06, passed June 12, 2006, is repealed.

**Section 3.** That Section 3 of Ordinance No. 838-05, passed June 6, 2005 is amended to read as follows:

Section 3. That the cost of the improvement authorized shall be paid from Fund Nos. 65 SF 003, 65 SF 005, and 65 SF 006, Request No. 142497.

**Section 4.** That existing Section 3 of Ordinance No. 838-05, passed June 6, 2005, is repealed.

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

Passed April 30, 2007.  
 Effective May 3, 2007.

**Ord. No. 699-07.**  
**By Council Member Cleveland.**  
**An emergency ordinance to amend Section 1 of Ordinance No. 2210-05, passed March 20, 2006, as amended by Ordinance No. 378-07, passed March 5, 2007, relating to the sale of City-owned property to Dr. Javier Lopez at 5158 Broadway Avenue.**

Whereas, under Ordinance No. 2210-05, passed March 20, 2006, as amended by Ordinance No. 378-07, passed March 5, 2007, this Council

authorized the sale of City-owned property located at 5158 Broadway to Dr. Javier Lopez; and

Whereas, the mortgage term placed in the file through amended Ordinance No. 378-07, was incorrect; 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 Section 1 of Ordinance No. 2210-05, passed March 20, 2006, as amended by Ordinance No. 378-07, passed March 5, 2007, is amended to read as follows:

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the property located at 5158 Broadway Avenue, depicted on the map placed in File No. 2210-05-C, is no longer needed for public use.

**Section 2.** That existing Section 1 of Ordinance No. 2210-05, passed March 20, 2006, as amended by Ordinance No. 378-07, passed March 5, 2007, is repealed.

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

Passed April 30, 2007.  
Effective May 3, 2007.

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**Ord. No. 701-07.**

**By Council Members Britt, Lewis, Pierce Scott, Conwell, Santiago, Zone, Cimperman and Westbrook.**

**An emergency ordinance consenting and approving the issuance of a permit for the 29th RiteAid Marathon and 10K, May 20, 2007, sponsored by Cleveland Marathon, Inc.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 29th RiteAid Marathon and 10K sponsored by Cleveland Marathon, Inc. on May 20, 2007, with the Marathon starting at St. Clair and East 13th Street, St. Clair to East 18th Street, East 18th to Lakeside, Lakeside to East 9th, East 9th to Erieside, Erieside to Al Lerner Way, Al Lerner Way to West 3rd, West 3rd to Lakeside, Lakeside to west bound Shoreway, west bound Shoreway to Edgewater

Drive exit, Edgewater Drive to West 117th, West 117th to Lake Avenue, Lake Avenue to Clifton east bound Shoreway entrance, east bound Shoreway to West 45th exit, West 45th to Franklin, Franklin to Fulton, Fulton to Lorain, Lorain to Carnegie, Carnegie to East 14th, East 14th to Euclid, (Half Marathon turns on East 17th to St. Clair, St. Clair to Finish Line) Euclid to East 40th, East 40th to Chester, Chester to Euclid Avenue, Euclid to East Boulevard, East Boulevard to MLK, MLK to N. Marginal, N. Marginal to bike path, bike path through State park, fishing bridge to East 55th, East 55th to S. Marginal, S. Marginal to West 3rd on ramp, West 3rd ramp to West 3rd, West 3rd to Lakeside, Lakeside to West 9th, West 9th to Superior, Superior to West 3rd, West 3rd to Lakeside, Lakeside to East 18th, East 18th to St. Clair, St. Clair to East 12th, finish; 10K starting at St. Clair & East 13th Street, St. Clair to East 18th, East 18th to Lakeside, Lakeside to East 9th, East 9th to Erieside, Erieside to West 3rd (around stadium), West 3rd to Lakeside, Lakeside to west bound Shoreway on ramp, west bound Shoreway to West 28th exit ramp, West 28th to Detroit, Detroit to West 32nd, West 32nd to Franklin, Franklin to West 28th, West 28th to east bound Shoreway on ramp, east bound Shoreway to Lakeside, Lakeside to East 18th, East 18th to St. Clair, St. Clair to East 12th, finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed April 30, 2007.  
Effective May 3, 2007.

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**Ord. No. 702-07.**

**By Council Member Reed.**  
**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Mt. Olive Missionary Baptist Church to stretch banners along Kinsman Road and along East 126th Street, for the period from July 1, 2007 to July 30, 2007, inclusive, publicizing the church's 100th Year Anniversary.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Mt. Olive Missionary Baptist Church to install, maintain and remove banners along Kinsman Road and along East 126th Street, for the period from July 1, 2007 to July 30, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed April 30, 2007.  
Effective May 3, 2007.

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**Ord. No. 703-07.**

**By Council Member Reed.**  
**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Unity Baptist Church to stretch banners on the corner of East 104th & Kinsman, and East 105th & Kinsman (Pole Nos. CEI 346450, SE-6-67, 318232, and SE-6-68-2), for the period from June 11, 2007 to July 10, 2007, inclusive, celebrating the church's 89th anniversary.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Unity Baptist Church to install, maintain and remove banners on the corner of East 104th & Kinsman, and East 105th & Kinsman (Pole Nos. CEI

346450, SE-6-67, 318232, and SE-6-68-2), for the period from June 11, 2007 to July 10, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed April 30, 2007.  
Effective May 3, 2007.

**Ord. No. 704-07.**

**By Council Member Zone.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the West Side Ecumenical Ministry to stretch a banner at 5209 Detroit Avenue using utility poles (by separate permission), for the period from April 30, 2007 to May 29, 2007, inclusive, publicizing the Head Start.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to The West Side Ecumenical Ministry to install, maintain and remove a banner using utility poles (by separate permission), inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

**Section 2.** That this ordinance is hereby declared to be an emergency

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

Passed April 30, 2007.  
Effective May 3, 2007.

**Ord. No. 705-07.**

**By Council Member Zone.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to stretch banners at West 74th, northeast corner, Gateway Ct. east; 1st pole north of Goodwalt Avenue; West 75th, southeast corner of Father Frascati Avenue; midblock south of Father Frascati Avenue (E); northeast corner of Battery Park Avenue; southwest corner of Father Frascati Avenue (W); northwest corner of Battery Park Avenue; West 73rd Street, (westside); southwest corner of Father Caruso Dr.; 3rd pole south of Father Caruso Dr.; 1st pole south of Father Frascati Avenue; northwest corner of Battery Park Avenue; northwest corner of Gateway Ct.; Father Caruso Drive (north side) opposite southwest corner of West 73rd; and northwest corner of West 74th; for the period from April 30, 2007 to May 29, 2007, inclusive, to announce an Open House at the new Battery Park residential development.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to install, maintain and remove banners at West 74th, northeast corner, Gateway Ct. east; 1st pole north of Goodwalt Avenue; West 75th, southeast corner of Father Frascati Avenue; midblock south of Father Frascati Avenue (E); northeast corner of Battery Park Avenue; southwest corner of Father Frascati Avenue (W); northwest corner of Battery Park Avenue; West 73rd Street, (westside); southwest corner of Father Caruso Dr.; 3rd pole south of Father Caruso Dr.; 1st pole south of Father Frascati Avenue; northwest corner of Battery Park Avenue; northwest corner of Gateway Ct.; Father Caruso Drive (north side) opposite southwest corner of West 73rd; and northwest corner of West 74th; for the period from April 30, 2007 to May 29, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety,

as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed April 30, 2007.  
Effective May 3, 2007.

