

The City Record

Official Publication of the Council of the City of Cleveland



April the Twenty-Fifth, Two Thousand and Seven

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Emily Lipovan
City Clerk, Clerk of Council

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

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

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

MAYOR – Frank G. Jackson

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

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

DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;

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

DEPT. OF PUBLIC UTILITIES – Julius Ciaccia, Director, 1201 Lakeside Avenue

DIVISIONS – 1201 Lakeside Avenue
Cleveland Public Power – Ivan Henderson, Commissioner
Street Lighting Bureau – _____, Acting Chief
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – John Christopher Nielson, Commissioner
Water Pollution Control – Ollie Shaw, Commissioner

DEPT. OF PORT CONTROL – Ricky D. Smith, Director

Cleveland Hopkins International Airport, 5300 Riverside Drive
Burke Lakefront Airport – Khalid Bahur, Commissioner
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC SERVICE – Jomarie Wasik, Director, Room 113

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

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 1925 St. Clair Ave.

DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner
Environment – Willie Bess, Commissioner, Mural Building, 1925 St. Clair Ave.
Health – Anjou Parekh, Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230

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

DEPT. OF PARKS, RECREATION & PROPERTIES – Michael Cox, Director

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

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

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

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

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

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

DEPT. OF CONSUMER AFFAIRS – Angel Guzman, Director

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

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

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

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

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

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

BOARD OF SIDEWALK APPEALS – Service Director Jomarie Wasik, Law Director Robert J. Triozzi; Councilman _____.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The City Record

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Vol. 94

WEDNESDAY, APRIL 25, 2007

No. 4872

CITY COUNCIL

MONDAY, APRIL 23, 2007

The City Record
Published weekly by the City Clerk,
Clerk of Council under authority
of the Charter of the
City of Cleveland
The City Record is available
online at
www.clevelandcitycouncil.org
Address all communications to
EMILY LIPOVAN
City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2006-2009

MONDAY—Alternating

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

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

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, April 23, 2007

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

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

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

Pursuant to Ordinance No. 2926-76 prayer was offered by Pastor Jose Reyes of Iglesia Nueva Vioa, located at 2327 Holmden Avenue in Ward 14. Pledge of Allegiance.

MOTION

On the motion of Council Member Kelley, the reading of the minutes of the last meeting were dispensed

with and the journal approved. Seconded by Council Member Keane.

COMMUNICATIONS

File No. 665-07.

From the Board of Control — Resolution No. 184-07 regarding establishment of the Division of Correction in the Department of Public Safety. Received.

File No. 666-07.

From the City of Parma — Resolution No. 93-07 regarding opposition to the quarterly customer service charge imposed by the City of Cleveland on water bills. Received.

File No. 667-07.

From the City of Broadview Heights — Resolution No. 07-16 regarding opposition to the quarterly customer service charge imposed by the City of Cleveland on water bills. Received.

FROM DEPARTMENT OF LIQUOR CONTROL

File No. 668-07.

Re: Transfer of Ownership Application — 9555901 — Whateveryacal-lit, Inc., d.b.a. Chuckie Market, 3661 East 93rd Street, first floor and basement. (Ward 2). Received.

File No. 669-07.

Re: Transfer of Ownership Application — 8701907 — Superior Convenience Foods, Inc., d.b.a. Superior Food Mart, 12333 Superior Avenue. (Ward 9). Received.

File No. 670-07.

Re: Transfer of Ownership Application — 7027163 — Porcellis Bistro, Inc., d.b.a. Porcellis Bistro, 1850-78 East Sixth Street, first floor. (Ward 13). Received.

File No. 671-07.

Re: Transfer of Ownership Application — 1206301 — Cami Hotel Investments, LLC, d.b.a. Holiday Inn, 1111 Lakeside Avenue. (Ward 13). Received.

STATEMENT OF WORK ACCEPTED

File No. 672-07.

From the Department of Public Utilities — Contract No. 59076 — Warrensville/Broadway Water Main, Section II. Received.

File No. 673-07.

From the Department of Public Service — Contract No. 66404 — City Hall — Financial Reporting & Control Renovation. Received.

File No. 674-07.

From the Department of Public Service — Contract No. 66470 — Room 505 Interior Renovations. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 675-07—Robert Anderson, Jr.

Res. No. 676-07 — Jake Bernard Jones, Jr.

Res. No. 677-07—Mary Marable.

Res. No. 678-07—Mary Petric.

CONGRATULATION RESOLUTIONS

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

Res. No. 679-07—Patricia Rae Marshall Mosely.

Res. No. 680-07 — Mt. Pleasant Community Council.

RECOGNITION RESOLUTION

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

Res. No. 681-07—Eugene Bak.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 636-07.**

By Council Member Sweeney (by departmental request).

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

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 authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year of the necessary items of various paper and envelopes, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Printing and Reproduction, Department of Finance. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director

of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 177116)

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

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

Ord. No. 637-07.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of grounds maintenance equipment and transportation trailers, including labor and materials for maintaining and repairing existing equipment, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one or two year period of the necessary items of grounds maintenance equipment and transportation trailers, including labor and materials for maintaining and repairing existing equipment, in the estimated sum of \$64,000 per year, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Utilities is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Utilities by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of

the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 177281)

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

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

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

Ord. No. 638-07.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with Youth Opportunities Unlimited for the administration, implementation, and management of the 2007 Cleveland Youth Summer Employment 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 Utilities is authorized to enter into one or more contracts with Youth Opportunities Unlimited for the administration, implementation, and management of the 2007 Cleveland Youth Summer Employment Program, which will include painting fire hydrants and other assignments.

Section 2. That the cost of the contract or contracts authorized shall not exceed \$348,704.23 and be paid from Fund Nos. 52 SF 001 and 54 SF 001, Request No. 173601.

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

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

Ord. No. 639-07.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of traffic signal and pavement marking equipment, including but not limited to

poles, signals, controllers, aluminum, sign blanks, traffic paint, beads, hardware, related incidental supplies and materials, and labor when necessary, for the Division of Traffic Engineering, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year or two years of the necessary items of traffic signal and pavement marking equipment, including but not limited to poles, signals, controllers, aluminum, sign blanks, traffic paint, beads, hardware, related incidental supplies and materials, and labor when necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Traffic Engineering, Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 171901)

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

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

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

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

Ord. No. 640-07.

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

An emergency ordinance to amend Section 141.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1640-55, passed December 12, 1955, relating to acceptance of gifts.

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 141.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1640-55, passed December 12, 1955, is amended to read as follows:

Section 141.03 Acceptance of Gifts

The Director of Public Health is authorized to accept **gifts of money, property, or services, with or without limitations imposed by the donor, that may be donated for the use and benefit of the Department of Public Health.**

Section 2. That existing Section 141.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1640-55, passed December 12, 1955, is repealed.

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

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

Ord. No. 641-07.

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

An emergency ordinance authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Air Quality; and authorizing the Director to enter into one or more contracts needed to operate the Division of Air Quality.

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

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

Section 1. That the Director of Public Health is authorized to accept a grant in the approximate amount of \$2,837,491.00, and any other funds that become available during the grant term, from the Ohio Environmental Protection Agency for

financial assistance for the operation of the Division of Air Quality in accordance with the purposes set forth in the summary; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes in the summary for the grant.

Section 2. That the summary for the grant, File No. 641-07-A, made a part as if fully rewritten herein, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority, is approved in all respects, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$285,000, from Fund No. 01-500701-639905, in order the receive the grant from the Ohio Environmental Protection Agency, as a pass-through from the U.S. Environmental Protection Agency.

Section 3. That the Director of Public Health is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the grant period of the necessary items of materials, equipment, services, and supplies needed as described in the file, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Air Quality, Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the grant term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 4. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

Section 5. That the Director of Public Health is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items during the term of the grant: various types of monitoring equipment, OEPA-required equipment, and their associated parts, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Air Quality, Department of Public Health.

Section 6. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing, rehabilitating, renovating, replacing, or otherwise improving air monitoring sites and other similar structures on City-owned

and city-leased property (the "Improvement"), for the Division of Air Quality, Department of Public Health, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

Section 7. That the Director of Public Health is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

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

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

Section 9. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Health may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 10. That the Director of Public Health is authorized to enter into one or more contracts with one or more various entities or agencies to implement the grant as described in the file.

Section 11. That the cost of the contracts authorized by this ordinance shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance and from the cash match.

Section 12. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 13. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 14. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 642-07.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from Cuyahoga County Office of Procurement and Diversity for the Lead Case Management Expansion Program; authorizing the purchase by one or more requirement contracts of materials, equipment, supplies, and services to implement the grant; authorizing a contract with Maytag dba Hoover Sales and Services for vacuums and a contract with Thermo Electron Corporation dba Nitro for XRF machines; authorizing the Director to employ one or more professional consultants to perform assessments; and authorizing one or more contracts with various agencies, entities, or individuals to implement the grant.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$468,912, and any other funds that may become available during the grant term from Cuyahoga County Office of Procurement and Diversity to conduct the Lead Case Management Expansion Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 642-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority, is approved in all respects.

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

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

Section 5. That the Director of Public Health is authorized to make one or more written requirement

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

Section 6. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

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

Section 8. That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Maytag dba Hoover Sales and Services. Therefore, the Director of Public Health is authorized to make one or more written contracts, during the term of the grant, with Maytag dba Hoover Sales and Services, for hypoallergenic HEPA vacuums, to be purchased by the Commissioner of Purchases and Supplies, for a gross price for the Department of Public Health.

Section 9. That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Thermo Electron Corporation dba Niton. Therefore, the Director of Public Health is authorized to make one or more written contracts, during the term of the grant, with Thermo Electron Corporation dba Niton for XRF machines, to be purchased by the Commissioner of Purchases and Supplies, for a gross price for the Department of Public Health.

Section 10. That the Director of Public Health is authorized to employ by contract or contracts one or more consultants for one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to perform assessments.

The selection of the consultants for the services shall be made by the Board of Control on the nomi-

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

Section 11. That the Director of Public Health is authorized to enter into one or more contracts with agencies, entities, or individuals to implement the grant as described in the file.

Section 12. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance.

