

The City Record

Official Publication of the City of Cleveland

September the Thirteenth, Two Thousand

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3032 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

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

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

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

DEPT. OF PORT CONTROL – LaVonne Sheffield-McClain, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive;
 Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner
 Burke Lakefront Airport – _____, Commissioner

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

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

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

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

Parking Facilities – Dennis Donahue, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
 Park Maintenance and Properties – Richard L. Silva, Commissioner, Public Auditorium – E. 6th & Lakeside.

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

DEPT. OF COMMUNITY DEVELOPMENT – Linda M. Hudecek, Director, 3rd Floor, City Hall.

DIVISIONS – Administrative Services – Terrence Ross, Commissioner.
 Neighborhood Services – Louise V. Jackson, Commissioner.
 Neighborhood Development – Donald T. Moss, Commissioner.
 Building & Housing – Robert Vilkas, Commissioner, 5th Floor, City Hall.

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

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

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

COMMUNITY RELATIONS BOARD – Room 11, Dennis D. Dove, Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilman Dona Brady, Councilman Joe Cimperman, City Council Representatives; Rev. Bruce Goode, Paula Castleberry, Charles E. McBee, Mary Adele Springman, Esq., Terez E. Woods, Emmett Saunders, John Banno, Mary Jane Buckshot, Kathryn M. Hall, Raymond Negron, Evangeline Hardaway, Edna Fuentes-Casiano, Janet Jankura, Gia Hoa Ryan.

CIVIL SERVICE COMMISSION – Room 119, Anne Bloomberg, President; _____, Vice President; Gregory J. Wilson, Secretary; Timothy J. Cosgrove, Member, Rev. Earl Preston, Member.

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

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

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

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

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

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

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

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

MORAL CLAIMS COMMISSION – Law Director Cornell P. Carter; Chairman; Finance Director Ronald E. Brooks; Council President Michael D. Polensek; Councilman Bill Patmon; Councilman Martin J. Sweeney.

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

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; Paul Burik, James Gibans, Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Joseph Cimperman, Councilman Timothy J. Melena, Robert Keiser, Executive Secretary.

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 87

WEDNESDAY, SEPTEMBER 13, 2000

No. 4527

CITY COUNCIL

MONDAY, SEPTEMBER 11, 2000

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PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, September 11, 2000.

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

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

Also present were Chief of Staff Zimomra and Directors Brooks, Konicek, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Dove, Morrison and Acting Directors Langhenry, Balraj.

Absent: Mayor White and Directors Carter, Sheffield-McClain, Ricchiuto.

Council President Polensek asked that all rise for a moment of silent prayer. Pledge of Allegiance.

MOTION

On the motion of Councilman Johnson, the reading of the minutes of the last meeting was dispensed with and the journal approved.

VETO

File No. 1514-2000-A.

September 6, 2000

Via Hand Delivery

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

Re: Ordinance No. 1514-2000

Dear Council President Polensek:

I am vetoing Ordinance No. 1514-2000 passed August 28, 2000, which would have amended Ordinance No. 1748-99. I must do so because City Council's attempt to correct the amendments that Council had attached to the original legislation comes, as you are aware, after my Administration had already moved to comply with the Ordinance by placing the Rockefeller Park improvements under contract. Further explanation for this action is provided below.

Ordinance No. 1748-99, passed April 17, 2000, was intended to authorize public improvements of numerous City-owned parks and recreation facilities for the Department of Parks, Recreation and Properties. The monies listed therein were originally allocated according to the needs of the individual parks and facilities as defined by the experts within the Administration who did holistic evaluations of all of the City owned facilities. Based on these opinions, \$350,000.00 was allocated to improvements under the heading of "Rockefeller Park Phase VI", which was to include, but was not limited to, improvements for several of the Cultural Gardens and the tennis courts.

As you are aware, at the hearing before the Parks, Recreation and Properties Committee of City Council, chaired by Councilman Edward Rybka, the Committee reallocated the funds directed to Rockefeller Park in the Ordinance. The Committee voted to take \$82,000.00 from Rockefeller Park, including the Cultural Gardens, and authorize the use of those funds for the "Gunning Park Recreation Center Phase II Improvements" in Ward 21 for Councilman Michael Dolan. This raised the total allocation for Gunning Park Recreation Center to \$118,000.00, and lowered the Rockefeller Park allocation to \$268,000.00.

As you know, my Administration has always supported the Cultural

Gardens as one of Cleveland's most unique and serene park settings, as well as a fitting tribute to our diversity. I feel we must continue to embrace our ethnicity and provide sanctuary for each of the many cultures that make Cleveland the vibrant community that it is. I am dismayed that the City Council moved to abscond funds dedicated for this purpose to help one of their members and are now trying to disguise that fact in the form of untimely, illegal legislation.

Once Ordinance No. 1748-99 had been passed, my Administration moved forward in compliance with the law. The Department of Parks, Recreation and Properties consulted the City Record in an attempt to determine how the \$268,000.00 remaining for the Rockefeller Park improvements was to be divided, but the City Record provided no guidance. Accordingly, the Department proceeded to allocate the funds in the manner most economical and advantageous for the City, despite the unfortunate impact the amendments had on the Department's ability to properly improve the Park, and, most significantly, the Cultural Gardens. The City entered into a contract with R.J. Platten on August 19, 2000 in the amount of \$267,698.72 to perform the improvements at Rockefeller Park, and the work is scheduled to commence September 11, 2000. Clearly this action predated the passage by City Council of Ordinance No. 1514-2000.

After consultation with the Law Department, I have been advised by a City attorney that the City Council cannot unilaterally amend a contractual obligation properly entered into by the City on the basis of existing legislative authority; hence, Ordinance No. 1514-2000 is illegal. As the Administration's actions fully complied with all the legal requirements for entering into a public improvement contract, including the authority granted in the original ordinance, the amendment proposed by Ordinance No. 1514-2000 cannot be imposed on the Administration and its contractor retroactively.

For the reasons stated above I am vetoing Ordinance No. 1514-2000 and I have directed the Director of the Department of Parks, Recreation and Property to continue moving forward with the Rockefeller Park Phase VI project.

Sincerely,

MICHAEL R. WHITE
Mayor

Received.

COMMUNICATIONS

File No. 1548-2000.

Gift — to Department of Public Safety — Erie Insurance Group. Received.

File No. 1549-2000.

Gift — to Department of Public Safety — Cleveland Browns — Received — Auxiliary Police Program Picnic.

File No. 1550-2000.

From Vocational Guidance Services — Charting New Courses, Preparing People for the Journey to Success. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 1551-2000.

Re: New Application - 6071811 - MoAs, Inc., 8504 Detroit Avenue. (Ward 17). Received.

File No. 1552-2000.

Re: New Application - 7677566 - Saad Oil, Inc., d.b.a. Lakeshore Citgo, 15550 Lakeshore Boulevard. (Ward 11). Received.

File No. 1553-2000.

Re: Transfer of Ownership Application - 8861042 - 1314 Corporation, d.b.a. Cento Anno, 1314 Denison Avenue, first floor and basement. (Ward 15). Received.

File No. 1554-2000.

Re: Transfer of Ownership Application - 8085758 - Sheepdog, Inc., d.b.a. Duck Island Club, 2102 Freeman Avenue, first floor. (Ward 14). Received.

File No. 1555-2000.

Re: Transfer of Ownership Application - 0258520 - Ardenall Market, Inc., d.b.a. T & N Market, 831 East 140th Street. (Ward 10). Received.

File No. 1556-2000.

Re: Transfer of Ownership Application - 8516193 - Statewide Entertainment Center, LLC, d.b.a. Charlie's, 231 East 156th Street, first floor. (Ward 11). Received.

File No. 1557-2000.

Re: Transfer of Ownership Application - 9951191 - Zipp's Drive Thru, Inc., d.b.a. Zipp's Drive Thru Beverage, 6021 Memphis Avenue. (Ward 16). Received.

File No. 1558-2000.

Re: Transfer of Location Application - 92584600006 - Verona Enterprises, Inc., d.b.a. Shaker Square Beverage, 13210 Shaker Square and Patio. (Ward 4). Received.

File No. 1559-2000.

Re: Stock Transfer Application - 6208651 - Mr. Bill's Tavern, Inc., 2130 East 9th Street, first floor and basement. (Ward 13). Received.

File No. 1560-2000.

Re: Stock Transfer Application - 9256090 - Verlie's Cafe, Inc., 3355 West 46th Street. (Ward 14). Received.

File No. 1561-2000.

Re: Stock Transfer Application - 82026070005 - 16800 Lorain Avenue, Inc., 10510-12 Madison Avenue, first floor and basement. (Ward 18). Received.

PLATS

File No. 1572-2000.

Sub Division Plat for Villas of Woodhaven. (Ward 6). Received. Referred to Committees on Public Service and City Planning.

CONDOLENCE RESOLUTIONS

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

Res. No. 1562-2000—Gertrude Davis Winston.

Res. No. 1563-2000—Jack H. Hudson.

Res. No. 1564-2000—Margaret S. Hoven.

Res. No. 1565-2000—Patricia Ann Wooten Shepherd.

Res. No. 1566-2000—Gertrude Skinner.

Res. No. 1567-2000—John Fletcher.

Res. No. 1568-2000—Edith Ferguson.

CONGRATULATION RESOLUTIONS

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

Res. No. 1569-2000—Jane Campbell.

Res. No. 1570-2000—Nottingham Civic Club.

Res. No. 1573-2000—Alice Saceanu.

RECOGNITION RESOLUTION

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

Res. No. 1571-2000—Volgograd/Cleveland, Sister Cities Agreement — 10th Anniversary.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1574-2000.

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

An emergency ordinance authorizing the acquisition and disposition of real property and the improvements located thereon comprising Longwood Apartments, accepting a grant from the United States Department of Housing and Urban Development in connection with the redevelopment of that property, authorizing agreements with the United States Secretary of Housing and Urban Development and with new Longwood Associates L.P. in connection therewith and authorizing and approving related matters.

Whereas, pursuant to the authority of Section 203 of the Housing and Community Development Amendments of 1978, 12 U.S.C. §1701z-11, as amended by Section 101(b) of the Multifamily Housing Property Disposition Reform Act of 1994 (as so amended, the "Act") and regulations promulgated pursuant thereto (the "Regulations"), the United States Department of Housing and Urban Development, acting by and through the Secretary of Housing and Urban Development ("HUD"), has determined to dispose of certain real property and the improvements thereon located in the City of Cleveland (the "City") known as Longwood Apartments (the "Property"); and

Whereas, pursuant to the Act and the Regulations, HUD has determined that it is necessary and appropriate to make available an up-front grant in an amount presently estimated not to exceed \$25,160,000 in connection with demolition, rebuilding, redevelopment and other related development of the Property; and

Whereas, in order to provide the up-front grant in the most economically efficient manner possible, HUD wishes to convey title to the Property to the City pursuant to a Contract for Sale (the "HUD Contract for Sale") between HUD and

the City, and to make the up-front grant available pursuant to an Upfront Grant Agreement (the "Grant Agreement") between HUD and the City, a copy of which is in File No. 1574-2000-A (the "File"); and

Whereas, New Longwood Associates L.P., or its designated successors or assigns (the "Developer") has offered to purchase the Property from the City and to redevelop a portion of the Property into a multifamily housing complex containing 629 affordable living units, together with related and supporting facilities, at an estimated total development cost of approximately \$110,000,000; and

Whereas, this Council believes that the acquisition of the Property from HUD pursuant to the HUD Contract for Sale and the sale of the Property to the Developer by private negotiation and the redevelopment of the Property by the Developer pursuant to a Redevelopment Agreement (the "Redevelopment Agreement") is in the best interest of the City and is the best means of accomplishing the necessary redevelopment of the Property in order to carry out the City's public purpose of providing safe, decent and sanitary affordable housing in the City; and

Whereas, in order to complete the redevelopment of the Property in accordance with the Act, the Regulations and the Redevelopment Agreement, the City intends to loan the proceeds of the up-front grant to the Developer pursuant to the Redevelopment Agreement and upon mutually agreeable terms and conditions as provided in the Redevelopment Agreement; and

Whereas, this Council finds that the proposed acquisition, sale and redevelopment of the Property will improve the welfare of the City and its residents by accomplishing the aforesaid public purpose; now, therefore,

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

Section 1. This Council determines that, in order to carry out the City's public purpose of providing safe, decent and sanitary affordable housing in the City, and notwithstanding and as an exception to any provision of the Codified Ordinances of the City, the Commissioner of Purchases and Supplies is hereby authorized to execute and deliver, on behalf of the City, the HUD Contract for Sale and pursuant thereto to accept title to the Property, consisting of Permanent Parcel Numbers 122-08-003, 122-08-009, 103-32-001, 103-32-004, 122-08-013, 122-07-011, 122-08-014, and 122-07-009, as more fully described in the legal descriptions in the File.

Section 2. This Council determines that, in order to complete the redevelopment of the Property, and notwithstanding and as an exception to any provision of the Codified Ordinances of the City, the Mayor and the Director of Community Development, or either one of them, are hereby authorized to execute and deliver, on behalf of the City, the Grant Agreement and accept the up-front grant on behalf of the City. The grant proceeds are hereby appropriated for the purposes set forth in the Grant Agreement and the Redevelopment Agreement.

Section 3. This Council finds and determines that, in order to carry out the City's public purpose of providing safe, decent and sanitary affordable housing in the City, it is necessary and appropriate to sell the Property to the Developer and cause its redevelopment through the demolition, rebuilding, equipping and improvement of the Property to be made by the Developer.

Section 4. Notwithstanding and as an exception to any provision of the Codified Ordinances of the City, this Council finds and determines that disposition of the Property by negotiated sale is in the City's best interests; authorizes the disposition of the Property by negotiation, subject to approval by the Board of Control; and approves the Redevelopment Agreement and the conveyance of the Property to the Developer and the loan of the up-front grant proceeds to the Developer upon the terms and conditions set forth in the Redevelopment Agreement. This Council authorizes and directs the Mayor and the Director of Community Development, or either one of them, to execute and deliver, on behalf of the City the Redevelopment Agreement in substantially the form now on file with the Clerk of Council in the File, with such changes or amendments that are not inconsistent with this Ordinance and that are approved by the Director of Community Development as not being substantially adverse to the City, with signing and delivery of the Redevelopment Agreement, or amendments thereto, being conclusive evidence of such approval. This Council authorizes and directs the Commissioner of Purchases and Supplies and the Mayor to execute and deliver to the Developer, upon satisfaction of the applicable conditions precedent set forth in the Redevelopment Agreement, a quitclaim deed (the "Deed") conveying the Property to the Developer; provided that Deed shall contain such restrictive covenants, reversionary interests or similar provisions as may, in the judgment of the Director of Community Development, be required to ensure the elimination of blight and deterioration and for the prevention of recurrence of said conditions, and shall specifically contain a provision against the creation of advertising signs or billboards other than permitted identification signs.

Section 5. The Mayor, the Director of Community Development, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are authorized to provide such information and to execute, certify or furnish such other documents, and do all other things as are necessary for or incidental to carrying out the conveyance of the Property pursuant to the terms of the HUD Contract for Sale and the Redevelopment Agreement. The loan of the HUD up-front grant may be made as one loan in multiple installments or as multiple loans in an aggregate amount not to exceed \$25,160,000 and the obligation of the Developer to repay the loan may be subordinate to the obligations of the Developer under any other financing arrangements for the Property improve-

ments. Notwithstanding and as an exception to any provision of any Codified Ordinance of the City, if determined by the Director of Finance to be advantageous to the financing of the Property improvements, the City may evidence all or a portion of the loan by accepting obligations exempt from federal income tax under Section 103 of the Internal Revenue Code of 1986, as amended, and issued for the purpose of funding the Property improvements. The Mayor, the Director of Community Development, the Director of Finance, the Director of Law and other City officials, as appropriate, are hereby authorized to accept such security instruments and execute and deliver such agreements as may be necessary to secure repayment of the loans consistent with the provisions of this Ordinance.

Section 6. This Council finds and determines the sale of the Property for the consideration provided in the Redevelopment Agreement is satisfactory and proper, and that the redevelopment of the Property with affordable housing units as described in the Redevelopment Agreement will further the City's objective of providing additional safe, decent and sanitary affordable housing in the City and improve the health, safety and economic welfare of the residents of the City, all of which is hereby determined to be substantial additional valuable consideration to the City.

Section 7. It is found and determined that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with all legal requirements, including, without limitation, Section 121.22 of the Revised Code.

Section 8. It is found and determined, and is hereby represented and recited, that the provisions of Sections 28, 29, 32, 33 (including the provisions of Section 33 with respect to readings on three separate days or dispensing with such readings by a two-thirds vote of all members of the Council), 36, 37, 48 and all other applicable provisions of the City's Charter and the rules of this Council have been fully complied with and this Ordinance was passed in conformity therewith.

Section 9. Each section and each part of each section of this Ordinance is hereby declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any such section or part of a section or any provision thereof, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections or parts of sections and the application of such provisions to any other person or circumstance, other than those as to which it is held invalid, shall not be affected thereby, and it is hereby declared to be the legislative intent that the other provisions of this Ordinance would have been passed

independently of such section, or parts of a section, so held to be invalid.

Section 10. This ordinance is declared to be an emergency measure for the immediate preservation of the public peace, property, health and safety of the City by providing funds to assist in the redevelopment of the property and the provision of safe, decent and sanitary affordable housing in the City and, provided this ordinance receives the affirmative vote of two-thirds of all 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 date allowed by law.

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

Ord. No. 1575-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Community Development to expend funds for the operation of the Your Home Program and to enter into contracts under that Program.

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

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

Section 1. That the Director of Community Development is hereby authorized to establish the Your Home Program to enable single parents to purchase their first home in the City with second mortgage assistance and to enter into contracts with potential homeowners under that Program.

Section 2. That the funds for the Your Home Program shall come from Fund No. 10 SF 803, RL 20695.

Section 3. That the Director of Community Development is authorized to accept monies in repayment under said program and to utilize said repayments, and other program income in a revolving fund for additional contracts under this program.

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

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

Ord. No. 1576-2000.

By Mayor White.

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to remove rubber and paint from paved surfaces, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8300)

Section 3. That pursuant to Section 108(b) of the Charter, the purchase authorized by this ordinance may be made through cooperative agreement using state procedures. The Director of Port Control may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to effectuate such cooperative efforts, and may enter into contract with the vendors selected through that cooperative process.

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

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

Ord. No. 1577-2000.

By Mayor White.

An emergency ordinance determining the method of making the public improvement of constructing a waste water/glycol collection system at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby deter-

mined to make the public improvement of constructing a waste water/glycol collection system at Cleveland Hopkins International Airport, for the Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Port Control is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, passenger facility charges and the fund and/or subfunds to which are credited the proceeds of any general airport revenue bonds, federal grants, state grants, and local grants issued for the purposes of the Improvement authorized herein, Request No. 30901.

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

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

Ord. No. 1578-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary for window washing services, for the various divisions of City government, for a period not to exceed two years.

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

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

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

Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 3063)

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

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

Ord. No. 1579-2000.
By Councilman Patmon (by departmental request).

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

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

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

Section 1. That the Director of Finance is hereby authorized to cause payment of 2000 membership dues of the City of Cleveland to be made to the Ohio Municipal League, from Fund No. 01-999800-623100, Request No. 1489. Said membership dues will include forty-five (45) subscriptions to Cities and Village Magazine.

Section 2. That the Director of Finance is hereby authorized to cause payment of 2000 membership dues of the City of Cleveland to be made to Build up Greater Cleveland, from Fund No. 01-999800-624700, Request No. 1495.

Section 3. That the Director of Finance is hereby authorized to cause payment of 2000 membership dues of the City of Cleveland to be made to the United States Conference of Mayors, from Fund No. 01-999800-623700, Request No. 1492.

Section 4. That the Director of Finance is hereby authorized to cause payment of 2000 membership dues of the City of Cleveland to be made to the National League of Cities, from Fund No. 01-999800-623800, Request No. 1493.

Section 5. That the Director of Finance is hereby authorized to cause payment of 2000 membership dues of the City of Cleveland to be made to the Downtown Development Corporation, from Fund No. 01-999800-624600, Request No. 1494.

Section 6. That the Director of Finance is hereby authorized to cause payment of 2001 membership dues of the City of Cleveland to be made to NOACA, from Fund No. 01-999800-623200, Request No. 1490.

Section 7. That the Director of Finance is hereby authorized to cause payment of 2000 membership dues of the City of Cleveland to be made to the Greater Cleveland International Trade Alliance, from Fund No. 01-999800-624800, Request No. 1496.

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

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

Ord. No. 1580-2000.
By Councilmen O'Malley and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain, repair, and replace substation equipment, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to maintain, repair, and replace substation equipment, including but not limited to batteries, switchgear, transformers and circuit breakers, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 16939)

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

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

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

Ord. No. 1581-2000.
By Councilmen O'Malley and Patmon (by departmental request).
An emergency ordinance authorizing the Director of Public Utilities to apply for membership and participate in the Automated Power Exchange, Inc. computer/Internet power exchange.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to apply for membership and participate in the Automated Power Exchange, Inc. ("APX") computer/Internet power exchange, and to pay associated dues and charges, for the purposes of identifying buyers and sellers of electric power and identifying current market prices. Such membership agreement shall be substantially in the form of the proposed APX Agreement dated March 20, 2000, and shall include such terms and conditions as the Director of Law deems appropriate to benefit and protect the public interest.

Section 2. That the cost of this contract shall be paid from Fund No. 58 SF 001, Request No. 16911.

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

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

Ord. No. 1582-2000.
By Councilman Cimperman.
An emergency ordinance authorizing the Director of Public Service to issue a permit to K&S Parking Inc. and Prime Properties Limited Partnership to place a sign at the entrance of a parking lot which will encroach into the public right-of-way on Front Street between West 9th Street and West 3rd Street.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service, to K&S Parking, Inc. and Prime Properties Limited Partnership, its successors and assigns, for the placement of a sign at the entrance of a parking lot which will

encroach into the public right-of-way on Front Street between West 9th Street and West 3rd Street at the location described herein:

LEGAL DESCRIPTION FOR PROPOSED ENCROACHMENT
AREA/K&S PARKING INC. AND
PRIME PROPERTIES LIMITED
PARTNERSHIP TO BE
INSERTED

Section 2. That said sign will be placed within the public right-of-way as aforesaid in Section 1, and will be by the Commissioner of Engineering and Construction. That all other required permits shall be obtained as necessary.

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

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

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

Ord. No. 1583-2000.

By Councilman Cimperman.

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

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service, to K&S Parking, Inc. and Prime Properties Limited Partnership, its successors and assigns, for the use of certain property as a parking area which will encroach into the public right-of-way on a street formerly known as James Street at the location described herein:

LEGAL DESCRIPTION FOR PROPOSED ENCROACHMENT
AREA/K&S PARKING INC. AND
PRIME PROPERTIES LIMITED
PARTNERSHIP TO BE INSERTED

Section 2. That said parking area will be within the public right-of-way as aforesaid in Section 1, and will be by the Commissioner of Engineering and Construction. That all other required permits shall be obtained as necessary.

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

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

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

Ord. No. 1584-2000.

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

An emergency ordinance giving consent of the City of Cleveland for the resurfacing of East 13th Street/Chester Avenue between Superior Avenue and East 22nd Street to the State of Ohio; and authorizing the Director of Public Service to enter into any agreements relative thereto.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is hereby given to the Director of Transportation of the State of Ohio (the "Director of Transportation") to make the following improvements in accordance with the plans, specifications and estimates approved by said Director of Transportation: The resurfacing of East 13th Street/Chester Avenue between Superior Avenue and East 22nd Street in the City of Cleveland, a distance of 0.58 miles (the "Improvement").

Section 2. That the City hereby proposes to cooperate with the Director of Transportation in the cost of the Improvement by assuming and contributing twenty percent (20%) of the cost and expense of the construction phase of this improvement determined to be eligible for State Highway Fund. In addition, the City agrees to assume and contribute one hundred percent (100%) of the cost of any work included in the construction contract, at the request of the City, which are in addition to those now existing and not provided for elsewhere in the Agreement.

Section 3. That the Director of Public Service is hereby authorized to enter into such agreements with the Director of Transportation as are necessary to complete the planning and construction of the Improvement.

Section 4. That upon completion of the Improvement, the City thereafter will:

(a) Keep the affected highway open to traffic at all times;

(b) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance;

(c) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the Director of Transportation and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the limits of the right-of-way;

(d) Place and maintain all traffic control devices in accordance with the Ohio Manual of Uniform Traffic Control Devices pursuant to the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and

(e) Regulate parking by maintaining existing parking restrictions within the limits of the Improvement.

Section 5. a) That all existing streets and public rights-of-way within the City which are necessary for the Improvement shall be made available therefor.

b) That the City agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The City also understands that right-of-way costs include eligible utility costs.

c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the Improvement, that said companies have agreed to make any and all necessary rearrangements in such manner as to be clear of any construction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the State of Ohio.

d) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other City-owned utilities and appurtenances thereto which do not comply with the provisions of ODOT Directive No. 38-A, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement, and that said rearrangements shall be done at such time as requested by the State.

e) That the construction, reconstruction and rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operations of the contractor or contractors constructing the Improvement, and all backfilling of trenches made necessary by such utility rearrangement shall be performed in accordance with the provisions of the ODOT Construction and Material Specifications and shall be subject to approval by the State.

f) That the City hereby agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or

agents in the performance of the City's obligations made or agreed to in this section.

g) That stop signs affecting the movement of traffic on any street within the limits of the Improvement shall be removed and no stop signs will be erected on same except at intersections with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-Way Stop" as provided in the aforesaid Manual are met.

h) That no rule or regulation may be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is hereby rescinded.

i) That the installation of all utility facilities on the right-of-way shall conform with the requirements of Title 23 CFR 645 and the ODOT Utilities Manual.

Section 6. That the Council of the City hereby requests the State to proceed with the Improvement.

Section 7. That this Council hereby authorizes payment to the State for the City's share of the cost of the Improvement.

Section 8. That the Clerk of Council is hereby authorized to transmit to the Director of Transportation three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

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

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

Ord. No. 1585-2000.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of labor and materials necessary to install tubes and valves in the Burnham #1 boiler and for hydrostatic testing, for the Division of Streets, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to install tubes and valves in the Burnham #1 boiler at East 65th Yard and for hydrostatic testing, to be purchased by the Commissioner of Purchases and Supplies for a gross price

for the Division of Streets, Department of Public Service.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 11 SF 401, Request No. 16374.

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

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

Ord. No. 1586-2000.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Service to apply for and accept a grant from the Ohio Department of Natural Resources for the Community Pride and Partnership Program; and to enter into contract for the purchase of equipment and supplies needed 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 Service is hereby authorized to apply for and accept a grant in the amount of \$20,000, from the Ohio Department of Natural Resources, to conduct the Community Pride and Partnership Program, for the purposes set forth in the program description and according thereto; that the Director of Public Service is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the program description for said grant.

Section 2. That the program description for said grant, File No. 1586-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of the grant term for the necessary items of equipment and supplies needed to implement the program, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than the grant term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 4. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21163)

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

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

Ord. No. 1587-2000.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating East 40th Street, Phase 3, and authorizing the Director of Public Service to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating East 40th Street, Phase 3, for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Service is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund Nos. 20 SF 400, 20 SF 364, 58 SF 001, 52 SF 223 and 54 SF 001, Request No. 26564.

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

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

Ord. No. 1588-2000.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating East 55th Street, Phase 3, and authorizing the Director of Public Service to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating East 55th Street, Phase 3, for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Service is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund Nos. 20 SF 401, 20 SF 364, 58 SF 001, 52 SF 001 and 54 SF 001, Request No. 26563.

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

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

Ord. No. 1589-2000.

By Councilman Westbrook.

An emergency ordinance to vacate a portion of Tuscan Avenue N.W. hereinafter described.

Whereas, on the 27th day of March 2000, the Council of the City of Cleveland adopted Resolution No. 2180-99 declaring its intention to vacate a portion of Tuscan Avenue N.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 2180-99 has been served upon the owners of all the property abutting Tuscan Avenue N.W., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 24th day of August, 2000, the Board of Revision of Assessments approved the vacation of Tuscan Avenue N.W., hereinafter described, in accordance

with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Tuscan Avenue N.W., hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of TUSCAN AVENUE N.W. (15.00 feet wide) extending Westerly from the Westerly line of West 111th Street (50.00 feet wide) to the Easterly line of West 112th Street (50.00 feet wide), is hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Tuscan Avenue N.W., herein provided by sending him a copy of this Ordinance.

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

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

Ord. No. 1590-2000.

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

An emergency ordinance to amend the title, Section 1 and Section 3 of Ordinance No. 1000-2000, passed June 19, 2000, relating to the public improvement of rehabilitating sewers on Westpark and Lydian Roads and authorizing the Director of Public Utilities to enter into contract therefor; to supplement said ordinance by adding new Section 4 relating to an agreement with the Northeast Ohio Regional Sewer District to allow the City to accept additional allocations to partially finance the improvement; and to renumber existing Section 4 to Section 5.

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

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

Section 1. That the title, Section 1 and Section 3 of Ordinance No. 1000-2000, passed June 19, 2000, are hereby amended to read, respectively, as follows:

An emergency ordinance determining the method of making the public improvement of rehabilitating the Westpark Road and Lydian Avenue sewers and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating the Westpark road sewer between Rocky River

Drive and Lydian Avenue and Lydian Avenue between Westpark Road and West 155th Street, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001 and from any fund or funds to which are credited any allocations received from the Northeast Ohio Regional Sewer District to contribute to the cost of this improvement.

Section 2. That the title, Section 1 and Section 3 of Ordinance No. 1000-2000, passed June 19, 2000, are hereby repealed.

Section 3. That Ordinance No. 1000-2000, passed June 19, 2000, is hereby supplemented by adding new Section 4 thereof to read as follows:

Section 4. That the Director of Public Utilities is hereby authorized to enter into an agreement with the Northeast Ohio Regional Sewer ("NEORS") to allow the City to accept additional allocations from NEORS to partially finance the improvement described above. Such agreement shall contain such additional terms as are acceptable to the Director of Law to protect the public interest. The Director of Public Utilities is further authorized to file all papers and execute all documents necessary to receive the additional allocation from NEORS; and that said additional allocations are hereby appropriated for the purposes described herein.

Section 4. That existing Section 4 of Ordinance No. 1000-2000, passed June 19, 2000, is hereby renumbered to new Section 5.

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

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

Ord. No. 1591-2000.

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2001 State Childhood Lead Poisoning Prevention Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$86,528, and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the 2001 State Childhood Lead Poisoning Prevention Program, for the purposes set forth in the executive summary and accord-

ing thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the executive summary for said grant.

Section 2. That the executive summary for said grant, File No. 1591-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 1592-2000.

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

An emergency ordinance to amend Sections 403.99 and 433.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, to revise the misdemeanor classifications and penalties for traffic code offenses, and to amend the offense of driving or physical control while under the influence of alcohol or drugs.

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

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

Section 1. That the following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 403.99, as amended by Ordinance No. 268-A-99, passed December 15, 1999, and

Section 433.01, as amended by Ordinance No. 91-96, passed March 18, 1996, are hereby amended to read, respectively, as follows:

403.99 Traffic Code Misdemeanor Classifications and Penalties

(a) Misdemeanor Classifications
(1) General classification. Whoever violates any provision of this Traffic Code or any regulation lawfully adopted pursuant thereto, for which violation no penalty is otherwise provided, is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, such person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense such person is guilty of a misdemeanor of the third degree. When any person is found guilty of a first offense for violation of Section 433.03, upon a finding that he operated a motor vehicle in excess of the posted speed limit by ten miles an hour or more, such person is guilty of a misdemeanor of the fourth degree. (RC 4511.99(D), 4513.99(C)). When any person is found guilty of a violation of division (b)(8) of Section 433.07, in addition to all other penalties provided by law, such person shall be fined

two times the usual amount imposed for the violation.

(2) Driving under the influence. Whoever violates division (a)(1), (a)(2), (a)(3) or (a)(4) of Section 433.01, in addition to the license suspension or revocation provided in RC 4507.16 and any disqualification imposed under RC 4506.16 shall be punished as provided in division A., B., or C. of this section. **Whoever violates division (a)(5), (a)(6), or (a)(7) of Section 433.01 of the Revised Code, in addition to the license suspension or revocation provided in Section 4507.16 of the Revised Code and any disqualification imposed under section 4506.16 of the Revised Code, shall be punished as provided in division D., E., or F. of this section.**

(A) **Except as otherwise provided in division B. or C. of this section,** the offender is guilty of a misdemeanor of the first degree, and the court shall sentence the offender to a term of imprisonment of three consecutive days and may sentence the offender pursuant to division (b) of Section 403.99 to a longer term of imprisonment. In addition, the court shall impose upon the offender a fine of not less than two hundred fifty dollars (\$250.00) nor more than one thousand dollars (\$1,000).

The court may suspend the execution of the mandatory three consecutive days of imprisonment that it is required to impose by this division, if the court, in lieu of the suspended term of imprisonment, places the offender on probation and requires the offender to attend, for three consecutive days, a drivers' intervention program that is certified pursuant to RC 3793.10. The court also may suspend the execution of any part of the mandatory three consecutive days of imprisonment that it is required to impose by this division, if the court places the offender on probation for part of the three consecutive days; requires the offender to attend, for that part of the three consecutive days, a drivers' intervention program that is certified pursuant to RC 3793.10; and sentences the offender to a term of imprisonment equal to the remainder of the three consecutive days that the offender does not spend attending the drivers' intervention program. The court may require the offender, as a condition of probation, to attend and satisfactorily complete any treatment or education programs that comply with the minimum standards adopted pursuant to RC Chapter 3793, by the Director of Alcohol and Drug Addiction Services, in addition to the required attendance at a drivers' intervention program, that the operators of the drivers' intervention program determine that the offender should attend and to report periodically to the court on his progress in the programs. The court also may impose any other conditions of probation on the offender that it considers necessary.

B. Except as otherwise provided in division D. of this section and except as provided in this division, if, within six years of the offense, the offender has been convicted of or pleaded guilty to one violation of division (a) or (b) of Section 433.01, **division (A) or (B) of RC 4511.19,** a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of

abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, RC 2903.04 in a case in which the offender was subject to the sanctions described in Division (D) of that section, or RC 2903.06, 2903.07, or 2903.08 or a municipal ordinance that is substantially similar to RC 2903.07 in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to **division (A) or (B) of RC 4511.19,** the offender is guilty of a misdemeanor of the first degree and, **except as provided in this division,** the court shall sentence the offender to a term of imprisonment of ten consecutive days and may sentence the offender pursuant to division (b) of Section 403.99 to a longer term of imprisonment. In addition, the court shall impose upon the offender a fine of not less than three hundred fifty dollars (\$350.00) nor more than one thousand dollars (\$1,000).

In addition to any other sentence that it imposes upon the offender, the court may require the offender to attend a drivers' intervention program that is certified pursuant to RC 3793.10. If the officials of the drivers' intervention program determine that the offender is alcohol dependent, they shall notify the court, and the court shall order the offender to obtain treatment through an alcohol and drug addiction program authorized by RC 3793.02. The cost of the treatment shall be paid by the offender.

C. Except as otherwise provided in division D. of this section and except as provided in this division, if, within six years of the offense, the offender has been convicted of or pleaded guilty to two violations of division (a) or (b) of Section 433.01, RC 4511.19, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, RC 2903.04 in a case in which the offender was subject to the sanctions described in Division (D) of that section, or RC 2903.06, 2903.07, or 2903.08 or a municipal ordinance that is substantially similar to RC 2903.07 in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to **division (A) or (B) of RC 4511.19,** **except as provided in this division,** the court shall sentence the offender to a term of imprisonment of thirty consecutive days and may sentence the offender pursuant to division (b) of Section 403.99 to a longer term of imprisonment. In addition, the court shall impose upon the offender a fine of not less than five hundred fifty dollars (\$550.00) and not more than two thousand five hundred dollars (\$2,500).

In addition to any other sentence that it imposes upon the offender, the court shall require the offender to attend a drivers' intervention program that is certified pursuant to RC 3793.10. If the officials of the drivers' intervention program determine that the offender is alcohol dependent, they shall notify the court, and the court shall order the offender to obtain treatment through an alcohol and drug addiction program authorized by RC 3793.02. The cost of the treatment shall be paid by the offender.