**COUNCIL COMMITTEE MEETINGS**

**Monday, May 7, 2007**

**1:00 p.m.**

**Joint — Community and Economic Development Committee and Finance Committee:** Present in CDED: Pierce Scott, Chair; Brancatelli, Vice Chair; Cimperman, Cummins, Coats, Westbrook, Brady, Zone, Lewis.

Present in Finance: Sweeney, Chair; Cimperman, Vice Chair; Brady, Conwell, Pierce Scott, Brancatelli, Zone, Westbrook, Coats, White. *Authorized Absence:* Britt.

**2:00 p.m.**

**Finance Committee:** Present: Sweeney, Chair; Cimperman, Vice Chair; Brady, Conwell, Pierce Scott, Brancatelli, Zone, Westbrook, Coats, White. *Authorized Absence:* Britt.

**Tuesday, May 8, 2007**

**1:30 p.m.**

**Employment, Affirmative Action and Training Committee:** Present: Lewis, Chair; Santiago, Vice Chair; Brancatelli, Turner, Coats, Conwell. *Authorized Absence:* Johnson.

**Wednesday, May 9, 2007**

**10:00 a.m.**

**Public Safety Committee:** Present: Conwell, Chair; Brady, Vice Chair; Britt, Polensek, Coats, Kelley, Cummins, Turner, Santiago.

**1:30 p.m.**

**Public Utilities Committee:** Present: Zone, Chair; Reed, Vice Chair; Cleveland, Polensek, Cummins, Keane, Kelley, Westbrook, Santiago.



# Index

O—Ordinance; R—Resolution; F—File  
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
 Bold type in sections indicates amendments

## AIDS

AIDS-related services — contracts — various agencies or entities — Community Development or Public Health (O 740-07).....	771
AIDS-related services — HOPWA Grant — contracts — various agencies or entities — Public Health or Community Development (O 734-07).....	769

## Appropriations

Community Development Department — administrative expenses — Community Development Block Grant & NEF Administrative Cost funds — appropriation — SAS software maintenance — contracts — Executive Information Systems, LLC (O 652-07) .....	779
---	-----

## Banners

Battery Park residential development — Open House (O 705-07) .....	<b>793</b>
Mt. Olive Missionary Baptist Church — church's 100th Year Anniversary (O 702-07) .....	<b>792</b>
Unity Baptist Church — church's 89th anniversary (O 703-07) .....	<b>792</b>
West Side Ecumenical Ministry — Head Start (O 704-07) .....	<b>793</b>

## Board of Building Standards and Building Appeals

Bernard Avenue, 10805, (Ward 19) — Leslie M. Vannorshall, owner — appeal adopted on 5/2/07 (Doc. A-33-07) .....	785
Clifton Boulevard, 11633, (Ward 18) — John Katsaros, owner — appeal rescheduled to 5/16/07 on 5/2/07 (Doc. A-50-07) .....	785
East 107th Street, 532, (Ward 8) — Danford K. Jones, owner — appeal resolved on 5/2/07 (Doc. A-38-07) .....	784
East 147th Street, 4618, (Ward 12) — Garlin Rudolph, owner — appeal resolved on 5/2/07 (Doc. A-40-07) .....	784
East 79th Street, 2163-65, (Ward 6) — Angela Bennett, owner — appeal adopted on 5/2/07 (Doc. A-34-07) .....	785
East 9th Street, 1717, (Ward 13) — John Katsaros, owner — appeal rescheduled to 5/16/07 on 5/2/07 (Doc. A-54-07).....	785
Euclid Avenue, 10900, (Ward 9) — Case Western Reserve University—Institute of Pathology, owner — appeal adopted on 5/2/07 (Doc. A-48-07) .....	785
Franklin Avenue, 8610, (Ward 18) — Polster Family Trust, etc., owner — appeal postponed to 5/16/07 on 5/2/07 (Doc. A-24-07) .....	784
Ingleside Road, 17721, (Ward 11) — Mario A. Houston, owner — appeal adopted on 5/2/07 (Doc. A-17-07) .....	785
Juniper Road, 11310, (Ward 9) — Case Western Reserve University—Alumni House, owner — appeal adopted on 5/2/07 (Doc. A-46-07) .....	785
Lakeshore Boulevard, 16001, (Ward 11) — Associated Estates Manamement Company, owner - appeal resolved on 5/2/07 (Doc. A-15-07) .....	784
Miles Avenue, 14900, (Ward 1) — William E. Bienias, owner — appeal adopted on 5/2/07 (Doc. A-13-07) .....	785
Shawnee Avenue, 18901, (Ward 11) — Marianne Jarosiak, owner — appeal resolved on 5/2/07 (Doc. A-36-07).....	784
Warner Road, 4390, (Ward 12) — Mario A. Houston, owner — appeal adopted on 5/2/07 (Doc. A-16-07).....	785
West 25th Street, 1870, (Ward 13) — John Katsaros, owner — appeal resolved on 5/2/07 (Doc. A-49-07) .....	784
West 54th Street, 3291, (Ward 17) — Third Federal Savings and Loan Association of Cleveland, owner — appeal adopted on 5/2/07 (Doc. A-35-07) .....	785
West 73rd Street, 2093, (Ward 17) — GMC Mortgage Corporation, mortgagee — appeal resolved on 5/2/07 (Doc. A-44-07).....	784
Woodland Avenue, 9525, (Ward 6) — Jack Weingold, owner — appeal resolved on 5/2/07 (Doc. A-37-07).....	784

## Board of Control — Brookside Park

Concession stands — amend agreements per BOC Res. 339-05 — Division of Park Maintenance and Properties, Dept. of Parks, Recreation and Properties (BOC Res. 212-07).....	781
--	-----

## Board of Control — Burke Lakefront Airport Division

Rental fees for meeting rooms — amend Section 571.88 — Dept. of Port Control (BOC Res. 208-07) .....	781
--	-----

## Board of Control — Cleveland Hopkins International Airport Division

Rental fees for meeting rooms — amend Section 571.88 — Dept. of Port Control (BOC Res. 207-07) .....	780
Taxiway, ramp and runway improvements — per Ord. 2376-02 — all bids rejected — Dept. of Port Control (BOC Res. 209-07) .....	781