Section 13. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 643-07.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Commission on Minority Health for the Minority Health Planning Program; and authorizing the Director to employ one or more professional consultants to implement the grant.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$42,000, and any other funds that may become available during the grant term from the Ohio Commission on Minority Health to conduct the Minority Health Planning Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the budget for the grant contained in the file described below.

Section 2. That the budget for the grant, File No. 643-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health shall have the author-

ity to extend the term of the grant during the grant term.

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

Section 5. That the Director of Public Health is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the grant as described in the file, which includes, but is not limited to, strategic planning, conducting focus groups, data analysis, facility rental, and advertising.

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

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

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

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

Ord. No. 644-07.

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

An emergency ordinance authorizing the Director of Public Health to enter into one or more contracts with the Ohio Department of Health in order for the City of Cleveland to receive compensation for conducting inspections of summer food program sites.

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

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

Section 1. That the Director of Public Health is authorized to enter into one or more contracts with the Ohio Department of Health in order for the City of Cleveland to receive compensation for conducting in-

spections of summer food program sites.

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

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

Ord. No. 645-07.

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

An emergency ordinance authorizing the Director of Public Safety to accept a gift of a mobile fire safety house and smoke detectors, for the Division of Fire, Department of Public Safety.

Whereas, the Fireman's Fund Insurance Company has indicated a desire to make a gift of a mobile fire safety house and smoke detectors to be used in conjunction with the fire safety house and public education programs, for the Division of Fire, Department of Public Safety; and

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

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

Section 1. That the Director of Public Safety is authorized to accept on behalf of the Division of Fire a mobile fire safety house and smoke detectors to be used in conjunction with the fire safety house and public education programs, valued at \$39,960.00, from the Fireman's Fund Insurance Company.

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

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

Ord. No. 646-07.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of tasers and accessories, including but not limited to air cartridges, simulation air cartridges, digital power magazines, dual cartridge holsters, practice targets, and maintenance, for the Division of Police, Department of Public Safety, for a period of one year with a one-year option to renew.

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

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

Section 1. That the Director of Public Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of one year with a one-year option to renew, exercisable by the Director of Public Safety, of the necessary items of tasers and accessories, including but not limited to air cartridges, simulation air cartridges, digital power magazines, dual cartridge holsters, practice targets, and maintenance, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 173944)

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

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

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

Ord. No. 647-07.

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

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

Whereas, this ordinance consti-

tutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That Sections 1, 2, and 3 of Ordinance No. 1664-05, passed September 12, 2005, are amended to read as follows:

Section 1. That the Director of Community Development is authorized to apply for and accept a grant in the **approximate** amount of **\$515,000**, from the Cuyahoga County Brownfield Redevelopment Fund, to provide financial assistance to partially finance the demolition and environmental remediation of the Nurses Building and the Main Hospital Building on the St. Michael's site, located at 5163 Broadway Avenue; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary **and loan documents** for the grant contained in the file described below.

Section 2. That the Director of Community Development is authorized to apply to the Cuyahoga County Brownfield Redevelopment Fund for loan assistance in an amount **up to \$700,000**, to partially finance the project described in the file.

Section 3. That the summary **and loan documents** for the grant and loan, File No. 1664-05-B, made a part of this ordinance as if fully rewritten, as presented to the Finance committee of this council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 2. That existing Sections 1, 2 and 3 of Ordinance No. 1664-05, passed September 12, 2005, are repealed.

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

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

Ord. No. 648-07.

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

An emergency ordinance appropriating Community Development Block Grant funds for administrative expenses of the Code Enforcement Program.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 33 from the United States Government; 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 Community Development Block Grant funds in the amount of \$419,000, from Fund No. 14 SF 033, RL 149549, are appropriated for the reimbursement of administrative expenses of the Code Enforcement Program incurred in Fund 19 following the appropriate federal regulations for the Department of Building and Housing, in conjunction with the Community Development Block Grant Program.

Section 2. That prior to expending funds under this ordinance, the Director of Building and Housing and the Director of Community Development shall enter into a memorandum of understanding for this program.

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

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

Ord. No. 649-07.

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

An emergency ordinance appropriating Community Development Block Grant funds for expenses for the Project Clean Program; and authorizing the Director of Parks, Recreation and Properties to enter into one or more contracts with various agencies to implement the Program.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 33, from the United States Government; 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 Community Development Block Grant funds in the amount of \$890,000 from Fund Nos. 14 SF 033, Request No. 149547, are appropriated for costs of the Department of Parks, Recreation and Properties incurred from Fund 19 following the appropriate federal regulations and associated with conducting the Project Clean Program in conjunction with the Community Development Block Grant Program.

Section 2. That the Director of Parks, Recreation and Properties is authorized to enter into one or more contracts with various non-profit and for-profit agencies to provide services necessary to implement the Project Clean Program.

Section 3. That prior to expending funds under this ordinance, the Director of Parks, Recreation and Properties and the Director of Community Development shall enter into a memorandum of understanding for this program.

Section 4. That this ordinance is declared to be an emergency mea-

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

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

Ord. No. 650-07.

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

An emergency ordinance appropriating Community Development Block Grant funds for expenses of the Senior Homeowners Assistance Program (SHAP) and the CHORE Program.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 33, from the United States Government; 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 Community Development Block Grant funds in the amount of \$260,000 from Fund No. 14 SF 033, Request No. 149548, are appropriated for costs of the Department of Aging incurred in Fund 19 associated with conducting the Senior Homeowners Assistance Program ("SHAP") and the CHORE Program in conjunction with the Community Development Block Grant Program.

Section 2. That prior to expending funds under this ordinance, the Director of Aging and the Director of Community Development shall enter into a memorandum of understanding for this program.

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

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

Ord. No. 651-07.

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

An emergency ordinance appropriating Community Development Block Grant funds for expenses for the Fair Housing Program; and authorizing the Director of Community Relations to enter into one or more contracts with various agencies to implement this program.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 33 from the United States Government; 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 Community Development Block Grant funds in the amount of \$86,000 from Fund No. 14 SF 033, Request No. 178604, are appropriated for costs of the Department of Community Relations incurred in Fund 19 following the appropriate federal regulations associated with conducting the Fair Housing Program in conjunction with the Community Development Block Grant Program.

Section 2. That the Director of Community Relations is authorized to enter into one or more contracts with various non-profit and for-profit agencies providing services necessary to implement the Fair Housing Program.

Section 3. That the cost of the contracts authorized in this ordinance shall not exceed \$86,000 and shall be paid from Fund No. 14 SF 033.

Section 4. That prior to expending funds under this ordinance, the Director of Community Relations and the Director of Community Development shall enter into a memorandum of understanding for this program.

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

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

Ord. No. 652-07.

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

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

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 33 from the United States Government; and

Whereas, City Council has designated administrative processing costs from Neighborhood Equity Funds; 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 Community Development Block Grant and NEF administrative funds in the amount of \$2,741,400 from Fund No. 14 SF 033 and \$43,637 from Fund No. 10 SF 166 are appropriated for the administrative expenses of the Department of Community Development under the following schedule:

Personnel	\$2,219,237
Other	565,800

Section 2. The Director of Community Development is authorized to enter into contract or contracts with various agencies or entities for activities relating to the promotion of housing events in the City of Cleveland.

Section 3. That this Council determines that the within commodities are non-competitive and cannot be secured from a source other than Executive Information Systems, LLC. Therefore the Director of Community Development is authorized to make one or more written contracts with Executive Information Systems, LLC for SAS software maintenance, to be purchased by the Commissioner of Purchases and Supplies, for the Department of Community Development, for a period of one year.

Section 4. That the costs of the contracts authorized in this ordinance shall be paid from Fund No. 14 SF 033.

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

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

Ord. No. 653-07.

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

An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various social service agencies, community development or local development corporations and private for profit entities; to enter into or amend memorandums of understanding with various City of Cleveland departments to implement the City's community development programs; and to expend funds for the operation of programs administered by the Department of Community Development.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 33 from the United States Government; and

Whereas, the Council of the City of Cleveland has approved the Year 33 Community Development Block Grant Plan which committed funds to Neighborhood Development Activities ("NDA"), which are CDBG eligible activities proposed by the various Council members; and

Whereas, this ordinance constitutes an emergency measure provid-

ing 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, after receiving the approval stated in Section 4 below, is authorized to enter into or amend contracts with various social service agencies, community development or local development corporations, private for-profit entities, State of Ohio, Cuyahoga County, Cuyahoga Metropolitan Housing Authority, Cleveland Municipal School District, Regional Transit Authority, Northeast Ohio Regional Sewer District, Cleveland Metroparks, and such other governmental entities as defined under the Ohio Revised Code to implement activities and programs that are eligible under the Community Development Block Grant ("CDBG") Program and are consistent with the City's Community Development objectives and policies.

Section 2. That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to enter into or amend memorandums of understanding with various City departments to implement activities and programs that are eligible under the CDBG Program and are consistent with the City's Community Development objectives and policies.

Section 3. That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to expend NDA funds for any CDBG eligible Programs administered by the Department of Community Development including entering into contract with rehabilitation service providers, tenants, homeowners, and entities providing services necessary to process loans and grants to implement the Low Interest Loan and Grant Programs, Paint Refund Program and other programs administered by the Department of Community Development.

Section 4. That prior to entering into or amending those contracts or memorandums of understanding, or expending any funds, the Director of Community Development shall receive written approval from the Council member whose ward line item is to fund the activity or program, provided that the amount for such activity or program does not exceed the amount allocated for the Council member's ward pursuant to the relevant Community Development Block Grant plan.

Section 5. That the cost of the contracts, memorandums of understanding and expenditures for the programs administered by the Department of Community Development shall not exceed \$8,400,000.00 and shall be paid from Fund Nos. 14 SF 030, 14 SF 031, 14 SF 032 and 14 SF 033.

Section 6. That the Director of the Department of Community Development is authorized to enter into or amend contracts with the entities administering the NDA program that generated program income in an amount not to exceed that generated program income and to expend funds for the programs admin-

istered by the Department of Community Development that generated program income in an amount not to exceed that generated program income all to be paid from the revolving fund in Fund 14.

Section 7. That the City is authorized to accept promissory notes naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.

Section 8. That the Director of Community Development is authorized to enter in forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited to and expended from Fund No. 14.

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

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

Ord. No. 654-07.