D. Except as otherwise provided in division E. or F. of this section, the offender is guilty of a misdemeanor of the first degree, and the court shall sentence the offender to one of the following:

1. A term of imprisonment of at least three consecutive days and a requirement that the offender attend, for three consecutive days, a drivers' intervention program that is certified pursuant to Section 3793.10 of the Revised Code;

2. If the Court determines that the offender is not conducive to treatment in the program, if the offender refuses to attend the program, or if the place of imprisonment can provide a drivers' intervention program, a term of imprisonment of at least six consecutive days.

In addition, the court shall impose upon the offender a fine of not less than two hundred fifty dollars (\$250.00) and not more than one thousand dollars.

The court may require the offender, as a condition of probation, to attend and satisfactorily complete any treatment or education programs that comply with the minimum standards adopted pursuant to Chapter 3793. Of the Revised Code by the Director of Alcohol and Drug Addiction Services, in addition to the required attendance at a drivers' intervention program, that the operators of the drivers' intervention program determine that the offender should attend and report periodically to the court on the offender's progress in the programs. The court also may impose any other conditions of probation on the offender that it considers necessary.

E. Except as otherwise provided in this division, if, within six years of the offense, the offender has been convicted of or pleaded guilty to one violation of division (a) or (b) of Section 433.01, division (A) or (B) of Section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, RC 2903.04 in a case in which the offender was subject to the sanctions described in Division (D) of that section, or RC 2903.06, 2903.07, or 2903.08 or a municipal ordinance that is substantially similar to RC 2903.07 in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of RC 4511.19, except as provided in this division,

the court shall sentence the offender to a term of imprisonment of twenty consecutive days and may sentence the offender pursuant to division (b) of Section 403.99 to a longer term of imprisonment. In addition, the court shall impose upon the offender a fine of not less than three hundred fifty dollars (\$350.00) and not more than one thousand five hundred dollars (\$1,500).

In addition to any other sentence that it imposes upon the offender, the court may require the offender to attend a drivers' intervention program that is certified pursuant to section 3793.10 of the Revised Code. If the officials of the drivers' intervention program determine that the offender is alcohol dependent, they shall notify the court, and the court shall order the offender to obtain treatment through an alcohol and drug addiction program authorized by section 3793.02 of the Revised Code. The offender shall pay the cost of the treatment.

F. Except as otherwise provided in this division, if, within six years of the offense, the offender has been convicted of or pleaded guilty to two violations of division (a) or (b) of Section 433.01, division (A) or (B) of Section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, RC 2903.04 in a case in which the offender was subject to the sanctions described in Division (D) of that section, or RC 2903.06, 2903.07, or 2903.08 or a municipal ordinance that is substantially similar to RC 2903.07 in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of RC 4511.19, except as provided in this division, the court shall sentence the offender to a term of imprisonment of twenty consecutive days and may sentence the offender pursuant to division (b) of Section 403.99 to a longer term of imprisonment. In addition, the court shall impose upon the offender a fine of not less than five hundred fifty dollars (\$550.00) and not more than two thousand five hundred dollars (\$2,500).

In addition to any other sentence that it imposes upon the offender, the court shall require the offender to attend an alcohol and drug addiction program authorized by section 3793.02 of the Revised Code. The offender shall pay the cost of the treatment. If the court determines that the offender is unable to pay the cost of attendance at the treatment program, the court may order that payment of the cost of the offender's attendance at the treatment program be made from that court's indigent drivers alcohol treatment fund.

G. A portion of each fine imposed pursuant to divisions (a)(2)A., B., C., D., or E. of this section, shall be deposited into the indigent drivers alcohol treatment fund of the court, created pursuant to division (N) of

RC 4511.191, the amount of which shall be the same as that specified by Section 4511.99 of the Revised Code to be deposited in said fund for the substantively similar state offense.

H. Except as otherwise provided in this division, upon a showing that imprisonment would seriously affect the ability of an offender sentenced pursuant to divisions (a)(2)A. to F. of this section to continue his employment, the court may authorize that the offender be granted work release from imprisonment after the offender has served the three, six, ten, twenty, thirty, or sixty consecutive days of imprisonment that the court is required by divisions (a)(2)A. to F. of this section to impose. No court shall authorize work release from imprisonment during the three, six, ten, twenty, thirty, or sixty consecutive days of imprisonment that the court is required by divisions (a)(2)A. to F. of this section to impose. The duration of the work release shall not exceed the time necessary each day for the offender to commute to and from the place of employment and the place of imprisonment and the time actually spent under employment.

G. Notwithstanding any section of the Revised Code or this Traffic Code that authorizes suspension of the imposition or execution of a sentence or the placement of an offender in any treatment program in lieu of imprisonment, no court shall suspend the ten, twenty, thirty, or sixty consecutive days of imprisonment required to be imposed by divisions (a)(2)B. to F. of this section or place an offender who is sentenced pursuant to division (a)(2)B. to F. of this section in any treatment program in lieu of imprisonment until after the offender has served the ten, twenty, thirty, or sixty consecutive days of imprisonment required to be imposed pursuant to division (a)(2)B. to F. of this section.

Notwithstanding any section of the Revised Code or this Traffic Code that authorizes the suspension of the imposition or execution of a sentence or the placement of an offender in any treatment program in lieu of imprisonment, no court, except as specifically authorized by division (a)(2)A. or D. of this section, shall suspend the three consecutive days of imprisonment required to be imposed by division (a)(2)A. of this section or place an offender who is sentenced pursuant to division (a)(2)A. or D. of this section in any treatment program in lieu of imprisonment until after the offender has served the three consecutive days of imprisonment required to be imposed pursuant to division (a)(2)A. or D. of this section.

H. No court shall sentence an offender to an alcohol treatment program pursuant to division (a)(2)A. to F. of this section unless the treatment program complies with the minimum standards adopted pursuant to RC Chapter 3793. by the Director of Alcohol and Drug Addiction Services. (RC 4511.99(A)).

I. As used in this section, "three consecutive days" means seventy-two consecutive hours. (RC 4511.991)

(3) Physical control. Whoever violates division (b) of Section 433.01 is guilty of a misdemeanor of the first degree.

(4) Street racing. Whoever violates Section 433.07 is guilty of a misdemeanor of the first degree.

(5) Licensing drivers. Whoever violates any provision of Sections 435.01 to 435.07, inclusive, is guilty of a misdemeanor of the first degree.

(6) Accidents. Whoever violates any provision of Sections 435.15 to 435.17, inclusive, is guilty of a misdemeanor of the first degree.

(7) Willfully fleeing a police officer. Whoever violates division (b) of Section 403.02 is guilty of a misdemeanor of the first degree.

(8) Stopping for school buses. Whoever violates division (a) of Section 431.38 may be fined not more than five hundred dollars (\$500.00).

(9) Placing dangerous material on streets. Whoever violates division (e) of Section 411.01 is guilty of a misdemeanor of the first degree.

(b) Penalties. Whoever is convicted of or pleads guilty to a violation of this Traffic Code shall be imprisoned for a definite term or fined, or both, which term of imprisonment and fine shall be fixed by the court as provided in this section.

Misdemeanor Classification	Maximum Imprisonment Term	Maximum Fine
1st degree	6 months	\$1,000.00
2nd degree	90 days	750.00
3rd degree	60 days	500.00
4th degree	30 days	250.00
Minor	None	100.00

(RC 2929.21)

(c) License Suspension.

(1) The trial judge of the Cleveland Municipal Court, in addition to or independent of all other penalties provided by law or ordinance, shall suspend for not less than thirty days nor more than three years or revoke the driver's or commercial driver's license or permit or nonresident operating privileges of any person who is convicted of or pleads guilty to any of the following:

A. Division (a) of Section 431.38;

B. Sections 435.01 to 435.07, inclusive;

The trial judge, in addition to suspensions or revocations of licenses, permits, or privileges pursuant to this division and in addition to or independent of all other penalties provided by law or by ordinance, shall impose a suspended jail sentence of not to exceed six months, if that imprisonment was not imposed for the offense for which the person was convicted.

(2) The trial judge of the Cleveland Municipal Court, in addition to or independent of all other penalties provided by law or ordinance, shall suspend or revoke the driver's or commercial driver's license or permit or nonresident operating privileges of any person who is convicted of or pleads guilty to a violation of division (b) of Section 433.01. The length of the suspension or revocation imposed by the trial judge upon a person who is convicted or pleads guilty to a violation of division (b) of Section 433.01 shall be the same as that imposed pursuant to division (B) of RC 4507.16 upon a person who is convicted of or pleads guilty to a violation of RC 4511.19, or a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alco-

hol and a drug of abuse, or a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine.

(3) The trial judge of the Cleveland Municipal Court may, in addition to or independent of all other penalties provided by law, suspend the license of any person for not more than fifteen days who is convicted of or pleads guilty to a violation of operating a motor vehicle faster than five miles per hour in excess of the prima-facie speed limits specified in Section 433.03 relating to passing a school building or grounds or operating a motor vehicle in a residential district.

For any subsequent conviction of any such provision, the trial judge shall, in addition to or independent of all other penalties provided by law, suspend the license of any person for not more than thirty days who is convicted of or pleads guilty to any offense specified in this division. The first five days may not be suspended by the Court.

Section 433.01 Driving or Physical Control While Under the Influence: Evidence

(a) Operation. No person shall operate any vehicle within the City, if any of the following apply:

(1) The person is under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse;

(2) The person has a concentration of ten-hundredths of one percent (0.10%) or more **but less than seventeen-hundredths of one per cent** by weight of alcohol in the person's blood;

(3) The person has a concentration of ten-hundredths (0.10) of one gram or more **but less than seventeen-hundredths of one gram** by weight of alcohol per 210 liters of the person's breath;

(4) The person has a concentration of fourteen-hundredths (0.14) of one gram or more **but less than two hundred thirty-eight thousandths of one gram** by weight of alcohol per 100 milliliters of the person's urine.

(5) **The person has a concentration of seventeen-hundredths of one per cent or more by weight of alcohol in the person's blood.**

(6) **The person has a concentration of seventeen-hundredths of one gram or more by weight of alcohol per two hundred ten liters of the person's breath.**

(7) **The person has a concentration of two hundred thirty-eight thousandths of one gram by weight of alcohol per 100 milliliters of the person's urine.** RC 4511.19(A)

This division shall not apply whenever the conduct prohibited by this division constitutes a felony under Section 4511.99 of the Revised Code.

(b) Physical Control. No person shall be in actual physical control of any vehicle within the City, if any of the following apply:

(1) The person is under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse;

(2) The person has a concentration of ten-hundredths of one percent (0.10%) or more by weight of alcohol in his blood;

(3) The person has a concentration of ten-hundredths (0.10) of one gram or more by weight of alcohol per 210 liters of his breath;

(4) The person has a concentration of fourteen-hundredths (0.14) of one gram or more by weight of alcohol per 100 milliliters of his urine.

(c) Operation — Juveniles. No person under twenty-one (21) years of age shall operate any vehicle within the City, if any of the following apply:

(1) The person has a concentration of at least two-hundredths of one percent (0.02%) but less than ten-hundredths of one percent (0.10%) by weight of alcohol in his blood.

(2) The person has a concentration of at least two-hundredths (0.02) of one gram but less than ten-hundredths (0.10) of one gram by weight of alcohol per 210 liters of his breath;

(3) The person has a concentration of at least twenty-eight one-thousandths (0.028) of one gram but less than fourteen-hundredths (0.14) of one gram by weight of alcohol per one hundred milliliters of his urine.

(d) In any proceeding arising out of one incident, a person may be charged with a violation of division (a)(1) and a violation of division (b)(1), (2), or (3) of this section, but he may not be convicted of more than one violation of these divisions.

(e) Evidence; Tests; Immunity. In any criminal prosecution for a violation of this section, the court may admit evidence on the concentration of alcohol, drugs of abuse, or alcohol and drugs of abuse in the defendant's blood, breath, urine or other bodily substance at the time of the alleged violation as shown by chemical analysis of the defendant's blood, urine, breath other bodily substance withdrawn within two hours of the time of the alleged violation.

When a person submits to a blood test at the request of a police officer under RC 4511.191, only a physician, a registered nurse or a qualified technician or chemist shall withdraw blood for the purpose of determining its alcohol, drug, or alcohol and drug content. This limitation does not apply to the taking of breath or urine specimens. A physician, a registered nurse or a qualified technician or chemist may refuse to withdraw blood for the purpose of determining the alcohol, drug, or alcohol and drug content of the blood, if in his opinion the physical welfare of the person would be endangered by the withdrawing of blood.

Such bodily substance shall be analyzed in accordance with methods approved by the Ohio Director of Health by an individual possessing a valid permit issued by the Director of health pursuant to RC 3701.143.

If there was at the time the bodily substance was withdrawn a concentration of less than ten-hundredths of one percent (0.10%) by weight of alcohol in the defendant's blood, less than ten-hundredths (0.10) of one gram by weight of alcohol per 210 liters of his breath or less than fourteen-hundredths (0.14) of one gram by weight of alcohol per 100 milliliters of his urine, such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant. This paragraph does not limit or affect a criminal prosecution for a violation of division (c) of this section relating to

operating a vehicle with a prohibited concentration of alcohol in the blood, breath or urine.

Upon the request of the person who was tested, the results of the chemical test shall be made available to him, his attorney or agent, immediately upon the completion of the chemical test analysis.

The person tested may have a physician, a registered nurse or a qualified technician or chemist of this own choosing administer a chemical test or tests in addition to any administered at the request of a police officer, and shall be so advised. The failure or inability to obtain an additional chemical test by a person shall not preclude the admission of evidence relating to the chemical test or tests taken at the request of a police officer.

Any physician, registered nurse or qualified technician or chemist who withdrawn blood from a person pursuant to this section, and any hospital, first-aid station or clinic at which blood is withdrawn from a person pursuant to this section, is immune from criminal liability, and from civil liability that is based upon a claim of assault and battery or based upon any other claim that is not in the nature of a claim of malpractice, for any act performed in withdrawing blood from a person. (RC 4511.19(B) to (D)).

Section 2. That the following existing Sections of the Codified Ordinances of Cleveland, Ohio, 1976: Section 403.99, as amended by Ordinance No. 268-A-99, passed December 15, 1999, and

Section 433.01, as amended by Ordinance No. 91-96, passed March 18, 1996,

are hereby repealed.

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

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

Ord. No. 1593-2000.

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

An emergency ordinance to amend Section 459.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1452-91, passed October 21, 1991, and to amend Section 459.11 thereof, as amended by Ordinance No. 1010-91, passed June 17, 1991, relating to the definition of parking infraction and the penalty for improper use of reserved handicapped parking spaces.

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 459.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1452-91, passed October 21, 1991, and Section 459.11 thereof, as amended by Ordinance 1010-91, passed June 17, 1991 are hereby amended to read, respectively, as follows:

Section 459.01 Definitions

The following words and phrases, when used in this Chapter of the Traffic Code, shall have the meanings respectively ascribed to them by this section.

(a) "Parking Infraction" means a violation of the following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

203.08 Parking Waste Collection Vehicles;
343.20 Service Station Parking Restrictions;

451.03 Statutory Prohibited Standing or Parking Places;

451.04 Manner of Parallel Parking;

451.041 Physically Handicapped Parking, division (h) only

451.05 Manner of Angle Parking;
451.08 Narrow Roadways and Alleys;

451.09 Hydrant Side of Street;
451.10 Hazardous Traffic Obstructions;

451.11 Hospital Grounds;
451.12 City Property;

451.13 Distance from Theaters;
451.15 Fire Lanes on Public and Private Property;

451.16 Street Cleaning;
451.17 Snow Emergency;

451.18 Bus Stops and Taxi Cab Stands;

451.19 Motor Carriers;
451.20 Truck Zones;

451.21 Trucks and Commercial Vehicles;

451.22 Between Sidewalk and Set-back Line;

451.23 Tree Lawn and Private Driveway;

451.24 Private Driveway or Private Property;

451.25 Abandoned Vehicles;
451.28 Reserved Street Parking for U.S. Marshal;

451.33 Valet Parking/Passenger Drop off-Pick up Zones Established; Violations, divisions (e) and (f) only;

453.01 Parking Regulations in Parking Meter Zones;

453.02 Parking Violations;
455.05 Parking Regulations;

455.061 Reserved Parking Spaces at Willard Park Garage;

455.07 Violations, divisions (a), (b), (c) and (d) only;

461.15 Prohibitions, division (a) only; and

571.37 Parking Areas;
of said Codified Ordinances.

(b) "Vehicles" has the same meaning as in Section 4511.01 of the Revised Code.

(c) "Violations Clerk" means the Clerk of the Cleveland Municipal Court.

(d) "Parking Violations Bureau" means the bureau established by the Council of the City of Cleveland pursuant to Section 4521.04 of the Revised Code and Section 459.03 hereof.

(e) "Law Enforcement Officer" has the same meaning as in Section 601.01(d) of the Codified Ordinances of Cleveland, Ohio, 1976 and shall also mean City employees whose duties include the issuance of parking infraction tickets while engaged in such duty.

(f) "Notification of Infraction" means the notice mailed to the owner or operator of a vehicle involved in a parking infraction pursuant to Section 4521.07 of the Revised Code and Section 459.06 hereof.

(g) "Rush Hour Parking Infraction" means a violation of division (n) of Section 451.03 of the Codified Ordinances of Cleveland, Ohio, 1976, occurring on the streets and roadways during the times specified in Rule Nos. 3, 3-A, 3-B, 4, and 4-A adopted by the Director of Public Safety, as the same may be amended from time to time.

(h) "Court" or "Municipal Court" means the Cleveland Municipal Court, unless specifically identified as another court, in which case it means the specifically identified court.

Section 459.11 Parking Infraction Fines

(a) The fine for committing a parking infraction, unless another fine is established by **divisions (b) or (c)** of this section, is hereby established to be twenty dollars (\$20.00), except that the fine for a rush hour parking infraction shall be thirty dollars (\$30.00).

(b) The fine for violating each of the following sections of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be fifty dollars (\$50.00):

451.03 Statutory Prohibited Standing or Parking Places, division (e) only;

451.22 Between Sidewalk and Set-back Line;

451.23 Tree Lawn and Private Driveway, division (a) only;

451.25 Abandoned Vehicles; and
451.17 Snow Emergency.

(c) The fine for violating **each of** the following **sections** of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be one hundred dollars (\$100.00):

451.21 Trucks and Commercial Vehicles, division (b) only;

451.041 Physically Handicapped Parking, division (h) only.

Section 2. That Section 459.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1452-91, passed October 21, 1991, and existing Section 459.11 thereof, as amended by Ordinance 1010-91, passed June 17, 1991 are hereby repealed.

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

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

Ord. No. 1594-2000.

By Councilmen Johnson, Rybka and Patmon (by departmental request).

An emergency ordinance to amend the title and Section 2 of Ordinance No. 930-2000, passed June 19, 2000, relating to a grant from the Ohio Department of Natural Resources for Phase II of the Woodland Recreation Center site improvements.

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

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

Section 1. That the title and Section 2 of Ordinance No. 930-2000, passed June 19, 2000, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Natural Resources for Phase II of the Woodland Recreation Center site improvement; determining the method of making the public improvement of constructing the **improvement**; and authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement.

Section 2. That the program description for said grant, File No. 930-2000-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of **one-third of the grant accepted pursuant to Section 1 of this ordinance, which is in the estimated sum of \$33,000**, to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for the purpose which includes the above improvement, is hereby approved in all respects.

Section 2. That the title and Section 2 of Ordinance No. 930-2000, passed June 19, 2000, are hereby repealed.

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

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

Ord. No. 1595-2000.
By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Hough Avenue to Mansfield S. Frazier and Brenda W. Frazier.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 118-05-045 (Westerly parts of), as more fully described in Section 2 below, to Mansfield S. Frazier and Brenda W. Frazier.

Section 2. That the real property to be sold pursuant to Section 1 of this ordinance is more fully described as follows:

P. P. No. 118-05-045
(Westerly parts of)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 30 and 31 in the Stevens and Cass Re-Subdivision of part of Original One Hundred Acre Lot No. 338, as shown by the recorded plat in Volume 15, Page 12 of Cuyahoga County Maps Records;

Beginning at a 5/8" iron pin found at the intersection of the Southerly line of Hough Avenue, 66 feet wide, and the Easterly line of East 66th Street, 60 feet wide, the Northwest corner of aforesaid Sublot No. 29; thence South 88° 10' 40" East along the Southerly line of Hough Avenue and the Northerly line of Sublot No. 29, 130.00 feet to a 5/8" iron pin found at a Northeast corner of land conveyed to Levy Builders by deed dated October 19, 1999 and recorded in A.F.N. 199910190064 of Cuyahoga County Records; thence South 01° 30' 00" West along the Easterly line of land so conveyed, 44.99 feet to the principal point of beginning; thence North 88° 11' 02" West along a Southerly line of land so conveyed, 10.00 feet to a point; thence South 01° 30' 00" West along an Easterly line of land so conveyed, 40.00 feet to a point; thence North 88° 11' 23" East along a Southerly line of land so conveyed, 15.00 feet to a point; thence South 01° 30' 00" West along an Easterly line of land so conveyed, 40.00 feet to a point; thence South 88° 11' 43" East along the Southerly line of land so conveyed, 25.00 feet to a point; thence North 01° 30' 00" East, 80.00 feet to the principal point of beginning and containing 0.0321 acres of land as calculated and described by North Coast Engineering and Surveying Company, Inc. in August 2000, be the same more or less, but subject to all legal highways.

Note: all 5/8" iron pins set and capped, E.B. Dudley, P.L.S. No. 6747

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Direc-

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

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

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

Ord. No. 1596-2000.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 861-2000, passed June 19, 2000, relating to the Director of Community Development to expend Community Development Block Grant funds and Federal Home funds for the operation of the Low Interest Loan and Grant Programs and to enter into contract with various agencies to implement these programs.

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. 861-2000, passed June 19, 2000, is hereby amended to read as follows:

Section 1. That the Director of Community Development is hereby authorized to expend Community Development Block Grant funds from Fund No. 14 SC 026, and Federal Home Program funds from Fund No. 13 SC 895, Request No. 20689, in the amount of **\$7,881,000**, for the operation of the Low Interest Loan and Grant Programs, including all related services, and to enter into contracts under those programs. The Low Interest Loan and Grant Programs include Repair-A-Home (RAH), Corrective Action Grant, Afford-A-Home (AAH), Senior Home Owners Assistance Program (SHAP), Paint Refund Program, Housewarming, Furnace Repair, and Home Maintenance Assistance Program (HMAP).

Section 2. That existing Section 1 of Ordinance No. 861-2000, passed June 19, 2000, is hereby repealed.

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

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

Ord. No. 1597-2000.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 862-2000, passed June 19, 2000, relating to contracts with various agencies to provide social service programs.

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. 862-2000, passed June 19, 2000, is hereby amended to read as follows:

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

YOUTH
 A Cultural Exchange
 Achievement Centers for Children
 Bellflower Center for Prevention of Child Abuse, Inc.
 Boys & Girls Clubs of Cleveland (Broadway)
 Boys & Girls Clubs of Cleveland (Mt. Pleasant)
 Boys & Girls Clubs of Cleveland (West Side)
 Brooklyn Memorial Community Youth Center
 Catholic Charities Services Corp. (Martin dePorres Center)
 Catholic Youth and Community Service Corporation (Cleveland Mediation Center)
 The Chorale
 Cleveland Police Athletic League
 Collinwood Community Services Center (Recreational Activity)
 Community Relations
 Division of Recreation (Recreational Activities)
 East End Neighborhood House
 Esperanza, Inc.
 GLAD Center, Inc.
 Goodrich-Gannett Neighborhood Center
 Greater Cleveland Neighborhood Centers Association
 Harvard Community Services Center
 Julia de Burgos Cultural Arts Center
 Karamu House, Inc.
 Lexington-Bell Community Center
 Merrick House
 Nottingham Youth Center, Inc.
 Phillis Wheatley
 Safe Department/Greater Cleveland Roundtable
 The Salvation Army
 Services for Independent Living, Inc.
 Westown Community Development Corporation
 West Side Ecumenical Ministry
 YMCA (Broadway Branch)
 YMCA (Downtown/West Side Branches)
 YMCA (Glenville Branch)
 YMCA (Midtown East Branch)
 YMCA (West Park)

ELDERLY
 Alta Social Settlement House
 Catholic Charities Services Corp. (Hispanic Senior Center)
 Center for Families and Children
 Collinwood Community Services Center
 Community Re-Entry, Inc.
 Community Socialization Program
 Cory Senior Citizens Program, Inc.
 East End Neighborhood House
 EBC's Fery Development Corporation

Golden Age Centers of Greater Cleveland, Inc.
 Greater Cleveland Neighborhood Centers Association
 Phillis Wheatley Association, Inc.
 Salvation Army (Tremont)
 Senior Citizen Resources, Inc.
 Senior Outreach Services
 Vocational Guidance Services
 Werner Community Outreach, Inc.
 West Side Community House

FAMILY
AACCESS- Ohio
 American Sickle Cell Anemia Association
 Custom Enrichment
 El Barrio
 Hijos De Borinquen Spanish American Center
 Merrick House, Inc.
 Multi Service Corporation/May Dugan
 Mum-Ford Visual Health Care, Inc.
 Near West Side Multi-Service Corporation/May Dugan
 Neighborhood Counseling Service
 Triumph House
 University Settlement, Inc.
 Vietnamese Community

OTHER
 Better Living Center
 Center for the Prevention of Domestic Violence
 Cleveland Women, Inc.
 Community Re-entry
 Cornerstone Connection
 Guardian House Shelter, Inc. a.k.a. G.B.C.
 Harambee
 Hunger Network
 Marotta Montessori Schools of Cleveland
 National Federation of the Blind
 New Cleveland Food Basket
 Salvation Army
 Spanish American Committee for a Better Community
 Starting Point (Child Care Resource Center of Cuyahoga County)
 West Side Community House
 YMCA (West Side)
Section 2. That existing Section 1 of Ordinance No. 862-2000, passed June 19, 2000, is hereby repealed.
Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 1598-2000.
 By Councilmen O'Malley, Melena, Cimperman and Patmon (by departmental request).
 An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4817 Biddulph Road to George Jicha.

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio

Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 012-15-017, as more fully described in Section 2 below, to George Jicha.

Section 2. That the real property to be sold pursuant to Section 1 of this ordinance is more fully described as follows:

P. P. No. 012-15-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 10 feet of Sublot No. 9 and the Westerly 30 feet of Sublot No. 8 in the Lowrie Brothers Forestdale Subdivision of part of Original Brooklyn Township Lots Nos. 42 and 59, as shown by the recorded plat in Volume 41, Page 8 of Cuyahoga County Records, and together forming a parcel of land 40 feet front on the Southerly side of Biddulph Avenue, and Avenue, and extending back of equal width 155.48 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

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

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

Ord. No. 1599-2000.
By Councilmen White, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3959 and 3983 East 120th Street to Union Miles Development Corporation.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 138-02-147 and 138-02-152 as more fully described in Section 2 below, to Union Miles Development Corporation.

Section 2. That the real property to be sold pursuant to Section 1 of this ordinance is more fully described as follows:

P. P. No. 138-02-147

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 302 in The Bolivar Building Company's College Hill Subdivision of part of Original One Hundred Acre Lot No. 460 as shown by the recorded plat in Volume 63 of Maps, Page 34 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 120th Street and extending back 120 feet deep, of equal width, as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 138-02-152

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 308 in The Bolivar Building Company's College Hill Subdivision of part of Original One Hundred Acre Lot No. 460 and being 40 feet front on the Easterly side of East 120th Street and extending back of equal width 120 feet deep, be the same more or less, but subject to all legal highways.

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

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such

terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

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

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

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

Ord. No. 1600-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 11307 Parklawn Avenue to Northeastern Development Corporation or designee.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 110-18-039, as more fully described in Section 2 below, to Northeastern Development Corporation or designee.

Section 2. That the real property to be sold pursuant to Section 1 of this ordinance is more fully described as follows:

P. P. No. 110-18-039

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 10 and 11 in the Parklawn Improvement Company's Parklawn Subdivision of part of Original One Hundred Acre Lot No. 371, as shown by the recorded plat in Volume 91 of Maps, Page 37 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning in the Northeasterly line of Parklawn Drive, N.E., at a point distant Southeasterly (measured along said Northeasterly line), 25 feet from the most Westerly corner of Sublot No. 11; thence Northwesterly along said Northeasterly line of Parklawn Drive, N.E., 50 feet to a point which is distant Easterly (measured along the Northerly line of Parklawn Drive N.E.) 15 feet from the Southwesterly corner of said Sublot No. 10; thence Northwesterly parallel with the Northwesterly line of said Sublot No. 10, about 136 feet to the Northerly line of said Sublot No. 10; thence Easterly along the Northerly line of said Sublot No. 10, about 1.92 feet to an angle; thence Southeasterly along the Northeasterly line of said Sublot No. 10, 60 feet to the most Easterly corner of said Sublot No. 10; thence Southwesterly in a direct line, about 125 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

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

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

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

Ord. No. 1601-2000.

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

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

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

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

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

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

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

Section 2. That the term of the lease authorized by Section 1 shall not exceed three years, with seven (7) options exercisable by the Director of Personnel and Human Resources, to renew for additional one-year terms, and cancellable upon thirty days written notice by said Director.

Section 3. That the rent for the lease authorized by Section 1 shall be established by the Board of Control.

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

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

Section 6. That the costs of the lease shall be paid from Fund Nos. 16 SF 100, 16 SF 200 and 16 SF 300, Request No. 15427.

Section 7. That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect such authorized terms and conditions as are required to protect the interests of the City.

Section 8. That the Director of Personnel and Human Resources and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment and Affirmative Action, Finance.

Ord. No. 1602-2000.

By Councilmen White and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with Recovery Resources to provide services relating to the Employee Assistance 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 Personnel and Human Resources is hereby authorized to enter into a contract with Recovery Resources for the professional services necessary to administer assistance to City employees and their families in dealing with personal difficulties, including but not limited to family difficulties, marriage problems, financial concerns, legal issues, alcohol and drug problems, workplace problems, emotional and stress-related difficulties, in the estimated sum of \$148,020.00, payable from Fund No. 01-999800-638000, Request No. 12100, for the Department of Personnel and Human Resources.

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 Personnel and Human Resources, Finance, Law; Committees on Employment and Affirmative Action, Finance.

Ord. No. 1603-2000.

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

An emergency ordinance authorizing the Directors of Economic Development and Community Development to enter into contract amendments with Famicos Foundation and Lexington Village Associates Phase I for the refinancing of certain properties known as the Lexington Village project in the Hough area.

Whereas, pursuant to Ordinance No. 1695-83, passed June 20, 1983, and Ordinance No. 2763-83, passed December 19, 1983, as amended by Ordinance No. 86-84, passed January 30, 1984, Council authorized the Director of Economic Development to accept an Urban Development Action Grant ("UDAG") from the United States Department of Housing and Urban Development ("HUD") and to enter into a contract (the "UDAG contract") with Famicos Foundation ("Famicos") and Lexington Village Associates Phase I, an Ohio limited partnership, ("Lexington") for the con-

struction of 183 units of moderate income rental housing to be located in the Hough/Linwood area, known as the Lexington Village project; and

Whereas, pursuant to Ordinance No. 409-84, passed May 7, 1984, Council authorized the Directors of Economic Development and Community Development to enter into a Community Development Block Grant contract (the "CDBG contract") with the Famicos Foundation, to partially assist in the construction of the Lexington Village project; and

Whereas, Famicos and Lexington have requested that the City authorize the refinancing of the Lexington Village project to enable them to lower the interest rate of the 1st mortgage, amend the terms of the UDAG contract and the CDBG contract to be coterminous with the new 1st mortgage, to authorize new notes and incorporate HUD required language therein and to execute an intercreditor agreement among the parties; and

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

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

Section 1. That the Directors of Economic Development and Community Development are hereby authorized to enter into and execute an amendment to the UDAG contract and the CDBG contract and all collateral associated therewith; to accept new notes for the two contracts and revise the contracts, the notes and other collateral; to incorporate language required by HUD and to enter into intercreditor agreements associated with the refinancing of the Lexington Village project.

Section 2. That the UDAG contract amendment, the CDBG contract amendment, and all other revised documents authorized herein shall be in a form approved by the Director of Law and shall contain such terms and conditions as shall be deemed necessary or appropriate to protect the interests of the City.

Section 3. That the Mayor, the Director of Economic Development, the Director of Community Development, the Director of Law, and such appropriate City officials are authorized to execute such certifications and documents, and take such other actions as may be necessary or appropriate in connection with carrying out the terms of the amendments.

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

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

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 1604-2000.

By Councilman Patmon (by departmental request).

An emergency resolution to adopt and declare a Tax Budget for the year 2001, as required by State Law, Chapter 5705 of the Revised Code.

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

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

Section 1. That the Council, pursuant to the provisions of Chapter 5705 of the Revised Code, after public hearings thereon as required by law, does hereby adopt the statements of the 1999 requirements for the several funds of the City of Cleveland, as being the budget required by state law to be submitted to the County Budget Commission which requirements are as follows:

	Amount to be Derived From Levies Outside 10-Mill Limitation Column II	Amount Approved By Budget Commission Inside 10-Mill Limitation Column IV	County Auditor's Estimate of Tax Rate To Be Levied	
			Inside 10-Mill Limit Column V	Outside 10-Mill Limit Column VI
GENERAL FUND	\$			
BOND RETIREMENT FUND				
POLICE PENSION FUND				
FIRE PENSION FUND				
TOTAL	\$			

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	MAXIMUM RATE AUTHORIZED TO BE LEVIED	TAX YEAR COUNTY AUDITOR'S ESTIMATE OF YIELD OF LEVY (carry to schedule A, column 3)
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GENERAL FUND:

Current Expense Levy authorized by City Charter effective 11/21/67.	8.3 mills
Current Expense Levy authorized by voters on __/__/__, not to exceed ____ years. Auth. under Sect. ____, R.C.	
Current Expense Levy authorized by voters on __/__/__, not to exceed ____ years. Auth. under Sect. ____, R.C.	
Current Expense Levy authorized by voters on __/__/__, not to exceed ____ years. Auth. under Sect. ____, R.C.	
Current Expense Levy authorized by voters on __/__/__, not to exceed ____ years. Auth. under Sect. ____, R.C.	