**Board of Control — Community Development Department**

Alhambra Road (Ward 11) — PPN 115-26-153 — Cresthaven Development, Inc. per Ord. 450-07  
 (BOC Res. 217-07) ..... 782

East 131st Street (Ward 3) — PPN 137-11-046 — Ralph D. Cowan per Ord. 297-07  
 BOC Res. 213-07) ..... 782

East 55th Street (Ward 12) — PPN 125-25-005 — Cleveland Housing Network, Inc. per Ord.  
 449-07 (BOC Res. 216-07) ..... 782

East 65th Street (Ward 7) — PPN 106-08-022 — Johann Wheeler and Evelyn Wheeler per Ord.  
 1637-06 (BOC Res. 214-07) ..... 782

Emery Avenue (Ward 19) — PPN 019-13-094 — Mabel Holivay (BOC Res. 218-07)..... 782

Manor Avenue (Ward 4) — PPN 126-38-009/010/011/019 — Cleveland Screw Products, Inc. per  
 Ord. 849-05 (BOC Res. 215-07) ..... 782

**Board of Control — Concession Agreement**

Concession stands at Brookside and Gordon Parks — amend agreements per BOC Res. 339-05 —  
 Division of Park Maintenance and Properties, Dept. of Parks, Recreation and  
 Properties (BOC Res. 212-07) ..... 781

**Board of Control — Engineering and Construction Division**

Kamm's Streetscape Underground Ducts, Phase I — contract per Ord. 985-06 to  
 Terrace Construction Company, Inc. — Dept. of Public Service  
 (BOC Res. 210-07) ..... 781

**Board of Control — Gordon Park**

Concession stands — amend agreements per BOC Res. 339-05 — Division of Park Maintenance  
 and Properties, Dept. of Parks, Recreation and Properties (BOC Res. 212-07)..... 781

**Board of Control — Health Division**

Snow and ice removal at various health centers — contract per Ord. 2012-06 to The Jands  
 Co. — Dept. of Public Health (BOC Res. 211-07) ..... 781

**Board of Control — Land Reutilization Program**

Alhambra Road (Ward 11) — PPN 115-26-153 — Cresthaven Development, Inc. per Ord. 450-07  
 (BOC Res. 217-07) ..... 782

East 131st Street (Ward 3) — PPN 137-11-046 — Ralph D. Cowan per Ord. 297-07  
 (BOC Res. 213-07) ..... 782

East 55th Street (Ward 12) — PPN 125-25-005 — Cleveland Housing Network, Inc. per Ord.  
 449-07 (BOC Res. 216-07) ..... 782

East 65th Street (Ward 7) — PPN 106-08-022 — Johann Wheeler and Evelyn Wheeler per Ord.  
 1637-06 (BOC Res. 214-07) ..... 782

Emery Avenue (Ward 19) — PPN 019-13-094 — Mabel Holivay (BOC Res. 218-07)..... 782

Manor Avenue (Ward 4) — PPN 126-38-009/010/011/019 — Cleveland Screw Products, Inc. per  
 Ord. 849-05 (BOC Res. 215-07) ..... 782

**Board of Control — Miles Broadway Health Center**

Snow and ice removal — contract per Ord. 2012-06 to The Jands Co. — Division of Health,  
 Dept. of Public Health (BOC Res. 211-07) ..... 781

**Board of Control — Park Maintenance and Properties Division**

Concession stands at Brookside and Gordon Parks — amend agreements per BOC Res. 339-05 —  
 Dept. of Parks, Recreation and Properties (BOC Res. 212-07) ..... 781

**Board of Control — Parks, Recreation and Properties Department**

Concession stands at Brookside and Gordon Parks — amend agreements per  
 BOC Res. 339-05 — Division of Park Maintenance and Properties  
 (BOC Res. 212-07) ..... 781

**Board of Control — Port Control Department**

Rental fees for meeting rooms — amend Section 571.88 — Division of Cleveland Hopkins  
 International Airport (BOC Res. 207-07) ..... 780

Rental fees for meeting rooms — amend Section 571.88 — Division of Burke Lakefront  
 Airport (BOC Res. 208-07) ..... 781

Taxiway, ramp and runway improvements — per Ord. 2376-02 — all bids rejected — Division  
 of Cleveland Hopkins International Airport (BOC Res. 209-07) ..... 781

**Board of Control — Professional Service Contracts**

Engineering, design, water quality assessments and analysis, environmental, safety, forensic services — approve subcontractor — Contract #64518 per BOC Res. 297-05 — Division of Water, Dept. of Public Utilities (BOC Res. 203-07) .....	780
Water Quality regulations and issues consulting — contract per Ord. 1025-05 to Brown & Caldwell Ohio LLC — Dept. of Public Utilities (BOC Res. 202-07) .....	779

**Board of Control — Public Health Department**

Snow and ice removal at various health centers — contract per Ord. 2012-06 to The Jands Co. — Division of Health (BOC Res. 211-07) .....	781
--	-----

**Board of Control — Public Improvement Contracts**

Kamm's Streetscape Underground Ducts, Phase I — contract per Ord. 985-06 to Terrace Construction Company, Inc. — Division of Engineering and Construction, Dept. of Public Service (BOC Res. 210-07) .....	781
--	-----

**Board of Control — Public Service Department**

Kamm's Streetscape Underground Ducts, Phase I — contract per Ord. 985-06 to Terrace Construction Company, Inc. — Division of Engineering and Construction (BOC Res. 210-07) .....	781
---	-----

**Board of Control — Public Utilities Department**

Corrosion control chemicals — assign Contract #65205 per BOC Res. 587-05 to Carus Phosphates, Inc. — Division of Water (BOC Res. 204-07) .....	780
Engineering, design, water quality assessments and analysis, environmental, safety, forensic services — approve subcontractor — Contract #64518 per BOC Res. 297-05 — Division of Water (BOC Res. 203-07) .....	780
Water mains, fire hydrants, valves, service connections and appurtenances (Area D), repair of — contract per Ord. 1018-05 to Utilicon Corp. — Division of Water (BOC Res. 205-07) .....	780
Water mains, fire hydrants, valves, service connections and appurtenances (Area C), repair of — contract per Ord. 1018-05 to Terrace Construction Company, Inc. — Division of Water (BOC Res. 206-07) .....	780
Water Quality regulations and issues consulting — contract per Ord. 1025-05 to Brown & Caldwell Ohio LLC (BOC Res. 202-07) .....	779

**Board of Control — Requirement Contracts**

Corrosion control chemicals — assign Contract #65205 per BOC Res. 587-05 to Carus Phosphates, Inc. — Division of Water, Dept. of Public Utilities (BOC Res. 204-07) .....	780
Snow and ice removal at various health centers — contract per Ord. 2012-06 to The Jands Co. — Division of Health, Dept. of Public Health (BOC Res. 211-07) .....	781
Water mains, fire hydrants, valves, service connections and appurtenances (Area D), repair of — contract per Ord. 1018-05 to Utilicon Corp. — Division of Water, Dept. of Public Utilities (BOC Res. 205-07) .....	780
Water mains, fire hydrants, valves, service connections and appurtenances (Area C), repair of — contract per Ord. 1018-05 to Terrace Construction Company, Inc. — Division of Water, Dept. of Public Utilities (BOC Res. 206-07) .....	780