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

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

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 33 from the United States Government; and

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

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

Section 1. That the Director of Community Development is authorized to enter into one or more contracts with Cleveland Action to Support Housing, Inc. (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs in the City of Cleveland.

Section 2. That the Director of Community Development is authorized to accept monies in repayment under this program and utilize the repayments for additional expenditures under this program and administrative expenses, and the repayments are appropriated for this purpose.

Section 3. That the aggregate cost of the contracts shall not exceed

\$121,000.00, and shall be paid from Fund No. 14 SF 033, Request No. 178603.

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

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

Ord. No. 655-07.

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

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

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 33 from the United States Government; and

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

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

Section 1. That the Director of Community Development is authorized to enter into contracts with one or more non-profit agencies to operate a community gardening program.

Section 2. That the cost of the contract or contracts shall not exceed \$105,000.00, and shall be paid from Fund No. 14 SF 033, Request No. 178602.

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

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

Ord. No. 656-07.

By Council Member Turner.
An emergency ordinance to add the name Ollie Bea Gresham Lane as a secondary name to Sunview Avenue.

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

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

Section 1. That, notwithstanding and as an exception to the Codified Ordinances of the City of Cleveland, 1976, the name Ollie Bea Gresham Lane shall be added as a secondary name to Sunview Avenue.

Section 2. That this ordinance is hereby declared to be an emergency

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 657-07.

By Council Member Pierce Scott.

An emergency resolution declaring this Council's support of the proposal of Famicos Foundation and/or its assigns to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

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

Whereas, Famicos Foundation is proposing to redevelop 158 housing units for seniors and the disabled in the University Tower Apartment building at 1575 East Boulevard; and

Whereas, 100% of these housing units will be occupied by low-income senior and disabled individuals with no market rate units; and

Whereas, no less than 100% of these housing units will serve a special needs population, specifically households for elderly and disabled residents and in need of senior supportive services as defined in the 2007 Qualified Allocation Plan; and

Whereas, the Famicos Foundation proposal will benefit the citizens of the City; and

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

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

Section 1. That this Council hereby declares its support of the proposal of Famicos Foundation to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

Section 2. That the Clerk of Council is hereby directed to transmit two certified copies of this resolution to the Executive Director of Famicos Foundation.

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

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

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

Res. No. 658-07.

By Mayor Jackson and Council Members Sweeney, Brady and Polensek.

An emergency resolution declaring this Council's desire, interest and commitment to formally establish and continue a Sister City International relationship with City of Rouen, France.

Whereas, the City of Rouen, located in France, is similar in its industrial makeup and shares an important historical connection to the City of Cleveland; and

Whereas, both Rouen and Cleveland have expressed interest in an active exchange of culture, tourism, business and education opportunities; and

Whereas, the City of Rouen and the City of Cleveland have had a relationship since World War I when the Lakeside Unit from Cleveland, Ohio was the first detachment of the American Expeditionary Forces to arrive in France, to oversee a hospital in Rouen; and

Whereas, both cities are home to companies like Lincoln Electric and Lubrizol and wish to seek viable opportunities for meaningful exchange; and

Whereas, the leaders of said cities wish to establish this Sister City International relationship between their communities for the purpose of developing global economic and community benefit; 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 declares its desire, interest and commitment to formally establish a Sister City International relationship with the City of Rouen, France.

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

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

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

Res. No. 659-07.

By Council Member Zone.

An emergency resolution declaring this Council's support of the proposal of Cogswell Hall, Inc. to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

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

Whereas, Cogswell Hall, Inc. is proposing to develop 40 housing units at 7200 Franklin Boulevard; and

Whereas, 100% of these homes will be affordable to families with

incomes at or below 60% of the area median income and no housing units will be market rate; and

Whereas, 50% of these housing units will be affordable to families with annual incomes at or below 50% of the area median income; and

Whereas, 10% of these housing units will be affordable to households whose annual income is at or below 35% of the area median income; and

Whereas, the project will provide supportive services for families; and

Whereas, the Cogswell Hall, Inc. proposal will benefit the citizens of the City; and

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

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

Section 1. That this Council hereby declares its support of the proposal of Cogswell Hall, Inc. to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

Section 2. That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to the Executive Director of Cogswell Hall, Inc.

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

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

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

Res. No. 660-07.

By Council Member Zone.

An emergency resolution declaring this Council's support of the proposal of Detroit Green Preservation to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

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

Whereas, Detroit Shoreway Community Development Organization is proposing to renovate 45 housing units at 1403 West 65th/6425 Detroit Avenue, 7918 Detroit Avenue and 8003 Detroit Avenue; and

Whereas, 91.11% of these homes will be affordable to families with incomes at or below 60% of the area median income and no housing units will be market rate; and

Whereas, 50% of these housing units will be affordable to families with annual incomes at or below 50% of the area median income; and

Whereas, 10% of these housing units will be affordable to households whose annual income is at or below 35% of the area median income; and

Whereas, the project will provide supportive services for families; and
Whereas, the Detroit Green Preservation proposal will benefit the citizens of the City; and

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

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

Section 1. That this Council hereby declares its support of the proposal of Detroit Green Preservation to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

Section 2. That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to the Executive Director of Detroit Shoreway Community Development Organization.

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

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

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

Res. No. 661-07.

By Council Member Lewis.

An emergency resolution withdrawing objection to the transfer of ownership of D1, D2, D3, D3A and D6 Liquor Permit at 2045 East 21st Street and repealing Resolution No. 2021-06, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to Downunder Entertainment, LLC, DBA Peabody's Entertainment, 2045 East 21st Street, Cleveland, Ohio 44115, Permanent No. 2293436, by Resolution No. 2021-06 adopted by the Council on November 27, 2006; and

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

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

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

Section 1. That objection to a D1, D2, D3, D3A and D6 Liquor Permit to Downunder Entertainment, LLC, DBA Peabody's Entertainment, 2045 East 21st Street, Cleveland, Ohio 44115, Permanent Number 2293436, be and the same is hereby withdrawn and Resolution No. 2021-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

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

Res. No. 662-07.

By Council Member Brady.

An emergency resolution withdrawing objections to the transfer of Liquor License of a C1 and C2 Liquor Permit at 12702 Lorain Avenue, and repealing Resolution Nos. 142-07 and 143-07, objecting to said transfer.

Whereas, this Council objected to a C1 and C2 Liquor Permit to Behjat, LLC, DBA D & B's Beverage and Deli, 12702 Lorain Avenue by Resolution Nos. 142-07 and 143-07 adopted by the Council on January 29, 2007; and

Whereas, this Council wishes to withdraw its objections to the above transfer of liquor license and consents to said transfer; and

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

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

Section 1. That objections to a C1 and C2 Liquor Permit to Behjat, LLC, DBA D & B's Beverage and Deli, 12702 Lorain Avenue, Cleveland, Ohio 44111, Permanent Numbers 05759710010 and 05759710005 be and the same is hereby withdrawn and Resolution Nos. 142-07 and 143-07, containing such objections, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

Res. No. 663-07.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3, D3A and D6 Liquor Permit at 618 Prospect Avenue and repealing Resolution No. 1301-06, objecting to said renewal.

Whereas, this Council objected to a D2, D2X, D3, D3A and D6 Liquor Permit at 618 Prospect Avenue by Resolution No. 1301-06 adopted by the Council on August 9, 2006; and

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

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

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

Section 1. That objection to a D2, D2X, D3, D3A and D6 Liquor Permit to View Cleveland, LLC, 618 Prospect Avenue, Cleveland, Ohio 44115, Permanent Number 9271908 be and the same is hereby withdrawn and Resolution No. 1301-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 664-07.

By Council Member Keane.

An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 16612 Lorain Avenue, and repealing Resolution No. 1314-06, objecting to said renewal.

Whereas, this Council objected to a D5 Liquor Permit to 16612 Lorain Avenue by Resolution No. 1314-06 adopted by the Council on August 9, 2006; and

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

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

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

Section 1. That objection to a D5 Liquor Permit to Micky D., Ltd., DBA Castle Bar, 16612 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 5919977 be and the same is hereby withdrawn and Resolution No. 1314-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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 PASSED

Ord. No. 1646-06.

By Council Members Polensek, Turner, Brancatelli, Westbrook, Reed, Santiago, Brady, Kelley, Coats, Conwell and Britt.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 623.101 and 623.102 relating to sale to minors of aerosol containers of paint capable of defacing property.

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Public Safety, Legislation, Finance.

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

Ord. No. 1729-06.

By Council Members Turner, Sweeney, Cimperman, Polensek, Santiago, Brady, White, Brancatelli, Cleveland, Zone, Kelley, Coats, Conwell, Britt, Pierce Scott and Cummins.

An emergency ordinance to amend Section 605.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 864-05 passed July 13, 2005 relating to minor's curfew.

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

1. In Section 1, at amended Section 605.14(a), line 4, strike "either 9:00 p.m. or darkness, whichever is later, and 5 a.m.," and insert "9:30 p.m. and 6:00 a.m.," in line 6 and in line 7, strike "5:00" in both places and insert "6:00".

2. In Section 1, strike division 605.14(c) in its entirety and insert:

"(c) It shall be an affirmative defense to division (b) of this section that the parent or legal guardian:

(1) Initiated the jurisdiction of the Juvenile Court against the child prior to the time that the child was found violating division (a) of this section;

(2) Can demonstrate based on the records of the employer, that it can be reasonably presumed that the child was en route to home from work in the evening or en route to work from home in the morning."

Amendments agreed to.

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

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

Ord. No. 182-07.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants, computer software developers, or vendors to acquire licenses or develop a data collection and analysis system of contract compliance requirements, including installing, designing, training, implementing, testing, maintaining,

technical support, and other related issues, for a period up to two years with two one-year options to renew, for the various divisions of the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. Strike the title and Section 1 in their entirety and insert the following:

"An emergency ordinance authorizing the Director of Port Control to solicit proposals from consultants, computer software developers, or vendors or firms of consultants, computer software developers, or vendors to acquire licenses or develop a data collection and analysis system of contract compliance requirements, including installing, designing, training, implementing, testing, maintaining, technical support, and other related issues; and to enter into one or more contracts with the selected entity for that purpose, for the various divisions of the Department of Port Control.