TOTAL GENERAL FUND OUTSIDE 10 M. LIMITATION 8.3 mills

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
GENERAL FUND				
LOCAL TAXES				
Property Tax	\$ 43,026,448	\$ 45,963,605	\$ 43,997,565	\$ 46,197,443
Income Tax	230,863,210	245,844,055	261,873,569	267,111,040
Admission Tax	8,934,470	9,443,763	10,063,100	10,100,000
Exhibition Tax	0	0	0	0
Video Game Tax	61,123	57,625	65,280	65,280
Motor Vehicle Lessor Tax	3,335,052	3,420,768	3,705,660	3,705,660
Parking Tax	9,101,684	9,413,648	9,537,000	9,537,000
Total	\$ 295,321,987	\$ 314,143,464	\$ 329,242,174	\$ 336,716,423

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
LICENSES & PERMITS				
Building Licenses and Permits	\$ 8,797,610	\$ 7,309,656	\$ 7,314,310	\$ 7,314,310
Other Licenses and Permits	1,505,454	1,421,584	1,333,165	1,334,000
Total	\$ 10,303,064	\$ 8,731,240	\$ 8,647,475	\$ 8,648,310
INTERGOVERNMENTAL REVENUE				
Local Government Fund	\$ 54,254,717	\$ 56,923,651	\$ 57,815,000	\$ 58,956,374
State Cigarette and Liquor Tax	264,407	1,513,790	1,161,000	1,161,000
Estate Tax	4,884,507	7,337,064	5,645,000	5,645,000
Total	\$ 59,403,631	\$ 65,774,505	\$ 64,621,000	\$ 65,762,374
SALES AND CHARGES FOR SERVICE				
Misc. City Sales	\$ 131,467	\$ 357,196	\$ 78,000	\$ 78,000
Cable TV-Franchise Fees	1,849,923	1,909,510	1,995,900	1,995,900
Charges for Service	11,197,524	9,430,217	10,280,233	10,280,300
Commissions	75,952	47,757	0	0
Concession Revenue	51,387	35,963	59,146	59,200
Rental of City Property	780,017	558,926	959,184	559,000
Commercial Waste Collection	889,134	1,331,559	1,154,351	1,155,000
Total	\$ 14,975,404	\$ 13,671,128	\$ 14,526,814	\$ 14,127,400
FINES AND FORFEITURES				
Fines	\$ 13,940,538	\$ 14,574,253	\$ 14,086,791	\$ 14,100,000
Cash Bonds	137,281	126,582	137,000	137,000
Court Trustee	2,427	2,175	0	0
Court Costs	1,827,981	1,907,509	1,911,000	1,911,000
Criminal Bond Forfeiture	5,350	0	10,000	10,000
Total	\$ 15,913,577	\$ 16,610,519	\$ 16,144,791	\$ 16,158,000
MISCELLANEOUS REVENUE				
Sale of Capital Plant	\$ 0	\$ 0	\$ 0	\$ 0
Sale of Recyclable Waste	0	0	0	0
Refunds	5,182	2,548	400,000	400,000
Miscellaneous Revenue	2,860,925	4,575,065	4,863,500	1,263,500
Interest Income	4,240,626	2,320,380	3,148,221	3,148,250
Total	\$ 7,106,733	\$ 6,897,993	\$ 8,411,721	\$ 4,811,750
EXPENDITURE RECOVERIES				
Damaged City Property				
Reimbursement	\$ 27,293	\$ 0	\$ 0	\$ 0
Expenditure Recoveries	6,614,440	6,296,054	21,610,463	16,950,000
Total	\$ 6,641,733	\$ 6,296,054	\$ 21,610,463	\$ 16,950,000
TOTAL	\$ 409,666,129	\$ 432,124,903	\$ 463,204,438	\$ 463,174,257
GENERAL FUND				
EXPENDITURES				
Security of Persons and Property (Safety)				
Salaries and Wages	\$ 171,284,179	\$ 177,244,230	\$ 180,757,807	\$ 184,811,366
Employee Benefits	52,529,906	59,096,457	64,073,699	68,549,183
Training and Professional Dues	97,506	32,697	76,881	98,627
Utilities	2,400,577	2,778,898	2,519,089	2,627,148
Contractual Services	1,701,823	2,063,101	1,386,412	2,157,121
Material and Supplies	2,107,142	2,373,827	2,039,298	2,771,435
Maintenance	1,074,803	1,169,390	1,177,437	1,218,648
Claims, Refunds and Misc.	130,007	152,696	180,000	186,301
Inter-Departmental Services	9,395,233	7,811,398	8,366,488	7,904,406
Total Security of Persons and Property	\$ 240,721,176	\$ 252,722,694	\$ 260,577,111	\$ 270,324,235

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
Public Health Services (Health & Aging)				
Salaries and Wages	\$ 6,487,055	\$ 7,386,091	\$ 7,794,685	\$ 7,860,671
Employee Benefits	1,845,767	2,058,122	2,558,170	2,621,570
Training and Professional Dues	11,675	12,369	13,478	13,950
Utilities	359,473	362,458	460,138	476,243
Contractual Services	779,493	1,007,700	1,273,691	1,332,391
Material and Supplies	657,279	929,438	679,497	703,280
Maintenance	46,131	50,524	75,020	77,647
Claims	888	288	0	0
Inter-Departmental Services	481,269	406,756	365,103	356,550
Capital Outlay	0	0	0	0
Total Public Health Services	\$ 10,669,030	\$ 12,213,746	\$ 13,219,782	\$ 13,442,302
Leisure Time Activities (Parks, Recreation & Properties)				
Salaries and Wages	\$ 19,368,820	\$ 20,957,714	\$ 22,832,453	\$ 22,948,105
Employee Benefits	5,402,960	5,874,577	7,064,121	7,248,599
Training and Professional Dues	11,477	11,478	10,327	10,689
Utilities	2,858,293	2,757,773	2,732,214	2,827,841
Contractual Services	2,111,822	2,220,922	1,984,537	2,347,008
Material and Supplies	1,777,061	1,687,899	1,725,695	1,786,094
Maintenance	226,239	252,502	241,566	250,021
Claims, Refunds and Misc.	16,003	4,259	1,000	1,035
Inter-departmental Services	2,614,874	2,383,387	2,284,489	2,265,158
Capital Outlay	0	0	0	0
Total Leisure Time Activities	\$ 34,387,549	\$ 36,150,511	\$ 38,876,402	\$ 39,684,550
Community Environment (Service)				
Salaries and Wages	\$ 13,622,013	\$ 13,909,350	\$ 14,961,391	\$ 15,314,065
Employee Benefits	4,232,720	5,320,087	5,933,585	6,131,771
Training and Professional Dues	12,904	8,494	18,900	19,562
Utilities	553,036	447,545	508,180	525,967
Contractual Services	9,019,739	8,596,315	8,887,589	9,524,775
Material and Supplies	245,992	220,935	271,750	281,262
Maintenance	123,966	84,164	103,500	107,123
Claims, Refunds and Misc.	5,215	1,060	2,000	2,070
Inter-departmental Services	2,852,694	2,633,986	2,763,432	2,701,386
Total Community Environment	\$ 30,668,279	\$ 31,221,936	\$ 33,450,327	\$ 34,607,981
Legal/Financial Administration				
Salaries and Wages	\$ 6,855,839	\$ 7,885,005	\$ 9,126,834	\$ 9,101,367
Employee Benefits	1,726,485	1,772,811	2,348,078	2,556,188
Training and Professional Dues	192,941	137,649	152,403	157,738
Contractual Services	2,025,338	1,806,476	1,898,031	1,955,892
Material and Supplies	182,582	217,052	203,073	220,531
Maintenance	68,206	284,174	380,925	394,259
Claims, Refunds and Misc.	1,474,310	1,614,207	935,000	967,725
Inter-departmental Services	393,740	612,648	335,297	333,761
Total Legal/Financial Administration	\$ 12,919,441	\$ 14,330,022	\$ 15,379,641	\$ 15,687,461
Urban Planning & Development (CD, ED, Harbors)				
Salaries and Wages	\$ 5,396,730	\$ 5,391,852	\$ 14,345,617	\$ 12,588,042
Employee Benefits	1,324,517	1,630,296	1,954,180	3,905,143
Training and Professional Dues	19,110	32,361	76,925	89,967
Contractual Services	466,962	335,522	743,239	559,380
Material and Supplies	79,647	69,724	88,351	143,193
Maintenance	19,259	15,372	22,300	78,764
Claims, Refunds and Misc.	749	409	3,000	3,002
Inter-departmental Services	251,858	232,726	234,451	329,379
Total Urban Planning & Development	\$ 7,558,832	\$ 7,708,262	\$ 17,468,063	\$ 17,696,870
General Government				
Salaries and Wages	\$ 20,993,046	\$ 22,837,819	\$ 24,263,780	\$ 24,553,882
Employee Benefits	5,231,640	5,671,980	6,466,664	6,689,702
Training and Professional Dues	162,043	155,748	194,012	200,804
Contractual Services	4,553,326	5,040,847	5,585,043	5,442,102
Material and Supplies	511,033	584,787	578,145	598,383
Maintenance	42,633	47,882	87,725	90,797
Claims, Refunds and Misc.	3,866	124	0	0
Inter-departmental Services	1,202,540	938,858	936,654	925,868
Total General Government	\$ 32,700,127	\$ 35,278,045	\$ 38,112,023	\$ 38,501,538

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
Non-Departmental				
Transfers (Interfund Subsidies)	\$ 23,649,848	\$ 24,777,403	\$ 39,164,914	\$ 41,470,307
Training and Professional Dues	177,898	182,104	192,172	198,898
Utilities	9,277,646	9,977,703	10,570,000	10,939,950
Contractual Services	5,497,004	6,388,490	6,497,945	7,214,873
Maintenance	0	0	0	0
Claims, Refunds and Misc.	3,135	4,236	4,500	2,829
Total Other Uses of Funds	\$ 38,605,531	\$ 41,329,936	\$ 56,429,531	\$ 59,826,857
TOTAL EXPENDITURES	\$ 408,229,965	\$ 430,955,152	\$ 473,512,880	\$ 489,771,794
Revenues over/(under) Expenditures	\$ 1,436,164	\$ 1,169,751	\$ (10,308,442)	\$ (26,597,537)
Decertifications	\$ 502,538	\$ 6,755,514	\$ 0	\$ 0
Beginning Unencumbered Balance	\$ 553,751	\$ 2,492,453	\$ 10,417,718	\$ 109,276
Estimated Ending Unencumbered Fund Balance	\$ 2,492,453	\$ 10,417,718	\$ 109,276	\$ (26,488,261)
LEGISLATIVE BRANCH				
Council and Clerk of Council	\$ 4,061,173	\$ 4,505,863	\$ 5,111,144	\$ 4,871,924
I Personnel	2,769,123	3,082,705	2,999,644	3,039,450
II Other	1,292,050	1,423,158	2,111,500	1,832,474
Total Legislative Branch	\$ 4,061,173	\$ 4,505,863	\$ 5,111,144	\$ 4,871,924
MUNICIPAL COURT				
Judicial Division	\$ 12,710,960	\$ 13,821,794	\$ 14,738,785	\$ 15,061,867
I Personnel	11,089,198	12,147,897	12,968,247	13,238,471
II Other	1,621,762	1,673,897	1,770,538	1,823,396
Clerks Division	7,097,092	7,394,596	8,185,211	8,317,293
I Personnel	5,161,540	5,533,832	6,284,347	6,368,245
II Other	1,935,552	1,860,764	1,900,864	1,949,048
Housing Division	1,724,800	1,888,279	2,144,817	2,178,871
I Personnel	1,632,598	1,794,109	2,050,767	2,078,699
II Other	92,202	94,170	94,050	100,172
Total Municipal Court	\$ 21,532,852	\$ 23,104,669	\$ 25,068,813	\$ 25,558,031
EXECUTIVE BRANCH				
Office of the Mayor	\$ 1,524,244	\$ 1,519,198	\$ 1,618,281	\$ 1,649,077
I Personnel	1,259,651	1,341,450	1,369,347	1,393,468
II Other	264,593	177,748	248,934	255,609
Public Safety				
Public Safety Administration	\$ 9,670,673	\$ 4,495,437	\$ 4,349,451	\$ 4,417,146
I Personnel	8,879,151	3,915,494	3,741,844	3,785,526
II Other	791,522	579,943	607,607	631,620
Division of Police	145,970,436	159,559,072	162,824,191	168,914,884
I Personnel	134,649,130	148,708,138	152,606,803	157,960,315
II Other	11,321,306	10,850,934	10,217,388	10,954,569
Division of Fire	66,539,597	68,968,738	72,313,653	75,549,862
I Personnel	63,844,293	66,171,336	69,349,275	72,237,756
II Other	2,695,304	2,797,402	2,964,378	3,312,106
Division of Emergency Medical Services	14,692,818	15,573,921	16,600,008	16,861,011
I Personnel	13,581,918	14,407,822	15,510,594	15,703,368
II Other	1,110,900	1,166,099	1,089,414	1,157,643
Division of Traffic Engineering	3,171,017	3,435,780	3,707,370	3,783,936
I Personnel	2,342,627	2,603,077	2,938,245	2,979,169
II Other	828,390	832,703	769,125	804,767

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
Division of Dog Pound	676,635	689,746	782,438	797,396
I Personnel	516,966	534,820	684,745	694,415
II Other	159,669	154,926	97,693	102,981
Total Public Safety	\$ 240,721,176	\$ 252,722,694	\$ 260,577,111	\$ 270,324,235
Community Relations Board	\$ 874,859	\$ 899,977	\$ 945,792	\$ 959,964
I Personnel	621,786	698,884	704,312	710,269
II Other	253,073	201,093	241,480	249,695
Public Service				
Public Service Administration	\$ 335,505	\$ 368,791	\$ 436,781	\$ 441,195
I Personnel	319,205	353,242	418,070	423,106
II Other	16,300	15,549	18,711	18,089
Division of Architecture	548,832	495,526	606,579	615,060
I Personnel	525,061	465,272	573,405	580,684
II Other	23,771	30,254	33,174	34,376
Division of Waste Collection and Disposal	25,461,336	25,873,535	26,801,146	28,014,605
I Personnel	13,139,785	14,317,403	14,827,809	15,305,570
II Other	12,321,551	11,556,132	11,973,337	12,709,035
Division of Engineering and Construction	4,322,606	4,484,084	5,605,821	5,537,121
I Personnel	3,870,682	4,093,520	5,075,692	5,136,476
II Other	451,924	390,564	530,129	400,645
Total Public Service	\$ 30,668,279	\$ 31,221,936	\$ 33,450,327	\$ 34,607,981
Parks, Recreation and Properties				
Parks, Recreation, and Properties Administration	\$ 709,493	\$ 620,258	\$ 759,697	\$ 774,063
I Personnel	549,719	451,403	587,521	596,222
II Other	159,774	168,855	172,176	177,841
Division of Research, Planning, and Dev.	655,541	638,929	719,062	731,229
I Personnel	570,708	564,447	641,482	649,961
II Other	84,833	74,482	77,580	81,268
Division of Recreation	10,014,112	11,021,183	12,690,494	12,898,904
I Personnel	7,048,391	7,996,046	9,675,929	9,771,552
II Other	2,965,721	3,025,137	3,014,565	3,127,352
Division of Parking Facilities	734,845	737,895	786,554	803,754
I Personnel	693,090	697,712	750,802	761,951
II Other	41,755	40,183	35,752	41,803
Division of Property Management	10,379,341	10,736,101	10,997,547	11,148,387
I Personnel	7,879,726	8,421,009	8,740,130	8,799,292
II Other	2,499,615	2,315,092	2,257,417	2,349,095
Division of Park Maintenance and Property	11,894,217	12,396,145	12,923,048	13,328,213
I Personnel	8,030,146	8,701,674	9,500,710	9,617,726
II Other	3,864,071	3,694,471	3,422,338	3,710,487
Total Parks, Recreation and Properties	\$ 34,387,549	\$ 36,150,511	\$ 38,876,402	\$ 39,684,550
Boxing and Wrestling Commission	\$ 6,882	\$ 6,414	\$ 8,458	\$ 8,541
I Personnel	6,882	6,414	8,458	8,541
II Other	0	0	0	0
Urban Planning & Development Community Development				
Director's Office	\$ 105,473	\$ 110,776	\$ 443,605	\$ 447,834
I Personnel	105,473	110,776	443,605	447,834

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
Division of Administrative Services	85,820	89,975	2,312,717	2,352,142
I Personnel	85,820	89,975	2,312,717	2,352,142
Division of Building and Housing	5,878,058	5,938,782	10,408,985	10,565,404
I Personnel	5,325,648	5,512,983	9,951,782	10,095,809
II Other	552,410	425,799	457,203	469,595
Division of Neighborhood Services	71,357	75,874	1,149,763	1,155,339
I Personnel	71,357	75,874	1,149,763	1,155,339
Division of Neighborhood Development	321,255	364,550	1,868,004	1,872,359
I Personnel	117,256	187,874	1,668,004	1,665,359
II Other	203,999	176,676	200,000	207,000
Subtotal Community Development	\$ 6,461,963	\$ 6,579,957	\$ 16,183,074	\$ 16,393,078
Regulatory Boards & Commissions				
Landmarks Commission	\$ 87,989	\$ 94,604	\$ 103,905	\$ 105,073
I Personnel	81,812	91,225	96,454	97,518
II Other	6,177	3,379	7,451	7,555
Bd. of Bldg. Standards and Appeals	83,867	83,049	89,305	90,486
I Personnel	71,145	73,792	81,958	83,011
II Other	12,722	9,257	7,347	7,475
Board of Zoning Appeals	239,191	228,470	250,819	254,740
I Personnel	220,080	215,121	237,551	240,982
II Other	19,111	13,349	13,268	13,758
Bd. of Examiners of Plumbers and Elect.	82,156	82,577	99,670	101,580
I Personnel	79,102	80,349	96,215	98,062
II Other	3,054	2,228	3,455	3,518
Fair Campaign Finance Commission	3	2,265	9,852	10,197
I Personnel	0	0	0	0
II Other	3	2,265	9,852	10,197
Total Regulatory Boards	\$ 493,206	\$ 490,965	\$ 553,551	\$ 562,076
Economic Development	\$ 1,066,727	\$ 1,128,305	\$ 1,229,989	\$ 1,248,009
I Personnel	985,551	1,044,666	1,142,926	1,158,133
II Other	81,176	83,639	87,063	89,876
Office of Equal Opportunity	\$ 539,963	\$ 581,378	\$ 603,861	\$ 612,734
I Personnel	468,038	531,569	558,581	566,258
II Other	71,925	49,809	45,280	46,476
City Planning Commission	\$ 1,172,772	\$ 1,194,299	\$ 1,305,438	\$ 1,321,528
I Personnel	1,104,624	1,153,771	1,254,242	1,269,103
II Other	68,148	40,528	51,196	52,425
Port Control-Harbor Development	\$ 30,142	\$ 0	\$ 55,000	\$ 55,783
I Personnel	30,142	0	55,000	55,783
II Other	0	0	0	0
Total Urban Planning & Development	\$ 9,764,773	\$ 9,974,904	\$ 19,930,913	\$ 20,193,208
Public Health				
Health Administration	\$ 260,326	\$ 406,358	\$ 924,944	\$ 938,655
I Personnel	146,578	316,567	831,876	842,500
II Other	113,748	89,791	93,068	96,155
Division of Correction	5,029,169	5,803,929	5,734,159	5,822,837
I Personnel	3,875,674	4,385,549	4,590,668	4,643,865
II Other	1,153,495	1,418,380	1,143,491	1,178,972
Division of Health	2,970,174	3,415,719	3,753,328	3,824,745
I Personnel	2,229,151	2,520,100	2,485,003	2,514,148
II Other	741,023	895,619	1,268,325	1,310,597
Division of The Environment	2,157,730	2,358,393	2,512,797	2,553,730
I Personnel	1,888,115	2,058,667	2,214,818	2,247,771
II Other	269,615	299,726	297,979	305,959
Total Public Health	\$ 10,417,399	\$ 11,984,399	\$ 12,925,228	\$ 13,139,967

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
Aging				
Aging	\$ 251,631	\$ 229,347	\$ 294,554	\$ 302,335
I Personnel	193,304	163,330	230,490	233,957
II Other	58,327	66,017	64,064	68,378
SUPPORT FUNCTIONS				
Financial & Legal Administration				
Finance Department				
Director's Office	\$ 289,665	\$ 368,610	\$ 384,963	\$ 389,873
I Personnel	253,301	338,847	352,256	356,432
II Other	36,364	29,763	32,707	33,441
Division of Accounts	1,005,237	1,201,797	1,224,421	1,250,601
I Personnel	638,348	804,397	821,183	833,912
II Other	366,889	397,400	403,238	416,689
Division of Assessments and Licenses	1,012,425	1,128,696	1,151,958	1,169,785
I Personnel	863,435	958,160	964,201	978,980
II Other	148,990	170,536	187,757	190,805
Division of Treasury	389,602	427,168	504,277	522,781
I Personnel	321,083	353,411	432,485	448,961
II Other	68,519	73,757	71,792	73,820
Division of Purchases and Supplies	659,340	685,873	731,320	741,526
I Personnel	562,624	608,451	638,666	648,279
II Other	96,716	77,422	92,654	93,247
Bureau of Internal Audit	487,251	363,795	597,909	609,262
I Personnel	170,012	140,992	368,336	371,674
II Other	317,239	222,803	229,573	237,588
Division of Financial Reporting and Control	815,404	1,349,818	1,407,899	1,428,642
I Personnel	676,820	893,107	974,943	980,987
II Other	138,584	456,711	432,956	447,655
Total Finance Department	\$ 4,658,924	\$ 5,525,757	\$ 6,002,747	\$ 6,112,470
Office of Budget and Mgmt.				
Budget Administration	\$ 449,271	\$ 507,068	\$ 668,355	\$ 676,635
I Personnel	402,232	468,380	627,528	634,784
II Other	47,039	38,688	40,827	41,851
Law				
I Personnel	7,811,196	8,297,197	8,708,539	8,898,356
II Other	4,694,469	5,092,071	6,295,314	6,403,546
II Other	3,116,727	3,205,126	2,413,225	2,494,810
Total Finance & Legal Administration	\$ 12,919,391	\$ 14,330,022	\$ 15,379,641	\$ 15,687,461
PERSONNEL ADMINISTRATION				
Personnel	\$ 1,503,105	\$ 1,805,783	\$ 1,670,514	\$ 1,702,928
I Personnel	981,316	1,088,527	1,177,304	1,193,080
II Other	521,789	717,256	493,210	509,848
Civil Service Commission	991,121	1,169,499	1,226,171	1,254,735
I Personnel	518,240	525,697	647,105	655,810
II Other	472,881	643,802	579,066	598,925
Total Personnel Administration	\$ 2,494,226	\$ 2,975,282	\$ 2,896,685	\$ 2,957,663
NONDEPARTMENTAL				
County Auditor Deductions	\$ 869,992	\$ 841,672	\$ 1,117,000	\$ 1,645,595
II Other	869,992	841,672	1,117,000	1,645,595

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
Other Administrative	14,085,691	15,710,861	16,147,617	16,710,955
II Other	14,085,691	15,710,861	16,147,617	16,710,955
Total NonDepartmental	\$ 14,955,683	\$ 16,552,533	\$ 17,264,617	\$ 18,356,550
TOTAL SUPPORT FUNCTIONS	\$ 30,369,300	\$ 33,857,837	\$ 35,540,943	\$ 37,001,674
SUBSIDIES TO OTHER FUNDS	23,649,848	24,777,403	39,164,914	41,470,307
TOTAL GENERAL FUND EXPENDITURES	\$ 408,229,965	\$ 430,955,152	\$ 473,512,880	\$ 489,771,794
Excess (deficiency) of Revenues over Expenditures	1,436,164	1,169,751	(10,308,442)	(26,597,537)
Decertifications	502,538	6,755,514	0	0
UNENCUMBERED CASH				
Beginning Balance	553,751	2,492,453	10,417,718	109,276
Ending Balance	\$ 2,492,453	\$ 10,417,718	\$ 109,276	\$ (26,488,261)
SPECIAL REVENUE FUND GROUP RESTRICTED INCOME TAX FUND				
REVENUE				
LOCAL TAXES				
City Income Tax	\$ 28,999,374	\$ 30,782,954	\$ 32,734,196	\$ 33,388,880
Total Source	\$ 28,999,374	\$ 30,782,954	\$ 32,734,196	\$ 33,388,880
Total Revenues	\$ 28,999,374	\$ 30,782,954	\$ 32,734,196	\$ 33,388,880
EXPENDITURES				
II Other Operating Costs	\$ 28,220,262	\$ 31,295,988	\$ 37,534,000	\$ 34,123,555
Total Expenditures	\$ 28,220,262	\$ 31,295,988	\$ 37,534,000	\$ 34,123,555
Excess (deficiency) of Revenues over Expenditures	\$ 779,112	\$ (513,034)	\$ (4,799,804)	\$ (734,675)
Decertifications	1,061,977	4,129,203	0	0
UNENCUMBERED CASH				
Beginning Balance	77,221	1,918,310	5,534,479	734,675
Ending Balance	\$ 1,918,310	\$ 5,534,479	\$ 734,675	\$ 0
STREET CONSTRUCTION MAINTENANCE AND REPAIR				
REVENUES				
LICENSES & PERMITS				
Other Licenses & Permits	\$ 279,845	\$ 306,990	\$ 400,000	\$ 400,000
Total Source	\$ 279,845	\$ 306,990	\$ 400,000	\$ 400,000
INTERGOVERNMENTAL REVENUE				
Gasoline Excise Tax	\$ 5,957,960	\$ 6,257,529	\$ 6,300,000	\$ 6,300,000
Motor Vehicle License Tax	4,970,788	4,996,535	5,000,000	5,000,000
Total Source	\$ 10,928,748	\$ 11,254,064	\$ 11,300,000	\$ 11,300,000
SALES AND CHARGES FOR SERVICE				
Miscellaneous City Sales	\$ 43,304	\$ 8,387	\$ 0	\$ 0
Charges for Service	849,974	1,412,266	2,000,000	2,000,000
Commissions	0	0	0	0
Total Source	\$ 893,278	\$ 1,420,653	\$ 2,000,000	\$ 2,000,000
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 390,328	\$ 227,655	\$ 2,000	\$ 2,000
Total Source	\$ 390,328	\$ 227,655	\$ 2,000	\$ 2,000

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
TRANSFERS IN				
Subsidies from Other Funds	\$ 5,102,262	\$ 6,983,000	\$ 6,236,450	\$ 5,880,554
Total Source	\$ 5,102,262	\$ 6,983,000	\$ 6,236,450	\$ 5,880,554
EXPENDITURE RECOVERIES				
Damaged City Property Reimbursement	\$ 4,820	\$ 4,086	\$ 4,000	\$ 4,000
Expenditure Recoveries	4,635,077	4,052,834	5,097,882	5,414,025
Total Source	\$ 4,639,897	\$ 4,056,920	\$ 5,101,882	\$ 5,418,025
Total Revenues	\$ 22,234,358	\$ 24,249,282	\$ 25,040,332	\$ 25,000,579
EXPENDITURES				
I Personnel Costs	\$ 12,172,521	\$ 13,233,626	\$ 14,201,374	\$ 14,358,221
II Other Operating Costs	9,548,507	11,923,044	10,522,815	10,958,501
Total Expenditures	\$ 21,721,028	\$ 25,156,670	\$ 24,724,189	\$ 25,316,722
Excess (deficiency) of Revenues over Expenditures	\$ 513,330	\$ (907,388)	\$ 316,143	\$ (316,143)
Decertifications	155,771	238,287	0	0
UNENCUMBERED CASH				
Beginning Balance	0	669,101	0	316,143
Ending Balance	\$ 669,101	\$ 0	\$ 316,143	\$ 0

SCHOOLS RECREATION AND CULTURAL ACTIVITIES FUND

REVENUES				
REVENUE TRANSFERS				
Revenue from other funds	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
Total Source	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
Total Revenues	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
EXPENDITURES				
II Other Operating Costs	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
Total Expenditures	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
Excess (deficiency) of Revenues over Expenditures	\$ 0	\$ 0	\$ 0	\$ 0
Decertifications	0	0	0	0
UNENCUMBERED CASH				
Beginning Balance	2,000,000	2,000,000	2,000,000	2,000,000
Ending Balance	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000

REVENUES

DEBT SERVICE FUND

SALES AND CHARGES FOR SERVICE				
Sales and Charges for Service	\$ 100	\$ 100	\$ 0	\$ 0
Total Source	\$ 100	\$ 100	\$ 0	\$ 0
REVENUE TRANSFERS				
Revenue from Other Funds	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
TRANSFERS IN				
Subsidies from Other Funds	\$ 516,349	\$ 456,685	\$ 376,464	\$ 441,058
Total Source	\$ 516,349	\$ 456,685	\$ 376,464	\$ 441,058

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 34,659	\$ 34,659	\$ 59,577	\$ 50,000
Total Source	\$ 34,659	\$ 34,659	\$ 59,577	\$ 50,000
Total Revenues	\$ 551,108	\$ 491,444	\$ 436,041	\$ 491,058
EXPENDITURES				
I Personnel Costs	\$ 115,686	\$ 67,623	\$ 85,714	\$ 86,637
II Other Operating Costs	429,860	389,060	390,750	404,421
Total Expenditures	\$ 545,546	\$ 456,683	\$ 476,464	\$ 491,058
Excess (deficiency) of Revenues over Expenditures	\$ 5,562	\$ 34,761	\$ (40,423)	\$ 0
Decertifications	0	0	0	0
UNENCUMBERED CASH				
Beginning Balance	100	5,662	40,423	0
Ending Balance	\$ 5,662	\$ 40,423	\$ 0	\$ 0
UNVOTED -TAX SUPPORTED OBLIGATIONS				
REVENUES				
LOCAL TAXES				
Property Tax	\$ 22,685,562	\$ 23,404,867	\$ 22,960,388	\$ 24,108,407
Total Source	\$ 22,685,562	\$ 23,404,867	\$ 22,960,388	\$ 24,108,407
INTERGOVERNMENTAL REVENUE				
Grant Revenue	\$ 0	\$ 1,519,687	\$ 728,634	\$ 500,000
Total Source	\$ 0	\$ 1,519,687	\$ 728,634	\$ 500,000
MISCELLANEOUS REVENUE				
Interest Income	\$ 657,678	\$ 293,497	\$ 275,000	\$ 275,000
Revenue from Visitors Bureau	0	0	1,152,000	1,152,000
Total Source	\$ 657,678	\$ 293,497	\$ 1,427,000	\$ 1,427,000
REVENUE TRANSFERS				
Revenue from Bond Funds	\$ 0	\$ 8,783	\$ 0	\$ 0
State Issue 2	0	0	0	0
Total Source	\$ 0	\$ 8,783	\$ 0	\$ 0
TRANSFERS IN				
Subsidies from Other Funds	\$ 11,750,000	\$ 12,050,000	\$ 12,500,000	\$ 13,750,000
Total Source	\$ 11,750,000	\$ 12,050,000	\$ 12,500,000	\$ 13,750,000
Total Revenues	\$ 35,093,240	\$ 37,276,834	\$ 37,616,022	\$ 39,785,407
EXPENDITURES				
II Other Operating Costs	\$ 35,603,010	\$ 36,590,983	\$ 38,798,582	\$ 39,987,787
Total Expenditures	\$ 35,603,010	\$ 36,590,983	\$ 38,798,582	\$ 39,987,787
Excess (deficiency) of Revenues over Expenditures	(509,770)	685,851	(1,182,560)	(202,380)
UNENCUMBERED CASH				
Beginning Balance	3,521,836	3,012,070	3,697,925	2,515,365
Ending Balance	\$ 3,012,070	\$ 3,697,925	\$ 2,515,365	\$ 2,312,985

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
UNVOTED SELF SUPPORTED OBLIGATIONS				
REVENUES				
MISCELLANEOUS REVENUE				
Interest Income	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
REVENUE TRANSFERS				
Revenue from Bond Funds	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
TRANSFERS IN				
Enterprise Debt Service	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
Total Revenues	\$ 0	\$ 0	\$ 0	\$ 0
EXPENDITURES				
II Other Operating Costs	\$ 0	\$ 0	\$ 0	\$ 0
Total Expenditures	\$ 0	\$ 0	\$ 0	\$ 0
Excess (deficiency) of Revenues over Expenditures	0	0	0	0
UNENCUMBERED CASH				
Beginning Balance	247	247	247	247
Ending Balance	\$ 247	\$ 247	\$ 247	\$ 247

STADIUM BOND FUND

REVENUES				
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 0	\$ 0	\$ 0	\$ 0
Proceeds from Sale of Debt	0	20,000,000	0	0
Revenue Transfers	762,500	895,000	0	0
Interest Income	3,972	2,650	0	0
Total Source	\$ 766,472	\$ 20,897,650	\$ 0	\$ 0
Total Revenues	\$ 766,472	\$ 20,897,650	\$ 0	\$ 0
EXPENDITURES				
II Other Operating Costs	\$ 867,500	\$ 20,900,000	\$ 0	\$ 0
Total Expenditures	\$ 867,500	\$ 20,900,000	\$ 0	\$ 0
Excess (deficiency) of Revenues over Expenditures	\$ (101,028)	\$ (2,350)	\$ 0	\$ 0
UNENCUMBERED CASH				
Beginning Balance	105,611	4,583	2,233	2,233
Ending Balance	\$ 4,583	\$ 2,233	\$ 2,233	\$ 2,233

SUBORDINATED INCOME TAX BOND FUND

REVENUES				
MISCELLANEOUS REVENUE				
Miscellaneous Revenue				
Interest Income	\$ 25,818	\$ 28,804	\$ 0	\$ 0
Principal Payment	4,517,859	4,211,766	4,650,000	4,650,000
Total Source	\$ 4,543,677	\$ 4,240,570	\$ 4,650,000	\$ 4,650,000

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
TRANSFERS IN				
Subsidies from Other Funds	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
Total Revenues	\$ 4,543,677	\$ 4,240,570	\$ 4,650,000	\$ 4,650,000
EXPENDITURES				
II Other Operating Costs	\$ 4,538,670	\$ 3,965,290	\$ 4,650,000	\$ 4,650,000
Total Expenditures	\$ 4,538,670	\$ 3,965,290	\$ 4,650,000	\$ 4,650,000
Excess (deficiency) of Revenues over Expenditures	5,007	275,280	0	0
UNENCUMBERED CASH				
Beginning Balance	1,480,681	1,485,688	1,760,968	1,760,968
Ending Balance	\$ 1,485,688	\$ 1,760,968	\$ 1,760,968	\$ 1,760,968

**DEPARTMENT OF PUBLIC UTILITIES
UTILITIES GENERAL ADMINISTRATION**

REVENUES				
MISCELLANEOUS REVENUE				
Interest Income	\$ 45,329	\$ 11,186	\$ 12,000	\$ 12,000
Total Source	\$ 45,329	\$ 11,186	\$ 12,000	\$ 12,000
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 2,447,279	\$ 1,972,022	\$ 2,603,000	\$ 3,133,000
Total Source	\$ 2,447,279	\$ 1,972,022	\$ 2,603,000	\$ 3,133,000
Total Revenues	\$ 2,492,608	\$ 1,983,208	\$ 2,615,000	\$ 3,145,000

UTILITIES ADMINISTRATION

EXPENDITURES				
I Personnel Costs	\$ 617,696	\$ 671,756	\$ 830,700	\$ 863,000
II Other Operating Costs	237,577	223,759	269,000	279,000
Total Division	\$ 855,273	\$ 895,515	\$ 1,099,700	\$ 1,142,000

UTILITIES FISCAL CONTROL

I Personnel Costs	\$ 1,422,216	\$ 1,390,143	\$ 1,664,000	\$ 1,830,000
II Other Operating Costs	112,254	108,152	156,000	173,000
Total Division	\$ 1,534,470	\$ 1,498,295	\$ 1,820,000	\$ 2,003,000
Total Expenditures	\$ 2,389,743	\$ 2,393,810	\$ 2,919,700	\$ 3,145,000
Excess (deficiency) of Revenues over Expenditures	\$ 102,865	\$ (410,602)	\$ (304,700)	\$ 0
Decertifications	50,210	3,416	0	0

UNENCUMBERED CASH				
Beginning Balance	559,328	712,403	305,217	517
Ending Balance	\$ 712,403	\$ 305,217	\$ 517	\$ 517

RADIO COMMUNICATION

REVENUES				
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 1,407,565	\$ 2,139,690	\$ 1,910,707	\$ 1,201,141
Total Source	\$ 1,407,565	\$ 2,139,690	\$ 1,910,707	\$ 1,201,141
Total Revenues	\$ 1,407,565	\$ 2,139,690	\$ 1,910,707	\$ 1,201,141

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
I Personnel Costs	\$ 25,190	\$ 68,477	\$ 37,135	\$ 38,687
II Other Operating Costs	1,493,468	1,270,908	1,941,115	1,995,000
Total Expenditures	\$ 1,518,658	\$ 1,339,385	\$ 1,978,250	\$ 2,033,687
Excess (deficiency) of Revenues over Expenditures	\$ (111,093)	\$ 800,305	\$ (67,543)	\$ (832,546)
Decertifications	1,128	0	0	0
UNENCUMBERED CASH				
Beginning Balance	209,749	99,784	900,089	832,546
Ending Balance	\$ 99,784	\$ 900,089	\$ 832,546	\$ 0