**Board of Control — Water Division**

Corrosion control chemicals — assign Contract #65205 per BOC Res. 587-05 to Carus Phosphates, Inc. — Dept. of Public Utilities (BOC Res. 204-07) .....	780
Engineering, design, water quality assessments and analysis, environmental, safety, forensic services — approve subcontractor — Contract #64518 per BOC Res. 297-05 — Dept. of Public Utilities (BOC Res. 203-07) .....	780
Water mains, fire hydrants, valves, service connections and appurtenances (Area D), repair of — contract per Ord. 1018-05 to Utilicon Corp. — Dept. of Public Utilities (BOC Res. 205-07) .....	780
Water mains, fire hydrants, valves, service connections and appurtenances (Area C), repair of — contract per Ord. 1018-05 to Terrace Construction Company, Inc. — Dept. of Public Utilities (BOC Res. 206-07) .....	780

**Board of Zoning Appeals — Report**

Cedar Avenue, 7807, (Ward 6) — Dionne Carmichael, owner — appeal denied and adopted on 5/7/2007 (Cal. 07-38) .....	784
Empire Avenue, 9606, (Ward 8) — Clifton Dove, owner — appeal withdrawn on 5/7/2007 (Cal. 07-49) .....	783
Wade Park Avenue, 7600, (Ward 7) — The Cleveland Municipal School District, owner and Jeffrey Henderson, agent — appeal heard on 5/7/2007 (Cal. 07-47) .....	783
West 140th Street, 3800, (Ward 21) — The Cleveland Municipal School District, owner and Paul Romanic, agent — appeal heard on 5/7/2007 (Cal. 07-56) .....	783
West 140th Street, 4315, (Ward 20) — The Cleveland Municipal School District, owner and Jeffrey Henderson, agent — appeal heard on 5/7/2007 (Cal. 07-45) .....	783

West 150th Street, 4550, (Ward 20) — The Cleveland Municipal School District, owner and Jeffrey Henderson, agent — appeal heard on 5/7/2007 (Cal. 07-46) ..... 783

West 41st Street, 3181, (Ward 14) — The Catholic Diocese of Cleveland and St. Procop Church, owner, and Sister Annette Amendolia, agent — appeal granted and adopted on 5/7/2007 (Cal. 07-43)..... 784

West 6th Street, 2314, (Ward 13) — Sammy Ross Catania, owner — appeal granted and adopted on 5/7/2007 (Cal. 07-41) ..... 784

West 89th Street, 1370, (Ward 18) — Algart Realty, owner and Gary Kline — appeal heard on 5/7/2007 (Cal. 07-35) ..... 783

**Board of Zoning Appeals — Schedule**

East 124th Street, 1954, (Ward 6) — Alan Swick, owner — appeal to be heard on 5/21/2007 (Cal. 07-59) ..... 783

East 93rd Street, 3420, (Ward 5) — 3420 East 93rd Street Company, owner and David Tryon, agent — appeal to be heard on 5/21/2007 (Cal. 07-48) ..... 783

Hawthorne Avenue, 5918, (Ward 5) — Monique Williams, owner — appeal to be heard on 5/21/2007 (Cal. 07-60)..... 783

Lee Road, 3920, (Ward 1) — John Barnes, Jr., owner — appeal to be heard on 5/21/2007 (Cal. 07-58)..... 783

**City Council**

Council Meeting location — Josaphat Arts Hall/Covivium 33 Gallery — May 14, 2007 (R 711-07) ..... **789**

Summer schedule of meetings (R 752-07)..... 778

**City of Cleveland Bids**

Air Quality Monitoring Facility — Department of Public Service — Division of Architecture — per Ord. 1870-06 — bid due May 24, 2007 (advertised 5/9/2007 and 5/16/2007) ..... 786

Case and Gradall construction equipment parts and labor — Department of Public Service — Division of Motor Vehicle Maintenance — per Ord. 501-06 — bid due May 25, 2007 (advertised 5/9/2007 and 5/16/2007) ..... 786

Electrical parts and equipment — Department of Port Control — per Ord. 191-07 — bid due May 18, 2007 (advertised 5/2/2007 and 5/9/2007) ..... 786

Fuel dispensing system maintenance and repair — Department of Public Service — Division of Motor Vehicle Maintenance — per Ord. 501-06 — bid due May 30, 2007 (advertised 5/9/2007 and 5/16/2007)..... 786

Harvard Yards Service Facility improvements — Department of Public Service — Division of Motor Vehicle Maintenance — per Ord. 692-07 — bid due May 30, 2007 (advertised 5/9/2007 and 5/16/2007)..... 786

Insurance, property for Cleveland Browns Stadium — Department of Parks, Recreation and Properties — Division of Convention Center and Stadium — per Ord. 445-07 — bid due May 18, 2007 (advertised 5/2/2007 and 5/9/2007) ..... 786

Laboratory, medical, pharmaceutical and nursing supplies and equipment — Department of Finance — per Ord. 570-07 — bid due May 30, 2007 (advertised 5/2/2007 and 5/9/2007) ..... 786

Motorcycle parts and labor — Department of Public Service — Division of Motor Vehicle Maintenance — per Ord. 501-06 — bid due May 25, 2007 (advertised 5/2/2007 and 5/9/2007)..... 786

Summer Food Program — Department of Parks, Recreation and Properties — Division of Recreation — per Ord. 253-07 — bid due May 25, 2007 (advertised 5/9/2007 and 5/16/2007)..... 786

Trucks, 17-ton capacity with operators, rental of — Department of Public Service — Division of Streets — per Ord. 198-07 — bid due May 25, 2007 (advertised 5/9/2007 and 5/16/2007) ..... 786

West 160th Street sanitary sewer replacement project — Department of Public Utilities — Division of Waste Collection and Disposal — per Ord. 873-06 — bid due May 24, 2007 (advertised 5/9/2007 and 5/16/2007)..... 786

**City Planning Commission**

Chester Ave. north side (E. 90 St. & E. 97 St.) — change the zoning — Local Retail Business, a General Retail Business District and a '3' Height District (O 69-07)..... 785

Detroit Ave. north side (between W. 65 St. to W. 67 St.) — change the Height District — '3' Height District (O 71-07) ..... 785

E. 105th St. & Norman Ave. (northeast corner) — change the Use District — General Retail Business District (O 415-07) ..... 785

E. 152nd St. east and west side (north of Kinsman Rd.) — change the Use District — Residence Office District (O 70-07)..... 785

