

The City Record

Official Publication of the City of Cleveland

December the Twenty-Fifth, Two Thousand and Two

Mayor	
Jane L. Campbell	
President of Council	
Frank G. Jackson	
Clerk of Council	
Valarie J. McCall	
Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	Joe Cimperman
14	Nelson Cintron, Jr.
15	Merle R. Gordon
16	Michael C. O'Malley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

Containing	PAGE
City Council	3
The Calendar	3
Board of Control	3
Civil Service	7
Board of Zoning Appeals	20
Board of Building Standards and Building Appeals	21
Public Notice	22
Public Hearings	22
City of Cleveland Bids	22
Adopted Resolutions and Ordinances	23
Committee Meetings	66
Index	66

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE

President of Council-Frank G. Jackson

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	774 East 131st Street	44108
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	4326 Daisy Avenue	44109
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

Clerk of Council - Valarie J. McCall, 216 City Hall, 664-2840
 First Assistant Clerk - Sandra Franklin

MAYOR - Jane L. Campbell

Rodney Jenkins, Executive Assistant
 David M. McGuirk, Executive Assistant
 Timothy Mueller, Executive Assistant
 Craig Tame, Executive Assistant
 Henry Guzman, Director, Office of Equal Opportunity
 Margreat A. Jackson, Legislative Affairs Liaison
 Erik Janas, Inter-Governmental Affairs Officer

DEPT. OF LAW - Subodh Chandra, Director, Galen L. Schuerlein, Acting Chief Counsel, Room 106
 Karen E. Martines, Law Librarian, Room 100

DEPT. OF FINANCE - Robert H. Baker, Director, Room 104;
 Frank Badalamenti, Manager, Internal Audit

DIVISIONS: Accounts - Alan Schneider, 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 Systems Services - Cleo Henderson, Commissioner, 1404 E. 9th St.
 Purchases and Supplies - Myrna Branche, Commissioner, Room 128
 Printing and Reproduction - Michael Hewitt, Commissioner, 1735 Lakeside Avenue
 Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

DEPT. OF PUBLIC UTILITIES - Michael G. Konicek, Director, 1201 Lakeside Avenue

DIVISIONS - 1201 Lakeside Avenue
 Cleveland Public Power - James F. Majer, Commissioner
 Street Lighting Bureau - _____, Acting Chief
 Utilities Fiscal Control - Dennis Nichols, Commissioner
 Water - Julius Ciaccia, Jr., Commissioner
 Water Pollution Control - Darnell Brown, Commissioner

DEPT. OF PORT CONTROL - John C. Mok, Director,
 Cleveland Hopkins International Airport, 5300 Riverside Drive;
 Burke Lakefront Airport - Khalid Bahkur, Commissioner
 Cleveland Hopkins International Airport - Fred Szabo, Commissioner

DEPT. OF PUBLIC SERVICE - Mark Ricchiuto, Director, Room 113

DIVISIONS: Architecture - Kurt Weibusch, 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 - Matthew Carroll, Acting Director, Mural Building, 1925 St. Clair Avenue

DIVISIONS: Correction - Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Road
 Environment - Willie Bess, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
 Health - Dr. Wendy Johnson, Acting Commissioner, Mural Building, 1925 St. Clair Avenue

DEPT. OF PUBLIC SAFETY - James A. Draper, Director, Room 230

DIVISIONS: Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
 Emergency Medical Service - Edward Eckart, Commissioner, 1708 South Pointe Drive
 Fire - Kevin G. Gerrity, Chief, 1645 Superior Avenue
 Police - Edward F. Lohn, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF PARKS, RECREATION & PROPERTIES - James Glending, Acting Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.

DIVISIONS: Convention Center & Stadium - James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
 Parking Facilities - Dennis Donahue, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.

Park Maintenance and Properties - Richard L. Silva, Commissioner,
 Public Auditorium - E. 6th & Lakeside.
 Property Management - Tom Nagle, Commissioner, East 49th & Harvard
 Recreation - Michael Cox, Commissioner, Room 8
 Research, Planning & Development - Mark Fallon, Commissioner, 1501
 N. Marginal Road, Burke Lakefront Airport

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

DIVISIONS: Administrative Services - Terrence Ross, Commissioner.
 Building & Housing - Robert Vilkas, Commissioner, 5th Floor, City Hall.
 Neighborhood Services - Louise V. Jackson, Commissioner.
 Neighborhood Development - Sharon Dumas, Commissioner.

DEPT. OF PERSONNEL AND HUMAN RESOURCES - Eduardo A. Romero, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT - Steven Sims, Director, Room 210

DEPT. OF AGING - Jane E. Fumich, Director, Room 122

DEPT. OF CONSUMER AFFAIRS - Kenya Taylor, Director

COMMUNITY RELATIONS BOARD - Room 11, Lorna Wisham, Director;
 Mayor Jane L. Campbell, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilman Kevin Conwell, Councilman Matthew Zone, City Council Representatives; Rev. Bruce Goode, Paula Castleberry, Charles E. McBee, Mary Adele Springman, Esq., Terez E. Woods, Emmett Saunders, John Banno, Mary Jane Buckshot, Kathryn M. Hall, Raymond Negron, Evangeline Hardaway, Edna Fuentes-Casiano, Janet Jankura, Gia Hoa Ryan.

CIVIL SERVICE COMMISSION - Room 119, Reynaldo Galindo, President;
 Rev. Earl Preston, Vice President; Jonalyn M. Krupka, Secretary;
 Members: Diane M. Downing, Matthew Dotson.

SINKING FUND COMMISSION - Jane L. Campbell, President; Betsy Hruby, Asst. Sec'y.; Robert H. Baker, Director; Council President Frank G. Jackson.

BOARD OF ZONING APPEALS - Room 516, Carol Johnson, Chairman; Members: Margreat Hopkins, Ozell Dobbins, Joan Shaver-Washington, Eugene Cranford, Jr., Secretary.

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

BOARD OF REVISION OF ASSESSMENTS - Law Director Subodh Chandra, President; Finance Director Robert H. Baker, Secretary; Council President Frank G. Jackson.

BOARD OF SIDEWALK APPEALS - Service Director Mark Ricchiuto; Law Director Subodh Chandra; Councilman Martin J. Sweeney.

BOARD OF REVIEW - (Municipal Income Tax) - Law Director Subodh Chandra; Utilities Director Michael G. Konicek; Council President Frank G. Jackson.

CITY PLANNING COMMISSION - Room 501 - Christopher S. Ronayne, Director; Anthony J. Coyne, Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.

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

MORAL CLAIMS COMMISSION - Law Director Subodh Chandra; Chairman; Finance Director Robert H. Baker; Council President Frank G. Jackson; Councilman Dona Brady; Councilman Martin J. Sweeney.

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

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

CLEVELAND LANDMARKS COMMISSION - Room 519 - Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; N. Kurt Wiebush, James Gibans, Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Joseph Cimperman, Dwayne J. Simpson, Robert Keiser, Executive Secretary.

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

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

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

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WEDNESDAY, DECEMBER 25, 2002

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CITY COUNCIL

MONDAY, DECEMBER 23, 2002

The City Record

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VALARIE J. McCALL

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2002-2005

MONDAY

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

MONDAY—Alternating

11:00 A.M. — **Public Service Committee:** Sweeney, Chairman; Jones, Vice Chairman; Brady, Cimperman, Johnson, O'Malley, Polensek, White, Zone.

11:00 A.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chairman; Conwell, Vice Chairman; Cintron, Coats, Johnson, Reed, Polensek.

MONDAY

2:00 P.M. — **Finance Committee:** Jackson, Chairman; Sweeney, Vice Chairman; Brady, Britt, Coats, Gordon, O'Malley, Reed, Scott, Westbrook, White.

TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Cintron, Coats, Jones, Lewis, Reed, Scott, Zone.

TUESDAY—Alternating

1:00 P.M. — **Health & Human Services Committee:** Britt, Chairman; Zone, Vice Chairman; Cintron, Conwell, Gordon, Scott, Polensek.

1:30 P.M. — **Legislation Committee:** White, Chairman; Scott, Vice Chairman; Dolan, Gordon, Johnson, Rybka, Westbrook.

WEDNESDAY—Alternating

10:00 A.M. — **Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Britt, Dolan, Gordon, Reed, Rybka.

10:00 A.M. — **Public Safety Committee:** Reed, Chairman; Britt, Vice Chairman; Brady, Cimperman, Coats, Conwell, Jones, White, Zone.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Coats, Chairman; O'Malley, Vice Chairman; Brady, Cintron, Jones, Polensek, Sweeney, Westbrook, Zone.

1:30 P.M.—**City Planning Committee:** Cimperman, Chairman; Rybka, Vice Chairman, Conwell, Lewis, O'Malley, Scott, Westbrook.

The following Committees are subject to the Call of the Chairman:
Rules Committee: Jackson, Chairman; O'Malley, Reed, Sweeney.

Personnel and Operations Committee: Gordon, Chairman; Britt, Cimperman, Coats, Scott.

Mayor's Appointment Committee: Coats, Chairman; Cintron, Reed, Pierce Scott, Westbrook.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

The following measure will be on its final passage at the next meeting:

Ord. No. 2243-02.

By Council Members Polensek, Johnson, Gordon, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire property located at 16300 Lakeshore Boulevard for the purpose of park and recreational purposes.

BOARD OF CONTROL

December 18, 2002

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 18, 2002, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.

Absent: None.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Henry Guzman, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 815-02.

By Director Baker.

Be it resolved, by the Board of Control of the City of Cleveland, that Resolution No. 736-02, adopted by the Board of Control of the City of Cleveland on November 12, 2002, approving the bid of Granger Trucking Inc. as lowest and best for certain items of building materials is hereby rescinded.

Be it further resolved, that all bids received on August 16, 2002, for the City's requirements for an estimated quantity of building materials, items 13 & 16, for various divisions of City government, pursuant to the authority of Ordinance No. 745-01 passed June 11, 2001, are hereby rejected.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: None.

Resolution No. 816-02.

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the bid of Servco Products, Inc., for an estimated quantity of fasteners groups 1-13, & 15-17, for the various divisions of City government, of a contract, for the period of one (1) year beginning with the date of execution of a contract, received on October 18, 2002 pursuant to the authority of Ordinance No. 1065-02, passed September 16, 2002, which on the basis of the estimated quantity would amount to Seventy Eight Thousand Six Hundred Sixty Two and 17/100 Dollars (\$78,662.17), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 131840 which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract and which, together with all other contracts entered into pursuant to the above mentioned ordinance, does not in total exceed \$100,000.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.
Nays: None.
Absent: None.

Resolution No. 817-02.

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that all bids received on October 18, 2002, for the purchase of an estimated quantity of fasteners, groups III and XIV, for various divisions of City government, pursuant to the authority of Ordinance No. 1065-2002, passed by the Council of the City of Cleveland on September 16, 2000, be and the same are hereby rejected.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.
Nays: None.
Absent: None.

Resolution No. 818-02.

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the bid of Cleveland Central Enterprises, Inc. for an estimated quantity of building materials, item nos. 13 & 16 for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on September 27, 2002 pursuant to the authority of Ordinance No. 745-01, passed June 11, 2001, which on the basis of the estimated quantity would amount to Seventeen Thousand Three Hundred Twenty Five and 00/100 Dollars (\$17,325.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 113674

which shall be certified against such contract in the sum of Eight Hundred Sixty Six and 25/100 Dollars (\$866.25).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.
Nays: None.
Absent: None.

Resolution No. 819-02.

By Director Konicek.

Whereas, pursuant to the authority of Ordinance No. 715-01, passed by the Council of the City of Cleveland on May 21, 2001 and Board of Control Resolution No. 843-01 adopted November 14, 2001, the City entered into City Contract No. 59067 with AVO International Multi-Amp dba AVO International, for miscellaneous test equipment, including training and labor and material necessary to maintain and repair existing equipment for the Division of Cleveland Public Power, Department of Public Utilities; and

Whereas, by its December 9, 2002 letter Megger has notified the City that AVO International has changed its name to Megger; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Megger's letter of December 9, 2002, this Board hereby acknowledges the change in name and the assignment of Contract No. 59067 from AVO International to Megger,

Be it further resolved that the Director of Public Utilities is hereby authorized to execute any documents necessary to effect and recognize such name change and the assignment with respect to Contract No. 59067.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.
Nays: None.
Absent: None.