DIVISION OF WATER
WATER GENERAL OPERATIONS

REVENUES				
SALES AND CHARGES FOR SERVICE				
Water Sales	\$ 188,426,652	\$ 195,620,165	\$ 188,222,000	\$ 194,630,660
Water-Other Operating Revenues	4,442,470	0	12,400,000	12,400,000
Total Source	\$ 192,869,122	\$ 195,620,165	\$ 200,622,000	\$ 207,030,660
MISCELLANEOUS REVENUE				
Interest Income	\$ 9,939,349	\$ 10,435,108	\$ 13,000,000	\$ 13,000,000
Total Source	\$ 9,939,349	\$ 10,435,108	\$ 13,000,000	\$ 13,000,000
Total Revenues	\$ 202,808,471	\$ 206,055,273	\$ 213,622,000	\$ 220,030,660
EXPENDITURES				
I Personnel Costs	\$ 58,338,138	\$ 54,633,585	\$ 66,103,000	\$ 69,358,000
II Other Operating Costs	152,856,374	123,469,145	163,433,000	185,536,000
Total Expenditures	\$ 211,194,512	\$ 178,102,730	\$ 229,536,000	\$ 254,894,000
Excess (deficiency) of Revenues over Expenditures	\$ (8,386,041)	\$ 27,952,543	\$ (15,914,000)	\$ (34,863,340)
Decertifications	4,774,472	0	0	0
UNENCUMBERED CASH				
Beginning Balance	53,255,398	49,643,829	77,596,372	61,682,372
Ending Balance	\$ 49,643,829	\$ 77,596,372	\$ 61,682,372	\$ 26,819,032

DIVISION OF WATER POLLUTION CONTROL
WATER POLLUTION GENERAL OPERATIONS

REVENUES				
SALES AND CHARGES FOR SERVICE				
Water Pollution Control Sales	\$ 18,017,706	\$ 13,691,339	\$ 18,779,000	\$ 19,375,370
Total Source	\$ 18,017,706	\$ 13,691,339	\$ 18,779,000	\$ 19,375,370
MISCELLANEOUS REVENUE				
Sale of City Assets	\$ 0	\$ 0	\$ 0	\$ 0
Interest Income	1,456,416	904,973	1,100,000	1,100,000
Total Source	\$ 1,456,416	\$ 904,973	\$ 1,100,000	\$ 1,100,000
Total Revenues	\$ 19,474,122	\$ 14,596,312	\$ 19,879,000	\$ 20,475,370
EXPENDITURES				
I Personnel Costs	\$ 6,458,145	\$ 5,989,382	\$ 7,651,632	\$ 8,117,000
II Other Operating Costs	11,490,522	7,837,131	14,153,024	15,232,600
Total Expenditures	\$ 17,948,667	\$ 13,826,513	\$ 21,804,656	\$ 23,349,600
Excess (deficiency) of Revenues over Expenditures	\$ 1,525,455	\$ 769,799	\$ (1,925,656)	\$ (2,874,230)
Decertifications	287,395	0	0	0

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
UNENCUMBERED CASH				
Beginning Balance	6,279,576	8,092,426	8,862,225	6,936,569
Ending Balance	\$ 8,092,426	\$ 8,862,225	\$ 6,936,569	\$ 4,062,339

CLEVELAND PUBLIC POWER
CLEVELAND PUBLIC POWER GENERAL OPERATIONS

REVENUES				
SALES AND CHARGES FOR SERVICE				
C.P.P. Sales	\$ 122,292,820	\$ 126,735,188	\$ 141,027,000	\$ 143,000,000
Total Source	\$ 122,292,820	\$ 126,735,188	\$ 141,027,000	\$ 143,000,000
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 3,026,541	\$ 584,866	\$ 0	\$ 0
Interest Income	962,992	1,574,700	500,000	1,500,000
Total Source	\$ 3,989,533	\$ 2,159,566	\$ 500,000	\$ 1,500,000
Total Revenues	\$ 126,282,353	\$ 128,894,754	\$ 141,527,000	\$ 144,500,000
EXPENDITURES				
I Personnel Costs	\$ 20,761,909	\$ 21,578,803	\$ 24,571,000	\$ 24,857,474
II Other Operating Costs	94,683,626	104,577,650	116,956,000	129,113,555
Total Expenditures	\$ 115,445,535	\$ 126,156,453	\$ 141,527,000	\$ 153,971,029
Excess (deficiency) of Revenues over Expenditures	\$ 10,836,818	\$ 2,738,301	\$ 0	\$ (9,471,029)
Decertifications	1,185,443	1,618,139	0	0
UNENCUMBERED CASH				
Beginning Balance	7,915,850	19,938,111	24,294,551	24,294,551
Ending Balance	\$ 19,938,111	\$ 24,294,551	\$ 24,294,551	\$ 14,823,522

DEPARTMENT OF PORT CONTROL
AIRPORT GENERAL OPERATIONS

REVENUES				
SALES AND CHARGES FOR SERVICES				
Charges for Service	\$ 5,079,130	\$ 2,553,928	\$ 0	\$ 0
Airport Landing Fees	19,806,986	18,321,452	40,316,801	42,000,000
Airport Space Rentals	12,239,650	11,182,870	18,771,583	19,500,000
Airport Ground Rentals	6,360,055	8,331,946	11,782,165	12,300,000
Airport Concession Revenue	20,472,782	13,068,644	19,366,980	19,850,000
Airport Utility Sales	2,666,719	2,194,205	2,906,938	2,967,000
Airport Customs Fees	291,160	347,221	322,960	350,000
Total Source	\$ 66,916,482	\$ 56,000,266	\$ 93,467,427	\$ 96,967,000
MISCELLANEOUS REVENUE				
Sales of Capital Plant	\$ 0	\$ 0	\$ 0	\$ 0
Sale of City Assets	0	0	0	0
Miscellaneous Revenue	(505,214)	5,074,262	1,679,057	544,638
Small Claims	10,788	0	60,000	0
Interest Income	963,842	3,744,401	2,863,067	3,500,000
Total Source	\$ 469,416	\$ 8,818,663	\$ 4,602,124	\$ 4,044,638
EXPENDITURE RECOVERIES				
Damaged City Property Reimbursement	\$ 172,518	\$ 8,124	\$ 0	\$ 0
EXPENDITURE RECOVERIES				
Total Source	\$ 172,518	\$ 8,124	\$ 0	\$ 0
Total Revenues	\$ 67,558,416	\$ 64,827,053	\$ 98,069,551	\$ 101,011,638

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
EXPENDITURES				
I Personnel Costs	\$ 15,068,774	\$ 16,349,572	\$ 20,399,527	\$ 20,851,028
II Other Operating Costs	44,931,131	58,343,123	77,739,524	71,225,986
Total Expenditures	\$ 59,999,905	\$ 74,692,695	\$ 98,139,051	\$ 92,077,014
Excess (deficiency) of Revenues over Expenditures	\$ 7,558,511	\$ (9,865,642)	\$ (69,500)	\$ 8,934,624
Decertifications	1,069,583	200,091	0	0
UNENCUMBERED CASH				
Beginning Balance	1,137,457	9,765,551	100,000	30,500
Ending Balance	\$ 9,765,551	\$ 100,000	\$ 30,500	\$ 8,965,124
AIRPORT DEVELOPMENT FUND				
REVENUES				
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 0	\$ 0	\$ 0	\$ 0
Interest Income	16,835	0	60,000	60,000
Total Source	\$ 16,835	\$ 0	\$ 60,000	\$ 60,000
Total Revenues	\$ 16,835	\$ 0	\$ 60,000	\$ 60,000
EXPENDITURES				
II Other Operating Costs	\$ 0	\$ 0	\$ 60,000	\$ 60,000
Total Expenditures	\$ 0	\$ 0	\$ 60,000	\$ 60,000
Excess (deficiency) of Revenues over Expenditures	\$ 16,835	\$ 0	\$ 0	\$ 0
Decertifications	4,009	0	0	0
UNENCUMBERED CASH				
Beginning Balance	107,958	128,802	128,802	128,802
Ending Balance	\$ 128,802	\$ 128,802	\$ 128,802	\$ 128,802
DIVISION OF CEMETERIES CEMETERIES GENERAL OPERATIONS				
REVENUES				
SALES AND CHARGES FOR SERVICES				
Cemetery Fees	\$ 1,446,873	\$ 1,413,788	\$ 1,460,589	\$ 1,460,589
Total Source	\$ 1,446,873	\$ 1,413,788	\$ 1,460,589	\$ 1,460,589
MISCELLANEOUS REVENUE				
Sale of City Assets	\$ 102	\$ 0	\$ 0	\$ 0
Interest Income	498,478	462,342	487,000	487,000
Total Source	\$ 498,580	\$ 462,342	\$ 487,000	\$ 487,000
TRANSFERS IN				
Subsidies from Other Funds	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
Total Revenues	\$ 1,945,453	\$ 1,876,130	\$ 1,947,589	\$ 1,947,589
EXPENDITURES				
I Personnel Costs	\$ 1,294,859	\$ 1,373,773	\$ 1,618,566	\$ 1,640,810
II Other Operating Costs	557,029	468,821	545,483	584,853
Total Expenditures	\$ 1,851,888	\$ 1,842,594	\$ 2,164,049	\$ 2,225,663
Excess (deficiency) of Revenues over Expenditures	\$ 93,565	\$ 33,536	\$ (216,460)	\$ (278,074)
Decertifications	6,979	0	0	0

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
UNENCUMBERED CASH				
Beginning Balance	692,927	793,471	827,007	610,547
Ending Balance	\$ 793,471	\$ 827,007	\$ 610,547	\$ 332,473
GOLF COURSES				
REVENUES				
SALES AND CHARGES FOR SERVICES				
Charges for Service	\$ 1,558,966	\$ 1,385,949	\$ 1,325,000	\$ 1,378,000
Concession Revenue	767,459	744,573	750,000	697,000
Total Source	\$ 2,326,425	\$ 2,130,522	\$ 2,075,000	\$ 2,075,000
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 25,328	\$ 9,311	\$ 0	\$ 0
Interest Income	62,055	67,607	15,000	15,000
Total Source	\$ 87,383	\$ 76,918	\$ 15,000	\$ 15,000
Total Revenues	\$ 2,413,808	\$ 2,207,440	\$ 2,090,000	\$ 2,090,000
EXPENDITURES				
I Personnel Costs	\$ 865,749	\$ 887,581	\$ 995,574	\$ 1,007,451
II Other Operating Costs	1,109,148	1,495,860	1,463,469	1,506,967
Total Expenditures	\$ 1,974,897	\$ 2,383,441	\$ 2,459,043	\$ 2,514,418
Excess (deficiency) of Revenues over Expenditures	\$ 438,911	\$ (176,001)	\$ (369,043)	\$ (424,418)
Decertifications	88,592	0	0	0
UNENCUMBERED CASH				
Beginning Balance	837,271	1,364,774	1,188,773	819,730
Ending Balance	\$ 1,364,774	\$ 1,188,773	\$ 819,730	\$ 395,312
MUNICIPAL PARKING LOTS				
REVENUES				
LOCAL TAXES				
Parking Tax	\$ 299,622	\$ 305,304	\$ 329,200	\$ 330,000
Total Source	\$ 299,622	\$ 305,304	\$ 329,200	\$ 330,000
SALES AND CHARGES FOR SERVICES				
Charges for Service	\$ 4,568,697	\$ 5,021,350	\$ 4,799,074	\$ 4,800,000
Concession Revenue	0	0	0	0
Rental of City Property	180,000	180,000	180,000	180,000
Total Source	\$ 4,748,697	\$ 5,201,350	\$ 4,979,074	\$ 4,980,000
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 22	\$ (217)	\$ 0	\$ 0
Interest Income	87,415	769,689	0	0
Total Source	\$ 87,437	\$ 769,472	\$ 0	\$ 0
REVENUE TRANSFERS				
Revenue from General Fund	\$ 0	\$ 0	\$ 0	\$ 0
Revenue from Bond Funds	1,636,172	1,366,669	2,601,492	2,599,091
Total Source	\$ 1,636,172	\$ 1,366,669	\$ 2,601,492	\$ 2,599,091
EXPENDITURE RECOVERIES				
Damaged City Property Reimbursement	\$ 4,284	\$ 3,746	\$ 0	\$ 0
Expenditure Recoveries	592,270	138,529	489,325	490,000
Total Source	\$ 596,554	\$ 142,275	\$ 489,325	\$ 490,000
Total Revenues	\$ 7,368,482	\$ 7,785,070	\$ 8,399,091	\$ 8,399,091

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
EXPENDITURES				
I Personnel Costs	\$ 637,663	\$ 652,211	\$ 862,506	\$ 873,500
II Other Operating Costs	6,456,007	7,384,042	7,357,784	7,401,395
	<u>\$ 7,093,670</u>	<u>\$ 8,036,253</u>	<u>\$ 8,220,290</u>	<u>\$ 8,274,895</u>
Excess (deficiency) of Revenues over				
Expenditures	\$ 274,812	\$ (251,183)	\$ 178,801	\$ 124,196
Decertifications	12,783	49,278	0	0
UNENCUMBERED CASH				
Beginning Balance	1,315,672	1,603,267	1,401,362	1,580,163
Ending Balance	<u>\$ 1,603,267</u>	<u>\$ 1,401,362</u>	<u>\$ 1,580,163</u>	<u>\$ 1,704,359</u>
CLEVELAND CONVENTION CENTER				
REVENUES				
LOCAL TAXES				
Hotel Tax	\$ 3,392,562	\$ 3,354,457	\$ 3,700,000	\$ 3,700,000
Total Source	<u>\$ 3,392,562</u>	<u>\$ 3,354,457</u>	<u>\$ 3,700,000</u>	<u>\$ 3,700,000</u>
SALES AND CHARGES FOR SERVICE				
Charges for Service	\$ 234,300	\$ 0	\$ 350,000	\$ 350,000
Commissions	8,883	0	15,000	15,000
Rental of City Property	0	0	0	0
Convention Center Ticket Receipts	2,331,999	2,050,405	2,614,882	2,614,882
Total Source	<u>\$ 2,575,182</u>	<u>\$ 2,050,405</u>	<u>\$ 2,979,882</u>	<u>\$ 2,979,882</u>
MISCELLANEOUS REVENUE				
Sale of City Assets	\$ 0	\$ 0	\$ 0	\$ 0
Refunds	0	0	0	0
Miscellaneous Revenue	418	0	250,000	250,000
Interest Income	67,119	81,102	60,000	60,000
Total Source	<u>\$ 67,537</u>	<u>\$ 81,102</u>	<u>\$ 310,000</u>	<u>\$ 310,000</u>
TRANSFERS IN				
Subsidies from Other Funds	\$ 0	\$ 327,612	\$ 0	\$ 151,695
Total Source	<u>\$ 0</u>	<u>\$ 327,612</u>	<u>\$ 0</u>	<u>\$ 151,695</u>
EXPENDITURE RECOVERIES				
Damaged City Property				
Reimbursement	\$ 2,152	\$ 0	\$ 0	\$ 0
Expenditure Recoveries	465,496	345,607	324,000	324,000
Total Source	<u>\$ 467,648</u>	<u>\$ 345,607</u>	<u>\$ 324,000</u>	<u>\$ 324,000</u>
Total Revenues	<u>\$ 6,502,929</u>	<u>\$ 6,159,183</u>	<u>\$ 7,313,882</u>	<u>\$ 7,465,577</u>
EXPENDITURES				
I Personnel Costs	\$ 1,908,512	\$ 1,921,570	\$ 2,063,860	\$ 2,086,413
II Other Operating Costs	4,554,414	4,769,427	5,247,867	5,425,800
Total Expenditures	<u>\$ 6,462,926</u>	<u>\$ 6,690,997</u>	<u>\$ 7,311,727</u>	<u>\$ 7,512,213</u>
Excess (deficiency) of Revenues over				
Expenditures	\$ 40,003	\$ (531,814)	\$ 2,155	\$ (46,636)
Decertifications	102,593	129,633	0	0
UNENCUMBERED CASH				
Beginning Balance	304,066	446,662	44,481	46,636
Ending Balance	<u>\$ 446,662</u>	<u>\$ 44,481</u>	<u>\$ 46,636</u>	<u>\$ 0</u>

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
CLEVELAND WEST SIDE MARKET				
REVENUES				
SALES AND CHARGES FOR SERVICE				
Rental of City Property	\$ 993,028	\$ 1,017,989	\$ 1,133,850	\$ 1,135,000
Total Source	\$ 993,028	\$ 1,017,989	\$ 1,133,850	\$ 1,135,000
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 42,195	\$ 48,578	\$ 15,150	\$ 15,150
Interest Income	25,000	28,724	0	0
Total Source	\$ 67,195	\$ 77,302	\$ 15,150	\$ 15,150
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 16,484	\$ 20,124	\$ 42,828	\$ 41,678
Total Source	\$ 16,484	\$ 20,124	\$ 42,828	\$ 41,678
Total Revenues	\$ 1,076,707	\$ 1,115,415	\$ 1,191,828	\$ 1,191,828
EXPENDITURES				
I Personnel Costs	\$ 339,727	\$ 325,856	\$ 372,753	\$ 377,701
II Other Operating Costs	653,975	696,629	730,292	755,738
Total Expenditures	\$ 993,702	\$ 1,022,485	\$ 1,103,045	\$ 1,133,439
Excess (deficiency) of Revenues over				
Expenditures	\$ 83,005	\$ 92,930	\$ 88,783	\$ 58,389
Decertifications	35,237	34,665	0	0
UNENCUMBERED CASH				
Beginning Balance	236,779	355,021	482,616	571,399
Ending Balance	\$ 355,021	\$ 482,616	\$ 571,399	\$ 629,788
CLEVELAND EAST SIDE MARKET				
REVENUES				
SALES AND CHARGES FOR SERVICE				
Charges for Services	\$ 65,333	\$ 98,000	\$ 81,709	\$ 81,709
Total Source	\$ 65,333	\$ 98,000	\$ 81,709	\$ 81,709
MISCELLANEOUS REVENUE				
Interest Income	0	0	0	0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
Total Revenues	\$ 65,333	\$ 98,000	\$ 81,709	\$ 81,709
EXPENDITURES				
I Personnel Costs	\$ 0	\$ 30,650	\$ 53,628	\$ 54,340
II Other Operating Costs	12,743	20,145	42,060	43,368
Total Expenditures	\$ 12,743	\$ 50,795	\$ 95,688	\$ 97,708
Excess (deficiency) of Revenues over				
Expenditures	\$ 52,590	\$ 47,205	\$ (13,979)	\$ (15,999)
Decertifications	9,891	5,000	0	0
UNENCUMBERED CASH				
Beginning Balance	154,114	216,595	268,800	254,821
Ending Balance	\$ 216,595	\$ 268,800	\$ 254,821	\$ 238,822

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
INTERNAL SERVICE FUND GROUP TELEPHONE EXCHANGE				
REVENUES				
SALES AND CHARGES FOR SERVICE				
Commissions	\$ 174,637	\$ 297,103	\$ 300,000	\$ 300,000
Total Source	\$ 174,637	\$ 297,103	\$ 300,000	\$ 300,000
MISCELLANEOUS REVENUE				
Interest Income	\$ 11,532	\$ 0	\$ 0	\$ 0
Total Source	\$ 11,532	\$ 0	\$ 0	\$ 0
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 4,289,790	\$ 3,086,502	\$ 3,631,253	\$ 3,680,104
Total Source	\$ 4,289,790	\$ 3,086,502	\$ 3,631,253	\$ 3,680,104
Total Revenues	\$ 4,475,959	\$ 3,383,605	\$ 3,931,253	\$ 3,980,104
EXPENDITURES				
I Personnel Costs	\$ 262,209	\$ 235,893	\$ 397,071	\$ 402,772
Total Expenditures	\$ 4,628,200	\$ 3,552,008	\$ 3,931,253	\$ 4,059,254
Excess (deficiency) of Revenues over Decertifications	310,170	249	0	0
UNENCUMBERED CASH				
Beginning Balance	89,375	247,304	79,150	79,150
Ending Balance	\$ 247,304	\$ 79,150	\$ 79,150	\$ 0
INFORMATION SYSTEMS SERVICES				
REVENUES				
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 164	\$ 0	\$ 0	\$ 0
Interest Income	2,628	1,530	1,000	1,000
Total Source	\$ 2,792	\$ 1,530	\$ 1,000	\$ 1,000
TRANSFERS IN				
Subsidies from other funds	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 2,302,514	\$ 2,407,835	\$ 2,462,319	\$ 2,512,333
Total Source	\$ 2,302,514	\$ 2,407,835	\$ 2,462,319	\$ 2,512,333
Total Revenues	\$ 2,305,306	\$ 2,409,365	\$ 2,463,319	\$ 2,513,333
EXPENDITURES				
I Personnel Costs	\$ 1,322,079	\$ 1,310,112	\$ 1,620,153	\$ 1,650,482
II Other Operating Costs	1,143,717	1,229,958	843,166	871,306
Total Expenditures	\$ 2,465,796	\$ 2,540,070	\$ 2,463,319	\$ 2,521,788
Excess (deficiency) of Revenues over Expenditures	\$ (160,490)	\$ (130,705)	\$ 0	\$ (8,455)
Decertifications	70,435	119,162	0	0
Beginning Balance	110,053	19,998	8,455	8,455
Ending Balance	\$ 19,998	\$ 8,455	\$ 8,455	\$ 0

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
MOTOR VEHICLE MAINTENANCE				
REVENUES				
SALES AND CHARGES FOR SERVICE				
Miscellaneous City Sales	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
MISCELLANEOUS REVENUE				
Sale of City Assets	\$ 0	\$ 0	\$ 0	\$ 0
Miscellaneous Revenue	330	69,455	0	0
Interest Income	95,807	137,809	100,000	100,000
Total Source	\$ 96,137	\$ 207,264	\$ 100,000	\$ 100,000
TRANSFERS IN				
Recovery of past deficits	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
EXPENDITURE RECOVERIES				
Damaged City Property				
Reimbursement	\$ 5,479	\$ 0	\$ 0	\$ 0
Expenditure Recoveries	15,293,587	14,310,557	13,918,520	16,748,275
Total Source	\$ 15,299,066	\$ 14,310,557	\$ 13,918,520	\$ 16,748,275
Total Revenues	\$ 15,395,203	\$ 14,517,821	\$ 14,018,520	\$ 16,848,275
EXPENDITURES				
I Personnel Costs	\$ 4,001,580	\$ 4,163,185	\$ 5,145,051	\$ 5,212,653
II Other Operating Costs	10,818,573	9,923,866	11,422,406	11,819,999
Total Expenditures	\$ 14,820,153	\$ 14,087,051	\$ 16,567,457	\$ 17,032,652
Excess (deficiency) of Revenues over				
Expenditures	\$ 575,050	\$ 430,770	\$ (2,548,937)	\$ (184,377)
Decertifications	374,956	1,020,463	0	0
UNENCUMBERED CASH				
Beginning Balance	332,075	1,282,081	2,733,314	184,377
Ending Balance	\$ 1,282,081	\$ 2,733,314	\$ 184,377	\$ 0
PRINTING AND REPRODUCTION				
REVENUES				
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 536	\$ 0	\$ 0	\$ 0
Interest Income	8,447	10,229	0	0
Total Source	\$ 8,983	\$ 10,229	\$ 0	\$ 0
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 1,049,460	\$ 1,041,573	\$ 1,228,845	\$ 1,189,023
Total Source	\$ 1,049,460	\$ 1,041,573	\$ 1,228,845	\$ 1,189,023
Total Revenues	\$ 1,058,443	\$ 1,051,802	\$ 1,228,845	\$ 1,189,023
EXPENDITURES				
I Personnel Costs	\$ 514,180	\$ 521,469	\$ 584,040	\$ 594,200
II Other Operating Costs	521,070	602,871	644,805	667,594
Total Expenditures	\$ 1,035,250	\$ 1,124,340	\$ 1,228,845	\$ 1,261,794
Excess (deficiency) of Revenues over				
Expenditures	\$ 23,193	\$ (72,538)	\$ 0	\$ (72,771)
Decertifications	10,648	54,420	0	0

	1998 ACTUAL	1999 ACTUAL	2000 BUDGET	2001 TAX BUDGET
UNENCUMBERED CASH				
Beginning Balance	57,048	90,889	72,771	72,771
Ending Balance	\$ 90,889	\$ 72,771	\$ 72,771	\$ 0
CITY STOREROOM AND WAREHOUSE				
REVENUES				
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 760,194	\$ 712,329	\$ 755,778	\$ 781,297
Total Source	\$ 760,194	\$ 712,329	\$ 755,778	\$ 745,419
Total Revenues	\$ 760,194	\$ 712,329	\$ 755,778	\$ 745,419
EXPENDITURES				
I Personnel Costs	\$ 40,543	\$ 54,614	\$ 58,351	\$ 59,460
II Other Operating Costs	715,247	640,543	697,427	721,837
Total Expenditures	\$ 755,790	\$ 695,157	\$ 755,778	\$ 781,297
Excess (deficiency) of Revenues over Expenditures	\$ 4,404	\$ 17,172	\$ 0	\$ (35,878)
Decertifications	331	150	0	0
UNENCUMBERED CASH				
Beginning Balance	13,821	18,556	35,878	35,878
Ending Balance	\$ 18,556	\$ 35,878	\$ 35,878	\$ 0
CENTRAL COLLECTION AGENCY				
REVENUES				
LOCAL TAXES				
City Income Tax	\$ 3,640,000	\$ 3,920,000	\$ 4,935,259	\$ 4,935,000
Total Source	\$ 3,640,000	\$ 3,920,000	\$ 4,935,259	\$ 4,935,000
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 10,332	\$ 7,277	\$ 0	\$ 0
Total Source	\$ 10,332	\$ 7,277	\$ 0	\$ 0
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 1,575,380	\$ 1,682,747	\$ 2,000,000	\$ 2,000,259
Total Source	\$ 1,575,380	\$ 1,682,747	\$ 2,000,000	\$ 2,000,259
Total Revenues	\$ 5,225,712	\$ 5,610,024	\$ 6,935,259	\$ 6,935,259
EXPENDITURES				
I Personnel Costs	\$ 3,094,522	\$ 3,197,793	\$ 4,301,824	\$ 4,364,370
II Other Operating Costs	2,170,034	2,529,549	2,633,435	2,721,202
Total Expenditures	\$ 5,264,556	\$ 5,727,342	\$ 6,935,259	\$ 7,085,572
Excess (deficiency) of Revenues over Expenditures	\$ (38,844)	\$ (117,318)	\$ 0	\$ (150,313)
Decertifications	50,090	253,809	0	0
UNENCUMBERED CASH				
Beginning Balance	29,435	40,681	177,172	177,172
Ending Balance	\$ 40,681	\$ 177,172	\$ 177,172	\$ 26,859

STATEMENT OF PERMANENT IMPROVEMENT

Description	Estimated Cost of Permanent Improvement	Amount to be Budgeted During Current Year	Name of Paying Fund
Transportation Network	\$413,000	\$413,000	Restricted Income Tax
Vehicle Purchases & Leases	13,161,645	13,161,645	Restricted Income Tax
Major Equipment/Non-Vehicular Purchase & Lease	10,944,030	10,944,030	Restricted Income Tax
Public Buildings & Facilities	1,250,000	1,250,000	Restricted Income Tax
TOTAL	\$25,768,675	\$25,768,675	

STATEMENT OF AMOUNTS REQUIRED FOR PAYMENT OF FINAL JUDGMENTS

Description of Judgment	Amount of Judgment	Fund Paying Judgment
Employment	\$125,000	General Fund
Employment	116,000	General Fund
Employment	84,000	Enterprise Fund
TOTAL	\$325,000	

CITYOF CLEVELAND SINKING FUND COMMISSION
 FUTURE DEBTSERVICE REQUIREMENTS
 UNVOTED TAX SUPPORTED OBLIGATIONS

	DEBTSERVICE MONTH	ISSUE DATE	MATURITY DATE	INTEREST RATE	12/31/00 BALANCE	PRINCIPAL	2001 INTEREST	TOTAL
UNVOTED TAX SUPPORTED OBLIGATIONS								
PURPOSE								
AUDITORIUM IMP.	FEB./AUG.	1977	2003	6.000%	180,000	60,000	10,800	70,800
BREAKWALL	FEB./AUG.	1977	2003	6.000%	240,000	80,000	14,400	94,400
BREAKWALL	FEB./AUG.	1977	2003	6.000%	150,000	50,000	9,000	59,000
BRIDGE IMP.	FEB./AUG.	1977	2003	6.000%	60,000	20,000	3,600	23,600
BRIDGE IMPROVEMENTS	JUNE*/DEC.	1976	2003	7.000%	180,000	60,000	10,500	70,500
BRIDGE & ROADWAY	APR/OCT.	1990	2008	VAR	335,000	335,000	23,031	358,031
BRIDGE & ROADWAY	APR/OCT.	1991A	2008	VAR	1,230,000	595,000	78,125	673,125
BRIDGE & ROADWAY	APR/OCT.	1998	2015	VAR	9,965,000	490,000	432,495	922,495
BRIDGE & ROADWAY	FEB./AUG.	1997	2014	VAR	9,035,000	460,000	489,782	949,782
BRIDGE & ROADWAY	JAN/JUL.	1992	2009	VAR	1,705,000	460,000	102,120	562,120
BRIDGES & ROADS	MAR/SEP.	1993	2009	VAR	5,965,000	540,000	306,754	846,754
BRIDGES & ROADS	MAY/NOV.	1994	2012	VAR	6,460,000	1,140,000	393,535	1,533,535
BRIDGES & ROADS	MAY/NOV.	1999	2016	VAR	14,720,000	640,000	735,752	1,375,752
BRIDGES & ROADS	MAR/SEP.	1996	2013	VAR	14,860,000	840,000	770,571	1,610,571
BUILDINGS & FACILITIES	MAY/NOV.	1994	2018	VAR	1,535,000	270,000	93,505	363,505
CEMETERY	APR/OCT.	1991A	2001	VAR	140,000	140,000	8,820	148,820
CEMETERY IMPROVEMENT	APR/OCT.	1998	2018	VAR	1,750,000	65,000	77,074	142,074
CEMETERY IMPROVEMENT	JAN/JUL.	1992	2002	VAR	435,000	215,000	25,668	240,668
CENTRALPOLICE HQ	JUNE*/DEC.	1976	2002	7.000%	530,000	265,000	27,825	292,825
CITY'S PORTION CTS.	JUNE*/DEC.	1976	2003	7.000%	705,000	235,000	41,125	276,125
CITY'S PORTION CTS.	JUNE*/DEC.	1976	2003	7.000%	420,000	140,000	24,500	164,500

	DEBTSERVICE MONTH	ISSUE DATE	MATURITY DATE	INTEREST RATE	12/31/00 BALANCE	2001 PRINCIPAL	2001 INTEREST	TOTAL
CONVENTION CENTER	APR/OCT.	1990	2010	VAR	85,000	85,000	5,844	90,844
CONVENTION CENTER	JUNE/DEC.	1984	2003	6.000%	525,000	175,000	31,500	206,500
CONVENTION CENTER	MAR/SEP.	1996	2015	VAR	1,730,000	80,000	90,701	170,701
FIRE APPARATUS	MAY/NOV.	1999	2009	VAR	770,000	70,000	35,247	105,247
FIRE STATION	FEB./AUG.	1977	2003	6.000%	120,000	40,000	7,200	47,200
FREEWAY	FEB./AUG.	1977	2003	6.000%	150,000	50,000	9,000	59,000
JUDGMENTBONDS	APR/OCT.	1991C	2011	VAR	1,185,000	575,000	69,340	644,340
NEIGHBORHOOD DEV.	MAR/SEP.	1996	2014	VAR	895,000	45,000	46,682	91,682
PARK ACQUISITION	FEB./AUG.	1977	2003	6.000%	30,000	10,000	1,800	11,800
PARKING	FEB./AUG.	1977	2002	6.000%	830,000	415,000	49,800	464,800
PARKS & RECREATION	APR/OCT	1998	2018	VAR	3,370,000	130,000	148,386	278,386
PARKS & RECREATION	FEB./AUG.	1997	2017	VAR	2,710,000	105,000	145,642	250,642
PARKS & RECREATION	MAY/NOV.	1994	2018	VAR	985,000	175,000	60,010	235,010
PARKS & RECREATION	MAY/NOV.	1999	2019	VAR	3,305,000	110,000	168,090	278,090
PARKS & RECREATION	MAR/SEP	1996	2015	VAR	4,335,000	200,000	227,281	427,281
PUBLIC FACILITIES	APR/OCT	1998	2018	VAR	6,460,000	245,000	284,551	529,551
PUBLIC FACILITIES	FEB./AUG.	1997	2017	VAR	9,995,000	380,000	537,242	917,242
PUBLIC FACILITIES	JAN/JUL	1992	2012	VAR	755,000	240,000	45,080	285,080
PUBLIC FACILITIES	MAR/SEP	1993	2013	VAR	7,360,000	415,000	384,986	799,986
PUBLIC FACILITIES	MAR/SEP	1996	2020	VAR	2,300,000	70,000	122,680	192,680
PUBLIC FACILITIES	MAY/NOV.	1999	2019	VAR	4,445,000	150,000	226,014	376,014
PUBLIC SERVICE	APR/OCT	1991A	2011	VAR	475,000	230,000	30,170	260,170
PUBLIC SERVICE	APR/OCT	1990	2010	VAR	305,000	305,000	20,969	325,969
RECREATION FACILITIES	APR/OCT	1991A	2008	VAR	395,000	120,000	25,160	145,160
RECREATION FACILITIES	APR/OCT	1990	2010	VAR	520,000	520,000	35,750	555,750
RECREATION FACILITIES	JAN/JUL	1992	2012	VAR	735,000	230,000	43,892	273,892
RECREATION FACILITIES	MAR/SEP	1993	2012	VAR	2,825,000	175,000	147,315	322,315
REFUNDED CONVENTION CTR	APR/OCT	1991B	2011	VAR	2,250,000	1,090,000	142,910	1,232,910
REFUND BONDS (TAX) 1992	JAN/JUL	1992	2002	VAR	100,000	50,000	5,900	55,900
RESIDENTL. & REDVLPMT.	MAY/NOV.	1994	2018	VAR	160,000	30,000	9,755	39,755
RESIDENTIALAREAIMP.	FEB./AUG	1997	2017	VAR	910,000	35,000	48,898	83,898
RESIDENTREDEVELOPMENT	JAN/JUL	1992	2012	VAR	115,000	35,000	6,868	41,868
RESIDENTIALNEIGHBORHOOD	MAY/NOV.	1999	2019	VAR	2,090,000	70,000	106,239	176,239
RESIDENTIALNEIGH. DEVEL	APR/OCT	1998	2018	VAR	950,000	35,000	41,821	76,821
SERIES 1993 REFUNDING	MAR/SEP	1993	2011	VAR	81,535,000	2,995,000	4,221,600	7,216,600
SERIES 1996 REFUNDING	MAR/SEP	1996	2002	VAR	2,100,000	1,065,000	97,635	1,162,635
SERIES 1997 REFUNDING	FEB./AUG.	1997	2018	VAR	45,650,000	0	2,540,998	2,540,998
SERIES 1998 REFUNDING	APR/OCT	1998	2007	VAR	24,355,000	4,625,000	1,037,770	5,662,770
URBAN DEVELOPMENT	APR/OCT	1991A	2011	VAR	95,000	45,000	6,035	51,035
URBAN DEVELOPMENT	APR/OCT	1990	2010	VAR	45,000	45,000	3,094	48,094
URBAN RENEWAL	MAR/SEP	1993	2013	VAR	1,605,000	90,000	83,949	173,949
Total					290,155,000	22,655,000	15,032,786	37,687,786

Section 2. That the Clerk of Council be and she hereby is directed to certify a copy of the resolution to the County Auditor of said 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.

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

Res. No. 1605-2000.

By Councilman Rybka (by request).

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

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

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

a municipal department; now, therefore,

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

Section 1. That it hereby declares its intention to vacate the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of EAST 73RD PLACE (40.00 feet wide), extending Southerly from the Southerly line of Aetna Road S.E. (40.00 feet wide) to its Southerly terminus.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1102-A-2000 (As a substitute for Ordinance No. 1102-2000).

By Mayor White (by departmental request).

An emergency ordinance authorizing the Mayor to enter into a General Agreement with the Greater Cleveland Regional Transit Authority for the design and implementation of the Euclid Corridor Transportation Project.