E. 185th St. & Neff Rd. (northeast corner) — change the Use District — RA2 Townhouse District (O 145-07)..... 785

E. 185th St. (between Lake Shore Blvd. & Waterloo Rd.) — establish — Pedestrian Retail Overlay (PRO) District (O 498-07) ..... 785

E. 33rd St. (west side) — north of Perkins Ave. — change the zoning — Residence Industry District (O 298-07) ..... 785

E. 41st St. & E. 43rd St. (between) — south of Superior Ave. — change the zoning — Semi-Industry (O 299-07) ..... 785

E. 80th St. (west side), Aetna Rd. (north) — change the zoning — Semi-Industry (O 743-07) ..... 773

Father Caruso — northwest and southwest corners — W. 65th St. & W. 67th St. — change the zoning — Two Family Residential and a 'I' Height District (O 301-07) ..... 785

Grayton Rd. (east side property) — Brookpark Rd. (north) — Changing the Use District — Residence Office District (O 746-07) ..... 776

Kinsman Rd. & E. 123rd St. (southwest corner) — change the zoning — Local Retail Business and a 'C' Area District (O 300-07)..... 785

Neal Terrace — Cleveland Landmark (O 731-07) ..... 768

Oppmann Terrace a.k.a. Boulevard Terrace Apartments — Cleveland Landmark (O 753-07) ..... 772

Sanderson-Makar House, The — Cleveland Landmark (O 742-07) ..... 772

Seville Rd., (south side property) — changing the Use District — Semi-Industry (O 745-07) ..... 775

W. 14th St. (west side) — Castle Ave. (north) — Mentor Ave. (south) — changing the Use District of land — Urban Garden District (O 744-07)..... 774

W. 65th St. & Franklin Ave. (northeast corner) — change the Use District — Local Retail Business District (O 544-07) ..... 785

Waterloo Rd. & E. 156th St. (lands fronting) — establish — Pedestrian Retail Overlay (PRO) District (O 499-07) ..... 785

**Cleveland Housing Network**

Cleveland Green Homes development — Cleveland Green Homes LP I — Cleveland Housing Network, Inc. — housing tax credits — Council's support — Ohio Housing Finance Agency (R 751-07)..... 778

**Communications**

Certified MBEs and FBEs, reporting period January — March, 2007 — Office of Equal Opportunity (F 754-07) ..... 767

Denials of Certifications, reporting period January — March, 2007 — Office of Equal Opportunity (F 755-07) ..... 767

Richard E. Jacobs Group, Inc., The — Annual report of Independent Auditor (F 757-07) ..... 767

Richard E. Jacobs Group, Inc., The — Auditor's reports (F 758-07) ..... 767

Woodmere, Village of — copy of Res. No. 2007-25 — opposition to the quarterly customer service charge — water bills (F 756-07)..... 767

**Community Development**

AIDS-related services — contracts — various agencies or entities — Community Development or Public Health (O 740-07)..... 771

AIDS-related services — HOPWA Grant — contracts — various agencies or entities — Public Health or Community Development (O 734-07)..... 769

Cityworks Program — contracts — CDBG-eligible agencies (O 738-07) ..... 771

Cleveland Action to Support Housing, Inc. (CASH) — contracts — housing rehabilitation, new housing construction and commercial redevelopment loan programs (O 654-07) ..... 779

Community Development Department — administrative expenses — Community Development Block Grant & NEF Administrative Cost funds — appropriation — SAS software maintenance — contracts — Executive Information Systems, LLC (O 652-07) ..... 779

Community development programs — contracts — various social service agencies, community development or local development corporations and private for profit entities — memorandums of understanding — various City of Cleveland departments (O 653-07)..... 779

Community garden program — contracts — non-profit agencies (O 655-07)..... 779

Housing Trust Fund Program — contracts — various housing development entities (O 739-07)..... 771

Housing, commercial, industrial & real estate development activities — contracts — various agencies (O 737-07) ..... 770

Lorain Ave., 11816-11824 — acquisition, capital reserves, and maintenance — Friends of the Historic Variety Theatre, Inc. (O 747-07) ..... 777

Social service programs — various agencies — Memoranda of Understanding — various Directors of City Departments — Greater New Calvary Baptist Church — facilities for recreation activities — Parks, Recreation and Properties (O 741-07) ..... 772

St. Michael's Hospital site — Nurses Building & Main Hospital Building — demolition and environmental remediation — Cuyahoga County Redevelopment Fund — amend Ord. 1664-05 (O 647-07) ..... 779

**Community Development Block Grant Program**

Cityworks Program — contracts — CDBG-eligible agencies — Community Development (O 738-07)..... 771

Community Development Department — administrative expenses — Community Development Block Grant & NEF Administrative Cost funds — appropriation — SAS software maintenance — contracts — Executive Information Systems, LLC (O 652-07) ..... 779

**Condolences**

Arcuri, Ralph (R 766-07) ..... 768

Jones, Marcee A. (R 765-07)..... 768

Lewis, Lillie Mae (R 764-07) ..... 768

Mitchell, Sr., Mello "Mell" (R 763-07) ..... 768

Whitaker, Sr., David W. (R 762-07) ..... 767

**Congratulations**

Hampton, Richard L. (R 767-07)..... 768

Jacupa, David & Renate — Founders of the International Center for Environmental Arts (R 768-07) ..... 768

**Contracts**

AIDS-related services — various agencies or entities — Community Development or Public Health (O 740-07) ..... 771

AIDS-related services — HOPWA Grant — various agencies or entities — Public Health or Community Development (O 734-07) ..... 769

Cityworks Program — CDBG-eligible agencies — Community Development (O 738-07) ..... 771

Cleveland Action to Support Housing, Inc. (CASH) — housing rehabilitation, new housing construction and commercial redevelopment loan programs — Community Development (O 654-07) ..... 779

Community Development Department — administrative expenses — Community Development Block Grant & NEF Administrative Cost funds — appropriation — SAS software maintenance — Executive Information Systems, LLC (O 652-07) ..... 779

Community development programs — various social service agencies, community development or local development corporations and private for profit entities — memorandums of understanding — various City of Cleveland departments (O 653-07)..... 779

Community garden program — non-profit agencies — Community Development (O 655-07) ..... 779

Housing Trust Fund Program — various housing development entities — Community Development (O 739-07) ..... 771

Housing, commercial, industrial & real estate development activities — various agencies — Community Development (O 737-07)..... 770

Lorain Ave., 11816-11824 — acquisition, capital reserves, and maintenance — Friends of the Historic Variety Theatre, Inc. (O 747-07) ..... 777

Sustainability program-related projects — grants, gifts, and gifts of equipment and services — implement the projects (O 732-07)..... 768

**Correction Division**

Mercantile Rd., 23600, Unit J — lease property — Mercantile Associates — store goods — House of Corrections — Public Safety (O 736-07)..... 770