Resolution No. 820-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Wesco Distribution, Inc. for an estimated quantity of meters and metering equipment item nos. 1, 2, 3, 6 and 7, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on July 25, 2002, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to One Hundred Seventy Two Thousand Four Hundred and no/100 Dollars (\$172,400.00), (Net 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 115881

which shall be certified against such contract in the sum of Twenty Three Thousand One Hundred and no/100 Dollars (\$23,100.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll,

Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.
Nays: None.
Absent: None.

Resolution No. 821-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Rosati Sales, Inc. for an estimated quantity of meters and metering equipment item nos. 4 and 9, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on July 25, 2002, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Seventy Eight Thousand Two Hundred and no/100 Dollars (\$78,200.00) (2% Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 115882

which shall be certified against such contract in the sum of Three Thousand Nine Hundred Ten and no/100 Dollars (\$3,910.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.
Nays: None.
Absent: None.

Resolution No. 822-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Electric Laboratories and Sales Corp. for an estimated quantity of meters and metering equipment item nos. 5, 10, 16 thru 19 and 20 thru 22, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on July 25, 2002, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Seven Hundred Nine Thousand Sixty and no/100 Dollars (\$709,060.00), (2% Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 115883

which shall be certified against such contract in the sum of One Hundred Eighty Two Thousand Eight Hundred Ninety Five and no/100 Dollars (\$182,895.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.

Nays: None.
Absent: None.

Resolution No. 823-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Reed City Power Line Supply for an estimated quantity of meters and metering equipment item nos. 11 thru 15, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on July 25, 2002, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Forty One Thousand Seven Hundred Twenty One and 50/100 Dollars (\$41,721.50) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 115885 which shall be certified against such contract in the sum of Twenty Three Thousand Ninety Two and no/100 Dollars (\$23,092.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.

Nays: None.
Absent: None.

Resolution No. 824-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Professional Electric Products Co. for an estimated quantity of meters and metering equipment item no. 8, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on July 25, 2002, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Seven Thousand Seven Hundred Eighty and no/100 Dollars (\$7,780.00) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of

Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 115884 which shall be certified against such contract in the sum of Three Hundred Ninety Eight and no/100 Dollars (\$398.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.

Nays: None.
Absent: None.

Resolution No. 825-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Air Compliance Testing Inc. for an estimated quantity of labor and materials necessary to perform emissions tests on not to exceed more than three turbines, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 13th day of November 2002, pursuant to the authority of Ordinance No. 586-02 passed June 10, 2002, which on the basis of the estimated quantity would amount to Eighty Three Thousand One Hundred and no/100 Dollars (\$83,100.00) (2% Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 122600 which shall be certified against such contract in the sum of Seventy Five Thousand Nine Hundred Eighty and no/100 Dollars (\$75,980.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.

Nays: None.
Absent: None.

Resolution No. 826-02.

By Director Mok.

Whereas, pursuant to the authority of Ordinance No. 470-2000, passed by the Council of the City of Cleveland on August 7, 2000, and Board of Control Resolution No. 125-01, adopted on March 7, 2001, the City, through its Director of Port Control,

entered into City Contract No. 58018 with Holmes & Narver, Inc. to provide professional architectural and engineering design services for a fiber optic communication and information backbone system study at Cleveland Hopkins International Airport; and

Whereas, on November 20, 2002, Holmes & Narver, Inc. requested the City's consent to the merger of Holmes & Narver, Inc. and DMJMH, Inc. to form DMJMH+N, Inc. and assignment of all of Holmes' obligations and interests under City Contract No. 58018 to DMJMH+N, Inc., effective October 1, 2001; and

Whereas, DMJMH+N, Inc. proposes to undertake all of Holmes & Narver, Inc.'s obligations under said City Contract No. 58018 and represents that such merger and assignment shall not effect a waiver of any of Holmes & Narver, Inc.'s obligations or the City's rights thereunder; now, therefore,

Be it resolved by Board of Control of the City of Cleveland that this Board hereby acknowledges and consents to the merger of Holmes & Narver, Inc. with DMJMH, Inc. effective October 1, 2001, and to the assignment of City Contract No. 58018 from Holmes and Narver, Inc. to DMJMH+N, Inc.

Be it further resolved that the Director of Port Control is authorized to execute all documents and do all other things necessary to effect the consent to the merger and to the assignment of City Contract No. 58018 hereby granted.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.

Nays: None.
Absent: None.

Resolution No. 827-02.

By Director Mok.

Be it resolved by the Board of Control of the City of Cleveland that, under to the authority of Ordinance No. 552-2000, passed by the Council of the City of Cleveland on June 19, 2000, as amended by Ordinance No. 1234-2000, passed on July 17, 2000, the firm of Landrum & Brown, Inc. is hereby selected upon the nomination of the Director of Port Control from a list of qualified persons or firms available for such employment and determined after a full and complete canvass by the Director of Port Control as the firm of airport consultants to be employed by contract to supplement the regularly employed staff of the several departments of the City in order to provide permit compliance services to assist the Department of Port Control in remaining in compliance with the terms and special conditions of Record of Decision compliance issues relating to usage of Runway 6L/24R, including its Section 401/404 Permits, Section 106 compliance, FAA fly over of Runway 6L/24R, and such other regulatory issues as may be assigned by the Director of Port Control.

Be it further resolved that the Director of Port Control hereby is authorized to enter into a written contract with Landrum & Brown based upon its proposed Scope of Work, dated October 21, 2002, provided that the compensation to Landrum & Brown for the services

authorized hereby shall not exceed Three Hundred Thousand Dollars (\$300,000.00), which contract shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the following sub-consultants with Landrum & Brown, Inc., are hereby approved:

<u>Subconsultants</u>	<u>Amount</u>
<u>MBE/FBE %</u>	<u>%</u>
Cobalt Group, Inc.	\$79,300
25.4%	
Hardlines Design Company	\$63,963
20.5%	

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.
Nays: None.
Absent: None.

Resolution No. 828-02.

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that the bid of Concord Road Equipment Mfg., Inc., for labor and materials necessary to repair and maintain airport maintenance vehicles and equipment, Item No. 5 for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed two years beginning with the date of execution of a contract, received on the 13th of June, 2002, pursuant to the authority of Ordinance No. 1003-01, passed June 19, 2001, which on the basis of the estimated quantity would amount to Thirty Thousand and 00/100 Dollars (\$30,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such labor and materials necessary, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 124590 which shall be certified against such contract in the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.
Nays: None.
Absent: None.

Resolution No. 829-02.

By Acting Director Glending.

Whereas, Ordinance No. 2236-94, passed by the Council of the City of Cleveland on February 6, 1995, Resolution No. 578-95, Resolution No. 1041-97, and Resolution No. 451-02 adopted by this Board on August 2,

1995, December 16, 1997, and July 24, 2002 respectively, authorized the City to enter into an agreement with Behnke Associates, Inc. ("Consultant") for professional services necessary to complete the Cleveland Lakefront Bikeway master plan and capital improvements, Contract No. 49526 and two modifications thereto; and

Whereas, due to unforeseen project site conditions including further deterioration of the railroad tunnel at West 65th and Father Caruso Drive, the City desires to modify the Consultant's contract for additional design and construction administration services for the Cleveland Lakefront Bikeway Improvements Phase II; and

Whereas, Consultant has proposed by letter dated December 4, 2002 to provide additional services to modify the design and administer the required construction activities; and

Whereas, the City finds the Consultant's proposal acceptable and desires to modify Contract No. 49526 on the basis of such proposal; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Parks Recreation and Properties is hereby authorized to enter into a further modification to Contract No. 49526 with Behnke Associates, Inc. for additional design and construction administration, services to design and administer construction of the West 65th Street tunnel improvements and certain other unforeseen conditions for the Cleveland Lakefront Bikeway master plan and capital improvements, on the basis of Consultant's December 4, 2002 proposal. The fee for the additional services shall be \$12,000, thereby increasing the total contract amount for all services to \$476,989. The modification authorized hereby shall be prepared by the Director of Law and shall include such additional provisions, as said Director deems necessary to benefit and protect the public interest.

Be it further resolved that all other provisions of said Contract No. 49526 not expressly modified hereby shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.
Nays: None.
Absent: None.

Resolution No. 830-02.

By Acting Director Glending.

Be it resolved by the Board of Control of the City of Cleveland, that all bids received on October 23, 2002 for Various Ward 21 Parks Site Improvements (Munn Park Site Improvements) for the Department of Parks, Recreation & Properties, pursuant to the authority of Ordinance No. 1748-99, passed by the Council of the City of Cleveland on April 17, 2000 be and the same are hereby rejected.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.
Nays: None.
Absent: None.

Resolution No. 831-02.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No(s). 104-20-035 under said Land Reutilization Program; and

Whereas, Ordinance No. 1848-02 passed November 25, 2002, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Oriana House, Inc. has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1848-02, passed November 25, 2002, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Oriana House, Inc. for the sale and development of Permanent Parcel No(s). 104-20-035, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$100, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Resolution No. 832-02.

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 103-21-089 located at 2170 East 35th Street in Ward 5; 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, Carolyn L. Davis, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 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 said 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 pursuant to 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 here-

by requested to execute an Official Deed for and on behalf of the City of Cleveland, with Carolyn L. Davis for the sale and development of Permanent Parcel No. 103-21-089 located at 2170 East 35th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: None.

Resolution No. 833-02.

By Director Sims.

Whereas, pursuant to the authority of Ordinance No. 1727-02, passed November 25, 2002 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized by and at the direction of the Board of Control to sell certain City-owned property no longer needed for public use, described therein and also known as being Parcel B of Block H of the Lee-Seville/Cleveland Outerbelt Industrial Park to SATRAJ, Ltd.; and

Whereas, said Ordinance No. 1727-02 provided that the consideration to be paid for the property shall be at a price not less than fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to Ordinance No. 1727-02, passed November 25, 2002 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property, no longer needed for public use, described therein and also known as being Parcel B of Block H of the Lee-Seville/Cleveland Outerbelt Industrial Park, to SATRAJ, Ltd. for a price of Seventy-Five Thousand and Five Hundred Dollars (\$75,500), which amount is hereby determined to be not less than fair market value.

Be it further resolved that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property, as aforesaid.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: None.

Resolution No. 834-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 0417-02, adopted July 10, 2002, pursuant to the authority of Ordinance 6898, passed by the Council of the City of Cleveland on October 19, 1998 as amended by Ordinance 94-99, passed on March 1, 1999, approving the proposal of Montgomery Watson Harza as selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to provide Pro-

gram Management Consulting Services for the Plant Enhancement Program- Phase 11, for the Division of Water, Department of Public Utilities, is hereby amended by deleting "Ordinance 68-98, passed by the Council of the City of Cleveland on October 19, 1998 as amended by Ordinance 94-99, passed on March 1, 1999" and adding "Ordinance 633-96, passed by the council of the City of Cleveland on May 20, 1996".

Be it further resolved that all other provisions of said Resolution No. 417-02 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: None.

Resolution No. 835-02.

By Director Sims.

Whereas, pursuant to Ordinance No. 2246-02, passed November 25, 2002 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized to acquire title to the properties described therein and to reconvey such property to the Redeveloper, consistent with Section 5 709.41 (B)(1) of the Ohio Revised Code, for consideration as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to the authority of Ordinance No. 2246-02, passed November 25, 2002 by the Council of the City of Cleveland, the Board hereby determines the consideration for purposes reconveyance of the properties described in Council File No. 2246-02-A to be One Dollar (\$1.00) for each such reconveyance.

Be it further resolved, that the Mayor of the City of Cleveland is hereby requested and the Commissioner of Purchases and Supplies is hereby directed to execute and deliver the official quitclaim deeds of the City of Cleveland conveying said real property.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: None.