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

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

Section 1. That the Mayor is hereby authorized to enter into a General Agreement with the Greater Cleveland Regional Transit Authority for the design and implementation of the Euclid Corridor Transportation Project, payable from the fund or funds which are appropriated for this purpose. Such agreement shall be as follows:

**GENERAL AGREEMENT
BETWEEN
THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY
AND
THE CITY OF CLEVELAND
FOR
THE EUCLID CORRIDOR TRANSPORTATION PROJECT**

This General Agreement, (the "Agreement") made and entered into this ___ day of _____ 2000, by and between the GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY, hereinafter called ("GCRTA"), a regional transit authority and political subdivision of the State of Ohio, pursuant to Board Resolution No. _____, and the CITY OF CLEVELAND, a municipal corporation of the State of Ohio, through its _____, pursuant to the authority of Ordinance No. 1102-A-2000 passed by the Council of the City of Cleveland on September 11, 2000, hereinafter called ("CITY").

Whereas, the Euclid Corridor Transportation Project ("ECTP") is comprised of the following elements:

- Bus Rapid Transit ("BRT") — Euclid Avenue Transit Improvements
- BRT-St. Clair/Superior Transit Zone
- Transit Centers
- Red Line Rapid Transit Station Renovations
- BRT 17th/18th Street Improvements

Whereas, GCRTA, as the Federal Transit Administration ("FTA") grant recipient for ECTP, will serve as the lead agency responsible for administering the grant and reporting to FTA; and

Whereas, the successful implementation of ECTP will require significant modifications to the public rights of way owned by CITY and CITY's participation in the coordination and development of this project is imperative to insure success; and

Whereas, the ECTP has a \$292 million budget and CITY and GCRTA are both committed to meeting that budget. Accordingly, to the extent any CITY design requirement imposes additional project costs that require another design element to be modified in cost, CITY and GCRTA agree to engage in discussions to achieve consensus on project design increases and project design decreases, provided that transit operational elements shall not be affected by the cost of the design changes; and

Whereas, the CITY in cooperation with the Ohio Department of Transportation ("ODOT") has completed the design and is constructing an integrated downtown signal system with which the ECTP shall be compatible in design and operation to the extent practicable; and

Whereas, it is the intent of this Agreement to establish general guidelines between GCRTA and CITY with respect to the financing, duties, responsibilities and rights of each party during the Design, Construction and Operational Phases of ECTP, in order that ECTP may be defined, designed and constructed and operated and maintained within the City of Cleveland; and

Whereas, all construction work performed in, on, under, or over public space located in the City of Cleveland shall, in the interest of public convenience and safety, be performed in accordance with schedules submitted to CITY, to the end that such construction work will be coordinated with other construction work in such public space, and consistent with such agreement or agreements, CITY shall exercise its jurisdiction and control over such public spaces including the issuance of permits, as to facilitate GCRTA's use and occupation thereof for the purposes of this Agreement; and

Whereas, the construction and operation of ECTP as contemplated, will contribute directly and continuously to the economy of Greater Cleveland and its surrounding region to the general benefit of its citizens and to the welfare of the State of Ohio and its citizens; and

Whereas, GCRTA and CITY anticipate that the operation of ECTP will achieve travel time savings and more frequent service and GCRTA and CITY acknowledge and agree that such travel time savings and more frequent service are essential ingredients in the ECTP's benefits to the CITY, and GCRTA has resolved to use best efforts to maintain such travel time savings and service levels; and

Whereas, CITY and GCRTA understand that certain phases of the ECTP will extend beyond the boundaries of the City of Cleveland and that such extensions are essential to the continuity and integrity of the ECTP; and

Whereas, pursuant to the authority of Section 3, Article XVIII of the Ohio Constitution, as well as Ohio Revised Code Section 723.01, the CITY has the power to fully control the use of the respective rights of way of Euclid Avenue, East 17th Street, East 18th Street, Superior Avenue and St. Clair Avenue; and

Whereas, pursuant to the authority referred to in the preceding paragraph, the Council of the CITY has determined that the conveyance by CITY to GCRTA of an encroachment permit in the areas serves a public purpose fully consistent with the terms under which said right of ways are dedicated to public use; and

Whereas, CITY and GCRTA have agreed to comply with and adhere to the ECTP Utilities Philosophy attached hereto as Exhibit C; and

Whereas, the CITY's willingness to support the ECTP is in part motivated by GCRTA's continuing commitment to the operation of the community circulators and cross-town bus routes to meet the needs of its ridership; and

Now, therefore, in consideration of the mutual covenants contained herein, the parties to this Agreement agree as follows:

ARTICLE I DEFINITIONS

"CITY" shall mean the municipal corporation known as the City of Cleveland, including the executive and legislative branches.

"CITY FACILITIES" shall mean all buildings, streets, parcels, rights of way, medians, easements and licenses, permitted areas and leased parcels or buildings owned or under the management and/or control of CITY.

"MAINTENANCE" shall mean all reasonable costs associated with the day to day and seasonal upkeep and long term retention, preservation and restoration;

"ECTP" shall mean Euclid Avenue Transit Improvements; St. Clair/Superior Transit Zone; the Transit Centers; Red Line Rapid Transit Station Renovations; and the 17th/18th Street Improvements as described in Article II.

"INTEGRATED TRAFFIC MANAGEMENT SYSTEM" ("ITMS") shall mean a comprehensive traffic control system consisting of mast arms, signal heads, pedestrian signals, traffic control signs, street name signs and lane marking, loop detectors, conduit, wiring and appurtenant equipment, all interconnected to interact in a coordinated fashion. Said system must be of a type that is compatible with the CITY's integrated downtown signal system.

"OPERATIONS PLAN" shall mean the plan developed by GCRTA to ensure the cost efficient and effective operation of the ECTP Transit System within the specified budget.

"PEDESTRIAN AREAS" shall mean those areas that encourage transit usage, and include sidewalks, passenger shelters and pedestrian lighting as appropriate.

"FUNCTIONAL REPLACEMENT" is the replacement of any facility, building, structure, appurtenance, or utility in effect at the completion of 60% design; subject however to such changes in design criteria as may be mandated by state, or federal design standards taking effect after the completion of 60% design.

"THIRTY PERCENT DOCUMENTS" shall mean the 30% design review plans as may be modified in accordance with design review by appropriate reviewing agencies attached as Exhibit A.

"BETTERMENT" shall mean an improved or upgraded state or condition that exceeds current design standards in effect at the time of this Agreement, and shall consider cost, function, capacity, durability, obsolescence and efficiency;

"CENTER MEDIAN BUS STATION" shall mean the paved area between and behind the roadway median curbs dedicated to the specific purpose of a transit system boarding platform, and shall also include the bus shelter structures and furniture, transit power facilities and equipment inclusive of overhead contact wire system and other transit specific elements dedicated to the use of the GCRTA and its customers, and excludes all crosswalk and intersection areas.

"PRIORITY" shall mean the advantage given to GCRTA vehicles operating within the project limits as defined in Article II, Project Description, to deliver green lights, intersection by intersection, to allow said vehicles to advance through the intersection for the purpose of achieving travel time savings and more frequent service. Emergency vehicles will have superior Priority.

ARTICLE II PROJECT DESCRIPTION

The following is a brief description of the individual project elements of ECTP:

1. Bus Rapid Transit ("BRT") — Euclid Avenue Transit Improvement

Design, engineering and construction of capital improvements in the right-of-way from and including Public Square to East 120th, which include:

A. Creation of exclusive bus lanes adjacent to a Center Median on Euclid Avenue from Public Square to East 107th Street;

B. Inclusion of enhancements to pedestrian areas which encourage transit usage, including new sidewalks, passenger shelters, pedestrian lighting, landscaping, street trees and tree lawns;

C. Reconstruction of a roadway composed of both bus lanes and travel lanes for other vehicles. Roadway design incorporating the acquisition of additional right-of-way and the construction of appropriate curb lines, numbers and widths of travel lanes, upgraded street lighting, and crosswalks at intersections designed to clearly identify pedestrian areas;

D. Installation of an Integrated Traffic Management System ("ITMS") on Euclid Avenue, to provide Priority to transit vehicles operating on Euclid Avenue. The elimination and/or relocation where possible of on-street parking and relocation where possible of loading zones and installation of pedestrian and vehicular signage to clearly identify the availability of transit service;

E. Development of an operations plan and specifications for unique vehicles which are anticipated to be sixty (60) foot low floor, articulated, electric trolley buses with doors permitting both left and right side boarding. Exact number and auxiliary propulsion system design will be determined during final design.

F. Preparation of a detailed plan for the protection and maintenance of vehicle and pedestrian traffic during the construction of bus and roadway improvements. Consideration will be given to phasing some or all of the roadway work so as to minimize safety conflicts with regular daytime traffic.

2. East 17th/East 18th Street Improvements

Design engineering and construction of street and pedestrian improvements on East 17th Street from St. Clair Avenue to Prospect Avenue and East 18th Street from Euclid Avenue to Carnegie Avenue to improve the flow of buses and other traffic. Components consist of:

A. Acquire necessary right-of-way and perform new construction to extend East 17th Street from Euclid Avenue to Prospect Avenue, (including new sidewalks and curbs) and rehabilitate roadway surfaces between Euclid Avenue and St. Clair Avenue, (including grinding, overlay, base repairs as necessary, new sidewalks, curbs and, as necessary, concrete bus pads) to serve primarily as a two-way, three-lane street for transit vehicles;

B. Widen and rehabilitate East 18th Street between Euclid Avenue and Carnegie Avenue (including grinding of existing asphalt surface, pavement base repairs, asphalt overlay, new sidewalks, curbs and, as necessary, concrete bus pads). Existing four lanes of traffic north of Euclid Avenue will remain, and five lanes of traffic south of Brownell Court to Carnegie Avenue will be provided;

C. Improvement to the ITMS to provide appropriate traffic signalization Priority to transit and safety vehicles operating on East 17th Street as proposed by ECTP. The elimination of on-street parking where possible and relocation of loading zones where possible and installation of pedestrian and vehicular signage;

D. Preparation of a detailed plan for the protection and maintenance of vehicle and pedestrian traffic during the construction of bus and roadway improvements. Consideration will be given to phasing some or all of the roadway work so as to minimize safety conflicts with regular daytime traffic.

E. Make necessary right-of-way improvements on East 21st Street from Prospect Avenue to Euclid Avenue, including expansion of right-of-way to realign East 21st Street between Prospect and Euclid, new sidewalks, curbs, roadway reconstruction, street lighting, and streetscape.

3. BRT — St. Clair/Superior Transit Zone

Design, engineering and construction of a transit zone bounded by Superior Avenue, St. Clair Avenue, West 3rd Street, and East 17th Street in downtown Cleveland to provide for expanded, highly visible transit operations in the Central Business District ("CBD") and to allow for convenient transfer between transit routes for regional travel, including the following:

A. Creation of exclusive and reserved transit lanes to minimize conflicts between private vehicles and transit vehicles and also to minimize the routine operating and maintenance costs of the designated bus lanes and other vehicular travel lanes;

B. Inclusion of enhancements as appropriate to pedestrian areas which encourage transit usage, including passenger shelters and pedestrian signage to provide greater visibility and information to transit riders; and

C. Modifications to roadways and traffic operations to eliminate or relocate, where possible, on street parking and loading areas.

D. Improvement to the ITMS to provide appropriate traffic signalization Priority to transit and safety vehicles operating on Superior Avenue, St. Clair Avenue, West 3rd Street and East 17th Street as proposed by ECTP. The elimination of on street parking where possible and relocation of loading zones where possible and installation of pedestrian and vehicular signage.

4. Red Line Station Renovations

Design, engineering and construction for the upgrade of three (3) Red Line stations. The goals are to improve accessibility between the stations and the neighborhoods or employment centers they serve, to increase safety, convenience and to meet the requirements of the Americans with Disabilities Act, and to encourage economic development in the station catchment area. These improvements consist of the following:

A. Improvements to the East 105th Street Station;

B. Improvements to the University (Cedar) Station;

C. Improvements to the East 55th Street Station.

5. Transit Centers

A. Design, engineering and construction of two downtown Transit Centers at West 3rd /St. Clair Avenue and at East 21st Street and Prospect Avenue to improve bus service in the CBD by:

- Reducing the need for on-street bus layovers;
- Increasing pedestrian access;
- Providing comfortable passenger waiting areas and driver comfort stations; and
- Facilitating transfers between transit vehicles.

B. The Transit Center at West 3rd Street and St. Clair Avenue will be designed and constructed to be architecturally compatible with the surrounding neighborhood. Said design and construction shall include enhancements to West 2nd Street to facilitate pedestrian access between St. Clair Avenue and Public Square.

ARTICLE III PROJECT ORGANIZATION

The GCRTA and the CITY herein agree to adopt the following project organization structure to oversee the execution of ECTP. Exhibit B, attached hereto and incorporated herein by reference, illustrates the proposed structure while the following narrative provides a description of the roles and responsibilities of the various participants.

3.01 GCRTA Representatives

A. GCRTA CEO/General Manager will coordinate with the CITY's Mayor or his designee regarding general GCRTA/CITY issues and report such issues to the City Council liaison.

B. Project Director - GCRTA will assign a full time Project Director who will be responsible for managing the staff of GCRTA and consultants for the ECTP. The Project Director will coordinate with CITY Administration ECTP Liaison regarding policy issues for the design, construction, and maintenance of the ECTP. GCRTA's Project Director will also report to a CITY Council Liaison on a regular basis and will provide such liaison copies of all documents between the City and GCRTA concerning the ECTP.

C. Consultants — GCRTA shall procure the services of contractors to perform work in accordance with applicable GCRTA and federal procedures.

3.02 CITY Representatives

A. Mayor of the CITY — The Mayor will coordinate with the GCRTA CEO/General Manager regarding appropriate issues between GCRTA and CITY.

B. CITY ECTP Liaison — The Mayor has appointed and will maintain a cabinet-level member of the Mayor's Administration to coordinate with the GCRTA ECTP Project Director concerning design, construction and maintenance of ECTP.

C. CITY Project Coordinator — The Mayor has appointed and will maintain a Project Coordinator reporting to CITY's ECTP Liaison who will be responsible for coordinating CITY's technical staff for the ECTP.

D. CITY Council will appoint a liaison to the ECTP. The liaison will coordinate with the GCRTA ECTP Project Director concerning all aspects of the ECTP.

3.03 FTA Project Oversight

A. FTA will monitor all aspects of the project.

B. The FTA shall have the authority to access applicable GCRTA and CITY project files as permitted by law, copies of all completed work products, invitations to all progress review and public involvement meetings, and copies of minutes generated as a result of all such meetings and such other documentation as required.

C. As the FTA grant recipient, GCRTA is responsible for facilitating the flow of information between the parties to this Agreement. GCRTA will serve as the lead agency for administration of the grant and reporting to FTA. All matters pertaining to grant funds expenditures, allocations and disbursement of funds will be within the purview and control of GCRTA as the grant recipient. Further, all contracts let as a result of this effort will conform to GCRTA standards to insure of their compliance with all applicable federal and state rules and regulations.

ARTICLE IV GENERAL PROVISIONS

The purpose of these provisions is to establish GCRTA and CITY authorities and responsibilities relative to the ECTP's effect on CITY-owned facilities and to determine the extent that the features required by the ECTP impact on CITY owned properties and neighborhood communities.

4.01 Project Affected Facilities

A. GCRTA shall cause to be performed and CITY shall agree to the relocation, modification or reconstruction of CITY facilities including but not limited to streets, street furniture and sidewalks, which shall be in accordance with CITY's design criteria, standards, and construction requirements of CITY in effect at the completion of 60% design and within ECTP budget subject, however, to such changes in design criteria as may be mandated by federal or state laws taking effect after the completion of 60% design. This work, when required by ECTP, shall be included in GCRTA contracts and performing this work will be included in the ECTP costs. Detailed plans shall be prepared by GCRTA and submitted to the CITY for approval. Such approval shall not be unreasonably withheld. Specifically excluded from this will be work relating to Fire and Police alarm system cables, or work required to be undertaken within the project limits as described in Article II by any CITY controlled utility or utility conduit system (except as otherwise agreed to herein).

B. Upon completion of the relocation, modification or reconstruction of City Facilities in accordance with the plans approved by the CITY, CITY shall maintain such improvements at no cost to GCRTA.

C. Functional Replacement of an operational CITY owned facility shall be as indicated in the 60% documents and shall not be considered betterment. Any Functional Replacements outside the scope of the ECTP will be mutually agreed to and subject to a separate agreement, subject to legislative authorization for improvements of over Ten Thousand Dollars (\$10,000.00).

D. Utility relocation shall not be at the expense of ECTP or the GCRTA. Any CITY owned utility relocation or modification work contemplated to be done in conjunction with the ECTP shall be done only after passage of legislation by Cleveland City Council authorizing such utility relocations or modification.

E. Replacement or modification to CITY's street surfaces as part of or during construction necessitated by application of ECTP vehicles shall be at the ECTP's expense.

F. CITY shall pay the cost for any new facilities and/or replacement or modifications to existing CITY facilities which meet each of the following criteria: (1) the work is requested by CITY in writing pursuant to the "Notice" provisions in Section 11.10; (2) the work is not included in the ECTP Thirty Percent Documents as a project element; and (3) the work achieves a Betterment to the CITY; and (4) any necessary legislative authorizations have been obtained by Cleveland City Council.

G. CITY shall review and approve in all phases of the design and construction of the ECTP, including without limitation, construction sequencing and completion times allotted for maintenance and surface flow of pedestrian and vehicular traffic, with particular concern being given to transit services, deliveries and emergency equipment including police, fire and ambulances. Actual dates and times of work disruption shall be presented to CITY for concurrence.

H. GCRTA and/or its contractors shall obtain all permits required to construct. Through the efforts of the Project Coordinator, CITY will cooperate to the fullest extent possible in expediting the issuance of such permits.

I. The siting of support facilities upon CITY owned properties shall be coordinated with the relevant CITY Planning and Development agencies.

4.02 Plan Review and Approval

GCRTA shall coordinate design review procedures with CITY in order to ensure the timely and efficient completion of engineering and architectural designs to the extent that they affect the properties and facilities owned and controlled by CITY. CITY's design review of GCRTA plans, during each design review period specified below shall be coordinated through and by CITY Project Coordinator. CITY Project Coordinator shall ensure that the designated departmental representatives, the City Planning Commission, the City Planning Committee and the Aviation and Transportation Committee (to be held as a joint committee), and the Cleveland Landmarks Commission have reviewed plans for conformance to CITY's standards incorporated in the 60% documents. CITY's departmental comments pursuant to such design review shall be forwarded to GCRTA Project Director and the City Council liaison by CITY's Project Coordinator. CITY Project Coordinator shall furnish GCRTA and the City Council liaison with written comments on proposed designs within the time frames covered under Article 4.03 E and F herein. CITY Design Review Agencies are listed in Figure 1.

4.03 Submittal Requirements

A. At 30/60/90% design review periods, the GCRTA shall submit: (1) a sufficient number of plans to CITY Project Coordinator for CITY departmental and Commission review, and (2) current cost estimates for all improvements comprising the ECTP.

B. Appropriate design calculations may be submitted with the plans as requested.

C. At the 30/60/90% design review periods, in addition to departmental review, the plans shall be submitted to CITY Planning Commission, the City Planning Committee and the Aviation and Transportation Committee (to be held as a joint committee), and Cleveland Landmarks Commission for review. GCRTA shall issue written notification to CITY Project Coordinator and the City Council liaison of such submissions as well as any subsequent correspondence or meetings.

D. Prior to presentations to the City Planning Commission, the City Planning Committee and the Aviation and Transportation Committee (to be held as a joint committee), and the Cleveland Landmarks Commission, GCRTA shall present the plan to the City's Design Review Committee for comments on the architectural harmony of the ECTP's surface features and their relationship with adjacent existing or proposed development. CITY Project Coordinator will be notified of such submissions as well as any subsequent meetings or correspondence.

E. Thirty (30) business days shall be allowed for CITY's review at the 60% design review period, at which time, CITY shall furnish GCRTA and the City Council liaison written notice of such comment, condition, objection, or approval pertaining to such plans. At the conclusion of the review period, GCRTA shall seek and obtain final approval by the City Planning Commission, the City Planning Committee and Cleveland Landmarks Commission for the design and plans submitted or as modified as the results of departmental review.

F. Thirty (30) business days shall be allotted for CITY's review at the 90% design review period. CITY shall furnish GCRTA and the City Council liaison written notice of either approval or conditional approval, including formal action by the City Planning Commission, the City Planning Committee and the Aviation and Transportation Committee (to be held as a joint committee), and Cleveland Landmarks Commission approving the submitted plans with the understanding that conditional approval will be changed to "approval" when it is demonstrated to CITY that all agreed-to review comments have been incorporated pertaining to such plans.

G. After approval of the 90% design drawings by CITY and before GCRTA gives any contractor a Notice to Proceed with any portion of ECTP construction, GCRTA or its Contractor shall be responsible for obtaining the necessary CITY permits to perform work in the public right-of way, to do any work on the CITY-owned utility systems, or to build, shore, underpin, demolish or otherwise alter any structure on privately-owned land within the City of Cleveland. The Contractor will submit all necessary information required supporting the requests for CITY permits. Through the efforts of the Project Coordinator CITY will expeditiously process all permit requests by GCRTA so that the permits will be available at Notice to Proceed for the various GCRTA construction contracts. Permits issued with exclusions shall be resolved by CITY and GCRTA before work begins on the excluded items.

H. GCRTA's contractor shall obtain the appropriate permits from CITY before proceeding with any revisions to the originally approved plans for CITY facilities involved. A copy of the permits shall be provided to the City Council liaison prior to commencement of any work. Subsequent revisions to plans for CITY utility, construction, relocation, and/or modification shall be submitted to CITY for approval.

I. Upon completion of the 100% drawings, GCRTA shall expeditiously proceed with preparation of "As-Built" Drawings in the manner specified in Section 8.04.

J. All City Council Committee approval of the 30/60/90% design review periods required in this Article IV shall be evidenced by the passage of legislation by Cleveland City Council.

ARTICLE V**FINANCIAL COMMITMENT BY THE CITY**

CITY has committed to GCRTA the following schedule of funds for ECTP with the delivery date as follows:

2000	Street scape design	Unexpended 1996 road and bridges G.O. Bonds (previously allocated to Whiskey Island road project)	\$1,000,000
2001	Street scape design	G.O./General Fund	\$ 2,200,000
2002	Street scape construction	G.O./General Fund Assessments	\$ 2,200,000 \$ 5,000,000
2003	Street scape construction	G.O./General Fund	\$ 2,200,000
2004	Street scape construction	G.O./General Fund	\$ 2,200,000
2005	Street scape construction	G.O./General Fund	\$ 2,200,000
TOTAL			\$17,000,000

The City's total commitment shall not exceed \$17.0 million. The CITY shall furnish the appropriate evidence that the City's Director of Finance has certified funds for the City's financial commitment subject to annual appropriations as may be approved by legislation passed by Cleveland City Council.

**ARTICLE VI
FINANCIAL COMMITMENT BY RTA**

GCRTA has committed \$500,000 in each of the years 2002, 2003, 2004 and 2005 toward the cost of the repair or replacement of basement areaways and vaults as defined in Article VII 7.04.

**ARTICLE VII
PROJECT PROVISIONS**

7.01 Maintenance of Traffic

A. GCRTA, with CITY assistance, shall develop Maintenance of Traffic plan for CITY, which will provide for the overall maintenance of the traffic flow on commercial and arterial streets affected by the construction of ECTP.

This plan shall include general provisions for maintenance of pedestrian and vehicular access to public and private establishments, within the areas affected. Special consideration shall be given to the necessity of providing access to business establishments and/or pedestrians, deliveries, maintenance of transit services, and fire-fighting and other emergency equipment. Such plans will serve to coordinate the schedule of operations of GCRTA's Contractors and shall be submitted to CITY, including City Council liaison, for its review and concurrence.

B. The cost of any variation during construction from the approved Maintenance of Traffic plan as caused by ECTP shall be at the ECTP expense unless otherwise mutually agreed to.

C. Transit service rerouting shall be coordinated between CITY and GCRTA. GCRTA shall be responsible for coordinating with CITY Traffic Engineering Division, the rerouting of transit service necessitated by construction activities.

D. CITY will remove, relocate or erect all regulatory signs unless provided for in the contract documents. If such relocation, removal or erection costs in excess of \$10,000.00, city shall obtain prior legislative authorization before commencement of work.

E. GCRTA shall be financially and operationally responsible for the integration of the ECTP ITMS in CITY's existing traffic control network within the project area as described in Article II and as defined in 60% documents.

7.02 Street Restoration

All pavement restoration in public streets shall be in strict conformance with the specifications and practices of CITY in effect at the completion of 60% design. Upon completion of the final project, timely final inspection and acceptance will be made by CITY.

7.03 Operation and Maintenance after Construction

A. GCRTA will trim at its sole cost all trees and shrubs in the Center median in the Euclid Avenue Transit Improvement Area as defined in Article II. CITY will, with its own workforce, perform all remaining maintenance in the Center Median and sidewalk area. GCRTA will reimburse CITY for said Center Median maintenance at ten thousand dollars (\$10,000.00) per mile of Center Median per year plus annual adjustment for inflation based upon the CPI. Said reimbursement shall not exceed forty-five thousand dollars (\$45,000.00) per year, plus annual adjustment for inflation based upon the CPI.

B. GCRTA shall be responsible for all costs associated with the maintenance of the Center Median Bus Stations.

C. GCRTA shall be responsible for the maintenance of and power for the overhead contact system and substations for the transit operations.

D. Existing bus shelters, which no longer service buses, shall be relocated based on GCRTA policy.

7.04 Projections in Public Space

A. GCRTA's plans shall indicate those basement areaways, vaults, signs, display windows, footings, foundations, and other projections in public space which must be modified or removed to accommodate the construction of ECTP. The projections into public space affected by this construction shall be identified during the continued preliminary engineering phase by GCRTA.

B. Upon a reasonable determination by GCRTA that any projection into or occupancy of public space should be modified, removed or vacated, the GCRTA shall notify CITY. CITY will expeditiously investigate such matters and mutually agree with GCRTA as to what action will be taken by CITY to resolve the issue. The City Council liaison shall be copied on all correspondence or notifications.

C. Within three (3) months of the execution of this Agreement, CITY shall provide GCRTA with a final written disposition of all such basement areaways and vaults. Such written disposition shall be provided simultaneously to the City Council liaison and GCRTA. The costs associated with the study and assessment, the preparation of detailed plans, and the construction of any modification, reconstruction, or abandonment of any such basement areaways and vaults, including related utility systems, and furthermore any work associated with asbestos abatement and the removal, disposal, or remediation of any other hazardous material, shall be the sole responsibility of CITY subject to passage of appropriate assessment legislation. No work on the aforementioned items shall commence without the prior passage of assessment legislation or other such legislation identifying a funding source. In the event that legislation does not pass, CITY shall be responsible for determining the funding source for this responsibility at no cost to GCRTA. CITY shall contact all affected property owners and undertake the vacations of any easements and permits that may exist for such basement areaways and vaults.

7.05 Disposition of CITY Equipment and Material

A. CITY shall have the right to determine the disposition of its equipment and materials impacted by the operations of any GCRTA contractor. The items to be salvaged shall be determined prior to the 90% design review period and be incorporated in the contract documents for each individual contract. The methods of disposition shall include, but are not limited to:

Abandonment in place by CITY.

Salvage of material and equipment by CITY forces which shall be accomplished in a timely manner.

Salvage by GCRTA's contractor, at request of CITY, with salvaged material being delivered to designated CITY storage yards.

B. Regardless of the methods used, all reasonable expenses incurred shall be the responsibility of CITY.

C. The cost of salvaging of any CITY equipment or material, not identified prior to bidding, shall be at CITY's expense.

D. The above clauses do not apply if the material and/or equipment is the subject of a builder's risk claim for property loss, in which case the salvage will become the property of the applicable insurer.

7.06 Street Lighting and Traffic Signal System

A. Where practical, GCRTA's construction plans shall maintain the existing electrical ducts and cables used in support of the existing street lighting and traffic signals. In the event that a replacement of ducting and cables is required, the existing ducting and cables shall be maintained by the ECTP until the replacements have been installed and connected.

B. Notwithstanding the provisions of Article 4.01 D, in those instances where the construction of the ECTP requires a temporary or permanent relocation of portions of the street lighting and traffic signal system, CITY may, by mutual agreement with GCRTA, cause the work to be performed by others in coordination with the ECTP schedule. CITY shall cause its designee to adhere to the published schedule of the ECTP. Legislative authority shall be necessary for any additional inter-agency agreements for third party contracts to be paid for out of City funds entered into as a result of the ECTP.

C. Work performed by CITY or its designee in such street lighting relocations shall be at GCRTA's expense if said relocations are within the project limits as defined in Article II, Project Description.

D. In both contracts negotiations and contract enforcement actions, CITY shall attempt to minimize any delay to the ECTP schedule and subsequently to ECTP Contractors caused by CITY, its designee or any city-owned utility performing construction or other actions. CITY and GCRTA agree to have all construction contracts include language that will indemnify both CITY and GCRTA against delay claims that will result in monetary remediation actions.

E. Street lighting constructed under the ECTP that is solely for the benefit and lighting of the pedestrian ways and roadway shall become the maintenance responsibility of CITY upon completion and being put into service. Likewise, the cost of the power to operate such lighting also becomes the responsibility of CITY. Lighting solely for the benefit of the transit stations becomes the maintenance responsibility of GCRTA, as does the cost of power to operate this lighting.

ARTICLE VIII**PROJECT PROVISIONS DURING CONSTRUCTION****8.01 Construction Inspection and Approval**

A. Work performed by any contractor employed by GCRTA in furtherance of ECTP shall be inspected in accordance with GCRTA Quality Assurance and Project Execution Manuals. Where the work involves CITY facilities, CITY will provide an inspector to observe the construction of all CITY facilities. CITY inspector will report to the GCRTA's inspector with proper identification at the time of arrival and departure from the construction sites, and at all times will be equipped with proper safety and inspection equipment as prescribed by the GCRTA. All problems, disagreements, and objections shall be promptly reported to the GCRTA's Construction Superintendent at the construction site. All inspections shall be in accordance with GCRTA quality control and quality assurance manual.

B. CITY inspector shall inspect all ECTP improvements to ensure that the work has been installed in compliance with the CITY's standards and in accordance with the plans and specifications approved by CITY. Upon completion of the construction under each contract and final acceptance, CITY, within thirty (30) days shall certify in writing to GCRTA whether the facilities have been constructed in accordance with CITY's standards.

C. CITY's inspector shall maintain a daily inspector's report for each day's work, a copy of which will be given to GCRTA's Construction Superintendent.

D. The cost of all inspection work performed by CITY is to be borne by CITY.

E. GCRTA will maintain a document control system approved by the FTA.

F. CITY will name or cause to be named GCRTA as an additional insured on all construction contracts proposed to be performed within the ECTP project limits as defined in Article II during the duration of the ECTP. In all instances GCRTA will name or cause to be named CITY as an additional insured on all construction contracts.

8.02 Construction Coordination

A. GCRTA will be required to respond promptly to any complaints or comments received from CITY, involving problems with utilities, pedestrian and/or vehicular traffic movement or access to public or private property resulting from ECTP construction.

B. All utility services (water, wastewater, electric, etc.), the police and fire alarm systems and the traffic signal wiring shall not be interrupted at any time, except as mutually agreed upon, or under emergency conditions. GCRTA shall provide notification in writing within forty-eight (48) hours prior to any planned interruption or informal notification followed by a confirmatory writing for all such interruptions.

C. If GCRTA's construction of the ECTP should disrupt utility service, GCRTA and/or its contractors shall immediately rectify and restore the service at its sole expense; provided that the Director of Public Utilities may instead rectify and restore the disrupted utility service with CITY forces or contractors upon the occurrences of either of the following events: (1) GCRTA fails to restore the disrupted utility services within 24 hours of the disruption; or (2) the disrupted utility services lead directly or indirectly to interruption of utility service to Division of Water or Cleveland Public Power customers. GCRTA shall provide notification in writing or informal notification followed by a confirmatory writing for all such interruptions. In the event that GCRTA has substantially corrected the disrupted utility, GCRTA shall immediately notify the Director of Public Utilities.

D. CITY, prior to the commencement of construction, will provide a list of contacts for all CITY agencies impacted by ECTP.

E. During construction, GCRTA will schedule periodic joint meetings between GCRTA CITY staff and the City Council liaison to review progress of construction and future project actions.

8.03 Parking Meters Within the Project Limits as Described in Article II

A. CITY shall remove and reinstall parking meter heads, at CITY's expense, and in coordination with the schedule of operations of GCRTA.

B. GCRTA shall remove and dispose of existing parking meter posts during construction and install new posts whenever necessary at ECTP's expense.

8.04 "As-Built" Drawings

A. GCRTA shall maintain a set of "as-built" drawings in the Construction Superintendent's field office at all times. CITY and the City Council liaison shall have immediate access (i.e., less than 1 hour during emergencies) to said "as-built" drawings until CITY receives its own set. GCRTA will utilize an electronic format if a compatible system exists at CITY.

B. Within six (6) months after completion of the Project, GCRTA shall furnish CITY with full scale mylar film reproductions and half-scale equivalent reproductions of plans in booklet form showing all facilities installed in public space or rights-of-way for municipal utilities and services resulting from the construction of the ECTP.

C. The parties agree to use their best efforts to adhere to the Utilities Philosophy attached as Exhibit C.

ARTICLE IX REAL ESTATE

9.01 Property Acquisition

A. Temporary staging, construction work and storage areas:

CITY shall grant to GCRTA, in an expeditious manner, CITY-owned property to be mutually agreed upon prior to construction for GCRTA contractor staging, temporary construction work and storage areas.

GCRTA will enter into license agreement(s) identifying the license or lease terms for each parcel of CITY-owned property or properties identified for GCRTA contractor staging, temporary construction work and storage areas. The term of said license or lease agreements shall cover the period through demobilization by the construction contractors and shall include as a minimum, a metes and bounds plat describing the property. These properties shall be provided to the GCRTA without monetary consideration, rent or fee. A description of said properties shall be submitted.

B. Public Streets

1. CITY shall grant GCRTA an encroachment permit for the Transit Strips, which encroachment permit may be terminated for one of the following reasons only, (1) as may be legally necessary to preserve and maintain the public rights-of-way in trust for public purposes, (2) in the event the Permittee uses the Transit Strips for other than public transit purposes, or (3) if the Permittee ceases use of public transit operations in all or any significant portion of the Transit Strips for a period exceeding six months. Transit Strips shall mean all Center median strips and all dedicated bus lanes (as depicted in detail on the Thirty Percent (30%) Drawings) located within the rights-of-way of the following City Streets: Euclid Avenue, East 17th Street, East 18th Street, Superior Avenue and St. Clair Avenue. Termination for one of the above reasons shall be effective upon legislative action. Nothing herein shall be construed to confer upon Permittee any rights superior to the paramount rights of the public in the public rights-of-way, nor shall it be construed to impair or limit the CITY's rights and obligations regarding the public rights-of-way, including but not limited to the right to make and enforce laws and regulations, and to keep the streets and rights of way open and in good repair.

2. The CITY retains the right to penetrate the right-of-way for proper municipal purposes and to issue permits to third parties for uses of the right-of-way below the surface which uses will not result in a disruption of GCRTA's operations. GCRTA acknowledges the CITY's right to penetrate the surface of the right-of-way and grant any Permittee of the CITY the right to penetrate the surface of the right-of-way for the purposes described herein.

C. Permanent (off-street) Property Transfers

1. Property owned or under the control of CITY and required by GCRTA, outside of street dedications or on streets closed to traffic shall be provided to GCRTA at no cost to GCRTA. GCRTA shall identify the parcels required prior to the start of construction. A list of such parcels shall be provided to the City Council liaison prior to commencement of construction. The form of CITY's deed shall substantially conform to the deed attached as Exhibit D. A copy of all executed deeds shall be provided to the City Council liaison.

CITY shall, also where necessary for construction and maintenance of ECTP, grant to GCRTA slope and drainage easements on CITY-owned property at no charge to GCRTA.

2. If necessary, CITY shall grant to GCRTA a license or encroachment permit to gain access to property conveyed to GCRTA. A copy of any such license or encroachment permit shall be provided to the City Council liaison.