Section 1. That the Director of Port Control is authorized to solicit proposals from consultants, computer software developers, or vendors or firms of consultants, computer software developers, or vendors to acquire licenses or develop a data collection and analysis system of contract compliance requirements, including installing, designing, training, implementing, testing, maintaining, technical support, and other related issues, for the various divisions of the Department of Port Control. A copy of the request for proposal shall be placed in File No. 182-07-A.

Section 2. That the Director of Port Control is authorized to enter into one or more contracts with the selected consultant, computer software developer, or vendor for the purposes stated above for a period up to two years with two one-year options to renew. The first of the one-year options to renew shall not be exercised without additional legislative authority. If such additional legislation authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew shall be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 3. That the selection of the consultants, computer software developers, or vendors or firms of consultants, computer software developers, or vendors shall be made by the Board of Control on the nomination of the Director of Port Control from a list of entities available for employment as may be determined after a full and complete canvass by the Director of Port Control for the purpose of compiling a list. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance."

2. Renumber existing Sections 2 and 3 to new "Section 4" and "Section 5".

Amendments agreed to.

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

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

Ord. No. 256-07.

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

An emergency ordinance authorizing the Director of Community Development to enter into an amendment to the Lease between the City and Cuyahoga County for real property located north and adjacent to the Main Avenue Bridge between West 6th Street and West 9th Street; and to enter into an amendment to the Sublease of the property from the City to Water Street Associates, Ltd., or its designee, to provide ingress and egress to the Water Street building and parking area, located at 1033 West 9th Street, available to the residents.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Passage recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 405-07.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of bunker gear suits, for the various divisions of the Department of Port Control, for a period up to two years, with two one-year options to renew.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, strike lines 5 and 6 in their entirety and insert "Control".

2. In Section 1, line 4, strike "exercisable by the Director of Port Control," and in line 8, after "Port Control," add "The first of the one-year options to renew shall not be exercised without additional legislative authority. If such additional legislation authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew shall be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council."

Amendments agreed to.

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

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

Ord. No. 406-07.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of fencing

and gates, including labor and materials for repair and installation, if necessary, for the various divisions of the Department of Port Control, for a period up to two years, with two one-year options to renew.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, strike lines 6, 7 and 9 in their entirety and insert "**of the Department of Port Control.**"

2. In Section 1, line 4, strike ", exercisable by the Director of Port Control," and in line 8, after "Port Control," add "**The first of the one-year options to renew shall not be exercised without additional legislative authority. If such additional legislation authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew shall be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.**"

Amendments agreed to.

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

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

Ord. No. 407-07.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to maintain or replace exterior landscaping and other site landscaping for the various divisions of the Department of Port Control, for a period up to two years, with two one-year options to renew.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, strike lines 7 and 8 in their entirety and insert "**Control.**"

2. In Section 1, line 4, strike ", exercisable by the Director of Port Control," and in line 8, after "Port Control," add "**The first of the one-year options to renew shall not be exercised without additional legislative authority. If such additional legislation authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew shall be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.**"

Amendments agreed to.

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

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

Ord. No. 412-07.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Section 108 loan and an Economic Development Initiative Grant Agreement with Bridgeport Place LLC to provide economic development assistance to partially finance the construction of a shopping plaza located at 7201 Kinsman Road, and other associated costs necessary to redevelop the property.

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

1. In the title, at the end, strike the period and insert "; and authorizing the Director to enter into an Enterprise Zone Agreement with Bridgeport Place LLC to provide for a five-year, fifty percent tax abatement for certain tangible real property improvements, as an incentive to construct a new retail development at 7201 Kinsman Road in the Cleveland Area Enterprise Zone."

2. Insert the following new where-as clauses before the existing one:

"Whereas, by letter dated April 10, 2007, the City provided the Cleveland Municipal School District ("CMSD") with a notice of proposed tax exemptions required by Section 5709.83 of the Revised Code. That notice was provided to the CMSD not later than fourteen days prior to adoption of this ordinance; and

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

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

Whereas, Bridgeport Place LLC (the "Enterprise") has proposed to construct a new retail development at 7201 Kinsman Road in the Cleveland Area Enterprise Zone; and

Whereas, the Enterprise has certified to the City that it would be at a competitive disadvantage operating at this location if taxes on certain tangible real property improvements were not abated; and"

3. In Section 3, line 2, strike "File No. 412-07-A" and insert "**File No. 412-07-B**".

4. Insert new Sections 10, 11, 12, 13, 14, 15, and 16 to read as follows:

"**Section 10. That this Council approves the application of the Enterprise for enterprise zone incentives on the basis that the Enterprise is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.**

Section 11. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a five-year, fifty percent (50%) tax abatement for certain tangible real property improvements; the abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 12. That the terms of the tax abatement shall be in accordance with the terms in the Summary contained in the above mentioned file. These terms shall not be amended, nor shall the tax abatement be assignable or transferable to any entity, without the prior legislative authorization by Cleveland City Council.

Section 13. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and the funds are appropriated for the purposes listed in Chapter 5709 of the Revised Code. The fees shall be deposited to and expended from Fund No. 17 SF 305.

Section 14. That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 15. That any contract authorized by this legislation must require the recipient of financial assistance to work with The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts. The identification process shall place special emphasis on the hard to employ, including people who are disabled and people who have been convicted of or who have pled guilty to a criminal offense which is unrelated to the duties of the job opportunity."

5. Renumber existing Section 10 to new "**Section 16**".

Amendments agreed to.

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

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

Ord. No. 449-07.

By Council Member Brancatelli.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 55th and Lufkin Avenue to Cleveland Housing Network, Inc.

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

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

Ord. No. 450-07.

By Council Member Polensek.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program

and located on Alhambra Road to Cresthaven Development, Inc.

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

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

Ord. No. 531-07.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase property for developing a transitional housing facility for men at 1550 Superior Avenue; authorizing the Director of Community Development to enter into a purchase agreement with Lake Erie Motel, Inc. relating to the sale of the property and acquisition of furniture and fixtures; authorizing the Director to make relocation payments; determining the method of making the public improvement of rehabilitating the property; and authorizing the Director to enter into one or more public improvement contracts for the making of the improvement; for the Department of Community Development.

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

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

Ord. No. 568-07.

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

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to lease property at 1449 West 117th Street from Montlack Realty, or their designees, for a term not to exceed three years, with three one-year options to renew, for the purpose of providing office space for the Adult Probation Program of the Cleveland Municipal Court.

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

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

Ord. No. 585-07.

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

An emergency ordinance authorizing the Director of Building and Housing to enter into one or more contracts with various agencies to implement the Demolition Program, which includes the Board-up Program; and authorizing the purchase by one or more requirement contracts for the items of labor and materials necessary to implement the Board-up Program.

Approved by Directors of Building and Housing, Finance, Law; Pas-

sage recommended by Committees on Community and Economic Development, Finance.

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

MOTION

By Council Member Westbrook, seconded by Council Member Reed, and unanimously carried that the absence of Council Member Sabra Pierce Scott be and is hereby authorized.

MOTION

The Council Meeting adjourned at 8:15 p.m. to meet at 7:00 p.m. on Monday, April 30, 2007 in the Council Chambers.



City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

April 18, 2007

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 18, 2007, at 10:30 a.m. with Mayor Jackson presiding.

Present: Mayor Jackson, Directors Triozzi, Dumas, Acting Directors O'Malley, Nagy, Directors Wasik, Carroll, Flask, Acting Director Thompson, Directors Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Absent: None.
Others: Jim Hardy, Commissioner, Purchases and Supplies.

Debra Linn Talley, Director, Office of Equal Opportunity.

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

Resolution No. 182-07.

By Director Ciaccia.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Aaron Landscape, Inc. for an estimated quantity of landscape maintenance at various Public Utilities facilities (all items) for the Division of Water Pollution Control, Department of Public Utilities, for a period of two (2) years beginning with the execution of a contract, received on March 29, 2007, under the authority of Ordinance No. 1024-05, passed September 19, 2005, which on the basis of the estimated quantity would amount to \$47,938.00 (0%, 30 Days), is affirmed and approved

as the lowest and best bid, and the Director of Public Utilities is requested to enter in requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 170524 which shall be certified against the contract in the sum of \$30,000.00.

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

Be it further resolved that the employment of the following subcontractors by Aaron Landscape, Inc. for above-mentioned requirement is approved:

**SUBCONTRACTOR WORK
MBE/FBE**

Thomas Brothers	
MBE	\$ 3,516.00 (7.33%)
Trugreen Chemlawn	
	\$5,180.00 (10.80%)

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Acting Directors O'Malley, Nagy, Directors Wasik, Carroll, Flask, Acting Director Thompson, Directors Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 183-07.

By Director Wasik.
Whereas, under the authority of Ordinance No. 768-04, passed by the Council of the City of Cleveland on May 17, 2004, and Board of Control Resolution No. 26-06, adopted on January 25, 2006, the City, through its Director of Public Service, entered into City Contract No. 65360 with Kenmore Construction Co., Inc. to provide asphalt concrete for the Division of Streets, Department of Public Service; and

Whereas, Ordinance No. 1718-06, passed by the Council of the City of Cleveland on November 13, 2006; amended City Contract No. 65360 by extending the term for six months; and

Whereas, by its April 4, 2007 letter, Kenmore Construction Co., Inc. notified the City that certain assets of Kenmore, including but not limited to Contract No. 65360, were acquired by Allied Corporation, Inc. on April 2, 2007, indicated that Allied will complete the future obligations of Kenmore under the contract, and requested the City's consent to assignment of City Contract No. 65360 to Allied Corporation, Inc.; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that this Board authorizes the Director of Public Service to consent to the assignment of City Contract No. 65360 by Kenmore Construction Co., Inc. to Allied Corporation, Inc.

Be it further resolved that the Director of Public Service is authorized to execute all documents and do all things necessary to imple-

ment the consent to the assignment of City Contract No. 65360 authorized above. A copy of the consent to assignment of Contract No. 65360 authorized above shall be filed with the original of the contract in the custody of the Commissioner of Accounts.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Acting Directors O'Malley, Nagy, Directors Wasik, Carroll, Flask, Acting Director Thompson, Directors Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 184-07.

By Director Flask.