Resolution No. 836-02.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Schirmer Construction Company, for the public improvement of the new apparatus addition and alterations of existing building at Fire Station No. 39 base bid for the Division of Fire, Department of Public Safety, received on November 6, 2002, pursuant to the authority of Ordinance No. 838-2002, passed June 10, 2002, for a gross price for the improvement in the aggregate amount of One Million Five Hundred Forty Seven Thousand and no/100 Dollars (\$1,547,000.00), is hereby affirmed and approved as the lowest responsible bid, and the Director of Public Service is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of

the following subcontractors by Schirmer Construction Company are hereby approved:

Commercial Tile FBE	\$ 24,390
Barrow Sign FBE	\$ 4,470
Able Fence FBE	\$ 14,950
Gratton Building FBE	\$ 11,700
Collinwood Concrete FBE	\$ 23,000
Comm Steel MBE	\$ 85,000
Granger Trucking MBE	\$ 28,000
Roman Floors MBE	\$ 21,195
Mohawk Rebar MBE	\$ 8,800
Alpha Drive Heating	\$ 75,217
P.J. Ellis	\$136,700
Harmon Inc.	\$167,000
M.J. Masonry	\$244,400
Courtad Construction	\$ 31,613

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Directors Hudecek, Romero, Sims, Fumich and Taylor.

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

CIVIL SERVICE NOTICE**ANNOUNCEMENTS - 2002
1/6/03 — 1/10/03**

Announcement No.	Type Exam	Classification
71	EE	Accident & Safety Inspector (Non Comp)
72	EE	Accountant II (Non Comp)
73	EE	Accountant III (Non Comp)
74A	EE	Accountant Clerk I (Non Comp)
74	EE	Accountant Clerk II (Non Comp)
75	EE	Airport Information Representative (Non Comp)
76	EE	Airport Maintenance Man (Non Comp)
77	EE	Airport Operations Agent (Non Comp)
78	EE	Airport Safety Manager (Non Comp)
79	EE	Arborist I (Non Comp)
80	EE	Arborist II (Non Comp)
81	EE	Asphalt Tamper (Non Comp)
82	EE	Assistant Manager of Box Office (Non Comp)
83	EE	Assistant Plan Examiner (Non Comp)
84	EE	Assistant Superintendent Waste Collection (Non Comp)
85	EE	Associate Engineer (Non Comp)
86	EE	Associate Programmer (Non Comp)
87	EE	Automobile Repair Unit Leader (Non Comp)
88	EE	Automobile Repair Worker (Non Comp)
89	EE	Bricklayer (Non Comp)
90	EE	Bricklayer Helper (Non Comp)
91	EE	Bridge Oiler (Non Comp)
92	EE	Building Stationary Engineer (Non Comp)
93	EE	Carpenter (Non Comp)
94	EE	Carpenter Unit Leader (Non Comp)
95	EE	Caseworker I (Non Comp)
96	EE	Caseworker II (Non Comp)

PROOF OF CITY RESIDENCY

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing**. The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current**. Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

Lease - from rental agency.

Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.

Utility bills bearing the property address **and** your name.

Post Office change of address form properly date stamped.

Official documents relating to home ownership including deed, purchase agreement, or insurance policy.

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

Car registration **or** Driver's License **or** Ohio I.D. (**One only**).

Loans and credit card statements (Within last three months).

Rental contracts (e.g.: furniture, tools, car, etc.).

Current bills not listed above (Within last three months).

The following are examples of **unacceptable** categories of proof:

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 71**

**ACCIDENT & SAFETY INSPECTOR
(Non Comp)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$17.09 to \$19.09 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MONDAY, DECEMBER 2, 2001.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general supervision to administer, supervise or perform training work in accident prevention program.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have

his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 72

ACCOUNTANT II (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$7.27 to \$18.93 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under direct supervision, performs accounting functions in the preparation of financial systems. Analyzes and reports financial data. May be required to instruct and/or supervise Accountant I and Accounting Clerks. Performs related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants

who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 73

ACCOUNTANT III (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$8.20 to \$20.99 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general supervision, is responsible to perform accounting functions in accordance with established accounting systems. Analyzes reports and data, and advises in the procedures of accounting and the preparation of financial data. May be required to instruct and/or supervise Accountants I & II and Accounting Clerks. Performs related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 74A

ACCOUNTANT CLERK I (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$5.15 to \$13.98 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, NOVEMBER 25, 2002 UNTIL 4:30 P.M. ON MONDAY, DECEMBER 2, 2002.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MONDAY, DECEMBER 2, 2001.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision to perform routine recording of accountant information and perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing; Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES ANNOUNCEMENT NO. 74

ACCOUNTANT CLERK II (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$5.46 to \$15.11 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision, to perform accounting and auditing work manually or when required to operate a bookkeeping machine and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with appli-

cation at time of filing; Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES ANNOUNCEMENT NO. 75

AIRPORT INFORMATION REPRESENTATIVE (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.02 to \$14.50 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general supervision, is responsible for responding to air travelers' inquiries and contacts proceeding through the airport terminal, and performs related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 76**

AIRPORT MAINTENANCE MAN (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$11.97 to \$15.14 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision, assist in maintenance and repair work requiring mechanical ability and familiarity with airport equipment facilities and buildings, and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 77**

AIRPORT OPERATIONS AGENT (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.14 to \$17.93 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO

THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Reviews operations report of preceding shift, special instructions and nature of field conditions; makes regular physical inspection of field conditions, including landing, hangar, ramp and terminal areas; notes and reports unsafe and potentially hazardous conditions; originates and maintains current files on transient aircraft; bills aircraft for landing fees; escorts emergency, construction and other approved vehicles when travel on the field is required; supervises movement on snow removal crews, crash and rescue crews, airline crews, an all others when on the field, maintaining contact with control tower on location of crews and aircraft movement; operates radio telephone in answering questions of a and relaying information to pilots of private planes; answers questions from the public on airport operations and conditions; conducts tours of airport; when assigned, monitors the noise monitoring system and performs related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made

within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 78

AIRPORT SAFETY MANAGER (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.14 to \$18.34 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under direct supervision, operates firefighting equipment at an airport and maintains fire trucks and related equipment in good operating condition, and administers first aid.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 79

ARBORIST I (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.90 to \$16.90 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision, performs skilled arboricultural work, including planting, pruning, and removing trees. Removes dead and dangerous trees and tree stumps from City right-of-ways, parks, and public properties. Trims, prunes, and otherwise maintains street and public trees. Plants trees by digging holes with shovel or auger, uses chain saws, pole saws, and hand tools to cut and trim trees. Operates chipper and stump grinder. Cleans work area. Irrigates, cultivates, sprays, and fertilizes trees. Performs emergency duties during and after storms to remove trees and branches from streets. Performs general basic maintenance on equipment and vehicles. Substitutes for Arborist II as needed. Performs other job-related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 80

ARBORIST II (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive

examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$17.25 to \$19.25 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Performs responsible skilled and technical work in the daily operations of an urban forestry work crew; does related work as assigned. Work is performed under the regular supervision of the District Forester. Supervision is exercised over the assigned urban forestry work crew.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten

(10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 81

ASPHALT TAMPER (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$19.85 to \$29.78 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under immediate supervision, to perform the more highly skilled in connection with the laying and repairing of asphalt street pavement, and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 82

ASSISTANT MANAGER OF BOX OFFICE (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$23,333.40 to \$59,071.96 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be

determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general supervision, to supervise the work of Box Office Cashiers; to do work in connection with ticket sales for public performances; and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER
APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 83

ASSISTANT PLAN EXAMINER
(Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$13.42 to \$19.91 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general supervision, to assist the plan examiner; to assist in the examination of applications for building permits and plans for proposed structures; to insure compliance with zoning requirements and the requirements of laws, ordinances, rules and regulations; to assist in the issuance of building permits; and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service

Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 84

ASSISTANT SUPERINTENDENT
WASTE COLLECTION (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$21.54 to \$23.54 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general supervision, to assist the superintendent in the supervision of activities in connection with the collection and transportation of garbage; and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 85

ASSOCIATE ENGINEER (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$17.83 to \$24.41 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT

TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general supervision, to be responsible for administering, planning, constructing, maintaining, operating, researching, designing, and other related engineering service; to assist in supervising the work of drafters, engineering assistants and other employees; to compile and maintain records, specifications, standards, and correspondence; and perform related duties as required. May be required to work varying shifts and report in emergency situations as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 86

ASSOCIATE PROGRAMMER (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$7.55 to \$20.29 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available

at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Assists in the design, coding, and documentation of applications to large or small-scale computers and associated equipment for commercial systems. Works under the direction and guidance of a Member of the Technical Staff or equivalent level. Handles detailed problem specifications and shows judgment and initiative in performing assigned tasks.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with

the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 87

**AUTOMOBILE REPAIR UNIT
LEADER (Non Comp)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$17.78 to \$20.59 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003. THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general supervision, to be in charge of a group of workers engaged in the repair and maintenance of automobiles, trucks, and other mobile equipment; and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Appli-

cants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 88

**AUTOMOBILE REPAIR WORKER
(Non Comp)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$12.60 to \$16.97 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE

REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision to inspect, repair, adjust, and service automobiles, trucks, and other motorized equipment; must make minor repairs and adjustments to secondary units, and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 89

BRICKLAYER (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$27.20 to \$34.00 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision, to lay brick and other materials in the construction and repair of foundations, walls, and other structures, and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 90

BRICKLAYER HELPER (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20.39 to \$30.58 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under immediate supervision and instruction, to assist bricklayers by performing the less skilled tasks as directed, and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with appli-

cation at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 91

BRIDGE OILER (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$8.96 to \$15.71 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under direct supervision, cleans and lubricates mechanical lift bridges and related bridge equipment. Cleans and inspects all equipment and machinery. Performs other related job duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 92

BUILDING STATIONARY ENGINEER (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.14 to \$16.22 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision, to maintain boiler room and engine room equipment in a public building, to maintain and repair mechanical and other equipment, to operate a power plant and engine room equipment in a public building, to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 93

CARPENTER (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$27.06 to \$33.83 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available

at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision, to build, alter, and repair articles and structures of wood, and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have

his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 94**

**CARPENTER UNIT LEADER (Non
Comp)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$28.31 to \$35.08 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general supervision, to have charge of a group of workers engaged in building, altering, and repairing articles and structures of wood; to do carpenter work requiring more than ordinary skill; and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 95**

CASEWORKER I (Non Comp)
Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$5.90 to \$15.74 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CON-

TAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision, to do case work in the handling of cases of applicants and clients in need and/or emergency relief, and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 96**

CASEWORKER II (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$6.55 to \$17.26 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JANUARY 6, 2003 UNTIL 4:30 P.M. ON FRIDAY, JANUARY 10, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JANUARY 10, 2003. THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general supervision, to supervise the administration of case work by caseworkers. To have general supervision of, and to correlate the work in a district office or department of work, to assist in the development and maintaining of effective case plan; and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

ANEQUAL OPPORTUNITY EMPLOYER

ANNE BLOOMBERG,
President

December 25, 2002

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 6, 2003

9:30 A.M.

Calendar No. 02-353: 3441 West 45th Street (Ward 14)

Sidney Small, owner, appeals to change the use of an existing approximate 27' x 85' two dwelling unit house to a four dwelling unit house all situated on a 35' x 95' parcel located in a Two-Family District on the east side of West 45th Street at 3441 West 45th Street; said change of use being contrary to the Residential District Requirements of Section 337.03, where 4 dwelling units are not permitted in a Two-Family District and contrary to the Off-Street Parking and Loading Requirements of Section 349.04(a), where 4 parking spaces are required and none are proposed and contrary to the Area Requirements, where 536 sq. ft. is proposed for units 1 & 3 and 576 sq. ft. is proposed for unit 2 and 660 sq. ft. is proposed for unit 4 and 2,400 sq. ft. per dwelling unit is required and a total density of 2,300 sq. ft. is proposed and 1,566 sq. ft. is allowed as stated in Section 355.04(b) of the Codified Ordinances.