D. Preparation of Enabling Legislation

CITY shall prepare any and all municipal legislation pertaining to the ECTP and the transactions contemplated herein and shall submit such legislation to the CITY Council for consideration. No property or property interests may be transferred by the City to GCRTA without prior legislative authorization for such transfer.

9.02 Disposition of Excess Property

GCRTA agrees to the extent permitted by State law, federal requirements and GCRTA policies, that future disposition of any excess portions of land acquired for the purpose of ECTP construction will be closely coordinated with the development and redevelopment programs of CITY. Any CITY property that had been conveyed to GCRTA at no cost and is declared excess by GCRTA shall revert to CITY, at no cost to CITY.

9.03 CITY Owned Utilities — After Substantial Completion

A. CITY reserves the right to maintain its utilities and will coordinate its normal repairs and inspections so as not to unreasonably impact GCRTA's regular operations and shall give a minimum of forty-eight (48) hours notice prior to the start of such activities.

B. If a CITY owned utility disruption occurs that demands the disruption of GCRTA's ECTP operations, CITY will effect repairs to a level of functional replacement as originally designed as promptly as possible. The cost of repairs is to be borne by CITY.

C. CITY reserves the right to inspect and maintain any and all CITY-owned facilities and will coordinate its routine inspections and maintenance repair with GCRTA. With forty-eight (48) hours' notice, GCRTA will cooperate with CITY's efforts of inspection and maintenance. GCRTA shall also cooperate with CITY if a declared emergency condition arises.

D. CITY shall establish a street opening and road replacement policy that will include but not be limited to (1) minimizing the impact on transit operations; 2) maintaining the integrity of pavement materials; and (3) minimizing disruption of median walls.

E. If utility services are disrupted and when appropriate and required, the CITY fails to immediately rectify and restore the service, GCRTA may rectify and restore the disrupted utility service with GCRTA forces or contractors only upon the occurrence of all of the following: (i) the disrupted utility service significantly disrupts GCRTA ECTP service; (ii) the CITY fails to restore disrupted utility services with 24 hours of the disruption; and (iii) the Director of Public Utilities is notified of GCRTA's intent to rectify or restore utility services.

**ARTICLE X
REIMBURSEMENT**

10.01 Reimbursement to CITY

A. GCRTA shall reimburse CITY for the following types of services:

GCRTA will reimburse CITY for work undertaken upon request by the GCRTA unless otherwise indicated in this Agreement. If applicable, the City shall secure the necessary legislative authorization from Cleveland City Council prior to commencing work. Reimbursement for this work will be based upon actual verifiable and reasonable construction costs with no mark up.

Except for those items listed in Section 10.03 below, GCRTA will reimburse CITY its direct cost for specific work performed by CITY personnel or its designee when requested by GCRTA.

CITY shall bill GCRTA monthly for the reimbursable cost accumulated in the previous calendar month. Such invoices shall clearly show the GCRTA's contract number and CITY control number and shall be in such detail to permit an evaluation of the materials furnished and the services performed by CITY. Payment shall be made on a monthly basis. CITY bills shall be submitted on a monthly basis within (90) days from date of performance of applicable work.

B. GCRTA and FTA shall have the right to audit the CITY's records at such reasonable times and places mutually agreed upon to include books, records, documents, papers and other supporting data involving those transactions in which CITY performed work or services for GCRTA. Such records shall be maintained and kept available for a period of seven (7) years based upon completion of the work to which they pertain.

10.02 Work Authorization

Prior to the performance of any non-emergency services by CITY, CITY shall provide GCRTA with a written estimate for the services and if applicable, secure the necessary legislative authorization prior to commencement of work, and GCRTA shall issue a Work Authorization (the "Work Authorization") to CITY on GCRTA's standard form, with a copy to be provided to the City Council liaison.

In the performance of any of the authorized work or services, CITY may not incur charges in excess of those shown on the Work Authorization without the prior written approval of GCRTA. GCRTA will not be obligated to pay absent an approved Work Authorization. CITY and GCRTA shall perform quarterly reviews of the Work Authorizations to determine if the established limit of the Work Authorization needs adjustment. The City Council liaison shall be included in all such quarterly reviews.

10.03 Non-Reimbursable

GCRTA shall not reimburse CITY for the following types of services unless specifically authorized elsewhere in this Agreement:

Office supervisory and administrative time of various CITY departmental personnel.

Time expended by CITY personnel during meetings of various ECTP stakeholder groups.

CITY Engineering and Support staff.

CITY maintenance of CITY facilities.

The activities associated with section 7.03.

Temporary off-street work and storage areas.

Utility infrastructure constructed for future use and which exceed capacities shown in the completed 60% drawings.

Power Distribution for pedestrian and street lighting.

Time expended by CITY personnel during design reviews.

CITY Inspection and Field Supervisory staff including salary burden and overhead.

Regulatory signage outside of the project area as defined in Article II.

Permanent property transfers and fees related thereto.

10.04 Reimbursement to the GCRTA

CITY shall reimburse GCRTA for the following types of services requested by CITY in addition to the ECTP:

A. All Consultant Engineering and Inspection costs for work performed by GCRTA for CITY shall be reimbursed at 100% of the invoiced amount. City shall obtain legislative authority for the payment of such services prior to such services being rendered.

B. All Contractors' costs shall be reimbursed at Progress payment invoice amounts.

C. Design and construction performed by GCRTA for CITY on a monthly basis shall be reimbursed at 100% of actual verifiable costs.

D. CITY shall have the right to audit GCRTA's records at such times and places as mutually agreed to, to include books, records, documents, papers, and other supporting data involving those transactions in which the GCRTA performed work or services for CITY, such records shall be maintained and kept available for a period of seven (7) years based upon the completion of the work to which they pertain.

**ARTICLE XI
MISCELLANEOUS**

11.01 Modification

The provisions of this Agreement may be modified or amended only after receipt of legislative authorization by Cleveland City Council consenting to such modification or amendment.

11.02 Headlines

The parties agree that the article and paragraph headings are solely for convenience of reference and shall neither constitute a part of this Agreement nor have any legal effect whatsoever.

11.03 Recitals

The recitals are hereby made a part of this Agreement.

11.04 Governing Law

This Agreement shall be construed in accordance with the laws of the state of Ohio.

11.05 Waiver

The waiver of any terms of this Agreement or failure of CITY or GCRTA to insist on strict compliance and prompt performance followed by acceptance by CITY or GCRTA of such performance thereafter, shall not constitute or be construed as a waiver or relinquishment of any right by CITY or GCRTA to enforce all terms strictly in the event of a continuous or subsequent default. Each provision of this Agreement shall be deemed to be a separate and individual provision. The invalidity or breach of any remaining provisions or of the Agreement, which shall remain in full force and effect.

11.06 Liability & Insurance

GCRTA, at its expense may procure and maintain an Owner's Controlled Insurance Program (Wrap-Up) covering its contractors and the contractors' sub-contractor in respect to the following types of coverage:

1. Workers' Compensation;
2. General Liability; and
3. Builders' Risk

The Owner's Controlled Insurance Program to be obtained and maintained shall be competitively marketed and shall have coverages and limits of coverage established by factors of availability (via underwriters) and affordability. GCRTA will procure the minimum amount of liability coverage as follows:

- a. Workers' Compensation — Coverage A — Statutory Coverage B — Five Million per accident
- b. General Liability — Twenty-five Million per accident.
- c. Builders' Risk — Twenty-five Million per occurrence.

Prior to, and following the placement of the Owner's Controlled Insurance Program, GCRTA's Risk Manager shall communicate with and inform the CITY's Risk Manager of the scope of the Program's coverage and shall negotiate a mutual agreement for OCIP/ECTP and other necessary coverages.

Should GCRTA not elect to pursue a wrap up, each party shall be responsible for their own liabilities. City shall be named as additional insured for work done on its property, subject to any additional protections as required by the City's Director of Law.

11.07 Construction Contract Language

With respect to the award of any GCRTA ECTP construction contracts that reasonably could be foreseen to affect existing facilities of CITY within the construction contractor's work area as described in the construction contract documents, GCRTA shall include the following language in the contract specifications;

"With regard to any existing facilities of the City of Cleveland located within the Contract Work area as described and set forth on the Contract Drawings, the Contractor shall indemnify and save harmless the City of Cleveland."

CITY agrees that insertion of the above language into applicable construction contracts will constitute full and absolute compliance of GCRTA's obligations under this paragraph, without further liability of GCRTA expressed or implied.

11.08 Full Funding Grant Agreement

The ECTP is subject to the award of federal grant funds and to the execution of a Full Funding Grant Agreement (FFGA) by the GCRTA. Prior to the execution of the FFGA, CITY and GCRTA will enter into a separate agreement to address the terms required by the FTA for the award of the FFGA. A copy of the FFGA shall be provided to the City Council liaison prior to execution by the City.

11.09 Statutory Limitations

The provisions of 49 CFR, Section 18.36 or 49 CFR, sections 19.4-19.48 and Appendix A and with supplementary regulations and directives particularly FTA Cir. 4220.1D entitled "Third Party Contracting Requirements" and any revision thereof shall govern the procurement of goods and services along with any and all applicable Ohio and federal law.

11.10 Notices and Approvals

When the approval of the CITY is referenced in this Agreement, such approval shall be in writing and shall be executed by all CITY officials having responsibility of the particular subject matter. CITY's Project Coordinator shall ascertain the CITY officials responsible for each subject matter.

All notices required to be given pursuant to this Agreement shall be given in writing and shall be deemed to have been duly given on the date delivered, if delivered personally, or if delivered to a nationally recognized overnight courier service, or, if mailed by U.S. registered or certified mail, postage prepaid, and addressed as follows:

(a) Notice to GCRTA: 1240 W. 6th Street
Cleveland, Ohio 44113
Attention: Mr. Joseph A. Calabrese,
General Manager

with copies to: Calfee, Halter & Griswold LLP
1400 McDonald Investment Center
800 Superior Avenue
Cleveland, Ohio 44114-2688
Attention: Darlene Evans McCoy

(b) Notice to CITY:
with copies to: Cleveland City Council
601 Lakeside Avenue, Room 220
Cleveland, Ohio 44114
Attention: Michael Polensek, President

11.11 Advertising

In the event that GCRTA desires to place advertisements on trolleys servicing the project area all such advertisements must comply with federal, state and city requirements.

11.12 Architectural and Engineering Services

GCRTA shall use its best efforts to use architectural and engineering firms located in the City of Cleveland to the fullest extent permissible by federal regulations.

ARTICLE XII**ENVIRONMENTAL AND HISTORIC PRESERVATION**

GCRTA agrees that any construction that is performed by GCRTA will comply with all required environmental and historic preservation regulations and permit processes. GCRTA will be responsible for obtaining all of the required approvals for construction performed by the GCRTA. The CITY agrees that any construction performed by the CITY will comply with all required environmental and historic preservation regulations and permit processes. GCRTA shall report to the City Planning Committee and the City Planning Director its findings and reports as to environmental and historic preservation conditions and regulations. The City Planning Committee will hold public hearings pursuant to its findings and reports prior to the submission of such reports to regulatory agencies.

The CITY shall be responsible for obtaining all of the required approvals for construction performed by the CITY.

In the event that there is a delay in any permit or other approvals, the parties shall notify all representatives indicated in Section 3.02 of this agreement as soon as practical.

ARTICLE XIII**DEFAULT; REMEDIES FOR BREACH**

If either party to this Agreement shall fail to observe or perform any of the terms of this Agreement and such failure continues for a period of five business days after written notice of default is given by the non-defaulting parties, the non-defaulting party may, at its option, exercise concurrently or successively any one or more of the following rights and remedies:

- (1) To enjoin any breach or threatened breach;
- (2) To sue for the performance of any obligation, promise or agreement devolving upon the defaulting party for performance or for damages for the nonperformance thereof, all without terminating this Agreement;
- (3) To terminate this Agreement.

ARTICLE XIV**BINDING AGREEMENT**

All the terms, provisions and obligations of this Agreement shall be binding upon the parties hereto and their successors or assigns.

**ARTICLE XV
DISADVANTAGED BUSINESS ENTERPRISES**

The Disadvantaged Business Enterprise (DBE) program will be implemented and monitored by GCRTA in accordance with 49 CFR Part 26 and all applicable Affirmative Action and Equal Opportunity laws, policies and directives that govern contracts that are executed with GCRTA.

**ARTICLE XVI
SPECIAL EVENTS**

The parties agree to comply with the CITY's Special Event policy attached as Exhibit E.

IN WITNESS THEREOF, the parties hereto have caused these presents to be executed by their proper officials the day and year first above written.

In the presence of

**GREATER CLEVELAND REGIONAL
TRANSIT AUTHORITY**

(Witness)

Joseph A. Calabrese
CEO and General Manager

(Witness)

The legal form and correctness of the within
Instrument is hereby approved.

Sheryl King Benford
Deputy General Manager-Legal

CITY OF CLEVELAND

(Witness)

Name

(Witness)

Title

The legal form and correctness of the within
instrument is hereby approved.

Law Director, City of Cleveland

**EXHIBITS
Attached hereto**

- A. Thirty Percent Documents
- B. Project Organization
- C. Utilities Philosophy
- D. CITY Deed Format
- E. CITY Special Event Policy

FIGURES

Figure 1 — CITY Design Review Agencies

**ALL EXHIBITS AND FIGURES ARE ON FILE WITH CLEVELAND CITY COUNCIL
IN FILE NUMBER 1102-A-2000-A**

Section 2. That the Director of Public Service and/or the Director of Public Utilities shall notify entities with infrastructure in the right-of-way of the dates that Euclid Avenue will be under construction and encourage such entities to perform maintenance functions and/or repairs during a time that is compatible with the construction of the ECTP.

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

Without objection substitute Ordinance agreed to. Ordinance No. 1102-2000 Laid on the Table.

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1606-2000.**By Councilman Polensek.**

An emergency ordinance authorizing the Clerk of Council to employ a consultant or consultants to provide the professional services necessary for the publishing of Ward newsletters for City Council.

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

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

Section 1. That the Clerk of Council is hereby authorized to employ by contract or contracts a consultant or consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide the professional services necessary for the publishing of Ward newsletters for City Council. That selection of said consultant or consultants for such services shall be made by the Clerk of Council on the basis of a proposal or proposals submitted by qualified consultants. Any and all such contracts authorized herein shall be entered into before December 31, 2001.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1607-2000.**By Councilman Cintron.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to MetroHealth hospital to hang (23) banners on C.P.P. utility poles (by separate permission), on Scranton Rd., W. 25th St., MetroHealth Dr., and Southpoint Dr. for the period of September 1, 2000 to October 2, 2000 publicizing and identifying the hospital's location in the community.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to MetroHealth, 2500 MetroHealth Drive, Cleveland, Ohio 44109-1998, to install, maintain and remove twenty-three (23) banners to be hung from Cleveland Public Power utility poles, (by separate permission) publicizing and identifying the hospital's location in the community, for the period of September 1, 2000 to October 2, 2000, inclusive, and which banners are to be hung at the following pole locations and on the following pole numbers: Scranton Road 10-poles between Sackett and Southpoint (west) - no pole numbers; the 1st pole north of West 25th Street (west) - no pole

number; West 25th Street - 8-poles between Sackett and Southpoint (east) - no pole numbers; a pole south of Southpoint (east), pole number AOM 41-125; a pole at 3517 West 25th Street (east) - no pole number; MetroHealth Drive - 3-poles in median strip between West 25th Street and Scranton Road - no pole numbers; Southpoint Drive 2-poles between West 25th Street and Scranton Road (north) - no pole number; and which poles location and banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1608-2000.**By Councilman Cintron (by request).**

An emergency ordinance authorizing the Director of Public Service to issue a permit to Near West Theatre for special event banners which will encroach into the right-of-way of West 38th Street, and Bridge Avenue and Westerly of Fulton Avenue, for the period of September 2, 2000 to December 31, 2000, inclusive.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Near West Theatre, 2012 West 25th Street, Suite 908, Cleveland, Ohio 44113-4131, for the construction, use and maintenance of ten (10) special event banners for approximately four (4) months from the period of September 2, 2000 to December 31, 2000 inclusive, which banners will encroach into the public right-of-way of West 38th Street and Bridge Avenue, and Westerly of Fulton Avenue and are more described as follows:

LOCATION:	POLE NUMBER:	POLE OWNER:
BRIDGE AVENUE -		
1st pole E. of W. 38th St.(S)	42381	C.P.P.
2nd pole E. of W. 38th St.(S)	42380	C.P.P.
4th pole E. of W. 38th St.(S)	42378	C.P.P.
5th pole E. of W. 38th St.(S)	(42395) No Tag	C.P.P.
6th pole E. of W. 38th St.(S)	42377	C.P.P.
1st pole W. of Fulton (N)	No Tag (New Pole)	C.P.P.
2nd pole W. of Fulton (N)	(42376) No Tag	C.P.P.
WEST 38TH STREET -		
3rd pole N. of Bridge (E)	AOM-43-58	C.P.P.
2nd pole N. of Bridge (E)	423120	C.P.P.
1st pole N. of Bridge (E)	AOM-43-57	C.P.P.

Section 2. That said special event banners will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a building Permit, shall be obtained before said fence is constructed.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1609-2000.**By Councilman Cimperman.**

An emergency ordinance consenting and approving the issuance of a permit for the Light the Night Walk on September 23, 2000, sponsored by the Leukemia & Lymphoma Society.

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 Light the Night Walk sponsored by the Leukemia & Lymphoma Society on September 23, 2000, starting at the Galleria, participants will head north on East 9th down to the Pier and circle to head south on East 9th passing the Galleria giving anyone who would like to stop walking the opportunity to go back into the mall. Participants will then head west onto St. Clair towards Ontario and head south to Carnegie and then East towards East 9th. Participants will take East 9th Street north back to the Galleria, 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.

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1610-2000.**By Councilman Jackson.**

An emergency ordinance authorizing the Director of Public Service to issue a permit to Mount Hermon Baptist Church to encroach into the right-of-way of East 40th Street with a fence and planters.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the

will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Mount Hermon Baptist Church, 2516 East 40th Street, Cleveland, Ohio 44104; for the construction, use and maintenance of a fence and planters, which will encroach into the public right-of-way of East 40th Street at the location more fully described as follows:

**LEGAL DESCRIPTION/
ENCROACHMENT AREA/E40TH ST./
MT. HERMON CHURCH**

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and known as being part of Original 10 Acre Lots Number 45, also known as being part of East 40th Street, 99.00 feet wide, and more fully bounded and described as follows:

Beginning at a drillhole set in the westerly right-of-way of East 40th Street, as aforesaid, at the north-easterly corner of Parcel No. 14, as shown in the Dedication Map of Longwood Avenue S.E. and Widening of East 33rd Street and East 38th Street and Re-Subdivision, as shown in Volume 166, Pages 10 and 11 of Cuyahoga County Map Records;

Thence North 89°-57'-40" East, perpendicular to the centerline of East 40th Street, as aforesaid, 18.00 feet to a point;

Thence South 00°-02'-20" East, parallel with the centerline of East 40th Street, as aforesaid, 190.00 feet to a point;

Thence South 89°-57'-40" West, perpendicular to the centerline of East 40th Street, as aforesaid, 18.00 feet to a point in the westerly right-of-way of said East 40th Street;

Thence North 00°-02'-20" West, along the westerly right-of-way of East 40th Street, as aforesaid, 190.00 feet to the point of beginning, be the same more or less but subject to all legal highways.

Section 2. That said fence and planters will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a building Permit, shall be obtained before said fence is constructed.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1611-2000.**By Councilman Lewis.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Gethsemane Baptist Church to hang (8) banners on C.P.P. utility poles (by separate permission), on the east side of E. 79th St. & along the north side of Chester Ave. for the period of September 15, 2000 to December 1, 2000, inclusive, celebrating the Church's Anniversary and a special Pilgrimage event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Gethsemane Baptist Church, 1885 East 79th Street, Cleveland, Ohio 44103, to install, maintain and remove eight (8) banners to be hung from Cleveland Public Power utility poles, (by separate permission) celebrating the Church's Anniversary and a special Pilgrimage event for the period of September 15, 2000 to December 1, 2000, inclusive, and which banners are to be hung on the following pole numbers and locations at East 79th Street (east side), along the north side of Chester Avenue: the 1st pole is #NE1-103; the 2nd pole is #NE1-102; the 3rd pole is #NE1-101; the 5th pole is #NE1-1C0; the 7th pole is #NE1-99; the 8th pole is #NE1-98; the 9th pole is #NE1-97; and the 10th pole is #NE1-96; and which pole locations and banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1612-2000.**By Councilman White.**

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with Miles Family YMCA for continuing to provide enhanced recreation programs at the Miles Family YMCA located at 11300 Miles Avenue through the use of Ward 2 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Parks, Recreation and Properties is authorized to enter into an agreement with Miles Family YMCA for continuing to provide enhanced recreation programs at the Miles Family YMCA located at 11300 Miles Avenue.

Section 2. That the cost of said contract shall be in an amount not to exceed \$37,500 and shall be paid from Fund No. 10 SF 166.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1613-2000.**By Councilman Brady.**

An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit to 11120-24 Lorain Avenue, 1st Fl. Only and 11118 Lorain Avenue, 1st Fl. Rear, and repealing Res. No. 1323-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to 11120-24 Lorain Avenue, 1st Fl. Only and 11118 Lorain Avenue, 1st Fl. Rear, by Res. No. 1323-2000, adopted July 28, 2000; and

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

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

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

Section 1. That objection to the renewal of a D5 and D6 Liquor Permit to 11120-24 Lorain Avenue, 1st Fl. Only and 11118 Lorain Avenue, 1st Fl. Rear, be and the same is hereby withdrawn and Res. No. 1323-

2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1614-2000.**By Councilman Brady.**

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 12703-05 Lorain Avenue, 1st Fl. & Bsmt., and repealing Res. No. 1326-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3 and D3A Liquor Permit to 12703-05 Lorain Avenue, 1st Fl. & Bsmt., by Res. No. 1326-2000, adopted July 28, 2000; and

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

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

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

Section 1. That objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 12703-05 Lorain Avenue, 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1326-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1615-2000.**By Councilman Cimperman.**

An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit to 1059 Old River Road, 1st & 2nd Fls. & Patio, and repealing Res. No. 1521-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to 1059 Old River Road, 1st & 2nd Fls. & Patio, by Res. No. 1521-2000, adopted August 28, 2000; and

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

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

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

Section 1. That objection to the renewal of a D5 and D6 Liquor Permit to 1059 Old River Road, 1st & 2nd Fls. & Patio, be and the same is hereby withdrawn and Res. No. 1521-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1616-2000.**By Councilman Cimperman.**

An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit to 1059 Old River Road, 2nd Fl., and repealing Res. No. 1522-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to 1059 Old River Road, 2nd Fl., by Res. No. 1522-2000, adopted August 28, 2000; and

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

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

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

Section 1. That objection to the renewal of a D5 and D6 Liquor Permit to 1059 Old River Road, 2nd Fl., be and the same is hereby withdrawn and Res. No. 1522-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1617-2000.
By Councilmen Cintron, Brady,
Jones and White.

An emergency resolution supporting passage of House Bill 578, currently pending in the Ohio General Assembly, to extend assistance to Ohio low income families.

Whereas, the Ohio Works First Program ("Program"), as currently enacted terminates assistance to low income families three year after commencement; and

Whereas, the Ohio Works First Program, as currently enacted, fails to preserve food stamps benefits to members of families otherwise ineligible to participate in the Program; and

Whereas, the Ohio Works First Program, as currently enacted fails to take into consideration the adverse effects an economic recession has upon Ohio's low income families; and

Whereas, it is estimated that in the next six months, more than 7000 families in Cuyahoga County are, or will, added to those already be adversely affected by the Ohio Works First Program, as currently enacted; and

Whereas, this Council of the City of Cleveland is deeply concerned about the negative impact that certain provisions of the Ohio Works First Program has on the residents of the City of Cleveland; and

Whereas, House Bill 578, currently pending in the Ohio General Assembly, would mandate various changes in the Ohio Works First Program; now, therefore,

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

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

Section 1. That this Council of the City of Cleveland strongly supports the passage of House Bill 578 by the Ohio General Assembly to revise the law governing the sanctions and time limits under the Ohio Works First Program and, in particular, Cleveland City Council supports passage of the following provisions:

(a) Extending the time limit for Program participation from three to five years; and

(b) Restoring food stamp benefits to members of families otherwise ineligible to participate in the Program; and

(c) Tolling the time limit for participation in the Program during periods of economic recession as determined by the Bureau of Economic Analysis in the United States Department of Commerce; and

(d) Issuing a pro-rated check to families initially sanctioned by the Program based upon the number of days of compliance with the Program.

Section 2. That the Clerk is hereby requested to transmit a copy of this resolution to Speaker of the Ohio House of Representatives and the President of the Ohio Senate.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1618-2000.
By Councilman Coats.
An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 831 East 140th Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Permit No. 3700511, Sabrina A. Head, DBA East 140th Food & Beverage, 831 East 140th Street, Cleveland, Ohio 44110 to Permit No. 0258520, Ardenall Market Inc., DBA T & N Market, 831 East 140th Street, Cleveland, Ohio 44110; 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 permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Permit No. 3700511, Sabrina A. Head, DBA East 140th Food & Beverage, 831 East 140th Street, Cleveland, Ohio 44110 to Permit No. 0258520, Ardenall Market Inc., DBA T & N Market, 831 East 140th Street, Cleveland, Ohio 44110 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 passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1619-2000.
By Councilman Melena.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 8504 Detroit Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 6071811, MO AS Inc., 8504 Detroit Avenue, Cleveland, Ohio 44112; 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 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 issuance of a C1 Liquor Permit to Permit No. 6071811, MO AS Inc., 8504 Detroit Avenue, Cleveland, Ohio 44112 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 passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1620-2000.

By Councilman Polensek.

An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 231 East 156th Street, 1st Fl.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 0142108, Alojz Znidarsic Inc., DBA Glen Cove Pub, 231 E. 156th St., 1st Fl., Cleveland, Ohio 44110, to Permit No. 8516193, Statewide Entertainment Center LLC, DBA Charlies, 231 E. 156th St., 1st Fl., Cleveland, Ohio 44110; 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 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 Per-

mit from Permit No. 0142108, Alojz Znidarsic Inc., DBA Glen Cove Pub, 231 E. 156th St., 1st Fl., Cleveland, Ohio 44110, to Permit No. 8516193, Statewide Entertainment Center LLC, DBA Charlies, 231 E. 156th St., 1st Fl., Cleveland, Ohio 44110 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 passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1621-2000.

By Councilman Polensek.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 15550 Lakeshore Blvd.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 7677566, Saad Oil Inc., DBA Lakeshore Citgo, 15550 Lakeshore Blvd., Cleveland, Ohio 44110; 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 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 issuance of a C1 Liquor Permit to Permit No. 7677566, Saad Oil Inc., DBA Lakeshore Citgo, 15550 Lakeshore Blvd., Cleveland, Ohio 44110 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 passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

**SECOND READING
EMERGENCY ORDINANCES**

Ord. No. 1209-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Whittier, Linwood and Belvidere Avenues to Cuyahoga Metropolitan Housing Authority.

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

1. Insert new Section 63 to read as follows:

"Section 63. That as one of the terms of conveyance of the parcels identified in this ordinance, Cuyahoga Metropolitan Housing Authority shall use its best efforts within budgetary constraints to maximize the energy efficiency of new housing it constructs on said parcels."

2. Renumber existing Sections 63 and 64, respectively, to new **"Section 64"** and **"Section 65"**.

Amendments agreed to.

Ord. No. 1214-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of the Community Relations Board to apply for and accept a grant from the Department of Justice Affairs for the 2000 Teen Court Program; and to enter into contract with the YMCA of Greater Cleveland to implement the Program.

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

Ord. No. 1215-2000.

By Councilman Britt.
An emergency ordinance to amend Section 343.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2215-96, passed April 7, 1997, relating to general retail business districts.

Approved by Directors of City Planning Commission, Law; Recommended by Committees on City Planning, Legislation, Finance.

MOTION

By Councilman Kenneth L. Johnson, and seconded by Councilman Fannie M. Lewis and unanimously carried that the absence of Councilman Patricia J. Britt be and is hereby authorized.

MOTION

The Council adjourned at 8:35 p.m. to meet on Monday, September 18, 2000, at 7:00 p.m. in the Council Chambers.



Clerk of Council

THE CALENDAR

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

ORDINANCES**Ord. No. 1209-2000.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Whittier, Linwood and Belvidere Avenues to Cuyahoga Metropolitan Housing Authority.

Whereas, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-033 as more fully described in Section 2 below, to Cuyahoga Metropolitan Housing Authority.

Section 2. That the real property to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

P. P. No. 104-18-033

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 15 in the Midway N.C. Waters Flat and survey of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Linwood Avenue, N.E., (formerly Lena Avenue) and extending back between parallel lines 155 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-034 as more fully described in Section 4 below, to Cuyahoga Metropolitan Housing Authority.

Section 4. That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P. P. No. 104-18-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in Medway N.C. Water's Guardian of Frank E. and Cora E. Waters, Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Subdivision, in Volume 7 of Maps, Page 13 of the Cuyahoga County Records and being 40 feet front on the Southerly side of Linwood Avenue, N.E., and extending back of equal width 155 feet deep, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-047 as more fully described in Section 6 below, to Cuyahoga Metropolitan Housing Authority.

Section 6. That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P. P. No. 104-18-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 9 in Sweesy, et al., Re-Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records and being 40 feet front on the Southerly side of Linwood Avenue, N.E., extending back of equal width about 142.73 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-049 as more fully described in Section 8 below, to Cuyahoga Metropolitan Housing Authority.

Section 8. That the eel property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P. P. No. 104-18-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in L.B. Sweesy Re-Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of Re-Subdivision in Volume 12 of Maps, Page 40 of Cuyahoga County Records and being 40 feet front on the Northerly side of Linwood Avenue, N.E., (formerly Lena Avenue) and extending back of equal width 142.72 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 104-18-061 as more fully described in Section 10 below, to Cuyahoga Metropolitan Housing Authority.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P. P. No. 104-18-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 30 feet of Sublot No. 24 and the Westerly 20 feet of Sublot No. 26 in Lena B. Sweesy and other Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records, and together forming a parcel of land 50 feet front on the Southerly side of Whittier Avenue, N.E., and extending back 142.70 feet of equal width, as appears by said plat, be the same more or less, but subject to all legal highways.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 100 feet of the Westerly 6.5 feet of the Easterly 20 feet of Sublot No. 26 in Lena B. Sweesy and others Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records, and being 6.5 feet front on the Southerly side of Whittier Avenue, N.E., and extending back of equal width 100 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-065 as more fully described in Section 12 below, to Cuyahoga Metropolitan Housing Authority.

Section 12. That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows

P. P. No. 104-18-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 20 feet of Sublot No. 16 and all of Sublot No. 14 in William C. Sweeney and others's Re-Allotment of R.L. Williard's Allotment and also a Re-Allotment of parts of Luther Moses and M.N.C. Water's

Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Re-Allotment in Volume 12 of Maps, Page 40 of Cuyahoga County Records, and together forming a parcel of land 60 feet front on the Southerly side of Whittier Avenue, N.E., and extending back 142.72 feet deep on the Westerly line and about 142.71 feet deep on the Easterly line, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-049 as more fully described in Section 14 below, to Cuyahoga Metropolitan Housing Authority.

Section 14. That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P. P. No. 104-19-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 27 in Medweay N.C. Waters Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records and being 40 feet front on the Southerly side of Linwood Avenue, N.E., and extending back of equal width 155 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-094 as more fully described in Section 16 below, to Cuyahoga Metropolitan Housing Authority.

Section 16. That the real property to be sold pursuant to Section 15 of this Ordinance is more fully described as follows:

P. P. No. 104-19-094

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 50 in Sweesy et. al. Re-Allotment of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records and being 40 feet front on the Southerly side of Whittier Avenue, N.E., and extending back of equal width 142.66 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-109 as more fully described in Section 18 below, to Cuyahoga Metropolitan Housing Authority.

Section 18. That the real property to be sold pursuant to Section 17 of this Ordinance is more fully described as follows:

P. P. No. 104-19-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 69 in Luther Moses Allotment of part

of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7, Page 13 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Whittier Avenue, N.E., and extending back of equal width 180 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-054 as more fully described in Section 20 below, to Cuyahoga Metropolitan Housing Authority.

Section 20. That the real property to be sold pursuant to Section 19 of this Ordinance is more fully described as follows:

P. P. No. 104-19-054

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 37 in Medway N.C. Waters' (Guardian of Frank E. and Cora E. Waters) Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Linwood Avenue, N.E., (formerly Lena Avenue), and extending back of equal width 155 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-058 as more fully described in Section 22 below, to Cuyahoga Metropolitan Housing Authority.

Section 22. That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows:

P. P. No. 104-19-058

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 45 in M.N.C. Waters Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records and being 40 feet front on the Southerly side of Linwood Avenue, N.E., and extending back of equal width, 155 feet deep, be the same more or less, but subject to all legal highways.

(a) Subject Easement

Subject Easement for Common driveway from Louis Gorsetman Bella to Sarah Smith aka Sarah Smith Butler, dated September 21, 1950, filed for record November 17, 1950 at 2:56 p.m., and recorded in Volume 7095, Page 458 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-085 as more fully described in Section 24 below, to Cuyahoga Metropolitan Housing Authority.

Section 24. That the real property to be sold pursuant to Section 23 of this Ordinance is more fully described as follows:

P. P. No. 104-19-085

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 32 and part of Sublot No. 30 in Sweesy et al Allotment of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning in the Southerly line of Whittier Avenue, N.E., at the North-easterly corner of said Sublot No. 32; thence Southerly along the Easterly line of said Sublot No. 32, 142.69 feet to the Southeasterly corner thereof; thence Westerly along the Southerly line of said Sublot No. 32 and said Sublot No. 30, 53 feet to a point, thence Northerly parallel with the Easterly line of said Sublot No. 30, 41.50 feet to a point; thence North-easterly in a direct line to a point in the Easterly line of said Sublot No. 30 distant Northerly, measured along said Easterly line, 80 feet from the Southeasterly corner of said Sublot No. 30; thence Northerly along the Easterly line of said Sublot No. 30, 62.29 feet to the Southerly line of Whittier Avenue, N.E.; thence Easterly along the Southerly line of Whittier Avenue, N.E., 40 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-087 as more fully described in Section 26 below, to Cuyahoga Metropolitan Housing Authority.

Section 26. That the real property to be sold pursuant to Section 25 of this Ordinance is more fully described as follows:

P. P. No. 104-19-087

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 36 in William C. Sweesy and Others Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Whittier Avenue, N.E., (formerly known as Sixth Avenue) and extending back of equal width 142.68 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-091 as more fully described in Section 28 below, to Cuyahoga Metropolitan Housing Authority.

Section 28. That the real property to be sold pursuant to Section 27 of this Ordinance is more fully described as follows:

P. P. No. 104-19-091

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 44 in Lena B. Sweezy's and other's Re-Allotment of R.L. Willard's Allotment and portions of Luther Moses' and M.C. Water's Allotment on Original One Hundred Acre Lot No. 340, East Cleveland Township and now in said City of Cleveland. Said Sublot No. 44 has a frontage of 40 feet on the Southerly side of Whittier Avenue and extending back between parallel lines 142.67 feet, as shown by plat of said Re-Allotment recorded in Volume 12 of Maps, Page 40 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-116 as more fully described in Section 30 below, to Cuyahoga Metropolitan Housing Authority.

Section 30. That the real property to be sold pursuant to Section 29 of this Ordinance is more fully described as follows:

P. P. No. 104-21-116

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bounded and described as follows: The Easterly 25 feet of Sublot No. 140 and the Westerly 5 feet of Sublot No. 141 in the Park Realty Company's Re-Allotment of Sublot Nos. 16 to 35 inclusive, and Sublot Nos. 50 to 65, inclusive, in Stone, Johnson and Bates' Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Re-Allotment in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and together being 30 feet front on the Northerly side of Belvidere Avenue, N.E., and extending back of equal width 90 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to covenants and restrictions recorded in Volume 853, Page 186 of Cuyahoga County Records.

Also subject to modification of restrictions recorded in Volume 887, Page 424 of Cuyahoga County Records.