Whereas, Ordinance No. 1871-06, passed December 11, 2006, provided that, upon the concurrence of the Board of Control, the Division of Correction is established in the Department of Public Safety and the Division of Correction in the Department of Public Health, is discontinued; and

Whereas, Sections 77 and 79 of the Charter of the City of Cleveland require the concurrence of this Board of Control prior to discontinuing and establishing any division or office; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that this Board concurs in the establishment of the Division of Correction in the Department of Public Safety and the discontinuance of the Division of Correction in the Department of Public Health, under the terms and conditions set forth in Ordinance No. 1871-06, passed December 11, 2006.

Be it further resolved that the Secretary of the Board of Control is instructed to file a certified copy of this resolution with Clerk of Council immediately upon the adoption for attachment to Ordinance No. 1871-06.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Acting Directors O'Malley, Nagy, Directors Wasik, Carroll, Flask, Acting Director Thompson, Directors Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 185-07.

By Director Cox.

Whereas, by Resolution No. 356-96, adopted May 29, 1996, as amended by Resolution No. 35-99, adopted January 26, 1999, Resolution No. 117-03, adopted on February 26, 2003, and Resolution No. 47-04, adopted February 11, 2004, under the authority of Section 133.14(a) of the Codified Ordinances of Cleveland, Ohio, 1976, this Board of Control established rental rates for the Cleveland Public Auditorium and Convention Center, its various rooms and halls and portions thereof; and

Whereas, the City of Cleveland will sponsor Senior Day 2007 to be held on May 24, 2007; and

Whereas, Senior Day 2007 is open to the public free of charge; now, therefore,

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

Resolution No. 356-96, adopted May 29, 1996, as amended by Resolution No. 35-99, adopted January 26, 1999, Resolution No. 117-03, adopted on February 26, 2003, and Resolution No. 47-04, adopted February 11, 2004, the use of the space at the Cleveland Convention Center for Senior Day 2007, shall be provided at no charge.

Be it further resolved that any labor, materials and equipment supplied to Senior Day 2007 by the Cleveland Convention Center be charged at the prevailing rate to the Department of Aging.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Acting Directors O'Malley, Nagy, Directors Wasik, Carroll, Flask, Acting Director Thompson, Directors Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 186-07.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 120-04-122 located at 11714 Beulah Avenue, Cleveland, Ohio 44106 in Ward 9; and

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

Whereas, Cleveland Municipal School District, abutting/adjacent landowner, has proposed to the City to purchase and develop the parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Cleveland Municipal School District for the sale and development of Permanent Parcel No. 120-04-122 located at 11714 Beulah Avenue, Cleveland, Ohio 44106, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$1,300.00, which amount is determined to be not less than the Fair

Market value of said parcel for uses according to the Program.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Acting Directors O'Malley, Nagy, Directors Wasik, Carroll, Flask, Acting Director Thompson, Directors Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 187-07.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 008-12-116 located at West 17th Street in Ward 14; and

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

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

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Elvin Rueda for the sale and development of Permanent Parcel No. 008-12-116 located at West 17th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Acting Directors O'Malley, Nagy, Directors Wasik, Carroll, Flask, Acting Director Thompson, Directors Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 188-07.

By Director Rush.

Whereas, under the authority of Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a

Land Reutilization Program according to the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel No. 114-31-040, located at Tiverton Road under the Land Reutilization Program; and

Whereas, Ordinance No. 2090-06 passed March 5, 2007, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Collinwood and Nottingham Villages Development Corporation has proposed to the City to purchase and develop the parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 2090-06 passed March 5, 2007, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Collinwood and Nottingham Villages Development Corporation for the sale and development of Permanent Parcel No. 114-31-040, as described in the Ordinance according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Acting Directors O'Malley, Nagy, Directors Wasik, Carroll, Flask, Acting Director Thompson, Directors Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 189-07.

By Director Hutchinson.

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 181-07, adopted April 11, 2007, is amended to read as follows:

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 296-07, passed by the Council of the City of Cleveland on March 12, 2007, Medical Mutual of Ohio, Kaiser Foundation Health Plan of Ohio, and Connecticut General Life Insurance are selected from a list of firms determined after a full and complete canvass by the Director of Personnel and Human Resources as the firms to be employed by three separate contracts to supplement the regularly employed staff of the Department of Personnel and Human Resources to perform the professional services necessary to provide group medical insurance, life, and dental insurance coverage for City of Cleveland employees.

Be it further resolved that the Director of Personnel and Human Resources is authorized to enter into a contract with Medical Mutual of Ohio, to provide medical insurance coverage for eligible City employees, based on its proposal for a term of two years starting April 1, 2007, with an approximate annual premium of \$58,000,000.00.

Be it further resolved that the Director of Personnel and Human Resources is authorized to enter into a contract with Kaiser Foundation Health Plan of Ohio, to provide medical insurance coverage for eligible City employees, based on its proposal, for a term of one year starting April 1, 2007, with an approximate annual premium of \$16,000,000.00.

Be it further resolved that the Director of Personnel and Human Resources is authorized to enter into a contract with Connecticut General Life Insurance to provide dental insurance coverage for eligible City employees, based on its proposal, for a term of two years, starting April 1, 2007, with an approximate annual premium of \$4,000,000.00.

Be it further resolved that all three contracts shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the proposals, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that all other provisions of Resolution No. 181-07 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Acting Directors O'Malley, Nagy, Directors Wasik, Carroll, Flask, Acting Director Thompson, Directors Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

REYNALDO GALINDO,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 7, 2007

9:30 A.M.

Calendar No. 07-45: 4315 West 140th Street (Ward 20)

The Cleveland Municipal School District, owner, and Jeffrey Henderson, agent, appeal to construct a two-story Kindergarten through Eighth Grade public school building, proposed to be situated on an acreage parcel located in split zoning between One and Two-Family Districts on the east side of West 140th Street between Sherry and Bellshire Avenues at 4315 West 140th Street; where the proposed building and uses are subject to the provisions of Sections 337.02(f)(3)(A) and required to be not less than 30' from any adjoining premises in a residence district not used for a similar purpose; and require the Board of Zoning Appeals approval, after public notice and hearing, to determine if there are adequate yard spaces and other safeguards to preserve the character of the neighborhood, and whether such buildings and uses are appropriately located and designed to meet a community need without adversely affecting the neighborhood; and 50 parking spaces are proposed, where the required parking equals 84 spaces, one for each two staff members and one for each six school gymnasium seats, according to the provisions of Sections 349.04(c)(e) of the Codified Ordinances.

Calendar No. 07-46: 4550 West 150th Street (Ward 20)

The Cleveland Municipal School District, owner, and Jeffrey Henderson, agent, appeal to construct a two-story Kindergarten through Eighth Grade public school building, proposed to be situated on a corner acreage parcel located in a Two-Family District on the west side of West 150th Street on the southwest corner of West 150th Street and Violet Avenue at 4550 West 150th Street; where the proposed building and uses are subject to the provisions of Sections 337.02(f)(3)(A) and required to be not less than 30' from any adjoining premises in a residence district not used for a similar purpose; and require the Board of Zoning Appeals approval, after public notice and hearing, to determine if there are adequate yard spaces and other safeguards to preserve the character of the neighborhood, and whether such buildings and uses are appropriately located and designed to meet a community need without adversely affecting the neighborhood; and 49 parking spaces are proposed, where the required parking equals 80 spaces, one for each two staff members and one for each six school gymnasium seats according to the provisions of Sections 349.04(c)(e) of the Codified Ordinances.

Calendar No. 07-47: 7600 Wade Park Avenue (Ward 7)

The Cleveland Municipal School District, owner, and Jeffrey Henderson,

son, agent, appeal to construct a two-story Kindergarten through Eighth Grade public school building, proposed to be situated on a corner acreage parcel located in split zoning between a General Retail Business District and a Multi-Family District on the southeast corner of Wade Park Avenue and East 79th Street at 7600 Wade Park Avenue; where the proposed building and uses by reference are regulated in the provisions of Sections 337.02(f)(3)(A) and require the Board of Zoning Appeals approval, after public notice and hearing, to determine if there are adequate yard spaces and other safeguards to preserve the character of the neighborhood, and whether such buildings and uses are appropriately located and designed to meet a community need without adversely affecting the neighborhood; and 56 parking spaces are proposed, where the required parking equals 88 spaces, one for each two staff members and one for each six school gymnasium seats according to the provisions of Sections 349.04(c)(e); and the proposed driveway along Everett Avenue exceeds a 30' maximum width, contrary to Section 349.07(c)(3) of the Codified Ordinances.

Calendar No. 07-49: 9606 Empire Avenue (Ward 8)

Clifton Dove, owner, appeals to enclose an existing 7' 9" x 24' 6" front porch of a one family dwelling, situated on a 35' x 94' parcel located in an A1 One-Family District at 9606 Empire Avenue; a 7' 9" projection is provided where not more than a 4' projection is allowed, as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 07-56: 3800 West 140th Street (Ward 21)

The Cleveland Municipal School District, owner, and Paul Romanic, agent, appeal to construct a Kindergarten through Eighth Grade public school building on an acreage parcel located between West 140th and West 143rd Streets in an A1 One-Family District at 3800 West 140th Street; where the proposed building and uses are subject to the provisions of Sections 337.02(f)(3)(A) and required to be not less than 30' from any adjoining premises in a residence district not used for a similar purpose; and require the Board of Zoning Appeals approval, after public notice and hearing, to determine if there are adequate yard spaces and other safeguards to preserve the character of the neighborhood, and whether such buildings and uses are appropriately located and designed to meet a community need without adversely affecting the neighborhood; and 52 parking spaces are proposed, where the required parking equals 75 spaces, one for each two staff members and one for each six school gymnasium seats according to the provisions of Sections 349.04(c)(e) of the Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 23, 2007

At the meeting of the Board of Zoning Appeals on Monday, April 23, 2007, the following appeals were heard by the Board.

The following appeals were **Approved:**

Calendar No. 06-256: 16606-16702 S. Waterloo Road

Joseph Mobily, owner, and Jim Dupree Hill, tenant, appealed to change use from a factory and warehouse to a use for truck sales and salvage in split zoning for Semi-Industry and General Industry Districts; subject to conditions.

Calendar No. 07-28: 4102 Rocky River Drive

HCR-Manor Care appealed to increase the number of parking spaces for a nursing home in a Multi-Family District.

The following appeal was **Denied:**

Calendar No. 07-40: 1960 East 79th Street

Abdel Abukalll appealed to construct a one-story retail stores development in a Midtown Mixed Use District 1.