Calendar No. 02-358: 9719 Ramona Boulevard (Ward 4)

Damascus Missionary Baptist Church, owner c/o Curtis Williams, appeals to construct a 15 space asphalt parking lot on a 100' x 150' parcel located in a B1 Two-Family District on the north side of Ramona Avenue at 9719 Ramona Avenue; said construction being contrary to the Residential District Requirements of Section 337.03, where the proposed construction is in a residential district and a church and its accessory uses must be located 15' from any adjoining premises in a residence district and contrary to the Yards and Courts Requirements, where parking of motor vehicles in the setback area is prohibited as stated in Section 357.14 of the Codified Ordinances.

Calendar No. 02-359: 1403-5 East 6th Street (Ward 13)

Bedford Properties, owner c/o Lew Wallner, appeal to change the use of an existing 130' x 167' nine-story and seven floors, masonry office building into retail space on the first floor and 49 condominium suites on the remaining floors, all situated on a 126' x 166' parcel located in a General Retail Business District on the east side of East 6th Street at 1403-05 East 6th Street; said change of use being contrary to the Area Requirements of Section 355.04(b), where in an "e" area district the maximum gross floor area cannot exceed 1-1/2 times the lot area and 28,905 sq. ft. maximum gross floor area is permitted where 174,540 sq. ft. is proposed and contrary to the Yards and Courts Requirements of Section 357.08(b)(2), where a 20' rear yard setback is required and 0' is proposed and no side yard setbacks are proposed and side yards equal to no less than 1/4 the height of the building are required as stated in Section 357.14(b) of the Codified Ordinances.

Calendar No. 02-360: 14201-05 Harvard Avenue (Ward 1)

Eleare Kinney, owner, and Claude Carson, agent, appeal to change the use of an existing approximate 37' x 61' two-story store building into a night club all situated on a 40' x 125' parcel located in a General Retail Business District on the north side of Harvard Avenue at 14201-05 Harvard Avenue; said change of use being contrary to the Business District Requirements of Section 343.11(b)(2)(L), where by reference to Section 347.12 (Amusement and Recreation), (a) nightclubs are required to be 500' from a day care center, school, library, church, playground and public non-profit community center (b) nightclubs are required to be 500' from another nightclub and contrary to the Landscaping and Screening Requirements, where no transition strip is proposed along the rear property line and a 10' transition strip is required as stated in Section 352.09 of the Codified Ordinances.

Calendar No. 02-361: Appeal of Marc Batulewick, 18415 Melville Road (Ward 11)

Marc Batulewick, owner, appeals from a Notice of Violation from the Cleveland Division of Building and Housing regarding the Access and Maintenance of Off-Street Parking Space Requirements, where all accessory off-street parking spaces, driveways and maneuvering areas shall be surfaced with concrete, asphaltic concrete, asphalt or similar material and that parking on the rear grass is prohibited as stated in Section 337.18(a) of the Codified Ordinances.

Calendar No. 02-362: 5945-49 Engel Avenue (Ward 12)

James Stropko, owner, and Community of Faith Church c/o Pastor Thomas Minor, appeal to change the use of an existing 30' x 85' one-story café and hall building into a day care facility all situated on a 40' x 85'-6" parcel located on the north side of Engel Avenue at 5945-49 Engel Avenue; said change of use being contrary to the Business District Requirements of Section 343.11, where by reference as regulated in a Multi-Family District, Section 337.08(e) a day care is required to be 15' from any adjoining premises in a residence district not used for a similar purpose and the proposed use abuts a Two-Family District at the rear of the property and contrary to the Landscaping and Screening Requirements, where a 4' landscaping strip is proposed along Engel Avenue between the proposed parking lot and the street and 6' is required as stated in Section 352.10 of the Codified Ordinances.

Calendar No. 02-363: 1414 East 115th Street (Ward 9)

Luther Pettit, owner, appeals to install approximately 154 linear feet of 5' high chain link fencing around the perimeter of a 44' x 110' corner parcel located in a Local Retail Business District on the west side of East 115th Street at 1414 East 115th Street; said installation being contrary to the Fence Regulations, where a 5' height fence is proposed and fences in the actual front yards and side street yards shall not

exceed 4' in height in non-residential districts as stated in Section 358.05(a)(2) of the Codified Ordinances.

Calendar No. 02-364: 2197 Columbus Road (Ward 14)

Niagara Homes, Ltd., owner c/o Mike McBride, agent, appeals to construct a 16' x 16' third floor dormer to the rear of an existing 16' x 45' two-story, one family house all situated on a 22' x 135' parcel located in a Semi-Industry District on the east side of Columbus Road at 2197 Columbus Road; said construction being contrary to the Area Requirements, where the proposed construction has a gross floor area of 1,664 sq. ft. and the maximum gross floor area allowed is 1,485 sq. ft. and the maximum gross floor area shall not exceed half of the lot area as stated in Section 355.03 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, DECEMBER 23, 2002

At the meeting of the Board of Zoning Appeals on Monday, December 23, 2002, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 02-354: 17909 Sedalia Avenue

Frank Bemak appealed to construct a 12' x 16' wolmanized open deck to the rear of a one and one-half dwelling in a One-Family District.

Calendar No. 02-326: 14909 Kingsford Avenue

Stephane Lowe appealed to enclose an existing 7' x 20' front porch of a one family dwelling in a One-Family District.

The following appeals were **Denied:**

Calendar No. 02-352: 16327 Delrey Avenue

Camille Wilson appealed to establish use of a two-story dwelling house as a Type A day care facility in a One-Family District.

Calendar No. 02-356: 1977 West 105th Street

West Cleveland Management appealed to park a vehicle in the front yard setback area in a Semi-Industry District.

Calendar No. 02-357: 3895 West 136th Street

Michael A. Sopko appealed to install 57 linear feet of 4' high chain link fencing to the rear and side yards of a corner parcel in an One-Family District.

The following appeals were **Postponed:**

Calendar No. 02-351: 6830 Beaver Avenue postponed to January 13, 2003.

Calendar No. 02-355: 7512 Broadway Avenue postponed to January 13, 2003.

Calendar No. 02-331: 8118 Superior Avenue postponed to January 21, 2003.

On Monday, December 23, 2002, in Executive Session:

The following appeals were heard by the Board on Monday, December 16, 2002, and said decisions were adopted and approved in Executive Session on December 23, 2002:

The following appeals were **Approved:**

Calendar No. 02-337: 4227 West 143rd Street

Michael Hastings appealed to construct a 20' x 24' one-story garage to the rear of a 40' x 120' corner parcel and install 70 linear feet of 6' high wooden fencing to the north, south and east of a parcel in a One-Family District.

Calendar No. 02-346: 15519 Holmes Avenue

Diocese of Cleveland and St. Mary's Church appealed to construct a 14,000 sq. ft. gymnasium addition to an existing school in a Two-Family District.

Calendar No. 02-348: 2201 West 93rd Street

WTech, L.P., appealed to add an additional four stories above an existing school building and adding 244 dwelling units in a Multi-Family District.

Calendar No. 02-350: 1961 West 21st Street

Robert Ewolski appealed to construct a 24' x 35' three-story, frame dwelling unit on a 70' x 134' parcel in a General Industry District.

Calendar No. 02-276: 5800-34 Storer Avenue

MSM Family Investment Ltd. appealed to construct three new fueling islands with canopy and 15 new parking spaces in a General Retail Business District and a Two-Family District.

Calendar No. 02-317: 11626 Union Avenue

Shorebank Cleveland Corporation appealed to establish use of a 30' x 115' two-story masonry building as a five unit apartment building in a Two Family District and General Retail Business District.

The following appeals were **Denied:**

Calendar No. 02-349: 4713 Memphis Avenue

Angela Miller appealed to install a 5' high pole sign with a setback of 20' in the front yard of a residential parcel in a Local Retail Business District.

Calendar No. 02-318: Appeal of David Hogan, 2902 South Moreland Boulevard

Gary Rhodes, owner c/o David Hogan, agent appealed from the decision of the Cleveland Landmarks Commission to deny an application for a Certificate of Appropriateness.

The following appeal was heard by the Board on November 25, 2002 and the decision to approve was adopted on December 23, 2002:

Calendar No. 02-282: 3307 Scranton Road

Metro Lofts LLC, appealed to change the use of a three-story warehouse building into 21 loft apartments in a Multi-Family District.

The following appeal was heard on December 9, 2002 and the decision to adopt and approve was granted on December 23, 2002:

Calendar No. 02-333: 15116 Lakeshore Boulevard

Abundant Faith Apostolic Church appealed to change the use of an 82' x 102' one-story masonry building into a church in a Local Retail Business District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
December 18, 2002

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-158-02.

RE: Appeal of John Fuduric, Owner of the One Story Masonry Commercial Property located on the premises known as 777 East 185th Street from a NOTICE OF VIOLATION — ILLEGAL USE of the Commissioner of the Division of Building and Housing, dated September 9, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

There will be no action taken on Docket A-158-02, noting that the City has WITHDRAWN the "Notice of Violation".

* * *

Docket A-182-02.

RE: Appeal of Statler Arms, Inc., Owner of the Commercial, Office, 3 + Story Masonry Property located on the premises known as 1127 Euclid Avenue from a NOTICE OF VIOLATION — HVAC of the Commissioner of the Division of Building and Housing, dated November 18, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the hood to return to service immediately, subsequent to a clean-out, installation of proper doors, and a grease collection pan under the fan; pending further adjustments subsequent to the

Board's investigation. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

* * *

Docket A-187-01.

RE: Appeal of Freeway Industrial Properties, Owner of the Property located on the premises known as 246 East 131st Street from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire, dated November 6, 2001, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date; Docket A-187-01 will be rescheduled for January 29, 2003.

* * *

Docket A-154-02.

RE: Appeal of Fleck & Associates, Inc., Owner of the Property located on the premises known as 1293 West 9th Street from an ORDER TO CEASE OPERATIONS — FIRE CODE of the Chief of the Division of Fire, dated October 7, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date; Docket A-154-02 will be rescheduled for January 15, 2003.

* * *

Docket A-160-02.

RE: Appeal of Fleck & Associates, Inc., Owner of the Property located on the premises known as 1293 West 9th Street from an ORDER TO CEASE OPERATIONS — FIRE CODE of the Chief of the Division of Fire, dated October 7, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date; Docket A-160-02 will be rescheduled for January 15, 2003.

* * *

Docket A-177-02.

RE: Appeal of 668 Euclid LLC & G.S.K. Atrium LLC, Owners of the Property located on the premises known as 668-700 Euclid Avenue (aka 621 Prospect Avenue) from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire, dated October 18, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit the Fire Watch to be eliminated with the completion of the test of the stand-pipe system per NFPA 25 and to submit documentation attesting to the fact that the test has been performed with any required repairs to pass that test have been completed, and with the understanding that the following issues have been completed or in the process of being completed within the next two (2) days; that the combustibles be removed, the kitchen

hood tied in, the signage will be completed within the next thirty (30) days on the siamese connections, that the garage will be separated properly from the building within the next week, that fire extinguishers will be maintained, and that the Appellant will submit a letter stating that when the building is improved, that all systems will be brought up to current codes when the building is reoccupied, including the fire pump and sprinkler system. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Gallagher and seconded by Mr. Saab 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 Basic Building Code (OBBC):

A-96-02—Montlack Management.
A-97-02—Montlack Management.
A-143-02—Donna T. Gaston.
A-151-02—Virginia L. Demmings.
A-155-02—Saxon Mortgage, Inc.
A-165-02—Susan M. Pawlak.
A-176-02—Kurt C. Weaver.

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

* * *

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

A-178-02—John Calicchia.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley. Nays: None. Not Voting: Mr. Saunders.