**Dues**

Membership dues — payment — various professional organizations (O 569-07) ..... 778

**Economic Development Department**

Broadway Ave., 5158 — sale City-owned property — Dr. Javier Lopez — amend Ord. 2210-05 (O 699-07)..... 791

Cleveland Industrial Retention Initiative — administration and staffing — grant agreement — Westside Industrial Retention and Expansion Network (O 537-07)..... 778

**Environmental Protection Agency**

Project IMPACT — grant — Public Health (O 733-07) ..... 769

**Female Business Enterprise**

Certified MBEs and FBEs, reporting period January — March, 2007 — Office of Equal Opportunity (F 754-07) ..... 767

Denials of Certifications, reporting period January — March, 2007 — Office of Equal Opportunity (F 755-07)..... 767

**Finance Department**

Laboratory, medical, pharmaceutical supplies & equipment & nursing supplies- purchase — various divisions (O 570-07) ..... 778

Membership dues — payment — various professional organizations (O 569-07) ..... 778

Paper & envelopes — purchase — Division of Printing and Reproduction (O 636-07)..... 779

Welding equipment, supplies, & materials — purchase — various divisions (O 571-07)..... 778

**Gifts**

Sustainability program-related projects — grants, gifts, and gifts of equipment and services — contracts — implement the projects (O 732-07) ..... 768

**Grants**

Cleveland Industrial Retention Initiative — administration and staffing — grant agreement — Westside Industrial Retention and Expansion Network (O 537-07)..... 778

NOACA's Regional Pavement Management System — City's participation — Northeast Ohio Area Coordinating Agency (O 493-07) ..... 789

Project IMPACT — U. S. Environmental Protection Agency — Public Health (O 733-07) ..... 769

Sustainability program-related projects — grants, gifts, and gifts of equipment and services — contracts — implement the projects (O 732-07) ..... 768

Women's Health Services Program — Ohio Department of Health (O 735-07) ..... 770

**Health Department**

AIDS-related services — contracts — various agencies or entities — Community Development or Public Health (O 740-07).....	771
AIDS-related services — HOPWA Grant — contracts — various agencies or entities — Public Health or Community Development (O 734-07).....	769
Project IMPACT — grant — U. S. Environmental Protection Agency (O 733-07).....	769
Women's Health Services Program — grant — Ohio Department of Health (O 735-07) .....	770

**Homeless**

Cleveland Community Voice Mail Day — April 26, 2007 — service to the homeless (R 750-07) .....	777
--	-----

**Housing**

Housing Trust Fund Program — contracts — various housing development entities — Community Development (O 739-07).....	771
Housing, commercial, industrial & real estate development activities — contracts — various agencies — Community Development (O 737-07) .....	770

**Housing Rehabilitation Program**

Cleveland Action to Support Housing, Inc. (CASH) — contracts — housing rehabilitation, new housing construction and commercial redevelopment loan programs — Community Development (O 654-07).....	779
--	-----

**Landmark Commission**

Neal Terrace — Cleveland Landmark (O 731-07) .....	768
Oppmann Terrace a.k.a. Boulevard Terrace Apartments — Cleveland Landmark (O 753-07).....	772
Sanderson-Makar House, The — Cleveland Landmark (O 742-07) .....	772

**Leases**

Mercantile Rd., 23600, Unit J — lease property — Mercantile Associates — store goods — House of Corrections — Public Safety (O 736-07).....	770
Social service programs — various agencies — Memoranda of Understanding — various Directors of City Departments — Greater New Calvary Baptist Church — facilities for recreation activities — Parks, Recreation and Properties (O 741-07) .....	772

**Liquor Permits**

Bosworth Rd., 3655-57 — objection (Ward 19) (R 749-07) .....	777
Cedar Ave., 7028 — objection — withdrawn (Ward 5) (R 709-07) .....	788
Kinsman Ave., 13401 — objection — withdrawn (Ward 3) (R 710-07) .....	789
Lakeside Ave., 1111 — transfer (Ward 13) (F 759-07) .....	767
Lakewood Hgts. Blvd., 13501-05 — objection — withdrawn (Ward 19) (R 707-07).....	788
Payne Ave., 3133 — transfer (Ward 13) (F 760-07).....	767
Puritas Ave., 13925 — transfer (Ward 20) (F 761-07).....	767
W. 14th St., 3146 — objection — withdrawn (Ward 13) (R 708-07).....	788
W. 73rd St., 3224 — objection (Ward 17) (R 706-07) .....	788

**Marathons**

RiteAid Marathon and 10K, 29th — permit — Cleveland Marathon, Inc. (O 701-07).....	792
--	-----

**Memoranda of Understanding**

Community development programs — contracts — various social service agencies, community development or local development corporations and private for profit entities — memorandums of understanding — various City of Cleveland departments (O 653-07).....	779
Social service programs — various agencies — various Directors of City Departments — Greater New Calvary Baptist Church — facilities for recreation activities — Parks, Recreation and Properties (O 741-07).....	772

**Minority Business Enterprises**

Certified MBEs and FBEs, reporting period January — March, 2007 — Office of Equal Opportunity (F 754-07) .....	767
Denials of Certifications, reporting period January — March, 2007 — Office of Equal Opportunity (F 755-07).....	767

**Neighborhood Equity Funds**

Community Development Department — administrative expenses — Community Development Block Grant & NEF Administrative Cost funds — appropriation — SAS software maintenance — contracts — Executive Information Systems, LLC (O 652-07) .....	779
---	-----



**Office of Equal Opportunity**

Certified MBEs and FBEs, reporting period January — March, 2007 (F 754-07) ..... 767  
 Denials of Certifications, reporting period January — March, 2007 (F 755-07)..... 767

**Ohio Department of Public Health**

Women’s Health Services Program — grant (O 735-07) ..... 770

**Ohio Housing Finance Agency**

Cleveland Green Homes development — Cleveland Green Homes LP I — Cleveland Housing Network,  
 Inc. — housing tax credits — Council’s support (R 751-07) ..... 778

**Ohio Municipal League**

Membership dues — payment — various professional organizations (O 569-07) ..... 778

**Parks, Recreation and Properties Department**

Johnston Parkway Park Maintenance Station — erecting a fence (O 448-07) ..... **789**  
 Social service programs — various agencies — Memoranda of Understanding — various Directors  
 of City Departments — Greater New Calvary Baptist Church — facilities for recreation  
 activities — Parks, Recreation and Properties (O 741-07) ..... 772

**Permits**

RiteAid Marathon and 10K, 29th — Cleveland Marathon, Inc. (O 701-07) ..... **792**