The following appeal was **Withdrawn:**

None.

The following appeal was **Dismissed:**

None.

The following appeals were **Postponed:**

Calendar No. 07-36: 8000 Euclid Avenue postponed to May 29, 2007.

Calendar No. 07-42: 2222 Detroit Avenue postponed to May 29, 2007.

In Executive Session on April 23, 2007, the following appeals heard by the Board on April 16, 2007 were ratified by the Board.

The following appeals were **Approved:**

Calendar No. 07-9: 11333-35-37 Superior Avenue

Gerald DeBose appealed to change use from a store for retail sales to a barber shop and a beauty shop in an existing commercial building located in a Multi-Family District; subject to conditions.

Calendar No. 07-33: 3781 East 77th Street

General Investment Funds, Inc. appealed to erect recreational grounds for a public high school in split zoning between Semi-Industry and General Industry Districts.

The following appeal was **Denied:**

Calendar No. 07-39: 3866 West 118th Street

Ion Psepolshi, owner, and Viola Pugh, tenant, appealed to establish use as a Type A Day Care in a single family dwelling in an A1 One-Family District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of April 18, 2007

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

* * *

Docket A-12-07.

RE: Appeal of William E. & Marcia A. Bienias, Owner of the One & One-half Story Frame Semi-Industry Property located on the premises known as 14806 Miles Avenue from a NOTICE OF VIOLATION — UNAUTHORIZED USE of the Director of the Department of Building and Housing, dated February 18, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action required by the Board at this time.

* * *

Docket A-13-07.

RE: Appeal of William E. Bienias, Owner of the One Story Masonry Semi-Industry Property located on the premises known as 14900 Miles Avenue from a NOTICE OF VIOLATION — CHANGE OF USE of the Director of the Department of Building and Housing, dated February 18, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to abate the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-33-07.

RE: Appeal of Leslie M. Vannorsdall, Owner of the One Dwelling Unit Single Family Residential Property located on the premises known as 10805 Bernard Avenue from a NOTICE OF VIOLATION — PEELING PAINT of the Director of the Department of Building and Housing.

ing, dated February 8, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until September 1st, 2007 in which to complete painting of the outside exterior of the property at 10805 Bernard Avenue; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-34-07.

RE: Appeal of Angela Bennett, Owner of the Three Dwelling Units Two & One-half Story Frame Residential Property located on the premises known as 2163-65 East 79th Street from a 30 DAY CONDEMNATION ORDER of the Director of the Department of Building and Housing, dated February 26, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require the premises to be boarded within fourteen (14) days and to grant the Appellant six (6) months in which to abate all the violations on the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-35-07.

RE: Appeal of Third Federal Savings and Loan Association of Cleveland, Mortgagee of the One Dwelling Unit Single Family Residence Property located on the premises known as 3291 West 54th Street from a 30 DAY CONDEMNATION ORDER — MS of the Director of the Department of Building and Housing, dated February 8, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to obtain permits, and an addition sixty (60) days in which to abate the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Gallagher.

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

* * *

Docket A-36-07.

RE: Appeal of Marianne Jarosiak, Owner of the One Dwelling Unit Single Family Residential Property located on the premises known as

18901 Shawnee Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated February 7, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-36-07 has been POSTPONED; to be rescheduled for May 2, 2007.

* * *

Docket A-38-07.

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

Docket A-38-07 has been POSTPONED; to be rescheduled for May 2, 2007.

* * *

Docket A-39-07.

RE: Appeal of Hylander Building, LLC, Owner of the Three Story Masonry Walls/Wood Floors General Industry Property located on the premises known as 7745 Broadway Avenue from a 7 DAY VACATE ORDER of the Director of the Department of Building and Housing, dated February 9, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-39-07 has been POSTPONED; to be rescheduled for May 30, 2007.

* * *

Docket A-46-07.

RE: Appeal of Case Western Reserve University — Alumni House, Owner of the Three Story Property located on the premises known as 11310 Juniper Road from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated April 11, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the building to be used in the manner requested with a full smoke detector and alarm system in lieu of a sprinkler system pending confirmation by the Fire Prevention Bureau; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

* * *

Docket A-48-07.

RE: Appeal of Case Western Reserve University — Institute of Path-

ology, Owner of the Educational — Schools, Child Day Centers Property located on the premises known as 10900 Euclid Avenue from a NOTICE OF VIOLATION of the Director of the Department of Building and Housing, dated April 11, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require either removal or intumescent painting the existing ceiling tile allowing the wood trim to remain or a method of converting from a ceiling plenum to a space return air system, and to state that the three (3) existing three-foot nonconforming doors are permitted to remain as they are. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Gallagher.

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

* * *

**OTHER BOARD BUSINESS
FROM MARCH 21, 2007:**

Docket A-16-07.

RE: Appeal of Mario A. Houston, Owner of the One Dwelling Unit Two & One-half Story Frame Residential Property located on the premises known as 4390 Warner Road from a 30 DAY CONDEMNATION ORDER — MS & GARAGE of the Director of the Department of Building and Housing, dated January 12, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to obtain permits and six (6) months in which to abate all the violations on the property, noting that the garage should be straighten and does not have to be removed within an inch of vertical; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-17-07.

RE: Appeal of Mario A. Houston, Owner of the One Dwelling Unit Single Family Residential Property located on the premises known as 17721 Ingleside Road from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated January 18, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to obtain permits and six (6) months in which to abate all the violations on the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required

further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Gallagher.

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

* * *

APPROVAL OF RESOLUTIONS:

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

- A-22-07—Joseph Rocco.
A-23-07—Joseph Rocco.
A-25-07—Rose L. Jones.
A-41-07—Flats Development.

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

* * *

APPROVAL OF MINUTES:

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

April 4, 2007

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

* * *

Secretary

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."

FRIDAY, MAY 4, 2007

Various Automotive and Truck Parts and Labor, for the Various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 190-07, passed by the Council of the City of Cleveland, March 12, 2007.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, APRIL 27, 2007 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT, CENTRAL RECEIVING BUILDING, 19501 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

April 18, 2007 and April 25, 2007

WEDNESDAY, MAY 9, 2007

Keys, Locks and Hardware, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 2046-06, passed by the Council of the City of Cleveland, January 8, 2007. THERE WILL BE A NON-MANDATORY PRE-BID MEETING, MONDAY, APRIL 30, 2007 AT 10:30 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Towel and Linen Services (Re-Bid), for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1623-06, passed by the Council of the City of Cleveland, October 30, 2006.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, MONDAY, APRIL 30, 2007 AT 11:30 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 18, 2007 and April 25, 2007

THURSDAY, MAY 10, 2007

Thermal Transfer Printer, Sprocket-Feed Plotter and Printing Materials, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1255-

06, passed by the Council of the City of Cleveland, October 30, 2006.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, APRIL 27, 2007 AT 10:00 A.M., DIVISION OF WATER - DISTRIBUTION & MAINTENANCE, 4600 HARVARD AVENUE, NEWBURGH HEIGHTS, OHIO 44105.

Water-Filled Safety Barriers, for the Division of Homeland Security, Department of Public Safety, as authorized by Ordinance No. 2150-05, passed by the Council of the City of Cleveland, December 5, 2005.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING MONDAY, APRIL 30, 2007 AT 10:00 A.M., EMERGENCY OPERATIONS CENTER, MAIN CONFERENCE ROOM, 205 WEST SAINT CLAIR AVENUE, CLEVELAND, OHIO 44113.

April 18, 2007 and April 25, 2007

FRIDAY, MAY 11, 2007

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

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MAY 3, 2007 AT 10:00 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

Purchase of Caterpillar Equipment and Barber Greene (Re-Bid), for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 501-06, passed by the Council of the City of Cleveland, May 1, 2006.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING MONDAY, APRIL 30, 2007 AT 11:00 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

Keypunch Services, for the Division of Taxation, Department of Finance, as authorized by Ordinance No. 248-07, passed by the Council of the City of Cleveland, March 5, 2007.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING TUESDAY, MAY 1, 2007 AT 9:30 A.M., DIVISION OF TAXATION, 205 WEST SAINT CLAIR AVENUE, CLEVELAND, OHIO 44113.

April 18, 2007 and April 25, 2007

WEDNESDAY, MAY 16, 2007

Midland Steel Property Demolition & Environmental Remediation, for the Department of Economic Development, as authorized by Ordinance No. 1280-06, passed by the Council of the City of Cleveland, October 2, 2006.

THERE WILL BE A **REFUNDABLE FEE** FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER. THERE WILL BE A **MANDATORY PRE-BID MEETING**, MONDAY, APRIL 30, 2007 AT 10:00 A.M., THE OFFICE OF CUDELL IMPROVEMENT, INC., 11650 DETROIT AVENUE, CLEVELAND, OHIO 44114. **THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.**

April 18, 2007 and April 25, 2007

FRIDAY, MAY 18, 2007

Quicklime, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MAY 4, 2007 AT 2:30 P.M., PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 18, 2007 and April 25, 2007

WEDNESDAY, MAY 9, 2007

Disaster Recovery Hardware/Software (Re-Bid), for the Cleveland City Council, as authorized by Ordinance No. 541-07, passed by the Council of the City of Cleveland, April 2, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, MAY 7, 2007 AT 1:00 P.M., CLEVELAND CITY COUNCIL, CONFERENCE ROOM, ROOM 216, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Gardenview Hill Site Improvements Phase 2, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2151-03, passed by the Council of the City of Cleveland, December 15, 2003.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, MAY 3, 2007 AT 10:00 A.M., BURKE LAKEFRONT AIRPORT, FIRST FLOOR CONFERENCE ROOM, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.