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Gallagher and seconded by Mr. Saunders 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 Basic Building Code (OBBC):

December 4, 2002

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

* * *

**INFORMAL HEARING:
Additions and Renovations
Cleveland Museum of Art
1150 East Boulevard
Cleveland, Ohio 44106**

* * *

EUGENE CRANFORD, JR.,
Secretary

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

**Notice of Public Hearing
of the
City of Cleveland
Records Commission**

Notice is hereby given in accordance with Chapter 149 of the Ohio Revised Code and Chapter 167 of the Codified Ordinances of the City of Cleveland, that the Cleveland Records Commission will hold a public meeting on Thursday January 16, 2003 at 2:00 p.m. in Room 106 City Hall, 601 Lakeside Avenue, Cleveland, Ohio for the purpose of considering records retention and disposal requests.

December 25, 2002 and January 1, 2003

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, JANUARY 15, 2003

Lecterns, for Various Divisions,
Department of Parks, Recreation
& Properties, as authorized by

Ordinance No. 1205-2000, passed by the Council of the City of Cleveland, May 21, 2001.

December 18, 2002 and December 25, 2002

FRIDAY, JANUARY 17, 2003

Crown Sludge Dome Repair, for the Division of Water Pollution Control, Department Public Utilities, as authorized by Ordinance No. 1148-01, passed by the Council of the City of Cleveland, October 8, 2002.

THERE WILL BE A PRE-BID MEETING HELD ON FRIDAY, JANUARY 3, 2003 AT 10:00 A.M., AT THE CROWN WATERWORKS PLANT, LOCATED AT 955 CLAGUE ROAD, WESTLAKE, OHIO.

THERE WILL BE A REFUNDABLE FEE OF TWO HUNDRED DOLLARS (\$200.00) IN THE FORM OF A CASHIER'S CHECK AND OR MONEY ORDER FOR EACH SET OF SPECIFICATIONS.

December 18, 2002 and December 25, 2002

THURSDAY, JANUARY 16, 2003

Diesel Fuel, for Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2112-02, passed by the Council of the City of Cleveland, November 18, 2002.

December 25, 2002 and January 1, 2003

Request for Proposal (RFP)

Storm Water Collection System Investigation at Cleveland Hopkins International Airport

Description: The primary purpose of this project is to assist the City of Cleveland, Department of Port Control (DPC) in our efforts to comply in a timely fashion with selected portions of the Findings & Orders (Orders) as issued by the Director of the Ohio Environmental Protection Agency (OEPA) relative to the applicable sections of the storm water collection system at Cleveland Hopkins International Airport (CHIA).

This project will investigate and subsequently deliver to the DPC, various data relative to selected portions of the storm water collection system (the system) at CHIA. This information will be of the type and in the form necessary for DPC to undertake an evaluation of whether or not sewage is infiltrating or being discharged into the system.

Qualification Packets Received: Thursday, January 2, 2003

Pre-Proposal Date: There will be a Mandatory pre-proposal meeting on January 9, 2003 (Wednesday) at 10:00 a.m. at 19501 Five Points Road, Engineering Building PMT Conference Room.

Proposal Opening Date: Tuesday, January 21, 2003.

December 25, 2002 and January 1, 2003

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1208-02.

By Council Members Lewis, Gordon, Cimperman and Jackson (by departmental request)

An emergency resolution declaring the necessity and intention to appropriate property for public use to renovate League Park.

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 for the public purpose of renovating League Park, it is necessary to appropriate in fee simple interest and this Council hereby declares its intent to appropriate the fee simple interest in and to the following described property:

1654 East 70th Street (Rear)
Permanent Parcel No. 106-13-070
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 124 in W.S. Streator and D. Adams Subdivision of part of Original One Hundred Acre Lots Nos. 338 and 341 as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Westerly line of East 70th Street, formerly known as Russell Avenue, at the Southeastern corner of said Sublot No. 124;

Thence Northerly along the Westerly line of East 70th Street, 17 feet to the Southeastern corner of land conveyed to Marie Posey by deed dated March 27, 1974 and recorded in Volume 13682, Page 319 of Cuyahoga County Records;

Thence Westerly along the Southerly line of land conveyed to Marie Posey 95.60 feet to the Southwestern corner thereof;

Thence Northerly along the Westerly line of land, 33 feet to the Northerly line of said Sublot No. 124;

Thence Westerly along the Northerly line of said Sublot No. 124, a distance of 84.40 feet to the Northwesterly corner thereof;

Thence Southerly along the Westerly line of said Sublot No. 124, a distance of 50 feet to the Southwesterly corner thereof;

Thence Easterly along the Southerly line of said Sublot No. 124, a distance of 180 feet to the principal place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

6909 Lexington Avenue N.E.
Permanent Parcel No. 106-13-068
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots Nos. 121, 122, and 123 in Streator and Adams' Subdivision of part of Original 100 Acre Lots Nos. 338 and 341, as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Northerly line of Lexington Avenue N.E., at a point distant 148.07 feet Westerly, measured along said Northerly line,

from its intersection with the Westerly line of East 70th Street;
Thence Northerly and parallel with the Westerly line of East 70th Street, 96.15 feet;

Thence Easterly and parallel with the Northerly line of Lexington Avenue N.E., 29.25 feet;

Thence Northerly and parallel with the Westerly line of East 70th Street, 5 feet to the Southerly line of said Sublot No. 123;

Thence Easterly along the Southerly line of said Sublot No. 123 about 30.82 feet to a point distant 88 feet Westerly, measured along the Southerly line of said Sublot No. 123, from the Westerly line of East 70th Street;

Thence Northerly and parallel with the Westerly line of East 70th Street, 50.55 feet to the Northerly line of said Sublot No. 123;

Thence Westerly along the Northerly line of said Sublot No. 123, 93.25 feet to the Northwesterly corner thereof;

Thence Southerly along the Westerly line of said Sublots Nos. 123, 122, and 121, 151.92 feet to the Northerly line of Lexington Avenue N.E.;

Thence Easterly along the Northerly line of Lexington Avenue N.E., 33.18 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 2. That the Director of Finance is hereby authorized to cause written notice of the adoption of this resolution to be given to the owners, persons in possession or having an interest of record in the above-mentioned premises, and such notice shall be served according to law by a person to be designated for that purpose by the Director of Finance which return shall be made in the manner provided by law.

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

Adopted December 16, 2002.

Effective December 20, 2002.

Res. No. 2254-02.

By Council Members Polensek, Johnson, Cimperman and Jackson (by departmental request).

An emergency resolution declaring the necessity and intention to appropriate property for the public purpose of park and recreational purposes, located at 16300 Lakeshore Boulevard.

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 for the public purpose of park and recreational purposes, it is necessary to appropriate property located at 16300 Lakeshore Boulevard in fee simple property interests. This Council declares its intent to appropriate the fee simple property interests in and to that property, as described below:

Permanent Parcel No. 113-17-011
Situating in the City of Cleveland,
County of Cuyahoga and State of
Ohio and known as being part of
Original Euclid Township Tract No.
16 and bounded and described as fol-
lows:

Beginning at a point in the
Southerly line of Lake Shore Boule-
vard (80 feet wide distant North 70°
28' 05" East 1366.82 feet therein
from its point of intersection with
the Easterly line of East 156th
Street (60 feet wide);

Thence continuing North 70° 28'
05" East 698.21 feet along said
Southerly line of Lake Shore Boule-
vard to its point of intersection with
the Easterly line of said Tract No. 16;

Thence South 0° 28' 45" West
374.62 feet along said Easterly line
of Tract No. 16 to a point;

Thence South 70° 28' 05" West
569.88 feet to a point;

Thence North 19° 31' 55" West
352.00 feet to the place of beginning,
according to a survey by Robert H.
Krause, Sr. Registered Ohio Survey-
or No. 2885, July 10, 1967, be the
same more or less, but subject to all
legal highways.

Section 2. That the Director of
Finance is authorized to cause writ-
ten notice of the adoption of this
resolution to be given to the owners
and persons in possession or having
an interest of record in the above-
described premises. The notice shall
be served according to law by a per-
son designated for that purpose by
the Director of Finance and return
shall be made in the manner pro-
vided by law.

Section 3. That this resolution 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 adoption and
approval by the Mayor; otherwise, it
shall take effect and be in force
from and after the earliest period
allowed by law.

Adopted December 16, 2002.
Effective December 20, 2002.

Res. No. 2475-02.
**By Council Members Coats, Cin-
tron, Cimperman, Brady, Conwell,
Westbrook, Johnson, Scott, Jackson,
Britt, Zone, White, O'Malley, Gordon
and Reed.**

**An emergency resolution con-
demning the recent comments of
Senator Trent Lott relating to the
Presidential election of 1948 as such
comments appear to imply support
for racial segregation; encouraging
the United States Senate to elect a
Senator to the position of Senate
Majority Leader who is committed
to racial equality; encouraging Sen-
ator Michael DeWine and Senator
George Voinovich to oppose the elec-
tion of Senator Trent Lott as Senate
Majority Leader; and encouraging
the United States Senate to censure
Senator Trent Lott for his recent
comments.**

Whereas, Senator Trent Lott, Sen-
ate Majority Leader, recently com-
mented on Strom Thurmond's candi-
dacy for President in 1948 and
stated the following: "When Strom
Thurmond ran for President, we
voted for him. We're proud of it.
And if the rest of the country had
followed our lead, we wouldn't have

had all these problems over all
these years"; and

Whereas, such comment has been
repeatedly reported in the media;
and

Whereas, Strom Thurmond ran as
the nominee of the States' Rights
Party with an avowed goal of pre-
serving racial segregation; and

Whereas, this is at least the sec-
ond time that Senator Lott has made
comments of this nature; and

Whereas, Senator Lott has a long
history of opposing the rights of
African-Americans as he opposed
the integration of the University of
Mississippi, the integration of Sigma
Nu fraternity, the establishment of
the Martin Luther King Jr. holiday,
and the expansion of the Civil
Rights Act; and

Whereas, Senator Lott's history
includes being a popular speaker for
the white supremacist organization
Council of Conservative Citizens;
and

Whereas, a growing chorus of
democratically minded groups, in-
cluding the Cleveland AFL-CIO Fed-
eration of Labor and the Cleveland
Plain Dealer, have called for the
removal of Senator Lott as Senate
Majority Leader; and

Whereas, Senator Lott has served
as Senate Majority Leader and is
being considered for Senate Majori-
ty Leader when Congress convenes
in January; and

Whereas, this Council is con-
cerned about Senator Lott's remarks
and disturbed by the fact that Sen-
ator Lott may be elected to the high-
est position of leadership within the
Senate; and

Whereas, it is the opinion of this
Council that the leader of the Sen-
ate should be an individual with
unquestioned commitment to racial
equality; and

Whereas, censure is a formal con-
demnation by the Senate of one of
its own Members and is used when
a Member engages in behavior con-
sidered to be inappropriate or
demeaning to the Senate; and

Whereas, this resolution consti-
tutes 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 con-
demns the recent comments of Sen-
ator Lott relating to the Presidential
election of 1948 as such comments
appear to imply support for racial
segregation.

Section 2. That this Council
encourages the United States Senate
to elect a Senator to the position of
Senate Majority Leader who is clearly
committed to racial equality.

Section 3. That this Council en-
courages Senator Michael DeWine
and Senator George Voinovich to
oppose the election of Senator Trent
Lott as Senate Majority Leader.

Section 4. That this Council
encourages the United States Senate
to censure Senator Lott for his
recent comments relating to the
Presidential election of 1948 as such
comments appear to imply support
for racial segregation.

Section 5. That the Clerk of Coun-
cil is hereby directed to transmit
copies of this resolution to U. S. Sen-
ator Trent Lott, U.S. Senator Michael
DeWine, and U.S. Senator George
Voinovich.

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

Adopted December 16, 2002.
Effective December 20, 2002.

Res. No. 2481-02.
By Council Member Brady.