**Printing and Reproduction Division**

Paper & envelopes — purchase (O 636-07) ..... 779

**Public Hearings (Notices)**

Chester Ave. north side (E. 90 St. & E. 97 St.) — change the zoning — Local Retail  
 Business, a General Retail Business District and a ‘3’ Height District (O 69-07)..... 785  
 Detroit Ave. north side (between W. 65 St. to W. 67 St.) — change the Height District —  
 ‘3’ Height District (O 71-07) ..... 785  
 E. 105th St. & Norman Ave. (northeast corner) — change the Use District — General Retail  
 Business District (O 415-07) ..... 785  
 E. 152nd St. east and west side (north of Kinsman Rd.) — change the Use District —  
 Residence Office District (O 70-07)..... 785  
 E. 185th St. & Neff Rd. (northeast corner) — change the Use District — RA2 Townhouse  
 District (O 145-07) ..... 785  
 E. 185th St. (between Lake Shore Blvd. & Waterloo Rd.) — establish — Pedestrian Retail  
 Overlay (PRO) District (O 498-07) ..... 785  
 E. 33rd St. (west side) — north of Perkins Ave. — change the zoning — Residence Industry  
 District (O 298-07) ..... 785  
 E. 41st St. & E. 43rd St. (between) — south of Superior Ave. — change the zoning -  
 Semi-Industry (O 299-07) ..... 785  
 Father Caruso — northwest and southwest corners — W. 65th St. & W. 67th St. — change the  
 zoning — Two Family Residential and a ‘I’ Height District (O 301-07) ..... 785  
 Kinsman Rd. & E. 123rd St. (southwest corner) — change the zoning — Local Retail Business  
 and a ‘C’ Area District (O 300-07)..... 785  
 W. 65th St. & Franklin Ave. (northeast corner) — change the Use District — Local Retail  
 Business District (O 544-07) ..... 785  
 Waterloo Rd. & E. 156th St. (lands fronting) — establish — Pedestrian Retail Overlay (PRO)  
 District (O 499-07) ..... 785

**Public Improvements**

Johnston Parkway Park Maintenance Station — erecting a fence (O 448-07) ..... **789**

**Purchases and Supplies Division**

Broadway Ave., 5158 — sale City-owned property — Dr. Javier Lopez — amend Ord. 2210-05  
 (O 699-07) ..... **791**  
 Welding equipment, supplies, & materials — purchase — various divisions (O 571-07)..... 778

**Recognition**

International Fastener Machinery & Suppliers Association (R 771-07) ..... 768  
 Staples at Steelyard Commons (R 769-07) ..... 768  
 Wire Association International (R 770-07) ..... 768

**Resolutions — Miscellaneous**

Cleveland Community Voice Mail Day — April 26, 2007 — service to the homeless (R 750-07) .....	777
Cleveland Green Homes development — Cleveland Green Homes LP I — Cleveland Housing Network, Inc. — housing tax credits — Council's support — Ohio Housing Finance Agency (R 751-07) .....	778

**Safety Department**

Mercantile Rd., 23600, Unit J — lease property — Mercantile Associates — store goods — House of Corrections (O 736-07) .....	770
---	-----

**Service Department**

Battery Park residential development — Open House — banners (O 705-07) .....	793
Disposal of municipal solid waste — contingency services — Division of Waste Collection and Disposal (O 494-07) .....	790
Furniture, fixtures, and equipment — purchase — Division of Architecture (O 534-07) .....	791
Mt. Olive Missionary Baptist Church — banners — church's 100th Year Anniversary (O 702-07) .....	792
NOACA's Regional Pavement Management System — City's participation — grant — Northeast Ohio Area Coordinating Agency (O 493-07) .....	789
Poland St. — secondary name — E. 66th St. (between Lansing Ave. & Warsaw Ave.) (O 748-07) .....	772
RiteAid Marathon and 10K, 29th — permit — Cleveland Marathon, Inc. (O 701-07) .....	792
Unity Baptist Church — banners — church's 89th anniversary (O 703-07) .....	792
West Side Ecumenical Ministry — banner — Head Start (O 704-07) .....	793
Willard Park garage and Gateway garages — general improvements — amend Ord. 837-05 (O 536-07) .....	791

**State of Ohio**

NOACA's Regional Pavement Management System — City's participation — grant — Northeast Ohio Area Coordinating Agency (O 493-07) .....	789
--	-----

**Streets — Name**

Poland St. — secondary name — E. 66th St. (between Lansing Ave. & Warsaw Ave.) (O 748-07) .....	772
---	-----

**Utilities Department**

Sustainability program-related projects — grants, gifts, and gifts of equipment and services — contracts — implement the projects (O 732-07) .....	768
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**Ward 01**

Seville Rd., (south side property) — changing the Use District — Semi-Industry (O 745-07) .....	775
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**Ward 02**

Jones, Marcee A. — condolence (R 765-07) .....	768
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**Ward 03**

E. 152nd St. east and west side (north of Kinsman Rd.) — change the Use District — Residence Office District (O 70-07) .....	785
Kinsman Ave., 13401 — objection — withdrawn — liquor permit (R 710-07) .....	789
Kinsman Rd. & E. 123rd St. (southwest corner) — change the zoning — Local Retail Business and a 'C' Area District (O 300-07) .....	785
Mt. Olive Missionary Baptist Church — banners — church's 100th Year Anniversary (O 702-07) .....	792
Unity Baptist Church — banners — church's 89th anniversary (O 703-07) .....	792

**Ward 05**

Broadway Ave., 5158 — sale City-owned property — Dr. Javier Lopez — amend Ord. 2210-05 (O 699-07) .....	791
Cedar Ave., 7028 — objection — withdrawn — liquor permit (R 709-07) .....	788

**Ward 06**

E. 105th St. & Norman Ave. (northeast corner) — change the Use District — General Retail Business District (O 415-07) .....	785
RiteAid Marathon and 10K, 29th — permit — Cleveland Marathon, Inc. (O 701-07) .....	792

**Ward 07**

Chester Ave. north side (E. 90 St. & E. 97 St.) — change the zoning — Local Retail Business, a General Retail Business District and a '3' Height District (O 69-07)..... 785  
 Hampton, Richard L. — congratulation (R 767-07) ..... 768  
 Lewis, Lillie Mae — condolence (R 764-07) ..... 768  
 RiteAid Marathon and 10K, 29th — permit — Cleveland Marathon, Inc. (O 701-07)..... **792**

**Ward 08**

Cleveland Green Homes development — Cleveland Green Homes LP I — Cleveland Housing Network, Inc. — housing tax credits — Council's support — Ohio Housing Finance Agency (R 751-07) ..... 778  
 RiteAid Marathon and 10K, 29th — permit — Cleveland Marathon, Inc. (O 701-07)..... **792**  
 Whitaker, Sr., David W. — condolence (R 762-07) ..... 767

**Ward 09**

RiteAid Marathon and 10K, 29th — permit — Cleveland Marathon, Inc. (O 701-07)..... **792**

**Ward 10**

Social service programs — various agencies — Memoranda of Understanding — various Directors of City Departments — Greater New Calvary Baptist Church — facilities for recreation activities — Parks, Recreation and Properties (O 741-07) ..... 772