April 25, 2007 and May 2, 2007

THURSDAY, MAY 10, 2007

Golf Course Beverage (Re-Bid), for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 816-05, passed by the Council of the City of Cleveland, June 6, 2005.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, MAY 7, 2007 AT 10:00 A.M., DIVISION OF RECREATION, ROOM #8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Food, Food Products, Beverages, Condiments and Paper Products/Camp Forbes, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 253-07, passed by the Council of the City of Cleveland, April 2, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, WEDNESDAY, MAY 2, 2007 AT 10:00 A.M., DIVISION OF RECREATION, ROOM #8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 25, 2007 and May 2, 2007

FRIDAY, MAY 11, 2007

Messenger Services (Re-Bid), for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1619-06, passed by the Council of the City of Cleveland, October 23, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, MAY 7, 2007 AT 10:30 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Maintain and Repair Automatic Doors, Including Labor and Installation, for the Various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 193-07, passed by the Council of the City of Cleveland, March 12, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MAY 4, 2007 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT, CENTRAL RECEIVING BUILDING, 19501 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

April 25, 2007 and May 2, 2007

WEDNESDAY, MAY 16, 2007

Cleaning and Sanitizing of Jail Blankets, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1755-06, passed by the Council of the City of Cleveland, March 12, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, TUESDAY, MAY 8, 2007 AT 11:00 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 25, 2007 and May 2, 2007

THURSDAY, MAY 17, 2007

5-Man Communication Modular Rope, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 962-05, passed by the Council of the City of Cleveland, June 6, 2005.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, MAY 9, 2007 AT 10:00 A.M., EMERGENCY OPERATIONS CENTER, MAIN CONFERENCE ROOM, 205 WEST SAINT CLAIR AVENUE, CLEVELAND, OHIO 44113.

April 25, 2007 and May 2, 2007

FRIDAY, MAY 18, 2007

Processing of Recyclable Materials — Contract EW Recycling, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 1859-06, passed by the Council of the City of Cleveland, December 11, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, MAY 3, 2007 AT 10:00 A.M., DIVISION OF WASTE COLLECTION, 5600 CARNEGIE AVENUE, CLEVELAND, OHIO 44103.

Laboratory Services for Water Quality Analysis, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 485-96, passed by the Council of the City of Cleveland, May 6, 1996.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, MAY 8, 2007 AT 1:30 P.M., PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 25, 2007 and May 2, 2007

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 592-07.

By Council Members White, Britt, Brancatelli, Sweeney, Polensek, Reed, Coats, Turner, Westbrook, Cleveland, Kelley, Cimperman, Pierce Scott, Brady, Conwell, Cummins, Johnson, Keane, Lewis, Santiago and Zane.

An emergency resolution honoring the late Jackie Robinson during the 60th anniversary season of his breaking Major League Baseball's color barrier; and encouraging the City of Cleveland, through its Director of Parks, Recreation, and Properties to dedicate its Cleveland Baseball Federation summer programs to Jackie Robinson.

Whereas, Jackie Robinson joined the Brooklyn Dodgers in 1947, breaking baseball's color barrier and bringing the Negro Leagues' electrifying style of play to major league baseball;

Whereas, this year's baseball season marks the 60th anniversary of Jackie Robinson's burst onto the national scene and breaking the color barrier; and

Whereas, Robinson was born January 31, 1919, in Cairo, Georgia and died October 24, 1972, in Stamford, Connecticut; and

Whereas, after playing in the Negro League, upon joining the Brooklyn Dodgers Robinson quickly

became baseball's top drawing card and a symbol of hope to millions of Americans in the era of segregation; and

Whereas, with Robinson, No. 42 as the catalyst, the Dodgers won six pennants in his ten seasons; and

Whereas, he dominated games on the base paths, stealing home nineteen times while riling opposing pitchers with his daring baserunning style; and

Whereas, Robinson was named the National League most valuable player in 1949, leading the loop in hitting (.342) and steals (37), while knocking in 124 runs; and

Whereas, Robinson was elected to the National Baseball Hall of Fame by Baseball Writers in 1962; and

Whereas, during this 60th anniversary season, the national baseball community is celebrating not only the impact Robinson had on baseball, but how even well before the civil-rights movement, he opened the eyes of the whole country and showed that we can live together; and

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

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

Section 1. That this Council hereby honors the late Jackie Robinson during the 60th anniversary season of his breaking Major League Baseball's color barrier; and encourages the City of Cleveland, through its Director of Parks, Recreation, and Properties to dedicate its Cleveland Baseball Federation summer programs to Jackie Robinson.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to the National Baseball Hall of Fame and Museum, Mayor Jackson, and Michael Cox, Director of Parks, Recreation, and Properties.

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

Adopted April 16, 2007.

Effective April 18, 2007.

Res. No. 593-07.

By Council Member Britt.

An emergency resolution declaring this Council's support of the proposal of Rainbow Place Apartments Limited Partnership to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

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

Whereas, Rainbow Place Apartments Limited Partnership is proposing to preserve and renovate one hundred and eighty (180) housing units located in the Cleveland East

submarket as defined by the OHFA; and

Whereas, all units are affordable and no units are market rate; and

Whereas, the project serves special needs population, namely, the elderly and disabled; and

Whereas, the proposal of Rainbow Place Apartments to develop this affordable housing will benefit of the citizens of Cleveland; and

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

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

Section 1. That this Council hereby declares its support of the proposal of Rainbow Place Apartments Limited Partnership to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

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

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

Adopted April 16, 2007.

Effective April 18, 2007.

Res. No. 598-07.

By Council Member Brady.

An emergency resolution objecting to a New C1 Liquor Permit at 10330 Lorain Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Sophia Tirado, DBA Lucky's, 10330 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 8945413; 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 a New C1 Liquor Permit at Sophia Tirado, DBA Lucky's, 10330 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 8945413; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 16, 2007.

Effective April 18, 2007.

Res. No. 599-07.

By Council Member Cleveland.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 7001 Kinsman Road.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from New York Deli, Inc., DBA New York Deli, 7001 Kinsman Road, Cleveland, Ohio 44104, Permanent Number 6381198 to Francies Foods, Inc., 7001 Kinsman Road, Cleveland, Ohio 44113, Permanent Number 2867178; and

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

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

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

Whereas, the place for which the permit is sought is so arranged or

constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from New York Deli, Inc., DBA New York Deli, 7001 Kinsman Road, Cleveland, Ohio 44104, Permanent Number 6381198 to Francis Foods, Inc., 7001 Kinsman Road, Cleveland, Ohio 44113, Permanent Number 2867178; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 16, 2007.

Effective April 18, 2007.

Res. No. 600-07.

By Council Member Conwell.

An emergency resolution withdrawing objection to a New C2 Liquor Permit at 11701 St. Clair Avenue and repealing Resolution No. 204-07, objecting to said permit.

Whereas, this Council objected to a New C2 Liquor Permit to 11701 St. Clair Avenue by Resolution No. 204-07 adopted by the Council on February 5, 2007; and

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

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

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

Section 1. That objection to a New C2 Liquor Permit to Yasini, Inc., DBA Russell's Foods, 11701 St. Clair Avenue, Cleveland, Ohio 44108, Permanent Number 98210360001, be and the same is hereby withdrawn and Resolution No. 204-07, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted April 16, 2007.

Effective April 18, 2007.

Res. No. 601-07.

By Council Member Pierce Scott.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 7516 St. Clair Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Abu Khaled, Inc., DBA Food Town Supermarket, 7516 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 00373000005 to Shree Jagdamba, Inc., DBA Food Town Supermarket, 7516 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 8112846; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised

Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Abu Khaled, Inc., DBA Food Town Supermarket, 7516 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 00373000005 to Shree Jagdamba, Inc., DBA Food Town Supermarket, 7516 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 8112846; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 16, 2007.

Effective April 18, 2007.

Ord. No. 1478-06.

By Council Member White.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 93rd Street to Erica L. Sanders.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 135-04-011, as more fully described below, to Erica L. Sanders.

Section 2. That the real property to be sold pursuant to this ordi-

nance is more fully described as follows:

P. P. No. 135-04-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 449, bounded and described as follows:

Beginning on the Easterly line of East 93rd Street (formerly Woodland Hills Avenue), at the Southwesterly corner of the parcel conveyed by Matilda Morgan to Samuel and Mary J. Batt, May 10, 1893 and by deed recorded in Volume 549, Page 119 of Cuyahoga County Records; thence Easterly along the Southerly line of said parcel conveyed to Batt, 114.85 feet; thence Southerly parallel with the Easterly line of said East 93rd Street, 70 feet to the Northerly line of Dunlap Avenue, S.E.; thence Westerly parallel with the Southerly line of said Batt's land and along the Northerly line of said Dunlap Avenue, S.E., 114.85 feet to the Easterly line of East 93rd Street; thence Northerly along the Easterly line of East 93rd Street, 70 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

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

Passed April 16, 2007.
Effective April 18, 2007.

Ord. No. 139-07.

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

An emergency ordinance authorizing the Director of Community Development to apply for and accept grants from the United States Department of Housing and Urban Development for the CDBG Year 33 under the Title I of the Housing and Community Development Act of 1974, for the 2007 Federal HOME Grant Program, Emergency Shelter Grant Program, and the Housing Opportunities for Persons with AIDS Program.

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

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

Section 1. That the Director of Community Development is authorized to apply for and accept grants from the U. S. Department of Housing and Urban Development (HUD) in the following approximate amounts: \$24,527,891 to conduct the Year 33 Community Development Block Grant Program; \$6,355,785 to conduct the Federal HOME Grant Program; \$1,059,397 to conduct the Emergency Shelter Grant Program; and \$840,000 for the Housing Opportunities for Persons with AIDS (HOPWA) Program, for the purposes set forth in the budgets and according thereto and in compliance with the requirements of Title I of the Housing and Community Development Act of 1974 and applicable rules and regulations. That the Director of Community Development is authorized to file all papers and execute all documents necessary to receive the funds under the grants, and that the funds are appropriated for the purposes set forth in the budgets for the grants.

Section 2. That the budgets for the grants, placed in File No. 139-07-A, made a part hereof as if fully rewritten herein, are approved in all respects.

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

Passed April 16, 2007.

Effective April 18, 2007.

Ord. No. 286-07.

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

An emergency ordinance authorizing the Director of Finance to enter into an agreement with the Greater Cleveland Regional Transit Authority and Cuyahoga County to share fiber optic resources; and to execute a deed of easement granting to Cuyahoga County certain easement rights in property located at 205 St. Clair and declaring the easement rights not needed for public use.

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 authorized to enter into an agreement with the Greater Cleveland Regional Transit Authority and Cuyahoga County to share fiber optic resources at no cost to the City.

Section 2. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an easement interest in a conduit through 205 St. Clair Avenue is not needed for public use.