**An emergency resolution object-
ing to the transfer of ownership of
a D1, D2, D3 and D3A Liquor Per-
mit to 1121 Western Avenue, 1st
Floor and Basement.**

Whereas, Council has been noti-
fied by the Department of Liquor
Control of an application for the
transfer of ownership of a D1, D2,
D3 and D3A Liquor Permit at 13813
Lorain Corporation, 1121 Western
Avenue, 1st Floor and Basement,
Cleveland, Ohio 44111, Permanent
Number 52911910005; 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 inter-
ests of the entire community; and

Whereas, the applicant does not
qualify to be a permit holder and/or
has demonstrated that he has oper-
ated 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 rea-
sonable 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 consti-
tutes an emergency measure provid-
ing for the immediate preservation
of the public peace, prosperity, safe-
ty 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 here-
by record its objection to the trans-
fer of ownership of a D1, D2, D3
and D3A Liquor Permit at 13813
Lorain Corporation, 1121 Western
Avenue, 1st Floor and Basement,
Cleveland, Ohio 44111, Permanent
Number 52911910005; 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 December 16, 2002.
Effective December 20, 2002.

Res. No. 2482-02.

By Council Member Conwell.

An emergency resolution objecting to the stock transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 780-86 East 125th Street, 1st Floor and Basement.

Whereas, Council has been notified by the Department of Liquor Control of an application for a stock transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to Lim Hunts Corporation, 780-86 East 125th Street, 1st Floor and Basement, Cleveland, Ohio 44108, Permanent Number 5202390; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the stock transfer of ownership of a D1, D2,

D3, D3A and D6 Liquor Permit to Lim Hunts Corporation, 780-86 East 125th Street, 1st Floor and Basement, Cleveland, Ohio 44108, Permanent Number 5202390, 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 December 16, 2002.
Effective December 20, 2002.

Res. No. 2483-02.

By Council Member Conwell.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 11701 St. Clair Avenue and repealing Resolution No. 1642-02, objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 11701 St. Clair Avenue by Resolution No. 1642-02 adopted by the Council on August 14, 2002; and

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

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

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

Section 1. That objection to the renewal of a C1 and C2 Liquor Permit to 11701 St. Clair Avenue be and the same is hereby withdrawn and Resolution No. 1642-02, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted December 16, 2002.
Effective December 20, 2002.

Res. No. 2484-02.

By Council Member Johnson.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 3218 East 135th Street and repealing Resolution No. 1228-02, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 3218 East 135th Street by Resolution No. 1228-02 adopted by the Council on June 10, 2002; and

Whereas, this Council wishes to withdraw its objection to the above transfer and consents to said transfer based upon and pursuant to a cooperation agreement by and through City Council Representative, Kenneth L. Johnson and Riyad Assad, President of Karima, Inc., DBA Eastside Groceries, 3218 East 135th Street, Cleveland, Ohio 44120, Permanent Number 4498930, a copy of which is in the file for this address with the City Law Department; and

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 3218 East 135th Street be and the same is hereby withdrawn and Resolution No. 1228-02, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted December 16, 2002.
Effective December 20, 2002.

Res. No. 2485-02.

By Council Member Scott.

An emergency resolution objecting to a New C1 Liquor Permit to 965 East 105th Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Carl W. Byers, DBA Mikias Deli, 965 East 105th Street, Cleveland, Ohio 44108, Permanent Number 1159396; 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 Carl W. Byers, DBA Mikias Deli, 965 East 105th Street, Cleveland, Ohio 44108, Permanent Number 1159396; 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 December 16, 2002.
Effective December 20, 2002.

Res. No. 2486-02.

By Council Member Johnson.

An emergency resolution objecting to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 13108 Buckeye Road.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1, C2 and D6 Liquor Permit at 13108 Buckeye, Inc., DBA Buckeye Beverage, 13108 Buckeye Road, Cleveland, Ohio 44120, Permanent Number 6548662; 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, C2 and D6 Liquor Permit at 13108 Buckeye, Inc., DBA Buckeye Beverage, 13108 Buckeye Road, Cleveland, Ohio 44120, Permanent Number 6548662; 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 December 16, 2002.
Effective December 20, 2002.

Ord. No. 129-02.

By Councilmen Johnson and Polensek (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to assess and collect rent for the use of space at the West Side Market, effective January 1, 2003.

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, beginning January 1, 2003, the Director of Parks, Recreation and Properties shall assess and collect rent for the use of space at the West Side Market using the fee formula contained within the portion of the form rental agreement, which is used as the basis for rental agreements at the West Side Market, placed in File No. 129-02-B.

Section 2. That every six months the Director of Parks, Recreation

and Properties shall meet with the United West Side Market Tenant's Association Budget Committee to review the Director's Schedule described in the form rental agreement placed in the file described above. The Director of Parks, Recreation and Properties shall give written notice to the Chairperson of Public Parks, Recreation and Properties Committee and the council member representing the ward containing the West Side Market of the date, time and location of each meeting.

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

Passed December 16, 2002.
Effective December 18, 2002.

Ord. No. 1204-02.

By Council Members Lewis, Gordon, Cimperman and Jackson (by departmental request)

An emergency ordinance to appropriate property for the public purpose of renovating League Park, Permanent Parcel Nos. 106-13-068 and 106-13-070.

Whereas, the Council of the City of Cleveland, by Resolution No. 1208-02, adopted December 16, 2002, declared the necessity and intention of appropriating the fee simple property interests herein described for the public purpose of renovating League Park; and

Whereas, notice of the adoption of the resolution has been served upon the persons in possession or having an interest in such property; 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 for the public purpose of renovating League Park, the following described fee simple interests be and the same hereby are appropriated:

1654 East 70th Street (Rear)

Permanent Parcel No. 106-13-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 124 in W.S. Streater and D. Adams Subdivision of part of Original One Hundred Acre Lots Nos. 338 and 341 as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Westerly line of East 70th Street, formerly known as Russell Avenue, at the Southeasterly corner of said Sublot No. 124;

Thence Northerly along the Westerly line of East 70th Street, 17 feet to the Southeasterly corner of land conveyed to Marie Posey by deed dated March 27, 1974 and recorded in Volume 13682, Page 319 of Cuyahoga County Records;

Thence Westerly along the Southerly line of land conveyed to Marie Posey 95.60 feet to the Southwesterly corner thereof;

Thence Northerly along the Westerly line of land, 33 feet to the Northerly line of said Sublot No. 124;

Thence Westerly along the Northerly line of said Sublot No. 124, a distance of 84.40 feet to the Northwesterly corner thereof;

Thence Southerly along the Westerly line of said Sublot No. 124, a distance of 50 feet to the Southwesterly corner thereof;

Thence Easterly along the Southerly line of said Sublot No. 124, a distance of 180 feet to the principal place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

6909 Lexington Avenue N.E.
Permanent Parcel No. 106-13-068

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots Nos. 121, 122, and 123 in Streater and Adams' Subdivision of part of Original 100 Acre Lots Nos. 338 and 341, as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Northerly line of Lexington Avenue N.E., at a point distant 148.07 feet Westerly, measured along said Northerly line, from its intersection with the Westerly line of East 70th Street;

Thence Northerly and parallel with the Westerly line of East 70th Street, 96.15 feet;

Thence Easterly and parallel with the Northerly line of Lexington Avenue N.E., 29.25 feet;

Thence Northerly and parallel with the Westerly line of East 70th Street, 5 feet to the Southerly line of said Sublot No. 123;

Thence Easterly along the Southerly line of said Sublot No. 123 about 30.82 feet to a point distant 88 feet Westerly, measured along the Southerly line of said Sublot No. 123, from the Westerly line of East 70th Street;

Thence Northerly and parallel with the Westerly line of East 70th Street, 50.55 feet to the Northerly line of said Sublot No. 123;

Thence Westerly along the Northerly line of said Sublot No. 123, 93.25 feet to the Northwesterly corner thereof;

Thence Southerly along the Westerly line of said Sublots Nos. 123, 122, and 121, 151.92 feet to the Northerly line of Lexington Avenue N.E.;

Thence Easterly along the Northerly line of Lexington Avenue N.E., 33.18 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 2. That the Director of Law is directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple interests hereinbefore described.

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 1260-02.
By Council Members Westbrook, Cimperman and Jackson (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing upgrades of electrical vaults 5 and 7 at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of constructing upgrades of electrical vaults 5 and 7 at Cleveland Hopkins International Airport, for the Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the cost of said improvement authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above improvement and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above improvement, Request No. 118198.

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 December 16, 2002.
Effective December 20, 2002.

Ord. No. 1523-02.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance to amend Section 6 of Ordinance No. 1127-01, passed March 4, 2002, relating to an amendment to the Continental Airlines Special Facilities Lease at Cleveland Hopkins International Airport and to employ one or more professional consultants to provide services necessary to maintain, operate and manage common use gates at the airport.

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 Section 6 of Ordinance No. 1127-01, passed March 4, 2002, is amended to read as follows:

Section 6. That the contract authorized herein shall be initially certified with sufficient funds to cover start up costs and on an annual basis for ongoing maintenance, which shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, 60 SF 134 and any accounts to which are credited any PFCs, grants or bonds issued for this purpose. That the costs for such services contemplated in Section 3 herein shall be paid from the fund or funds to which are credited the proceeds generated from the operation of the common use gates, as described in Section 5 herein.

Section 2. That existing Section 6 of Ordinance No. 1127-01, passed March 4, 2002, 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 December 16, 2002.
Effective December 20, 2002.

Ord. No. 1546-02.
By Council Members Britt, Gordon, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Section 108 contract with STL Medical LLC to provide economic development assistance to partially finance the acquisition, construction of site and real property improvements, and all other costs associated with the construction of a new medical office building located at the corner of East 116th Street and Shaker Boulevard.

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

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

Section 1. That the Director of Economic Development is authorized to enter into an Empowerment Zone Section 108 contract with STL Medical LLC to provide economic development assistance to partially finance the acquisition, construction of site and real property improvements and all other costs associated with the construction of a new medical office building located at the corner of East 116th Street and Shaker Boulevard.

Section 2. That the terms of the loan shall be in accordance with the terms as set forth in the Summary contained in File No. 1546-02-A.

Section 3. That the costs of the contract shall not exceed Five Million Dollars, and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 124001.

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

Section 5. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 18 SF 002.

Section 6. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited and expended from Fund No. 18 SF 004.

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

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 1547-02.
By Council Members Britt, Gordon, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with STL Medical LLC to provide for a ten year sixty percent abatement for certain tangible personal property and real estate taxes as an incentive to acquire, to make site and real property improvements, and all other costs associated with the construction of a new medical office building located at the corner of East 116th Street and Shaker Boulevard, and in the Cleveland Area Enterprise Zone.

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

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

Whereas, STL Medical LLC (the "Enterprise") has proposed to acquire, and make site and real property improvements necessary for the construction of a new medical office building located at the corner of East 116th Street and Shaker Boulevard; and

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

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

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

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

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten year sixty percent (60%) abatement for certain tangible personal property and real estate taxes as an incentive to acquire, to make site and real property improvements, and all other costs associated with the construction of a new medical office building located at the corner of East 116th Street and Shaker Boulevard; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of the tax abatement shall be in accordance with the terms as set forth in the Summary contained in File No. 1547-02-A. The terms of the file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

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

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

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 1843-02.

By Council Member Cimperman.
An emergency ordinance to designate East 9th Street from North Coast Harbor to Carnegie Avenue as the Rock & Roll Boulevard.

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

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

Section 1. That notwithstanding any provision of the Codified Ordinances of the City of Cleveland, Ohio, 1976, to the contrary that East 9th Street, from North Coast Harbor to Carnegie Avenue, is designated and shall also be known as the Rock & Roll Boulevard.

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 1846-02.

By Council Member Cintron.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Newark Avenue and West 48th Street to Clark-Metro Development Corporation.

Whereas, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-28-072 as more fully described below, to Clark-Metro Development Corporation.

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

P. P. No. 007-28-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the West-erly 25 feet and 3/10 feet of Sublot No. 132 in Rhoades, Hartnell, Barber and Selden's Subdivision of a part of Original Brooklyn Township Lot No.