**Ward 11**

E. 185th St. & Neff Rd. (northeast corner) — change the Use District — RA2 Townhouse District (O 145-07) ..... 785  
 E. 185th St. (between Lake Shore Blvd. & Waterloo Rd.) — establish — Pedestrian Retail Overlay (PRO) District (O 498-07) ..... 785  
 Waterloo Rd. & E. 156th St. (lands fronting) — establish — Pedestrian Retail Overlay (PRO) District (O 499-07) ..... 785

**Ward 12**

E. 80th St. (west side), Aetna Rd. (north) — change the zoning — Semi-Industry (O 743-07) ..... 773  
 Poland St. — secondary name — E. 66th St. (between Lansing Ave. & Warsaw Ave.) (O 748-07)..... 772

**Ward 13**

Council Meeting location — Josaphat Arts Hall/Covivium 33 Gallery — May 14, 2007 (R 711-07) ..... **789**  
 E. 33rd St. (west side) — north of Perkins Ave. — change the zoning — Residence Industry District (O 298-07) ..... 785  
 E. 41st St. & E. 43rd St. (between) — south of Superior Ave. — change the zoning — Semi-Industry (O 299-07) ..... 785  
 Payne Ave., 3133 — transfer — liquor permit (F 760-07) ..... 767  
 RiteAid Marathon and 10K, 29th — permit — Cleveland Marathon, Inc. (O 701-07)..... **792**  
 Sanderson-Makar House, The — Cleveland Landmark (O 742-07) ..... 772  
 Staples at Steelyard Commons — recognition (R 769-07) ..... 768  
 W. 14th St. (west side) — Castle Ave. (north) — Mentor Ave. (south) — changing the Use District of land — Urban Garden District (O 744-07) ..... 774  
 W. 14th St., 3146 — objection — withdrawn — liquor permit (R 708-07)..... **788**

**Ward 14**

Jacupa, David & Renate — Founders of the International Center for Environmental Arts — congratulation (R 768-07) ..... 768  
 RiteAid Marathon and 10K, 29th — permit — Cleveland Marathon, Inc. (O 701-07)..... **792**

**Ward 17**

Battery Park residential development — Open House — banners (O 705-07) ..... **793**  
 Detroit Ave. north side (between W. 65 St. to W. 67 St.) — change the Height District — '3' Height District (O 71-07) ..... 785  
 Father Caruso — northwest and southwest corners — W. 65th St. & W. 67th St. — change the zoning — Two Family Residential and a '1' Height District (O 301-07) ..... 785  
 RiteAid Marathon and 10K, 29th — permit — Cleveland Marathon, Inc. (O 701-07)..... **792**  
 W. 65th St. & Franklin Ave. (northeast corner) — change the Use District — Local Retail Business District (O 544-07) ..... 785  
 W. 73rd St., 3224 — objection — liquor permit (R 706-07) ..... **788**  
 West Side Ecumenical Ministry — banner — Head Start (O 704-07)..... **793**

**Ward 18**

Mitchell, Sr., Mello "Mell" — condolence (R 763-07) .....	768
Neal Terrace — Cleveland Landmark (O 731-07) .....	768
RiteAid Marathon and 10K, 29th — permit — Cleveland Marathon, Inc. (O 701-07).....	<b>792</b>

**Ward 19**

Bosworth Rd., 3655-57 — objection — liquor permit (R 749-07) .....	777
Lakewood Hgts. Blvd., 13501-05 — objection — withdrawn — liquor permit (Ward 19) (R 707-07) .....	<b>788</b>
Lorain Ave., 11816-11824 — acquisition, capital reserves, and maintenance — Friends of the Historic Variety Theatre, Inc. (O 747-07) .....	777
Oppmann Terrace a.k.a. Boulevard Terrace Apartments — Cleveland Landmark (O 753-07).....	772

**Ward 20**

Grayton Rd. (east side property) — Brookpark Rd. (north) — Changing the Use District — Residence Office District (O 746-07) .....	776
International Fastener Machinery & Suppliers Association — recognition (R 771-07).....	768
Puritas Ave., 13925 — transfer — liquor permit (F 761-07).....	767
Wire Association International — recognition (R 770-07) .....	768

**Waste Collection and Disposal Division**

Disposal of municipal solid waste — contingency services (O 494-07).....	<b>790</b>
--	------------

**Water Service Charges**

Woodmere, Village of — copy of Res. No. 2007-25 — opposition to the quarterly customer service charge — water bills (F 756-07).....	767
--	-----

**Willard Park Garage**

General improvements — Willard Park garage and Gateway garages — amend Ord. 837-05 (O 536-07).....	<b>791</b>
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**Zoning**

Chester Ave. north side (E. 90 St. & E. 97 St.) — change the zoning — Local Retail Business, a General Retail Business District and a '3' Height District (O 69-07).....	785
Detroit Ave. north side (between W. 65 St. to W. 67 St.) — change the Height District — '3' Height District (O 71-07) .....	785
E. 105th St. & Norman Ave. (northeast corner) — change the Use District — General Retail Business District (O 415-07) .....	785
E. 152nd St. east and west side (north of Kinsman Rd.) — change the Use District — Residence Office District (O 70-07) .....	785
E. 185th St. & Neff Rd. (northeast corner) — change the Use District — RA2 Townhouse District (O 145-07) .....	785
E. 185th St. (between Lake Shore Blvd. & Waterloo Rd.) — establish — Pedestrian Retail Overlay (PRO) District (O 498-07) .....	785
E. 33rd St. (west side) — north of Perkins Ave. — change the zoning — Residence Industry District (O 298-07) .....	785
E. 41st St. & E. 43rd St. (between) — south of Superior Ave. — change the zoning — Semi-Industry (O 299-07) .....	785
E. 80th St. (west side), Aetna Rd. (north) — change the zoning — Semi-Industry (O 743-07) .....	773
Father Caruso — northwest and southwest corners — W. 65th St. & W. 67th St. — change the zoning — Two Family Residential and a '1' Height District (O 301-07) .....	785
Grayton Rd. (east side property) — Brookpark Rd. (north) — Changing the Use District — Residence Office District (O 746-07) .....	776
Kinsman Rd. & E. 123rd St. (southwest corner) — change the zoning — Local Retail Business and a 'C' Area District (O 300-07).....	785
Seville Rd., (south side property) — changing the Use District — Semi-Industry (O 745-07) .....	775
W. 14th St. (west side) — Castle Ave. (north) — Mentor Ave. (south) — changing the Use District of land — Urban Garden District (O 744-07) .....	774
W. 65th St. & Franklin Ave. (northeast corner) — change the Use District — Local Retail Business District (O 544-07) .....	785
Waterloo Rd. & E. 156th St. (lands fronting) — establish — Pedestrian Retail Overlay (PRO) District (O 499-07) .....	785