Section 3. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described non-exclusive easement to Cuyahoga County subject to any conditions stated herein at no cost.

Section 4. That the easement shall be non-exclusive and the purpose of the easement shall be to install fiber optic cable at 205 St. Clair Avenue (the "Improvement").

Section 5. That the duration of the easement shall be until the easement is no longer required by Cuyahoga County to perform and utilize the Improvement; that the easement may include reasonable access rights; that the easement shall not be assignable; that the easement shall require the County to maintain any County improvements located within the easement, and pay any applicable taxes and assessments.

Section 6. That the conveyance referred to above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Finance on behalf of the City of Cleveland. The deed of easement shall contain such additional terms and conditions as are required to protect the interests of the City. The Directors of Finance and Law are authorized to execute such other documents, including without limitation, contracts for right of entry, as may be necessary to effect the construction of the Improvement.

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

Passed April 16, 2007.

Effective April 18, 2007.

Ord. No. 290-07.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of paper products necessary for billing, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one or two year period of the necessary items of paper products necessary for billing, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Utilities is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Utilities by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 176800)

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

Passed April 16, 2007.

Effective April 18, 2007.

Ord. No. 297-07.

By Council Member Reed.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 131st Street to Ralph D. Cowan.

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, adminis-

tered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 137-11-046, as more fully described below, to Ralph D. Cowan.

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

P. P. No. 137-11-046

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly part of Sublot Nos. 330 and 331 in the T.H. Kelly's Heirs Allotment No. 4 of part of Original One Hundred Acre Lot No. 453, as shown by the recorded plat in Volume 16 of Maps, Page 29 of Cuyahoga County Records and together forming a parcel of land 76 feet front on the Westerly side of East 131st Street, 131.73 feet deep on the Northerly line, 131.36 feet deep on the Southerly line, which is also the Northerly line of Holborn Avenue, S.E., and 76 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

Passed April 16, 2007.

Effective April 18, 2007.

Ord. No. 369-07.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of various types of security fencing, gate operators, gates, barriers, walls, and guardrails, including associated appurtenances, and labor and materials necessary to repair or maintain existing equipment and appurtenances, including installation if necessary at various facilities, for the various divisions of the Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one or two year period of various types of security fencing, gate operators, gates, barriers, walls, and guardrails, including associated appurtenances, and labor and materials necessary to repair or maintain existing equipment and appurtenances, including installation if necessary at various facilities, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of the Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Utilities is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Utilities by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be paid from Fund Nos. 52 SF 001, 52 SF 229, 54 SF 001, and 58 SF 001, and shall also be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 170472)

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

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

Passed April 16, 2007.
Effective April 18, 2007.

Ord. No. 410-07.
By Council Members Conwell and Sweeney (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from University Hospitals for the Safe Communities, Targeted Enforcement Program.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$64,568.48, from University Hospitals to conduct the Safe Communities, Targeted Enforcement Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the planning worksheet for the grant contained in the file described below.

Section 2. That the planning worksheet for the grant, File No. 410-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant if the extension does not involve an increase in the dollar amount of the grant specified above.

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

Passed April 16, 2007.
Effective April 18, 2007.

Ord. No. 587-07.
By Council Members Brady and Sweeney (by departmental request).
An emergency ordinance to amend Section 1 of Ordinance No. 1719-06, passed November 13, 2006, relating to one or more contracts with C.C.G. Systems, Inc. for professional services necessary to provide software maintenance for the Fleet Management Information System.

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. 1719-06, passed November 13, 2006, is amended to read as follows:

Section 1. That the Director of Public Service is authorized to enter into one or more contracts with C.C.G. Systems, Inc. for professional services necessary to provide software maintenance for the Fleet Management Information System for a period of one or two years, for the Department of Public Service, on an as-needed basis. The contract or contracts shall be paid from Fund No. 70 SF 300, Request No. 161744. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the proposals received for both terms.

Section 2. That existing Section 1 of Ordinance No. 1719-06, passed November 13, 2006, is repealed.

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

Passed April 16, 2007.
Effective April 18, 2007.

Ord. No. 589-07.
By Council Members Conwell and Sweeney (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to enter into one or more contracts without competitive bidding with MGE UPS Systems, Inc. for the purchase of not to exceed one hundred sixty batteries, including installation, for the Uninterruptible Power Supply located in the Police Dispatch Facility at 2001 Payne Avenue, 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 this Council determines that the within commodities are non-competitive and cannot

be secured from any source other than MGE UPS Systems, Inc. Therefore the Director of Public Safety is authorized to make one or more written contracts with MGE UPS Systems, Inc. on the basis of its proposal dated March 19, 2007, for the purchase of not to exceed one hundred sixty (160) batteries, including installation, for the Uninterruptible Power Supply located in the Police Dispatch Facility at 2001 Payne Avenue, to be purchased by the Commissioner of Purchases and Supplies, for the Division of Police, Department of Public Safety.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 01-600201-638000, Request No. 151306.

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

Passed April 16, 2007.
Effective April 18, 2007.

Ord. No. 594-07.
By Council Member Lewis.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the New Day in Hough Committee to stretch banners at the southeast and northeast corners of East 55th & Superior, Ansel & Hough and East 55th & Chester for the period from April 16, 2007 to May 15, 2007, inclusive, publicizing the New Day in Hough.

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 New Day in Hough Committee to install, maintain and remove banners at the southeast and northeast corners of East 55th & Superior, Ansel & Hough and East 55th & Chester for the period from April 16, 2007 to May 15, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

Passed April 16, 2007.
Effective April 18, 2007.

Ord. No. 595-07.

By Council Member Lewis.

An emergency ordinance consenting and approving the issuance of a permit for the New Day in Hough 2K Run/Walk and Parade, on May 12, 2007, sponsored by the New Day in Hough Committee.

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 New Day in Hough 2K Run/Walk and Parade on May 12, 2007, assembling at Thurgood Marshall Recreation Center, go west on Hough Avenue to E. 79th to Lexington, west on Lexington to E. 66th, south on E. 66th to Hough, east on Hough to Thurgood Marshall, and the Parade route also assembling at Thurgood Marshall Recreation Center, from Thurgood Marshall, west on Hough Avenue to E. 71st, north on E. 71st, to Linwood, east on Linwood to E. 79th, south on E. 79th to Hough, east on Hough to Thurgood Marshall, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed April 16, 2007.
Effective April 18, 2007.

Ord. No. 596-07.

By Council Member Reed.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Mt. Olive Missionary Baptist Church to stretch banners along Kinsman Road and along East 126th Street, for the period from June 1, 2007 to June 30, 2007, inclusive, publicizing the church's 100th Year Anniversary.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Mt. Olive Missionary Baptist Church to install, maintain and remove banners along Kinsman Road and along East 126th Street, for the period from June 1, 2007 to June 30, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed April 16, 2007.
Effective April 18, 2007.

Ord. No. 597-07.

By Council Member Reed.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Unity Baptist Church to stretch banners on the corner of East 104th & Kinsman, and East 105th & Kinsman (Pole Nos. CEI 346450, SE-6-67, 318232, and SE-6-68-2), for the period from April 16, 2007 to May 15, 2007, inclusive, celebrating the church's 89th anniversary.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Unity Baptist Church to install, maintain and remove banners on the corner of East 104th & Kinsman, and East 105th & Kinsman (Pole Nos. CEI 346450, SE-6-67, 318232, and SE-6-68-2), for the period from April 16, 2007 to May 15, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type,

method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed April 16, 2007.
Effective April 18, 2007.

REPRINT

Ord. No. 2082-06.

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

An emergency ordinance authorizing the Director of Public Service to enter into one or more contracts with the railroads or the Greater Cleveland Regional Transit Authority to obtain services and acquire property rights such as easements and licenses necessary for the East 93rd Street, Cornell Road Bridge, Aetna Road Bridge and the Bessemer II public improvement projects conducted adjacent to and within railroad and Greater Cleveland Regional Transit Authority rights-of-way.

Whereas, in connection with certain public improvement projects adjacent to or within railroad and/or Greater Cleveland Regional Transit Authority ("GCRTA") rights-of-way, the railroad company and/or the GCRTA may require the City to provide and obtain their approval for certain plans, specifications, other documentation, and services from or through person(s) or firm(s) designated by or acceptable to the railroad company and/or GCRTA; and

Whereas, to undertake or complete certain public improvement projects adjacent to or within railroad and/or GCRTA rights-of-way, the City may require rights-of-entry to or control of certain property adjacent to or within railroad and/or GCRTA rights-of-way; and

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

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

Section 1. That the Director of Public Service is authorized to enter into one or more contracts with the railroads or the Greater Cleveland Regional Transit Authority ("GCRTA") to obtain services and acquire property rights such as easements and licenses, necessary for the East 93rd Street, Cornell Road Bridge, Aetna Road Bridge and the Bessemer II public improvement projects conducted adjacent to and within the railroad and the GCRTA right-of-ways.

Section 2. That the costs of all contracts authorized under this ordinance shall be paid from the funds identified in the ordinance authorizing the City's participation in the public improvement project described above and from annual appropriations.

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

Passed March 26, 2007.
Effective April 3, 2007.

COUNCIL COMMITTEE MEETINGS

**Monday, April 23, 2007
1:00 p.m.**

City Planning Committee, Community and Economic Development Committee and Finance Committee: Present in Planning: Cimperman, Chair; Westbrook, Vice Chair; Conwell, Lewis, Keane, Zone, Reed. Present in CDED: Brancatelli, Vice Chair; Cimperman, Coats, Westbrook, Brady, Zone, Lewis. *Authorized Absence:* Pierce Scott, Chair; Cummins. *Protempore:* Britt. Present in Finance: Sweeney, Chair; Cimperman, Vice Chair;

Brady, Conwell, Britt, Zone, Westbrook, Coats, White, Brancatelli. *Authorized Absence:* Pierce Scott.

2:00 p.m.

Finance Committee: Present: Sweeney, Chair; Cimperman, Vice Chair; Britt, Brancatelli, Zone, Westbrook, Coats, White, Brady, Conwell. *Authorized Absence:* Pierce Scott.

Wednesday, April 25, 2007

10:00 a.m.

Public Safety Committee: Present: Conwell, Chair; Brady, Vice Chair; Britt, Polensek, Coats, Kelley, Cummins, Turner, Santiago.

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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