54, as shown by the recorded plat of said Subdivision in Volume 5 of Maps, Page 3 of Cuyahoga County Records. Said part of Sublot No.132 has a frontage of 25-3/10 feet on the Southerly side of Newark Avenue, S.W. (formerly Newark Street) and extends back between parallel lines 125 feet to the Northerly line of Newark Court S.W. as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-28-073 as more fully described below to Clark-Metro Development Corporation.

Section 4. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 007-28-073

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 9-7/10 feet of Sublot No. 132 and the Westerly 16.67 feet of Sublot No. 133 in Rhoades, Hartnell, Barber and Selden's Subdivision of a part of Original Brooklyn Township Lot No. 54, as shown by the recorded plat of said Subdivision in Volume 5 of Maps, Page 3 of Cuyahoga County Records. Said parts of said Sublot Nos. 132 and 133 together forming a parcel of land having a frontage of 26.37 feet on the Southerly side of Newark Avenue, S.W., (formerly Newark Street) and extending back between parallel lines 125 feet to the Northerly line of Newark Court, S.W., as appears by said plat, be the same more or less, but subject to all legal highways.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-28-074 as more fully described below, to Clark-Metro Development Corporation.

Section 6. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 007-28-074

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 18.33 feet of Sublot No. 133 and the Westerly 18 feet 4 inches of Sublot No. 134 in Rhodes, Hartnell, Barber and Selden's Subdivision, of part of Original Brooklyn Township Lot No. 54 as shown by the recorded plat of said Subdivision in Volume 5 of Maps, Page 3 of Cuyahoga County Records. Said parts of said Sublot Nos. 133 and 134 together forming a parcel of land having a frontage of 36-36.66 feet on the Southerly side of Newark Avenue, S.W., (formerly Newark Street) and extending back between parallel lines 125 feet to the Northerly line of Newark Court S.W., as appears by said plat.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell

Permanent Parcel No. 016-12-026 as more fully described, to Clark-Metro Development Corporation.

Section 8. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 016-12-026

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 496 in J.M. Hoyt's Subdivision of part of Original Brooklyn Township Lot No. 47, as shown by the recorded plat in Volume 3 of Maps, Page 10 of Cuyahoga County Records, and being 40 feet front on the Westerly side of West 48th Street, and extending back of equal width 125 feet deep, as appears by said plat.

Also subject to all zoning ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 016-13-037 as more fully described below, to Clark-Metro Development Corporation.

Section 10. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 016-13-037

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 504 in James M. Hoyt's Subdivision of part of Original Brooklyn Township Lot No. 47 as shown by the recorded plat in Volume 3 of Maps, Page 10 of Cuyahoga County Records, and being 40 feet front on the Westerly side of West 48th Street and extending back between parallel lines 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 11. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 12. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 13. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed December 16, 2002.

Effective December 20, 2002.

Ord. No. 1847-02.

By Council Member

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1421 East 85th Street to Jo Anne Elkins.

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). 107-15-048, as more fully described below, to Jo Anne Elkins.

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

P. P. No. 107-15-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio to-wit: and known as being part of Original One Hundred Acre Lot No. 383 and bounded and described as follows:

Beginning on the Easterly line of East 85th Street (formerly Commonwealth Avenue) as dedicated in Volume 19 of Maps, Page 20 of Cuyahoga County Records, at a point distant Southerly, 228 feet, with the Southerly line Decker Avenue, N.E., (formerly Gale Avenue) thence Southerly along said Easterly line of East 85th Street, 33.50 feet; thence Easterly parallel with said Southerly line of Decker Avenue, N.E., 102 feet; thence Northerly parallel with said Easterly line of East 85th Street, 33.50 feet; thence Westerly parallel with said Southerly line of Decker Avenue, S.E., 102 feet to the place of beginning, and being further known as Northerly 33.50 feet of Parcel No. 125 in L.M. Southern's Wade Park Avenue Allotment Proposed of part of Original One Hundred Acre Lot No. 383, 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 December 16, 2002.
Effective December 20, 2002.

Ord. No. 1887-02.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to apply for and accept State of Ohio and Federal grant funds.

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

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

Section 1. That the Director of Port Control is authorized to apply for and accept grants from the United States of America acting through its Federal Aviation Administration ("FAA"), the United States Department of Transportation and/or its member agencies, and grants from the State of Ohio, as they may become available, to fund projects related to the operations of Cleveland Hopkins International Airport and Burke Lakefront Airport. The Director is further authorized to file all papers and execute all documents necessary to apply for, accept and receive funds under said grants; provided that the City shall follow all applicable federal regulations; and that any grant funds are appropriated for the purposes set forth in the applications for said grants, or any amendments thereto. The Direc-

tor of Port Control shall notify this Council, through its Clerk, of any grant or grants accepted under the authority of this ordinance, upon receipt of each such grant.

Section 2. That the Director of Port Control is further authorized to pay cash match funds for projects approved by the above-named grantors for grant funding. The matching funds shall be paid from funds appropriated for the use of the Department of Port Control and any existing or future revenue bond funds, grant proceeds and PFC authorizations.

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 December 16, 2002.
Effective December 20, 2002.

Ord. No. 1922-02.
By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to perform a PeopleSoft optimization study, and a City financial management assessment, including making recommendations for alternatives for long-term solutions to the City's financial management requirements.

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 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 perform a PeopleSoft optimization study, and a City financial management assessment, including making recommendations for alternatives for long-term solutions to the City's financial management requirements.

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

Section 2. That the costs for the services contemplated shall be paid from Fund Nos. 10 SF 165, 11 SF 006, 52 SF 001, 54 SF 001, 58 SF 001 and 60 SF 001, RL 100372. Not more than \$200,000 shall be paid from Fund No. 10 SF 165 for these services, and the

remainder shall be paid from other funding sources identified in this ordinance.

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 December 16, 2002.
Effective December 20, 2002.

Ord. No. 1923-02.
By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to develop and conduct functional training and technical training on the PeopleSoft Financial Management 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 the Director of Finance 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 develop functional training and technical training on the PeopleSoft Financial Management System, and conduct such functional training and technical training for all City employees using PeopleSoft Financial Management System in the performance of their job to a level of proficiency required to perform their jobs.

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

Section 2. That the costs for such services contemplated shall be paid from Fund Nos. 11 SF 006, 52 SF 001, 54 SF 001, 58 SF 001 and 60 SF 001, Request No. 100373.

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 December 16, 2002.
Effective December 20, 2002.

Ord. No. 1939-02.
By Council Members Johnson, Gordon, Cimperman and Jackson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 93rd Street to United Glorious Church of God.

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed 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). 126-14-018, 126-14-019, 126-14-020 and 126-14-021, as more fully described below, to United Glorious Church of God.

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

P. P. No. 126-14-018

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 144, 145 and 146 in Hamilton and Wyman's Allotment of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Westerly side of East 93rd Street (formerly Oakdale Street) at a point 99 feet Northerly from the Southeast corner of said Sublot No. 144; thence Westerly with the Southerly line of said Sublot Nos. 144, 145 and 146 about 110 feet 9 1/4 inches to the Westerly line of said Sublot No. 146; thence Northerly along the Westerly line of said Sublot No. 146, 35 feet 7 inches to the Southerly line of Cumberland Avenue, S.E., (formerly Charles Street), thence Easterly along the Southerly line of Cumberland Avenue, S.E., 110 feet 9 1/4 inches to the Westerly line of East 93rd Street; thence Southerly along Westerly line of East 93rd Street 35 feet 3 inches to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 126-14-019

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 144, 145 and 146 in Hamilton and Wyman's Subdivision of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Westerly side of Oakdale Street (now East 93rd Street) at a point 66 feet Northerly from the Southeast corner of said Sublot No. 144; thence Westerly parallel with the Southerly line of said Sublot Nos. 144, 145, and 146, about 110 feet 3-1/10 inches to the Westerly line of Sublot No. 146; thence Northerly, along the Westerly line of said Sublot No. 146, 33 feet; thence Easterly, parallel with the Southerly line of said Sublot Nos. 144, 145 and 146 about 110 feet 3-1/10 inches to the Westerly line of Oakdale Street (now East 93rd Street); thence Southerly, along the Westerly line of Oakdale Street (now East 93rd Street) 33 feet to the place of the beginning, as shown in Volume 5, Page 22 of Cuyahoga County Records of Maps, be the same more or less, but subject to all legal highways.

P. P. No. 126-14-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 144, 145 and 146 in Hamilton and Wyman Allotment of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Westerly line of East 93rd Street (formerly Oakdale Street), at a point 33 feet Northerly from the Southeast corner of said Sublot No. 144; thence Westerly parallel with the Southerly line of said Sublot Nos. 144, 145 and 146 about 110 feet 3-1/10 inches to the Westerly line of Sublot No. 146; thence Northerly along said Westerly line 33 feet; thence Easterly parallel with the Southerly line of said Sublot Nos. 144, 145 and 146 about 110 feet 3-1/10 inches to the Westerly line of East 93rd Street; thence Southerly along the Westerly line of East 93rd Street, 33 feet to the place of the beginning, be the same more or less, but subject to all legal highways.

P. P. No. 126-14-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 144, 145 and 146 in Hamilton and Wyman Allotment of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and bounded and described as follows:

Beginning at the intersection of the Westerly line of East 93rd Street, (formerly Oakdale Street), with Northerly line of a 12 foot alley, which beginning point is also the Southeast corner of said Sublot No. 144; thence Westerly along the Northerly line of said alley 110 feet 3-1/10 inches to the Southwest corner of said Sublot No. 146; thence Northerly along the Westerly line of said Sublot No. 146, 33 feet, thence Easterly parallel with the Northerly line of said alley to the Westerly line of East 93rd Street, thence Southerly, along the Westerly line of East 93rd Street, 33 feet to the place of the beginning, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall

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

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

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

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

Passed December 16, 2002.

Effective December 20, 2002.

Ord. No. 1941-02.
By Council Members Sweeney, Gordon, Cimperman and Jackson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Gilmore Avenue to Lillian Flores.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 023-14-023, as more fully described below, to Lillian Flores.

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

P. P. No. 023-14-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 2001 in the Ford Realty Company's Liberty Subdivision No. 5 of part of Original Rockport Township, Section No. 10, as shown by the recorded plat in Volume 67 of Maps, Page 34 of Cuyahoga County Records and being 40 feet front on the Southerly side of Gilmore Avenue, S.W. and extending back of equal width, 125 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest 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 December 16, 2002.

Effective December 20, 2002.

Ord. No. 1942-02.
By Council Members White, Gordon, Cimperman and Jackson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Caine Avenue to Pentecostal Determine Church of God.

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

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

Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 128-17-130, 138-17-131 and 138-17-150, as more fully described below, to Pentecostal Determine Church of God.

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

P. P. No. 138-17-130

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 84 in the Caine Realty Company's Miles-Corlett Allotment of part of Original One Hundred Acre Lot No. 470, as shown by the recorded plat in Volume 43 of Maps, Page 25 of Cuyahoga County Records, and being 40 feet front on the Southerly line of Caine Avenue, S.E., and extending back between parallel lines 125 feet deep as appears by said plat, but subject to all legal highways.