Further subject to easement recorded in Volume 879, Page 382 of Cuyahoga County Records.

In addition, subject to restrictions, terms and conditions recorded in Miscellaneous Volume 111, Page 9 and in Miscellaneous Volume 111, Page 43 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

Section 31. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-117 as more fully described in Section 32 below, to Cuyahoga Metropolitan Housing Authority.

Section 32. That the real property to be sold pursuant to Section 31 of this Ordinance is more fully described as follows:

P. P. No. 104-21-117

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 30 feet of Sublot No. 141 in the

Park Realty Company's Re-Allotment of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records and being 30 feet front on the Northerly side of Belvidere Avenue, N.E., and extending back of equal width 90 feet deep, as appears by said plat.

Subject to zoning ordinances, if any.

Section 33. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-118 as more fully described in Section 34 below, to Cuyahoga Metropolitan Housing Authority.

Section 34. That the real property to be sold pursuant to Section 33 of this Ordinance is more fully described as follows:

P. P. No. 104-21-118

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 142 in the Park Realty Company's Re-Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Belvidere Avenue, N.E., and extending back of equal width 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 35. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-130 as more fully described in Section 36 below, to Cuyahoga Metropolitan Housing Authority.

Section 36. That the real property to be sold pursuant to Section 35 of this Ordinance is more fully described as follows:

P. P. No. 104-21-130

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 117, 118, 119, 122 and all of Sublot Nos. 120 and 121 in The Park Realty Company's Re-Subdivision of Sublot Nos. 16 to 35 and 50 to 65 inclusive, and a part of Sublot No. 36 and 66 in Johnson, Bates and Stone's Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Re-Subdivision in Volume 26 of Maps, Page 30 of the Cuyahoga County Records and bounded and described as follows:

Beginning in the Southerly line of Belvidere Avenue N.E., at the North-easterly corner of said Sublot No. 120; thence Southerly along the Easterly line of said Sublot No. 120 and 119, 99.9 feet to a point distant 100 feet Northerly from the Northerly line of Hough Avenue, N.E., thence Westerly parallel with Hough Avenue, N.E., 95 feet to a point; thence Northerly in a direct line 99.91 feet to a point in the Southerly line of Belvidere Avenue, N.E., distant 95 feet Westerly measured along said Northerly line, from the place of beginning, thence Easterly along the Southerly line of Belvidere Avenue, N.E., 95 feet to the place of beginning, as appears

by said plat, be the same more or less, but subject to all legal highways.

Section 37. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-132 as more fully described in Section 38 below, to Cuyahoga Metropolitan Housing Authority.

Section 38. That the real property to be sold pursuant to Section 37 of this Ordinance is more fully described as follows:

P. P. No. 104-21-132

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 125 and 126 and the Easterly 2 feet of Sublot No. 127 in the Park Realty Company's Re-Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Re-Subdivision in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 74 feet on the Southerly side of Belvidere Avenue, N.E., and extending back between parallel lines 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 39. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-135 as more fully described in Section 40 below, to Cuyahoga Metropolitan Housing Authority.

Section 40. That the real property to be sold pursuant to Section 39 of this Ordinance is more fully described as follows:

P. P. No. 104-21-135

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 33 feet of Sublot No. 129 and the Westerly 2 feet of Sublot No. 128 in the Park Realty Company's Re-Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Re-Subdivision in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and together forming a parcel of land 35 feet front on the Southerly side of Belvidere Avenue, N.E., (formerly Belvidere Avenue), and extending back of equal width 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 41. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-136 as more fully described in Section 42 below, to Cuyahoga Metropolitan Housing Authority.

Section 42. That the real property to be sold pursuant to Section 41 of this Ordinance is more fully described as follows:

P. P. No. 104-21-136

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 3 feet of Sublot No. 129 and the Easterly 33 feet of Sublot No. 130 in

the Park Realty Company's Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records and being 36 feet front on the Southerly side of Belvidere Avenue and extending back of equal width 90.0 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 43. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-137 as more fully described in Section 44 below, to Cuyahoga Metropolitan Housing Authority.

Section 44. That the real property to be sold pursuant to Section 43 of this Ordinance is more fully described as follows:

P. P. No. 104-21-137

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being in the Easterly 33 feet of Sublot No. 131 and the Westerly 3 feet of Sublot No. 130 in the Park Realty Company's Subdivision of part of Original One Hundred Acre Lot No. 340 and of Sublot No. 16 and 35 and 50 to 65 inclusive and part of Sublots Nos. 36 and 66 in Johnson, Bates and Stone's Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records and together forming a parcel of land 36 feet front on the Southerly side of Belvidere Avenue, N.E., and extending back of equal width 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 45. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-138 as more fully described in Section 46 below, to Cuyahoga Metropolitan Housing Authority.

Section 46. That the real property to be sold pursuant to Section 45 of this Ordinance is more fully described as follows:

P. P. No. 104-21-138

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 1 foot of the Westerly 3 feet from front to rear of Sublot No. 131 in the Park Realty Company's Re-Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records, said part of Sublot No. 131 has a frontage of 1 foot on the Southerly side of Belvidere Avenue and extends back of equal width 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 47. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-139 as more fully described in Section 48 below, to Cuyahoga Metropolitan Housing Authority.

Section 48. That the real property to be sold pursuant to Section 47 of this Ordinance is more fully described as follows:

P. P. No. 104-21-139

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 2 feet of Sublot No. 131 and the Easterly 34 feet of Sublot No. 132 in the Park Realty Company's Re-Subdivision of Sublot Nos. 16 to 35, 50 to 65 and part of Sublot Nos. 36 and 66 in Johnson, Bates and Stone's Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Re-Subdivision in Volume 26 of Maps, Page 30 of Cuyahoga County Records. Said part of Sublot Nos. 131 and 132 together form a parcel of land having a frontage of 36 feet on the Southerly side of Belvidere Avenue, N.E., and extending back, between parallel lines, 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 49. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-140 as more fully described in Section 50 below, to Cuyahoga Metropolitan Housing Authority.

Section 50. That the real property to be sold pursuant to Section 49 of this Ordinance is more fully described as follows:

P. P. No. 104-21-140

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bounded and described as follows: Known as being the Westerly 2 feet of Sublot No. 132 and the Easterly 34 feet of Sublot No. 133 in the Park Realty Company's Re-Subdivision of a part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat of said Re-Subdivision in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and together forming a parcel of land 36 feet front on the Southerly side of Belvidere Avenue, N.E., and extending back of equal width 90 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 51. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-141 as more fully described in Section 52 below, to Cuyahoga Metropolitan Housing Authority.

Section 52. That the real property to be sold pursuant to Section 51 of this Ordinance is more fully described as follows:

P. P. No. 104-21-141

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the most Westerly 2 feet of Sublot No. 133 in the Park Realty Company's Re-Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records, said Westerly part of Sublot No. 133 has a frontage of 2 feet on the Southerly side of Belvidere Avenue, and extends back

of equal width 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 53. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-142 as more fully described in Section 54 below, to Cuyahoga Metropolitan Housing Authority.

Section 54. That the real property to be sold pursuant to Section 53 of this Ordinance is more fully described as follows:

P. P. No. 104-21-142

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Subdivision 134 in the Park Realty Company Re-Subdivision of a part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and being 36 feet front on the Southerly side of Belvidere Avenue, N.E., (formerly Belvidere Avenue) and extending back of equal width, 90 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 55. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-028 as more fully described in Section 54 below, to Cuyahoga Metropolitan Housing Authority.

Section 56. That the real property to be sold pursuant to Section 53 of this Ordinance is more fully described as follows:

P. P. No. 104-18-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 25 in Medway N.C. Waters Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records and being 40 feet front on the Southerly side of Linwood Avenue, N.E., and extending back of equal width 155 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Section 57. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-065 as more fully described in Section 54 below, to Cuyahoga Metropolitan Housing Authority.

Section 58. That the real property to be sold pursuant to Section 53 of this Ordinance is more fully described as follows:

P. P. No. 104-19-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 63 in Medway N.C. Waters Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Linwood Avenue, N.E., (for-

merly Lena Avenue) and extending back between parallel lines 155 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 59. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-20-035 as more fully described in Section 54 below, to Cuyahoga Metropolitan Housing Authority.

Section 60. That the real property to be sold pursuant to Section 53 of this Ordinance is more fully described as follows:

P. P. No. 104-20-035

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 10 in Johnson, Bates and Stone's Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 8 of Maps, Page 24 of Cuyahoga County Records, bounded and described as follows:

Commencing at a point in the Southerly line of Quimby Avenue, N.E., 60 feet wide, at the Northeast corner of Sublot No. 10. Thence Southerly along the Easterly line of Sublot No. 10, 111.85 feet to a point and the principal place of beginning. Thence Southerly along the Easterly line of Sublot No. 10, 88.13 feet to a point being the Southwesterly corner of Sublot No. 10 and the Northerly line of Belvidere Avenue, N.E. Thence Westerly along the Southerly line of Sublot No. 10 being the Northerly line of Belvidere Avenue 49.99 feet to a point being the Southwesterly corner of Sublot No. 10. Thence Northerly along the Westerly line of Sublot No. 10, 88.14 feet to a point. Thence Easterly parallel with the Southerly line of Quimby Avenue 49.99 feet to the principal place of beginning, be the same more or less, but subject to all legal highways.

Subject to restrictions recorded in Volume 1019, Page 508 of Cuyahoga County Records.

Subject to right of way 10 feet wide (the center line of which is the dividing line between Sublot Nos. 10 and 11) recorded in Volume 997, Page 493 of Cuyahoga County Records.

Common easements recorded in Volume 7092, Page 273 of Cuyahoga County Records.

Subject to zoning ordinances, if any.

Section 61. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 62. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 63. That as one of the terms of conveyance of the parcels identified in this ordinance, Cuyahoga Metropolitan Housing Authority shall use its best efforts within budgetary constraints to maximize the energy efficiency of new housing it constructs on said parcels.

Section 64. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 65. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Ord. No. 1214-2000.

By Councilman Patmon (by departmental request.

An emergency ordinance authorizing the Director of the Community Relations Board to apply for and accept a grant from the Department of Justice Affairs for the 2000 Teen Court Program; and to enter into contract with the YMCA of Greater Cleveland to implement the Program.

Ord. No. 1215-2000.

By Councilman Britt.
An emergency ordinance to amend Section 343.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2215-96, passed April 7, 1997, relating to general retail business districts.

BOARD OF CONTROL

September 6, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 6, 2000, at 11:00 a.m. with Director Carter presiding.

Present: Directors Carter, Brooks, Konicek, Acting Director Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.

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

On motion, the following resolutions were adopted.

Resolution No. 607-00.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Jack Doheny Supplies Ohio, Inc. for an estimated quantity of repair and maintain combination sewer and catch basin cleaners (all items), for the Division of Water Pollution Control, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 5th day of July 2000, pursuant to the authority of Ordinance No. 414-

2000, passed May 15, 2000, which shall not exceed the amount of One Hundred Forty Thousand and 00/100 Dollars (\$140,000.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount such contract of the following:

Requisition No. 22421

which shall be certified against such contract in the sum of Seventy Thousand and 00/100 Dollars (\$70,000.00).

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirements for such commodities, not exceeding the estimated contract amount, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Directors Carter, Brooks, Konicek, Acting Director Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 608-00.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on August 3, 2000, for Maintenance, Repair and/or Replacement of HVAC Systems at Various Locations, for the Divisions of Cleveland Public Power, Water and Water Pollution Control, Department of Public Utilities, pursuant to the authority Ordinance No. 825-2000 passed by the Council of the City of Cleveland on June 12, 2000, be and the same are hereby rejected.

Yeas: Directors Carter, Brooks, Konicek, Acting Director Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 609-00.

By Director Sheffield-McClain.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 552-2000, passed by the Cleveland City Council on June 19, 2000, and Ordinance No. 1234-2000, passed by the Cleveland City Council on July 17, 2000 Middough & Associates, Inc. ("Consultant") is hereby selected upon the nomination of the Director of Port Control from a list of qualified consultants available for such employment and determined after a full and complete canvass by said Director as the engineering firm to be employed by contract for the design of NASA South 40 non-PER facilities.

Be it further resolved that the Director of Port Control is hereby authorized to enter into a written contract with Middough & Associates, Inc. for such services based upon its proposal dated August 17, 2000. The fee for such services shall be an amount not to exceed One Million Seven Hundred Sixty Four Thousand Five Hundred Dollars (\$1,764,500.00). The contract authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultants by Middough & Associ-

ates, Inc. for the above-mentioned contract is hereby approved:

<u>SUBCONSULTANTS</u>	<u>SERVICES</u>
Calvin Singleton & Associates (MBE)	Engineering
Outside In, Inc. (MBE)	Landscaping
KS Associates (FBE)	Surveying & Mapping
Van Auken Akins Architect (FBE)	Architectural Services

Yeas: Directors Carter, Brooks, Konicek, Acting Director Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.
Nays: None.
Absent: Mayor White.

Resolution No. 610-00.

By Director Sheffield-McClain.
Resolved, by the Board of Control of the City of Cleveland that the bid of Oshkosh Truck Corporation for an estimated quantity of replacement parts for Oshkosh equipment, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period of two (2) years beginning with the date of execution of a contract, received on August 16, 2000, pursuant to the authority of Ordinance No. 781-99, passed on June 7, 1999, which on the basis of the estimated quantity would amount to Forty Thousand and 00/100 Dollars (\$40,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 29087 which shall be certified against such contract in the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00).
Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Directors Carter, Brooks, Konicek, Acting Director Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.
Nays: None.
Absent: Mayor White.

Resolution No. 611-00.

By Director Ricchiuto.
Resolved by the Board of Control of the City of Cleveland that all bids received on August 30, 2000 for the Direct Haul of Municipal Solid Waste/Contingency, for the Division of Waste Collection and Disposal, Department of Public Service, pursuant to the authority of Ordinance No. 715-2000, passed by the Council of the City of Cleveland on May 22, 2000, be and the same are hereby rejected.
Yeas: Directors Carter, Brooks, Konicek, Acting Director Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.
Nays: None.
Absent: Mayor White.

Resolution No. 612-00.

By Director Guzman.
Resolved by the Board of Control of the City of Cleveland, that all bids received on July 6, 2000 for Replacement of the Power System for the Watercraft "Delaney", for the Division of Police, Department of Public Safety, pursuant to the authority of Ordinance No. 182-99, passed on June 7, 1999, be and the same are hereby rejected.
Yeas: Directors Carter, Brooks, Konicek, Acting Director Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.
Nays: None.
Absent: Mayor White.

Resolution No. 613-00.

By Director Sheffield-McClain.
Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 948-99, passed by the Cleveland City Council on June 14, 2000, DLZ Ohio, Inc. is hereby selected upon the nomination of the Director of Port Control from a list of qualified consultants available for such employment and determined after a full and completed canvass by said Director as the engineering firm to be employed by contract for the purpose of providing professional engineering services for the design and preparation of plans for improvements and modifications to ingress and egress at Cleveland Hopkins International Airport.

Be it further resolved that the Director of Port Control is hereby authorized to enter into a written contract with DLZ Ohio, Inc. for said professional engineering services based on its proposal dated August 10, 1999, as supplemented by letter dated March 27, 2000. The fee for such services shall be an amount not to exceed Four Million One Hundred Twenty Five Thousand Dollars (\$4,125,000.00). The contract authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-contractors by DLZ Ohio, Inc. for the above-mentioned contract is hereby approved:

<u>SUBCONTRACTOR</u>	<u>SERVICES</u>
Baker and Associates	Traffic, Roadway and Airport Operational Issues
Richard Fleischman Architects, Inc.	Architecture
Polytech, Inc. (MBE)	Engineering Support
K.S. Associates (FBE)	Surveying and Landscaping Architects
Kapp & Associates (FBE)	Airport Signage and Graphics

Yeas: Directors Carter, Brooks, Konicek, Acting Director Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.
Nays: None.
Absent: Mayor White.

Resolution No. 614-00.

By Director Whitlow.
Resolved, by the Board of Control of the City of Cleveland that the bid of F.J. Corrigan & Co., Inc. for an estimated quantity of Burials for the indigent dead (all items) for the Division of Health, Department of Public Health, for the period of two (2) years beginning with the date of execution of a contract, received on the 30th day of August, 2000, pursuant to the authority of Ordinance No. 1075-99, passed June 14, 1999, which on the basis of the estimated quantity would amount to Sixty-Five Thousand and 00/100 Dollars (\$65,000.00) (10% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 18474
Burials for the indigent dead which shall be certified against such contract in the sum of Nine Thousand Five Hundred and 00/100 Dollars (\$9,500.00).

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

Yeas: Directors Carter, Brooks, Konicek, Acting Director Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.
Nays: None.
Absent: Mayor White.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ANNE BLOOMBERG,
President

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, SEPTEMBER 25, 2000

9:30 A.M.

Calendar No. 00-247: 11609 Miles Avenue (Ward 2)

Gail Gray, owner, appeals to change the use of an existing approximate 28' x 56' one-story masonry gas station/mini mart building into a carry-out restaurant situated on a 150' x 170' corner parcel located in a General Retail Business District and a Multi-Family District on the northeast corner of East 116th Street and Miles Avenue at 11609 Miles Avenue; said change of use being contrary to the Residential District Requirements of Section 337.08 where the east side of the parcel in question is located in a Multi-Family District and a restaurant is not permitted in a Multi-Family District but first permitted in a Local Retail District as stated in Section 343.01 and contrary to the Landscaping and Screening Requirements of Section 352.09 where a 10' transition strip at the rear of the property between the Two-Family District and the General Retail Business District is required and an 8' transition strip is required on the east side between the Multi-Family District and the General Retail Business District and Section 352.10 and Section 352.11 where 6' of landscaping is required between East 116th Street and the parking spaces and subject to the substitution limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 00-249: 12408 Union Avenue (Ward 3)

Enea Properties Inc. and Sprint Properties c/o Courtney Schmidt, owners, and SureSite Consulting Group, agent, appeal to install a telecommunications facility in an existing 12' x 50' one-story dock building at the rear of an existing approximate 160' x 100' one-story masonry stores building and a 110'-6" high monopole tower on an approximate 192' x 354' parcel located in a General Retail District and a Two-Family District on the southeast corner of East 124th Street and Union Avenue; said installation being contrary to the Height Regulations Requirements of Section 353.06(b)(4) where the proposed tower is required to be 240' from a residential district and the proposed tower is located within a Two-Family District and that the appellant needs to verify that the proposed tower will be located 400' away from any other towers over the height limit as stated in Section 353.06(b)(5) of the Codified Ordinances.

Calendar No. 00-250: 3382 East 149th Street (Ward 4)

Cresthaven Development Corporation, owner c/o George Dedic, appeals to construct a 31' x 30' one-story living room, bathroom and garage addition to the front of an existing 28' x 35' one and one half dwelling unit situated on a 40' x

140' parcel located in a Two-Family District on the west side of East 149th Street at 3382 East 149th Street; said construction being contrary to the Yards and Courts Requirements of Section 357.09(b)(2)B where the aggregate width of interior side yards shall be not less than 10' and 3.7' is proposed at the north property line and 5.3' is proposed at the south property line for a total of 9' and the rear and side yards are subject to the non-conforming use limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 00-251: 1925-1933 Columbus Road (Ward 14)

Irishstown Bend Development Joint Venture c/o Progressive Urban Real Estate c/o Keith Brown and Douglas Moltz, appeal to construct an approximate 50' x 80' four-story townhouse situated on an approximate 87' x 147' parcel located in a General Industry District on the southeast corner of Franklin Boulevard and Columbus Road at 1925-1933 Columbus Road; said construction being contrary to the Industrial District Regulations where no building or premises may be erected, altered or arranged for human habitation as stated in Section 345.04C(1) of the Codified Ordinances.

Calendar No. 00-258: 719 East 99th Street (Ward 8)

Cresthaven Development Corporation, owners c/o George Dedic, appeal to construct an approximate 36' x 30' two-story single family dwelling house situated on a 40' x 175' parcel located in a Two-Family District on the east side of East 99th Street at 719 East 99th Street; said construction being contrary to the Yards and Courts Requirements where 8.5' is proposed at the residence to the south and 8' is proposed at the residence to the north and no building shall be erected less than 10' from a main adjoining lot within such residence district as stated in Section 357.09(b)(2)B of the Codified Ordinances.

Calendar No. 00-259: 7670 Broadway Avenue (Ward 12)

Joshua Simon, owner, and Allegheny Child Care Academy, tenant, appeal to establish an approximate 60' x 136' one-story masonry building as a day care center situated on a 99' x 231' parcel located in a Semi-Industry District on the northwesterly corner of Canto Avenue and Broadway Avenue at 7670 Broadway Avenue; said establishment being contrary to the One-Family District Regulations of Section 337.02(f)(3)C which requires the Board of Zoning Appeal approval for adequate side yard spaces and other safeguards to preserve the character of the neighborhood and contrary to the Semi-Industry District Regulations where the Board of Zoning Appeals may, in specific instances, permit such use as stated in Section 345.03(b)(c) of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, SEPTEMBER 11, 2000

At the meeting of the Board of Zoning Appeals on Monday, September 11, 2000, the following appeals were heard by the Board:

The following appeals were **Approved**:

Calendar No. 00-238: 4101 Archwood Avenue

Stephen E. Collins, owner, appealed to construct a 43' x 16' one-story wood frame garage to an existing 20' x 44' garage on a 45' x 275' parcel in a Two-Family District.

Calendar No. 00-240: 1360 West 9th Street

Jim Behren, owner, appealed to change the use of the first floor and basement areas of an existing four-story masonry office building into a night club in a Limited Retail District.

Calendar No. 00-241: 1363-65 West 117th Street

J.D. Byrider, owner, appealed to install one 30'-1" high ID pole sign with a 12' x 9'-7" double faced illuminated sign, an 8' x 5' double faced illuminated sign and an 8' x 2' double faced illuminated sign on a 263' x 312' parcel in a Semi-Industry District.

Calendar No. 00-205: 6001 Storer Avenue, a.k.a. 6101 Storer Avenue

Wilfredo Cajigas, owner, appealed to change the use of an existing one-story masonry gas station into an auto repair facility in a General Retail Business District; approval only for service station suitable auto repairs and subject to modified plan showing elimination of one driveway and inclusion of landscaping

The following appeal was **Denied**:

Calendar No. 00-242: 11106 Buckeye Road

St. Mark's Baptist Church, owner c/o Amy Habinski, appealed to construct a 50' x 50' six inch concrete platform with a 105'-6" high monopole tower with a 10' x 11' telecommunications facility surrounded by an 8' chain link fence in a Local Retail Business District.

The following appeals were **Withdrawn**:

Calendar No. 00-235: 14812 Lake Shore Boulevard, a.k.a. 14808 Lake Shore Boulevard

J. Norman and Carole Dee Stark, owners, appealed to change the use of an existing two-story store and two dwelling units building into a store, two dwelling units and a church in a Local Retail Business District.

Calendar No. 00-236: 315 East 156th Street

Raymond Grubiss, owner, appealed to change the use of a two-story building into a church assembly use in a Local Retail Business District.

The following appeal was **Postponed**:

Calendar No. 00-196: 4029 Marvin Avenue postponed to October 23, 2000.

On Monday, September 11, 2000, in Executive Session:

The following appeals were heard on Tuesday, September 5, 2000 and said decisions were approved and adopted by the Board on September 11, 2000.

The following appeal was **Approved**:

Calendar No. 00-233: 2165 East 89th Street

E.F. Boyd Funeral Home, owner, appealed to construct a 28' x 101' one-story masonry building addition to an existing one-story mortuary building located in mixed zoning for Two-Family, General and Local Retail Districts.

The following appeals were **Denied**:

Calendar No. 00-229: 4415 West 56th Street

Edward E. Apel, owner, and Renee Furies appealed to install 85 linear feet of 6' high wood privacy fencing on the north side of a corner parcel in a Two-Family District.

Calendar No. 00-231: 3558 Trent Avenue

Joseph R. Metz, owner, and John E. DeNardy, tenant, appealed from a Notice of Violations issued June 21, 2000 by the Commissioner of Building and Housing, Department of Community Development.

Calendar No. 00-214: 4114 John Avenue

Lyn Ernsberger, d.b.a. Marshall McCarrons, owner, appealed to add 20 seats on an existing outdoor concrete patio for service of food and drinks in a Two-Family District.

The following appeal was heard on Monday, August 28, 2000, and said decision was approved and adopted by the Board on September 11, 2000.

The following appeal was **Approved**:

Calendar No. 00-222: 13405-13409 St. Clair Avenue

Bright Star Missionary Baptist Church c/o Reverend David Hunter, owner, appealed to convert the second floor of an existing two-story day care building into a use for a school program for children 6 to 12 years of age located in split zoning between Local Retail and Semi-Industry Districts.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, SEPTEMBER 20, 2000

Luke Easter Park Sidewalk Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1429-2000, passed by the Council of the City of Cleveland, August 7, 2000.

A DEPOSIT OF TWENTY-FIVE DOLLARS (\$25.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

September 6, 2000 and September 13, 2000

THURSDAY, SEPTEMBER 21, 2000

Two (2) High-Speed Printers, for the Division of Financial Reporting and Control, Department of Finance, as authorized by Ordinance No. 1196-2000, passed by the Council of the City of Cleveland, August 7, 2000.

September 6, 2000 and September 13, 2000

THURSDAY, SEPTEMBER 28, 2000

Maintenance, Repair and or Replacement of HVAC Systems, for the various divisions of the Department of Public Utilities, as authorized by Ordinance No. 825-2000, passed by the Council of the City of Cleveland, June 12, 2000.

A PRE-BID MEETING WILL BE HELD ON MONDAY, SEPTEMBER 18, 2000, 10:00 A.M., AT THE CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OH 44114. ATTENDANCE IS MANDATORY.

September 6, 2000 and September 13, 2000

FRIDAY, SEPTEMBER 29, 2000

One (1) Fire Apparatus Cab Replacement, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 904-2000, passed by the Council of the City of Cleveland, August 7, 2000.

September 6, 2000 and September 13, 2000

WEDNESDAY, SEPTEMBER 27, 2000

Central Recreation Center, Forest Hills Park, Orr Park and Port Park Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1748-99, passed by the Council of the City of Cleveland, April 17, 2000.

A DEPOSIT OF TWENTY FIVE DOLLARS (\$25.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS OF THE BID OPENING DATE.

September 13, 2000 and September 20, 2000

FRIDAY, SEPTEMBER 29, 2000

Redundant Electrical Source/Equipment Pre-purchase Project (Re-bid), for the Department of Port Control.

BEGINNING FRIDAY, SEPTEMBER 15, 2000, AN ALL INCLUSIVE BID PACKAGE MAY BE PURCHASED FROM THE DIVISION OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114, FOR THE NON-REFUNDABLE COST OF SEVENTY FIVE DOLLARS (\$75.00) CERTIFIED CHECK OR MONEY ORDER ONLY. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER FOR BID DOCUMENTS. OUT OF AREA BIDDERS - PLEASE PROVIDE FEDERAL EXPRESS, UPS OR OTHER ACCOUNT NUMBER FOR SHIPMENT.

NOTE: THE COST IS WAIVED FOR THOSE WHO HOLD PREVIOUSLY PURCHASED PLANS AND SPECIFICATIONS FOR THIS PROJECT. IF INTERESTED IN REBIDDING, GO DIRECTLY TO CITY BLUE TO OBTAIN THE CHANGES AT NO EXTRA CHARGE.

A PRE-BID MEETING WILL BE HELD ON **TUESDAY, SEPTEMBER 19, 2000, FROM APPROXIMATELY 10:00 A.M. TO 12:00 P.M.**, IN THE PROGRAM MANAGEMENT TEAM OFFICE CONFERENCE ROOM, 19501 FIVE POINTS ROAD, CLEVELAND, OHIO 44135 (LOCATED AT THE SE CORNER OF CARGO ROAD AND FIVE POINTS ROAD). QUESTIONS MAY BE DIRECTED TO THE ATTENTION OF DEBORAH MIDGETT VIA FACSIMILE AT (216) 664-2177 UNTIL THE CLOSE OF BUSINESS ON FRIDAY, SEPTEMBER 22, 2000.

PROJECT DETAILS: SUPPLY AND FURNISH HIGH VOLTAGE ELECTRICAL POWER AND MANUFACTURER RELATED SERVICES IN ACCORDANCE WITH TECHNICAL SPECIFICATIONS AND PROCUREMENT PROCEDURES. THE REQUIRED EQUIPMENT WHICH IS PART OF A NEW MAIN SUBSTATION PROJECT SHALL INCLUDE, BUT NOT BELIMITED TO HIGH VOLTAGE SF6 BREAKERS AND POWER TRANSFORMERS. IT WILL ALSO INCLUDE MEDIUM VOLTAGE SWITCHGEAR LINE UP COMPLETE WITH RELAYS, DC EQUIPMENT AND OTHER ACCESSORIES.

2001 Criminal and Civil Filing System, for the Department of Finance on behalf of the Cleveland Municipal Court, as authorized by Ordinance No. 1426-2000, passed by the Council of the City of Cleveland, May 8, 2000.

September 13, 2000 and September 20, 2000

THURSDAY, OCTOBER 5, 2000

Police Uniforms and Supplies, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

September 13, 2000 and September 20, 2000

FRIDAY, OCTOBER 6, 2000

Fuel Tank Storage Removal, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 266-2000, passed by the Council of the City of Cleveland, May 1, 2000.

One (1) Dump Body, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1058-99, passed by the Council of the City of Cleveland, June 14, 1999.

One (1) Hammer Truck Flatbed Body, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 904-2000, passed by the Council of the City of Cleveland, August 7, 2000.

Six (6) Fire Pumps, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 904-2000, passed by the Council of the City of Cleveland, August 7, 2000.

September 13, 2000 and September 20, 2000

FRIDAY, OCTOBER 13, 2000

North Terminal Expansion Baggage Area Project, ITB Package A305-3.1, for the Department of Port Control. BEGINNING FRIDAY, SEPTEMBER 15, 2000, AN ALL INCLUSIVE BID PACKAGE MAY BE **PURCHASED** FROM THE DIVISION OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114, FOR THE NON-REFUNDABLE COST OF TWO HUNDRED DOLLARS (\$200.00) **CERTIFIED CHECK OR MONEY ORDER ONLY**. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER FOR BID DOCUMENTS. OUT OF AREA BIDDERS — PLEASE PROVIDE FEDERAL EXPRESS, UPS OR OTHER ACCOUNT NUMBER FOR SHIPMENT.

A PRE-BID MEETING WILL BE HELD ON **WEDNESDAY, SEPTEMBER 20, 2000, FROM APPROXIMATELY 10:00 A.M. TO 12:00 P.M.** IN THE PROGRAM MANAGEMENT TEAM OFFICE CONFERENCE ROOM, 19501 FIVE POINTS ROAD, CLEVELAND, OHIO 44135 (LOCATED AT THE SE CORNER OF CARGO ROAD AND FIVE POINTS ROAD). QUESTIONS MAY BE DIRECTED TO THE ATTENTION OF DEBORAH MIDGETT VIA FACSIMILE AT (216) 664-2177 UNTIL CLOSE OF BUSINESS ON FRIDAY, SEPTEMBER 29, 2000.

PROJECT DETAILS: IMPROVEMENT CONSTRUCTION INCLUDES APPROXIMATELY 53,000 (SF) IN THE BAGGAGE CLAIM AREA OF THE EXISTING TERMINAL, 15,000 SF OF NEW BUILDING CONSTRUCTION, 38,000 SF OF RENOVATED SPACE WITHIN EXISTING TERMINAL. NEW CONSTRUCTION INCLUDES: TWO BAGGAGE CLAIM DEVICES, RESTROOM, VESTIBULE, OFFICES AND ADDITIONAL BAGGAGE MAKE-UP AREA. RENOVATION CONSTRUCTION INCLUDES: REMOVAL AND REPLACEMENT OF FOUR BAGGAGE CLAIM DEVICES, CONFERENCE ROOMS, MEN'S AND WOMEN'S RESTROOMS. ENGINEER'S ESTIMATED CONSTRUCTION COST IS \$6-\$7.8 MILLION DOLLARS.

September 13, 2000 and September 20, 2000

WEDNESDAY, OCTOBER 18, 2000

Upgrading of Existing Varian Gas Chromatograph Mass Spectrometer and Accessories, for the Division of Water, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

A PRE-BID MEETING WILL BE HELD ON **WEDNESDAY, SEPTEMBER 27, 2000, 10:00 A.M.**, IN THE 5TH FLOOR CONFERENCE ROOM OF THE PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114. ATTENDANCE IS **MANDATORY**. CONSEQUENTLY, NO BIDS WILL BE CONSIDERED FROM ANY BIDDER WHO DOES NOT ATTEND THE PRE-BID CONFERENCE.

September 13, 2000 and September 20, 2000

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1516-2000.

By Councilman Brady.

An emergency resolution objecting to the renewal of a D5 and D6 Liquor Permit at 11901 Berea Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D5 and D6 Liquor Permit, Permit No. 0629901, owned by Berea/West 117th Street Lounge, Inc., Unit 1, 1st Fl., 11901 Berea Road, Cleveland, Ohio 44111 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.

Effective September 7, 2000.

Res. No. 1517-2000.**By Councilman Brady.****An emergency resolution objecting to the renewal of a D5 Liquor Permit at 13000 Lorain Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D5 Liquor Permit, Permit No. 9055615, owned by 13000 Lorain Inc., DBA Corner Store, 13000 Lorain Avenue, Cleveland, Ohio 44111 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.

Effective September 7, 2000.

Res. No. 1518-2000.**By Councilman Brady.****An emergency resolution objecting to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 11730 Lorain Avenue, 1st Fl./Front.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit, Permit No. 7220737, owned by Ray Bons Inc., 11730 Lorain Avenue, 1st Fl./Front, Cleveland, Ohio 44111 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.

Effective September 7, 2000.

Res. No. 1519-2000.**By Councilman Brady.****An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D6 Liquor Permit to 11022 Lorain Avenue, 1st Fl. & Bsmt., and repealing Res. No. 1322-2000 objecting to said renewal.**

Whereas, this Council objected to the renewal of a D2, D2X, D3 and D6 Liquor Permit to 11022 Lorain Avenue, 1st Fl. & Bsmt., by Res. No. 1322-2000 adopted by Council on July 28, 2000 by Res. No. 1322-2000; and

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

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

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

Section 1. That objection to the renewal of a D2, D2X, D3 and D6 Liquor Permit to 11022 Lorain Avenue, 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1322-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted August 28, 2000.

Effective September 7, 2000.

Res. No. 1520-2000.**By Councilman Cimperman.****An emergency resolution objecting to the renewal of a C2 and C2X Liquor Permit at 522 Literary Road, 1st Fl. & Bsmt.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C2 and C2X Liquor Permit, Permit No. 0022098, owned by Hiyam F. Abdelrazik, DBA Literary Food & Beverage, 522 Literary Road, 1st Fl. & Bsmt., Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.
Effective September 7, 2000.

Res. No. 1521-2000.

By Councilman Cimperman.

An emergency resolution objecting to the renewal of a D5 and D6 Liquor Permit at 1059 Old River Road, 1st & 2nd Fls. & Patio.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D5 and D6 Liquor Permit, Permit No. 6620339, owned by PDU Inc., DBA Peabodys Downunder, 1059 Old River Road, 1st & 2nd Fls. & Patio, Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the

Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.
Effective September 7, 2000.

Res. No. 1522-2000.

By Councilman Cimperman.

An emergency resolution objecting to the renewal of a D5 and D6 Liquor Permit at 1059 Old River Road, 2nd Fl.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D5 and D6 Liquor Permit, Permit No. 6620339-0005, owned by PDU Inc., DBA Heaven, 1059 Old River Road, 2nd Fl., Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.
Effective September 7, 2000.

Res. No. 1523-2000.

By Councilman Cimperman.

An emergency resolution objecting to the renewal of a D5 and D6 Liquor Permit at 1187 Old River Road & Patio.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D5 and D6 Liquor Permit, Permit No. 6548831, owned by 1187 Old River Road Inc., DBA Porky's Cafe in the Flats, 1187 Old River Road & Patio, Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.

Effective September 7, 2000.

Res. No. 1524-2000.

By Councilman Cimperman.

An emergency resolution objecting to the renewal of a D2, D3, D3A and D6 Liquor Permit at 1204 Old River Road Bar 3.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D2, D3, D3A and D6 Liquor Permit, Permit No. 3566283-0003, owned by Hand Cleveland Inc, Mezzanine & Patio, 1204 Old River Road Bar 3, Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.

Effective September 7, 2000.

Res. No. 1525-2000.

By Councilman Cimperman.

An emergency resolution objecting to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 1204 Old River Road Mezzanine and Patio.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit, Permit No. 3566283, owned by Hand Cleveland Inc., 1204 Old River Road Mezzanine and Patio, Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.

Effective September 7, 2000.

Res. No. 1526-2000.

By Councilman Cintron.

An emergency resolution objecting to the renewal of a D5 and D6 Liquor Permit at 2510 Elm Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D5 and D6 Liquor Permit, Permit No. 6046038, owned by Mirage On The Water, Inc., 13000 Lorain Avenue, Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.

Effective September 7, 2000.

Res. No. 1527-2000.

By Councilman Cintron.

An emergency resolution objecting to the transfer of ownership and location of a D5 Liquor Permit to 4431 Lorain Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a D5 Liquor Permit from Permit No. 2600131, FNG Inc., 3486 W. 25th Street, Cleveland, Ohio 44109 to Permit No. 1620308, Coletta and Compa-

ny, 4431 Lorain Avenue, Cleveland, Ohio 44113; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership and location of a D5 Liquor Permit from Permit No. 2600131, FNG Inc., 3486 W. 25th Street, Cleveland, Ohio 44109 to Permit No. 1620308, Coletta and Company, 4431 Lorain Avenue, Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted August 28, 2000.
Effective September 7, 2000.

Res. No. 1528-2000.

By Councilman Cintron.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4709 Clark Avenue, and repealing Res. No. 192-2000 objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 4709 Clark Avenue, by Res. No. 192-2000, adopted February 7, 2000; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership; 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 and C2 Liquor Permit to 4709 Clark Avenue, be and the same is hereby withdrawn and Res. No. 192-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership 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 August 28, 2000.
Effective September 7, 2000.

Res. No. 1529-2000.

By Councilman Coats.

An emergency resolution objecting to the renewal of a C2 and C2X Liquor Permit at 17801 Euclid Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C2 and C2X Liquor Permit, Permit No. 5304519, owned by Lotus-Euclid Corp., DBA Lotus Mini Mart, 17801 Euclid Avenue, Cleveland, Ohio 44112 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.
Effective September 7, 2000.

Res. No. 1530-2000.

By Councilman Coats.

An emergency resolution supporting early identification, diagnosis and treatment of mental health and substance abuse for juveniles charged with offenses.

Whereas, this Council believes that the problem associated with mentally ill juvenile offenders is of national concern; and

Whereas, it has been established that the vast majority of juveniles entering the criminal justice system suffer from both substance abuse and mental illness; and

Whereas, it is estimated that ten percent of the juveniles in correctional facilities are diagnosed with a major mental illness or have severe or chronic mental health problems that require psychiatric treatment; and

Whereas, it has been determined that many mentally ill offenders can be successfully treated if they receive early and appropriate intensive mental health treatment in structured placement; and

Whereas, the current juvenile criminal justice system, both locally and nationally, is not structured to provide appropriate levels of treatment and care for mentally ill offenders to ensure the safety of the mentally ill, the other confined juveniles and persons in the community; and

Whereas, it is essential for juveniles, whenever possible, to undergo dual diagnosis of mental illness and substance abuse in order to effectively determine the degree to which such juveniles must receive substance abuse treatment and/or psychiatric treatment; 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 supports the early identification, diagnosis and treatment of mental health and substance abuse for juveniles charged with offenses.

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 August 28, 2000.
Effective September 7, 2000.

Res. No. 1531-2000.
By Councilman Coats.
An emergency resolution supporting passage of federal legislation devoted to preventing hate crimes and urging the federal government to establish a grant program to assist state and local investigations and prosecutions of hate crimes.

Whereas, efforts must be taken at all levels of government to respond to the staggering brutality of hate crimes that have shocked the nation; and

Whereas, the incidence of violence motivated by the actual or perceived race, color, national origin, religion, sexual orientation, gender or disability of the victim poses a serious national problem; and

Whereas, many states have no laws addressing violence based on the actual or perceived race, color, national origin, religion, sexual orientation, gender or disability of the victim, while other states have laws that provide only limited protection; and

Whereas, all people deserve to be safe within their communities, free to live, work and worship without fear of violence and bigotry; and

Whereas, individuals who commit crimes based on hate and bigotry must be held responsible for their actions and must be stopped from spreading violence; and

Whereas, although local authorities will continue to be responsible for prosecuting the overwhelming majority of violent crimes, including crimes motivated by hate, federal jurisdiction over certain violent crimes motivated by hate are necessary to supplement state and local efforts to ensure that justice is achieved in each case; and

Whereas, any efforts undertaken by the federal government to combat hate crimes must respect the primacy that states and local officials have traditionally been accorded in the criminal prosecution of acts constituting hate crimes; and

Whereas, expanding federal jurisdiction over certain violent crimes motivated by hate enables federal, state and local authorities to work together as partners in the investigation and prosecution of such hate crimes; 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 supports passage of federal hate crime legislation so long as it does not supercede the right of state and local communities to legislate and prosecute in the area of hate crimes. Further, this Council urges the federal government to establish a grant program to assist state and local investigations and prosecutions of hate crimes.

Section 2. That the Clerk of Council be and is hereby directed to transmit certified copies of this resolution to Janet Reno, United States Attorney General, to Senators Mike DeWine and George Voinovich, and to Representatives Dennis Kucinich, and Stephanie Tubbs-Jones.

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 August 28, 2000.
Effective September 7, 2000.

Res. No. 1532-2000.
By Councilman Coats.
An emergency resolution supporting the closure of loopholes in federal firearms laws and pending legislation.

Whereas, federal law presently permits any individual, regardless of age, to purchase any rifle, shotgun or other long gun, including assault weapons, in a private sale; and

Whereas, federal law also presently permits individuals over age 18 and under age 21 to purchase a handgun, including an assault pistol, in a private transaction; and

Whereas, many firearms are now sold privately at or in association with organized gun shows; and

Whereas, no federal agency presently has jurisdiction to regulate or otherwise oversee the design, safety and responsible marketing of firearms; and

Whereas, the United States Senate has approved a measure exempting pawn shops from conducting background checks upon individuals redeeming firearms previously pawned; and

Whereas, the Internet has the potential to function as a wholly unregulated "virtual gun show" and presently features many sites devoted wholly to commercial sales of firearms; 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 supports the closure of loopholes in federal firearms laws and pending legislation as follows:

All persons between the ages of 18 and 21 should be prohibited from purchasing or possessing an assault rifle or handgun, including an assault pistol.

All purchasers of firearms at private sales during organized gun shows, and individuals who redeem a weapon from a pawnshop, should be subject to the same background investigation to which individuals who purchase firearms from federal firearms licensees are subject.

The appropriate federal agency should be vested with the authority to regulate and otherwise oversee the design, safety and responsible marketing of firearms.

States and local governments should adopt stricter standards and rules regarding purchase and possession of firearms.

To the extent it is Constitutional, Internet-facilitated firearms sales should be subject to the same regulation and oversight as all other firearms sales.

All manufacturers should be required to include a trigger lock with each firearm produced.

Minors should be prohibited from purchasing a shotgun, or possessing a shotgun if not under the supervision of a person over age 21.

Large capacity clips (i.e., more than 10 rounds) should be prohibited.

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 August 28, 2000.
Effective September 7, 2000.

Res. No. 1533-2000.
By Councilman Dolan.
An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 14910 Lorain Road.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Permit No. 53630860190, Lyden Co., DBA West 150th East Check 306, 14910 Lorain Rd., Cleveland, Ohio 44111, to Permit No. 90739950300, True north Energy LLC, DBA True North 306, 14910 Lorain Rd., Cleveland, Ohio 44111; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Permit No. 53630860190, Lyden Co., DBA West 150th Fast Check 306, 14910 Lorain Rd., Cleveland, Ohio 44111, to Permit No. 90739950300, True north Energy LLC, DBA True North 306, 14910 Lorain Rd., Cleveland, Ohio 44111 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 August 28, 2000.

Effective September 7, 2000.

Res. No. 1534-2000.

By Councilman Gordon.

An emergency resolution objecting to the stock transfer of a C1 and C2 Liquor Permit to 2118 Broadview Road.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a C1 and C2 Liquor Permit to Permit No. 3834246, Hikmat Co., Inc., DBA DS Beverage, 2118 Broadview Rd., Cleveland, Ohio 44109; 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 stock transfer of a C1 and C2 Liquor Permit to Permit No. 3834246, Hikmat Co., Inc., DBA DS Beverage, 2118 Broadview Rd., Cleveland, Ohio 44109 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 August 28, 2000.

Effective September 7, 2000.

Res. No. 1535-2000.

By Councilman Johnson.

An emergency resolution objecting to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 11132 Buckeye Road/P.O. Box 20370.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal

grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit, Permit No. 6877045, owned by Phase III Corp., 11132 Buckeye Road/P.O. Box 20370, Cleveland, Ohio 44104 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.

Effective September 7, 2000.

Res. No. 1536-2000.

By Councilman Johnson.

An emergency resolution objecting to the renewal of a D2, D2X and D3 Liquor Permit at 2966 East 111th Street & Patio.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a

manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D2, D2X and D3 Liquor Permit, Permit No. 7088131, owned by Princella Corp. DBA Gold Spot, 2966 East 111th Street & Patio, Cleveland, Ohio 44104 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.
Effective September 7, 2000.

Res. No. 1537-2000.

By Councilman Johnson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 13130 Shaker Blvd.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 96100440025, Wild Oats Markets Inc., DBA Wild Oats Market, 13130 Shaker Blvd., Cleveland, Ohio 44120; and

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

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

Whereas, the place for which the permit is sought has not conformed

to the building, safety or health requirements of the governing body of this County or City; and

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 96100440025, Wild Oats Markets Inc., DBA Wild Oats Market, 13130 Shaker Blvd. Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted August 28, 2000.
Effective September 7, 2000.

Res. No. 1538-2000.

By Councilman Melena.

An emergency resolution objecting to the renewal of a C1 and C2 Liquor Permit at 5910 Detroit Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a

manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C1 and C2 Liquor Permit, Permit No. 9125555-0005, owned by Two N Inc., DBA Convenient Food Mart, 5910 Detroit Avenue, Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.
Effective September 7, 2000.

Res. No. 1539-2000.

By Councilman Melena.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 5802 Lorain Avenue/2032 West 58th Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 and Liquor Permit to Permit No. 6318655, Ehab Nawabit, DBA Lorain Avenue, Supermarket, 5802 Lorain Avenue/2032 West 58th Street, Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 6318655, Ehab Nawabit, DBA Lorain Avenue Supermarket, 5802 Lorain Avenue/2032 West 58th Street, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted August 28, 2000.
Effective September 7, 2000.

Res. No. 1540-2000.
By Councilman Polensek.
An emergency resolution objecting to the renewal of a D1, D2, D3 and D6 Liquor Permit at 16101 Arcade Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor

permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2, D3 and D6 Liquor Permit, Permit No. 7931681, owned by Walter H. Scott, DBA Arcade Bar, 16101 Arcade Avenue, Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.
Effective September 7, 2000.

Res. No. 1541-2000.
By Councilman Polensek.
An emergency resolution objecting to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 15929 Saranac Road, 1st Fl.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and

that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit, Permit No. 1998937, owned by Debear Inc., 15929 Saranac Road, 1st Fl., Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.
Effective September 7, 2000.

Res. No. 1542-2000.
By Councilmen Rybka and Polensek.

An emergency resolution condemning the practice of property "flipping" and urging the Attorney General of the State of Ohio and the Secretary of Housing and Urban Development to investigate this practice as it is occurring in the City of Cleveland.

Whereas, there has been a resurgence in the purchase and rapid resale of residential property at huge mark-ups, a practice known as property "flipping"; and

Whereas, property "flipping" usually consists of buying often condemned property, spending marginal amounts on improvements and then selling the property at 2 to 4 times what was paid for it, even though the property is still condemned; and

Whereas, property "flipping" has squeezed tens of millions of dollars of potential value out of Cleveland's old and often deteriorating housing stock, allowing the middle-man to reap huge profits, while little or no improvements are being made to the properties; and

Whereas, it is reported that from 1997 through April, 2000, nearly 1,000 quick-profit turn-around sales have occurred in Cleveland, 80% in the East Side neighborhoods, taking over \$31 million in potential value over the City housing stock; and

Whereas, the property "flipping" phenomenon is characterized by questionable pre-sale appraisals, sometimes falsified property transfer records and "straw-man" borrowers; and

Whereas, although the practice of property "flipping" may not in and of itself be illegal, knowingly falsifying property transfer records, which is reported to occur in such property "flipping" deals, is a third degree felony; and

Whereas, this cycle of disinvestment only means that landlords will be overextended, properties will not be maintained and property values will suffer; and

Whereas, this Council is disturbed by the effects property "flipping" has on its constituents, its neighborhoods and 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 condemns the practice of property "flipping" and urges both the Attorney General of the State of Ohio and the Secretary of Housing and Urban Development to investigate this practice as it is occurring in the City of Cleveland to determine any wrongdoing.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the Attorney General of the State of Ohio and the Secretary of Housing and Urban Development.

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 August 28, 2000.

Effective September 7, 2000.

**Res. No. 1543-2000.
By Councilman Rybka.
An emergency resolution objecting to the renewal of a C2 and C2X Liquor Permit at 7527 Union Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and

that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C2 and C2X Liquor Permit, Permit No. 5597519, owned by Kawthar Co., DBA Union Supermarket, 7527 Union Avenue, Cleveland, Ohio 44105 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.

Effective September 7, 2000.

**Res. No. 1544-2000.
By Councilman White.
An emergency resolution objecting to the renewal of a C1 and C2 Liquor Permit at 4563 Warner Road.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor per-

mits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C1 and C2 Liquor Permit, Permit No. 2848404, owned by 4563 Warner Inc., DBA Warner Market, 4563 Warner Road, Cleveland, Ohio 44111 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.

Effective September 7, 2000.

**Res. No. 1545-2000.
By Councilman Willis.
An emergency resolution objecting to the renewal of a C2 and C2X Liquor Permit at 891 Lakeview Road, 1st Fl.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C2 and C2X Liquor Permit, Permit No. 2456307, owned by 891

Lakeview Inc., 891 Lakeview Road, 1st Fl., Cleveland, Ohio 44108 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 28, 2000.

Effective September 7, 2000.

Res. No. 1546-2000.

By Councilman Jackson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 3919 Community College.

Whereas, Council has been notified by the Director of Liquor Control of an application for the renewal of a C1 and Liquor Permit to Permit No. 1617415, Jimmy Coleman, DBA College Inn, 3919 Community College, Cleveland, Ohio 44115; 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 issuance of a C1 Liquor Permit to Permit No. 1617415, Jimmy Coleman, DBA College Inn, 3919 Community College, Cleveland, Ohio 44115 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 August 28, 2000.

Effective September 7, 2000.

Res. No. 1547-2000.

By Councilman Jackson.

An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 2288 East 55th Street, and repealing Res. No. 1265-2000 objecting to said issuance.

Whereas, this Council objected to the issuance of a C1 Liquor Permit to 2288 East 55th Street, by Res. No. 1265-2000 adopted by Council on July 17, 2000; and

Whereas, this Council wishes to withdraw its objection to the above issuance and consents to said issuance; 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 issuance of a C1 Liquor Permit to 2288 East 55th Street, be and the same is hereby withdrawn and Res. No. 1265-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance 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 August 28, 2000.

Effective September 7, 2000.

Ord. No. 1489-2000.

By Councilmen Britt and Willis.

An emergency ordinance consenting and approving the issuance of a permit for the Race for the Cure on September 24, 2000, sponsored by Hermes Race Systems.

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 Race for the Cure sponsored by the Hermes Race Systems on September 24, 2000 beginning at East Blvd. to Euclid, Euclid to Chester, Chester to East 101st, East 101st to Mt. Sinai Drive, Mt. Sinai Drive to Martin Luther King Blvd. Martin Luther King Blvd. to Wade Park off ramp, ramp to Wade Park to East Blvd., East Blvd. to Martin Luther King Blvd., Martin Luther King Blvd. to Jepka and 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 August 28, 2000.

Effective September 7, 2000.

Ord. No. 1490-2000.

By Councilmen Brady, Rybka and Dolan.

An emergency ordinance determining the method of making the public improvement of replacing and renovating various portions of Halloran Park skating rink; and authorizing the Director of Parks, Recreation and Properties to enter into various contracts for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of replacing and renovating various portions of Halloran Park skating rink, including the purchase and installation of an electronic scoreboard, renovation of existing and installation of new bleacher seating, and installation of benches

to accommodate hockey play, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidders after competitive bidding for a gross price for the improvement.

Section 2. That the Director is authorized to enter into contracts for the making of the improvements authorized in Section 1 hereof, by contracts duly let to the lowest responsible bidders, after competitive bidding for a gross price, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, of any combination, of such trades or components may be the subject of a separate contract for a gross price. The contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

Section 3. That the cost of said improvements and purchases hereby authorized shall be paid from the fund or funds to which are credited the proceeds of the sale of property authorized by Ordinance No. 512-99, passed June 7, 1999, as described in Section 3 of that ordinance, following the certification of certain public improvements authorized in Ordinance No. 104-2000, passed April 17, 2000.

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

Passed August 28, 2000.

Effective September 7, 2000, with-
out the signature of the Mayor.

Ord. No. 1491-2000.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cleveland Chinese Senior Citizens Association for providing funding in order to complete the construction of a new kitchen to be used for their elderly nutrition program through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Cleveland Chinese Senior Citizens Association for providing funding in order to complete the construction of a new kitchen to be used for their elderly nutrition program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed August 28, 2000.

Effective September 7, 2000.

Ord. No. 1492-2000.

By Councilman Cimperman.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Tremont West Development Corporation to stretch banners on West 14th Street between Holmden and Buhler (pole nos. EA05812 and AOM 58-8) and on West 14th Street between Kenilworth and Howard (pole nos. 13054 and 13055), for the period from August 29, 2000 to September 30, 2000, inclusive, publicizing the Tremont Arts & Cultural Festival.

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 Tremont West Development Corporation to install, maintain and remove banners on West 14th Street between Holmden and Buhler (pole nos. EA05812 and AOM 58-8) and on West 14th Street between Kenilworth and Howard (pole nos. 13054 and 13055), for the period from August 29, 2000 to September 30, 2000, 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 August 28, 2000.

Effective September 7, 2000.

Ord. No. 1493-2000.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the American Heart Association Walk on September 16, 2000, sponsored by The American Heart Association.

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 American Heart Association Walk sponsored by the American Heart Association on September 16, 2000, starting at East 9th and Erieside, Erieside to West 3rd Street, West 3rd Street to Lakeside Avenue, Lakeside Avenue to West 6th Street, West 6th Street to St. Clair Avenue, St. Clair Avenue to West 9th Street, West 9th Street to Superior Avenue, Superior Avenue to West 6th Street, West 6th Street to Lakeside Avenue, Lakeside Avenue to East 9th Street, East 9th Street to Voinovich Park and 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 August 28, 2000.

Effective September 7, 2000.

Ord. No. 1494-2000.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Cruising for the Critters Walk on September 17, 2000, sponsored by The Animal Foundation of Cleveland.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Cruising for the Critters Walk sponsored by the Animal Foundation of Cleveland on September 17, 2000, starting at Abbey to West 11th Street to Kenilworth to West 14th Street to Starkweather to West 11th Street to Literary to West 3rd Street to Commercial to West 3rd Street to Literary, 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 August 28, 2000.
Effective September 7, 2000.

Ord. No. 1495-2000.

By Councilman Cintron.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Saint Malachi Center for the expansion of the existing after school program through the use of Ward 14 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Saint Malachi Center for the expansion of the existing after school program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed August 28, 2000.
Effective September 7, 2000.

Ord. No. 1496-2000.

By Councilman Cintron.

An emergency ordinance consenting and approving the issuance of a permit for the St. Ignatius/Cats in the Flats on September 3, 2000, sponsored by St. Ignatius High School.

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 St. Ignatius/Cats in the Flats Run sponsored by the St. Ignatius High School on September 3, 2000, beginning at St. Ignatius High School West 32nd Street and Lorain, Lorain to Abbey, Abbey to Columbus, Columbus to Riverbed, Riverbed to Carter, Carter to Scranton, Scranton to

Train, Train to Wiley and return the same route, 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 August 28, 2000.
Effective September 7, 2000.

Ord. No. 1497-2000.

By Councilman Coats.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Collinwood Community Services Center for their Summer Camp 2000 program through the use of Ward 10 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Collinwood Community Services Center for their Summer Camp 2000 program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$8,385 and shall be paid from Fund No. 10 SF 166.

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

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

Passed August 28, 2000.
Effective September 7, 2000.

Ord. No. 1498-2000.

By Councilman Gordon.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Archwood/Denison Concerned Citizens to stretch banners across Pearl Road at the NW corner of Pearl Road and Archwood, for the period from August 29, 2000 to September 30, 2000, inclusive, publicizing the 13th Annual Archwood Fall Street Sale.

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 Archwood/Denison Concerned Citizens to install, maintain and remove banners across Pearl Road at the NW corner of Pearl Road and Archwood for the period from August 29, 2000 to September 30, 2000, 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 August 28, 2000.
Effective September 7, 2000.

Ord. No. 1499-2000.

By Councilman Jackson.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Garden Valley Neighborhood House for providing funding for programmatic and operational expenses through the use of Ward 5 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Garden Valley Neighborhood House for providing funding for programmatic and operational expenses.

Section 2. That the cost of said contract shall be in an amount not to exceed \$25,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed August 28, 2000.
Effective September 7, 2000.

Ord. No. 1500-2000.**By Councilman Jackson.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Second Metropolitan Baptist Church to stretch banners on East 79th and Quincy to East 79th and Woodland Avenue, for the period from October 31, 2000 to November 30, 2000, inclusive, publicizing the 75th Church 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 Second Metropolitan Baptist Church to install, maintain and remove banners on East 79th and Quincy to East 79th and Woodland Avenue, for the period from October 31, 2000 to November 30, 2000, 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 August 28, 2000.

Effective September 7, 2000.

Ord. No. 1501-2000.**By Councilman Lewis.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Dunham Avenue Christian Church to stretch banners on the southeast and southwest corners of East 66th Street and Hough Avenue and two small banners on the corner of East 66th Street and Quimby Avenue and one in front of the church at 1629 East 66th Street, for the period from August 31, 2000 to September 30, 2000, inclusive, publicizing the Dunham Church's 110th 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 Dunham Avenue

Christian Church to install, maintain and remove banners on the southeast and southwest corners of East 66th Street and Hough Avenue and two small banners on the corner of East 66th Street and Quimby Avenue and one in front of the church at 1629 East 66th Street, for the period from August 31, 2000 to September 30, 2000, 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 August 28, 2000.

Effective September 7, 2000.

Ord. No. 1502-2000.**By Councilman Lewis.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Gethsemane Baptist Church to stretch banners on East 79th Street between Chester and Hough Avenue, for the period from September 1, 2000 to October 1, 2000, inclusive, publicizing the One Hundredth Anniversary of the Church and the Symbolic Walk.

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 Gethsemane Baptist Church to install, maintain and remove banners on East 79th Street between Chester and Hough Avenue (pole nos. (1) 536432, (2) 522-822 southwest corner of East 79th and Hough, (3) 822, (4) pole no. southwest corner of East 79 and Hough — no number, (5) 21594, (6) 21596, (7) northeast corner of Chester F0470, (8) 1101, (9) 99, (10) 96 corner of East 79th and Hough, for the period from September 1, 2000 to October 1, 2000, 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 August 28, 2000.

Effective September 7, 2000.

Ord. No. 1503-2000.**By Councilmen Melena and Westbrook.**

An emergency ordinance consenting and approving the issuance of a permit for the 10th Annual Dr. John Carey Memorial AIDS Walk on September 17, 2000, sponsored by Kropf Public Relations, 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 10th Annual Dr. John Carey Memorial AIDS Walk, sponsored by Kropf Public Relations, Inc., on September 17, 2000, with the Walk Route beginning at Edgewater Park. The route will take walkers west on Edgewater Drive to West 117th Street. Walkers will then head south on West 117th Street to Clifton. Walkers will then head east on Clifton to West Blvd. and north on West Blvd. back to Edgewater Park, 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 August 28, 2000.

Effective September 7, 2000.

Ord. No. 1504-2000.**By Councilman Patmon.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Glenville Development Company for the painting of ten senior citizens/physically challenged resident's homes in the Glenville Community through the use of Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Glenville Development Company for the painting of ten senior citizens/physically challenged resident's homes in the Glenville Community.

Section 2. That the cost of said contract shall be in an amount not to exceed \$15,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed August 28, 2000.

Effective September 7, 2000.

Ord. No. 1505-2000.
By Councilman Patmon.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Glenville Development Corporation for providing 36 pole banners at East 105th Street and St. Clair Avenue for the Glenville Towne Center through the use of Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Glenville Development Corporation for providing 36 pole banners at East 105th Street and St. Clair Avenue for the Glenville Towne Center.

Section 2. That the cost of said contract shall be in an amount not to exceed \$20,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed August 28, 2000.

Effective September 7, 2000.

Ord. No. 1506-2000.

By Councilman Patmon.
An emergency ordinance to amend the Title and Sections 1 and 2 of Ordinance No. 780-2000, passed May 8, 2000, 2000 relating to funding for Ward 8 home improvement programs through the use of Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That the Title and Sections 1 and 2 of Ordinance No. 780-2000, passed May 8, 2000, is hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Glenville Development Corporation for Ward 8 home improvement programs through the use of Ward 8 Neighborhood Equity Funds.

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Glenville Development Corporation for Ward 8 home improvement programs.

Section 2. That the costs of said contract shall be in an amount not to exceed Ten Thousand One Hundred Thirty-Five Dollars (\$10,135) and shall be paid from Fund No. 10 SF 166.

Section 2. That the existing Title, Section 1 and Section 2 of Ordinance No. 780-2000, passed May 8, 2000 are hereby repealed.

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

Passed August 28, 2000.

Effective September 7, 2000.

Ord. No. 1507-2000.

By Councilman Patmon.
An emergency ordinance to amend the Title and Sections 1 and 2 of Ordinance No. 874-2000, passed May 15, 2000, 2000 relating to funding for the Glenville Safezone program using the Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That the Title and Sections 1 and 2 of Ordinance No. 874-2000, passed May 15, 2000, is hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Glenville Development Corporation for the Glenville Safezone program and partial support of a youth program.

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Glenville Development Corporation for the Glenville Safezone program and partial support of a youth program.

Section 2. That the costs of said contract shall be in an amount not to exceed Five Thousand Six Hundred Dollars (\$5,600) and shall be paid from Fund No. 10 SF 166.

Section 2. That the existing Title, Section 1 and Section 2 of Ordinance No. 874-2000, passed May 15, 2000 are hereby repealed.

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

Passed August 28, 2000.

Effective September 7, 2000.

Ord. No. 1508-2000.
By Councilmen Patmon, Willis and Coats.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Glenville A's, Inc. for providing partial funding for a youth athletic program comprise of football, basketball and cheerleading through the use of Ward 8, 9, 10 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Glenville A's, Inc. for providing partial funding for a youth athletic program comprise of football, basketball and cheerleading.

Section 2. That the cost of said contract shall be in an amount not to exceed \$9,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed August 28, 2000.

Effective September 7, 2000.

Ord. No. 1509-2000.
By Councilman Polensek.

An emergency ordinance authorizing the Judge or other authorized officer of the Cleveland Municipal Court, division of Housing Court, to enter into a collective bargaining agreement with the American Federation of State, County and Municipal Employees.

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

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

Section 1. That the Judge or other authorized officer of the Cleveland Municipal Court, division of Housing Court, is hereby authorized to enter into a collective bargaining agreement with the American Federation

of State, County and Municipal Employees to provide employment terms for the uniformed deputy bailiffs of the Housing Court.

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

Passed August 28, 2000.

Effective September 7, 2000.

Ord. No. 1510-2000.
By Councilmen Polensek and White.

An emergency ordinance authorizing the Secretary of the Civil Service Commission to employ a consultant to provide professional services to perform a job analysis and to develop, administer and grade a police entrance examination for the Division of Police, Department of Public Safety.

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

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

Section 1. That the Secretary of the Civil Service Commission is hereby authorized to employ by contract a consultant for the purpose of supplementing the regularly employed staff of the City of Cleveland in order to provide professional services necessary to develop, administer and grade a police entrance examination for the Division of Police, Department of Public Safety.

The selection of said consultant for such services shall be made by the Board of Control upon the nomination of the Secretary of the Civil Service Commission, following review and recommendation by the Civil Service Commission, from a list of qualified consultants available for such employment as may be determined after a full and complete canvass for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. At least seven (7) days prior to award by the Board of Control; the Secretary of the Civil Service Commission shall forward to the Clerk of Council and the Chairmen of Committees on Public Safety and Employment, Affirmative Action and Training a copy of the Request for Proposal, a list of consultants canvassed, a list of respondents with the proposed cost to be charged by each, and the hiring recommendation made by the Civil Service Commission. The contract authorized herein shall be prepared by the Director of Law and certified by the Director of Finance from Fund No. 01-01-08-0320.

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 August 28, 2000.

Effective September 7, 2000, without the signature of the Mayor.

Ord. No. 1511-2000.
By Councilman Rybka.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with The Czech Cultural Center for partial funding of building capital improvements through the use of Ward 12 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with The Czech Cultural Center for partial funding of building capital improvements.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed August 28, 2000.

Effective September 7, 2000.

Ord. No. 1512-2000.
By Councilman Rybka.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Polish Army Veterans Associates of America, Inc., General Sikorski Post 203 for partial funding of building capital improvements through the use of Ward 12 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Polish Army Veterans Associates of America, Inc., General Sikorski Post 203 for partial funding of building capital improvements.

Section 2. That the cost of said contract shall be in an amount not to exceed \$9,000 and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall

contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed August 28, 2000.

Effective September 7, 2000.

Ord. No. 1513-2000.
By Councilman Rybka.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with The Union of Poles In America for providing partial funding for building capital improvements through the use of Ward 12 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with The Union of Poles In America for providing partial funding for building capital improvements.

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

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

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

Passed August 28, 2000.

Effective September 7, 2000.

Ord. No. 1514-2000.
By Councilman Rybka.

An emergency ordinance to amend Section 1 of Ordinance No. 1748-99, passed April 17, 2000 relating to public improvements of City-owned parks and recreation facilities for the Department of Parks, Recreation and Properties.

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. 1748-88, passed April 17, 2000 is hereby amended to read as follows:

Section 1. The public improvements authorized in all of the sections herein shall include improvements to the following City-owned parks and recreation facilities and total expenditures shall not to exceed the amount authorized herein:

Halloran Park for flooring	\$15,000.00
Cudell Recreation Center for wiring	12,000.00
Cudell Recreation Center for locker rooms	6,000.00
Cudell Recreation Center for interior windows	10,000.00
Rockefeller Park Phase IV	268,000.00
(total, composed of following a. thru i.):	
a. Slovenian Garden	60,000.00
b. Italian Garden	60,000.00
c. Hebrew Garden	20,000.00
d. Tennis Courts, MLK and East 105th	25,000.00
e. Abandoned ramp (Bid item 2.9)	35,000.00
f. German Garden	27,500.00
g. Irish Garden	17,500.00
h. Russian Garden	20,000.00
i. Timberland improvement	3,000.00
Rockefeller Park Greenhouse	175,000.00
Parks in the 11 Odd Wards	2,750,000.00
Kovacic, Glenville, Sterling, Central Cory, Lonnie Burten, Clark and Zone Recreation Centers for pool steps	12,000.00
Thurgood Marshall Recreation Center and Sterling Recreation Center for new lockers	50,000.00
Lonnie Burten Recreation Center for lobby furniture	15,000.00
Hough Multipurpose Center for replacement of 2 HVAC units	78,000.00
Gunning Park Recreation Center Phase II Improvements	118,000.00

Section 2. That existing Section 1 of Ordinance No. 1748-99, passed April 17, 2000 is hereby repealed.

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

Passed August 28, 2000.
Vetoed September 7, 2000.

**Ord. No. 1515-2000,
By Councilmen White and Britt,
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Urban League of Greater Cleveland for providing assistance to welfare to work (TANF) recipients in the form of job placement and retention services through the use of Wards 2 and 6 Neighborhood Equity Funds.**

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Urban League of Greater Cleveland for providing assistance to welfare to work (TANF) recipients in the form of job placement and retention services.

Section 2. That the cost of said contract shall be in an amount not to exceed \$70,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed August 28, 2000.
Effective September 7, 2000.

COUNCIL COMMITTEE MEETINGS

Thursday, September 7, 2000

Aviation & Transportation Committee (Joint with Public Utilities and Finance Committees): 10:00 a.m.—Present: Dolan, Chairman; O'Malley, Vice Chairman; Jones, Patmon, Robinson, Rybka, Sweeney.

Public Utilities Committee (Joint with Aviation & Transportation and Finance Committees): 10:00 a.m.—Present: O'Malley, Chairman; Patmon, Vice Chairman; Coats, Dolan, Polensek, Westbrook, Willis. Excused: Britt, Melena.

Finance Committee (Joint with Aviation & Transportation and Public Utilities Committees): 10:00 a.m.—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Lewis, O'Malley, Polensek, Robinson, Sweeney. Excused: Johnson, Melena.

Monday, September 11, 2000

Aviation & Transportation Committee (Joint with Public Utilities and Finance Committees): 10:00 a.m.—Present: Dolan, Chairman; O'Malley, Vice Chairman; Jones, Patmon, Robinson, Rybka, Sweeney.

Public Utilities Committee (Joint with Aviation & Transportation and Finance Committees): 10:00 a.m.—Present: O'Malley, Chairman; Patmon, Vice Chairman; Coats, Dolan,

Melena, Polensek, Westbrook, Willis. Excused: Britt.

Finance Committee (Joint with Aviation & Transportation and Public Utilities Committees): 10:00 a.m.—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Johnson, Lewis, Melena, O'Malley, Polensek, Robinson, Sweeney.

Community & Economic Development Committee (Joint with City Planning and Finance Committees): 1:00 p.m.—Present: Melena, Chairman; Lewis, Vice Chairman; Brady, Cimperman, Cintron, Jackson, Jones, Robinson, Willis.

City Planning Committee (Joint with Community & Economic Development and Finance Committees): 1:00 p.m.—Present: Cimperman, Chairman; Rybka, Vice Chairman; Dolan, Jackson, O'Malley, Robinson, White.

Finance Committee (Joint with Community & Economic Development and City Planning Committees): 1:00 p.m.—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Johnson, Lewis, Melena, O'Malley, Polensek, Robinson, Sweeney.

Legislation Committee (Joint with Finance Committee): 1:30 p.m.—Present: Lewis, Chairman; Jones, Vice Chairman; Brady, Coats, Johnson. Excused: Gordon, Westbrook.

Finance Committee (Joint with Legislation Committee): 1:30 p.m.—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Johnson, Lewis, Melena, O'Malley, Polensek, Robinson, Sweeney.

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

Tuesday, September 12, 2000

Community & Economic Development Committee: 1:00 p.m.—Present: Melena, Chairman; Lewis, Vice Chairman; Brady, Cimperman, Cintron, Jackson, Jones, Robinson, Willis.

Legislation Committee: 1:30 p.m.—Present: Lewis, Chairman; Jones, Vice Chairman; Brady, Coats, Gordon, Westbrook. Excused: Johnson.

Wednesday, September 13, 2000

Public Safety Committee: 10:00 a.m.—Present: Polensek, Chairman; Patmon, Vice Chairman; Coats, Gordon, Jackson, Melena, Sweeney. Excused: Britt, Cimperman.

Public Utilities Committee: 1:30 p.m.—Present: O'Malley, Chairman; Patmon, Vice Chairman; Coats, Dolan, Melena, Polensek, Westbrook. Excused: Britt, Willis.

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