P. P. No. 138-17-131

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublot Nos. 47, 48 and 83 in the Caine Realty Company's Miles Corlett Allotment of part of Original One Hundred Acre Lot No. 470 as shown by the recorded plat in Volume 43 of Maps, Page 25 of Cuyahoga County Records and bounded and described as follows:

The Beginning point is on the Southerly line of Caine Avenue, S.E., at the Northwesterly corner of said Sublot No. 83, Course 1: Thence South along the West line of said Sublot No. 83, 28 feet to the Northeast corner of said Sublot No. 47, Course 2: Thence North 84°-17' West along the Northerly line of said Sublot No. 47, 50.37 feet; Course 3: Thence South 00°-03'-20" East along the Northerly prolongation of the West wall of a brick building and along the West wall of said brick building, 73.01 feet to the South line of said Sublot No. 48, Course 4: Thence East along said South line of Sublot No. 48, 50 feet to the Southeast corner of said Sublot No. 48, in the West line of Sublot No. 83, Course 5: thence South along said West line of Sublot No. 83, 33.97 feet to the Southwest corner of said Sublot No. 83, Course 6: Thence South 74°-06'-10" East along the Southerly line of said Sublot No. 83, 35.71 feet to the Southeast corner of said Sublot No. 83, Course 7: Thence North 15°-53'-50" East along the Easterly line of said Sublot No. 83, 65 feet to the Southeast corner of a parcel of land conveyed by Lucretia Van Curen to Lillian Soffen by deed dated January 12, 1959 and recorded in Volume 8465, Page 347 of Cuyahoga County Deed Records. Course 8: Thence North 74°-06'-10" West along the Southerly line of land conveyed to Lillian Soffen as aforesaid, 38 feet to the Southwest corner thereof, Course 9: Thence

North 4°-35'-10" East along the West-erly line of said Lillian Soffen's land 61.19 feet to said Southerly line of Caine Avenue, S.E.; thence Westerly along said Southerly line of Caine Avenue, S.E., 21.31 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P. P. No. 138-17-150

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 83 in the Miles-Corlett Allotment of part of Original One Hundred Acre Lot No. 470, as shown by the recorded plat in Volume 43 of Maps, Page 25 of Cuyahoga County Records and bounded and described as follows:

Beginning at a point in the Southwesterly line of Caine Avenue, 50 feet Northwesterly from its intersection with the Southeasterly line of said Sublot No. 83; thence Southwesterly along the Southwesterly line of Caine Avenue as aforesaid 50 feet to its intersection with the Southeasterly line of said Sublot No. 83; thence Southwesterly along the Southeasterly line of said Sublot No. 83, 60 feet to a point; thence Northwesterly on a line parallel with the Southwesterly line of Caine Avenue 38 feet to a point; thence Northerly in a direct line of 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 December 16, 2002.

Effective December 20, 2002.

Ord. No. 1975-02.
By Council Members Coats, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to apply for and accept a Water Supply Revolving Loan Account loan to partially finance Phase I-B of the Chemical Rehabilitation Project at the Baldwin Water Treatment Plant; determining the method of making the public improvement of constructing those improvements; and authorizing the Director of Public Utilities to enter into one or more contracts for the making of the improvement.

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

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

Section 1. That the Director of Public Utilities is authorized to apply for and accept a Water Supply Revolving Loan Account ("WSRLA") loan in the approximate amount of \$12,000,000 to partially finance constructing Phase I-B improvements in conjunction with the Chemical Rehabilitation Project at the Baldwin Water Treatment Plant, including but not limited to installing chemical feed systems, piping, valves, storage tanks, chemical storage rooms, feed points, appurtenances, chemical monitoring equipment, instrumentation and controls systems (the "Improvement").

Section 2. That the Director of Public Utilities is authorized to enter into a loan agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for a WSRLA loan, which loan agreement shall be in substantially the same form as the Water Supply Revolving Loan Account Agreement, File No. 1975-02-A, and shall contain such additional terms as are acceptable to the Director of Law to protect the public interest. The Director of Public Utilities is further authorized to file all papers and execute all documents necessary to receive the funds under the loan agreement; and the loan funds are appropriated for the purposes set forth in the loan agreement.

Section 3. That upon execution of the loan agreement, the Director of Public Utilities is authorized to repay the loan funds to the WSRLA in accordance with the terms and conditions of the loan agreements, from the operating revenues of the Division of Water.

Section 4. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of constructing the Improvement, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the Improvement.

Section 5. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the above public improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price 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 such trades or components may be the subject of a separate contract for a gross price. Upon request of the Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the Improvement. All contracts entered, into under this ordinance shall contain the MBE, FBE and workforce goals in effect at the time the contracts were bid.

Section 6. That the costs for the Improvement authorized by this ordinance shall be paid from the fund or funds to which are credited the loan proceeds received as authorized by this ordinance, from the fund or funds which are credited the proceeds of waterwork bonds authorized for this purpose, and from Fund Nos. 52 SF 001, 52 SF 223, 52 SF 225 and 52 SF 227, Request No. 12095.

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 December 16, 2002.

Effective December 20, 2002.

Ord. No. 2029-02.

By Council Member Coats.

An emergency ordinance determining the method of making the public improvement of grading and paving, constructing streets, sidewalks, driveway aprons, curbing, curb ramps, median strips, intersections, utility boxes, casting adjustments, appurtenances, streetscaping, landscaping, installing water and sewer mains and connections, installing electrical service and connections, streetlighting, and other related infrastructure improvements in conjunction with the Hurston Court/Cliffview West project; and authorizing the Directors of Community Development, Public Service or Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of grading and paving, constructing streets, sidewalks, driveway aprons, curbing, curb ramps, median strips, intersections, utility boxes, casting adjustments, appurtenances, streetscaping, landscaping, installing water and sewer mains and connections, installing electrical service and connections, streetlighting, and other related infrastructure improvements in conjunction with the Hurston Court/Cliffview West project, for the Departments of Community Development, Public Service or Public Utilities, by contract duly let to the lowest responsible bidder

after competitive bidding upon a unit basis for the improvement.

Section 2. That the Directors of Community Development, Public Service or Public Utilities are authorized to enter into one or more contracts for the making of the above public improvement with the lowest responsible bidder or bidders after competitive bidding upon 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 such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the cost of the improvement authorized shall be paid from Fund No. 14 SF 027, 52 SF 001 and 17 SF 008, Request Nos. 125721, 45702 and 103524.

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 December 16, 2002.

Effective December 20, 2002.

Ord. No. 2063-02.

By Council Member Jackson (by departmental request).

An emergency ordinance to vacate a portion of Central Avenue, S.E. hereinafter described.

Whereas, on the day of December 16, 1996, the Council of the City of Cleveland adopted Resolution No. 1757-96 declaring its intention to vacate a portion of Central Avenue S.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1757-96 has been served upon the owners of all the property abutting Central Avenue S.E. affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments; and

Whereas, on the 24th day of September, 2002, the Board of Revision of Assessments approved the vacation of Central Avenue S.E., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

Section 1. That all that portion of the following described real property: Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and being all that portion of Central Avenue S.E. (66.00 feet wide), extending Easterly from the Southerly prolongation of the East-

erly line of East 19th Street (66.00 feet wide) to its intersection with the Westerly Limited Access Line of the Inner Belt Freeway, be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland easements for existing Water Pollution Control, and Cleveland Public Power equipment.

The description of the easement is as follows:

That portion of Central Avenue S.E. (66.00 feet wide), extending Easterly from the Southerly prolongation of the Easterly line of East 19th Street (66.00 feet wide) to its intersection with the Westerly Limited Access Line of the Inner Belt Freeway.

That no structures shall be hereinafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with, plans approved by Cleveland Public Power, and Water Pollution Control of the City of Cleveland.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Central Avenue S.E., here-in provided by sending him a copy of this Ordinance.

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 2069-02.

By Council Member Cimperman.
An ordinance to change the zoning of a property on the east side of West 11th Street, south of Fairfield Avenue to a Local Retail District. (Map Change No. 2060, Sheet No. 5)

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

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

Beginning on the centerline of West 11th Street (100 feet wide) at the Westerly prolongation of the Northerly line of Sublot Number 214 in the Pelton and Jennings Allotment as shown by the recorded plat in Volume 2, Page 10 of Cuyahoga County Records; thence easterly along the Western prolongation of the Northerly line of said Sublot 214 about 205.3 feet to a point; thence Southerly at right angles to the last described line about 30 feet to a point; thence westerly and parallel with the Northerly line of said Sublot 214 about 205.3 feet to the centerline of West 11th Street as aforesaid; thence Northerly along the centerline of said West 11th Street to the place of the beginning; and as outlined in red on the attached map is changed to a Local Retail District.

Section 2. That the changed designation of lands described in Section 1 shall be identified as Map

Change No. 2060, Sheet No. 5, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

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

Passed December 16, 2002.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2111-02.

By Council Members O'Malley, Johnson, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire the former Memphis School property located at 4103 Memphis Avenue for the purpose of park and recreation purposes.

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

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

Section 1. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire the former Memphis Avenue school property for the public purpose of park and recreation purposes, described as follows:

4103 Memphis Avenue
Permanent Parcel No. 014-13-014

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublots Number, 203, 204, 205, 186, 187 and 188 in The Brooklyn Realty Company's Subdivision No. 2 of part of Original Brooklyn Township Lot No. 58 as shown by the recorded plat of said subdivision in Volume 40 of Maps, Page 11 of Cuyahoga County Records. Said Sublots Numbers 203, 204 and 205 together form a parcel of land having a frontage of 120 feet on the Southerly side of Memphis Avenue, S.W., and extending back 121 86/100 feet on the Easterly line, 121 92/100 feet on the Westerly line and having a rear line of 120 feet. Said Sublots Numbers 186, 187 and 188 together form a parcel of land having a frontage of 120 feet on the Northerly side of Henritze Avenue, S.W., and extending back between parallel lines 122 feet according to said plat, be the same more or less, but subject to all legal highways.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublots 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201 and 202 in the Brooklyn Realty Company's Subdivision No. 2 of a part of Original Brooklyn Township Lot No. 58 as shown by the recorded plat of said Subdivision in Volume 40, Page 11 of Cuyahoga County Records. Said Sublots together forming a par-

cel of land having a frontage of 280.28 feet on the Southerly line of Memphis Avenue, S.W., 243.72 feet on the Westerly line of West 41st Street and 280.28 feet on the Northerly line of Henritze Avenue S.W., and measuring 243.86 feet on its Westerly line, be the same more or less, but subject to all legal highways.

The consideration to be paid for the property shall not exceed its appraised value.

Section 2. That the Director of Parks, Recreation and Properties is authorized to execute on behalf of the City all documents necessary to acquire the property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of the property.

Section 3. That the costs of the property acquisition shall be paid from Fund Nos. 20 SF 343, 20 SF 354 and 20 SF 370.

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 December 16, 2002.

Effective December 20, 2002.

Ord. No. 2119-02.

By Council Member Zone.

An ordinance to change the zoning of a property at 8205 Franklin Avenue to a Multi-Family Residential District, an "F" Area District, and a "F" Height District. (Map Change No. 2061, Sheet No. 1)

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

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

Beginning in the centerline of Franklin Boulevard (formerly Franklin Avenue) (66 feet wide) at its intersection with the centerline of West 81st Street (40 feet wide); thence Southwesterly along the centerline of Franklin Boulevard, 22.87 feet to a 1" iron pin monument found at an angle point therein; thence South 75° 39' 50" West along the centerline of Franklin Boulevard, 60.97 feet to its intersection with the northerly prolongation of the westerly line of land conveyed to Ernest B. Fisco by deed recorded in Volume 96-12445, Page 27 of Cuyahoga County Records and the principal point of beginning of the parcel herein described; thence South 00° 01' 10" East along said prolongation and the westerly line of land so conveyed, 171.39 feet to a point in the northerly line of land conveyed to the Norfolk and Western Railroad Co.; thence North 89° 43' 00" West along a northerly line of land so conveyed, 62.68 feet to a 5/8" iron pin; thence South 00° 00' 55" East along a westerly line of land so conveyed, 1.74 feet to a 5/8" iron pin; thence North 89° 19' 20" West along a northerly line of land so conveyed, 46.18 feet to a 5/8" iron pin; thence South 00° 04' 40" West along a westerly line of land so conveyed, 2.93 feet to a 5/8" iron pin; thence North 89° 43' 00" West along a northerly line of land so conveyed,

124.26 feet to a 5/8" iron pin at the southeast corner of land conveyed to Cleveland RTA by deed recorded in Volume 13869, Page 562 of Cuyahoga County Records; thence North 00° 00' 55" West along the easterly line of land so conveyed, 115.02 feet to a point in the centerline of Franklin Boulevard; thence North 75° 39' 50" East along the centerline of Franklin Boulevard, 240.58 feet to the principal point of beginning; and as outlined in red on the attached map is changed to a Multi-Family Residential District, an "F" Area District, and a "2" Height District.

Section 2. That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2061, Sheet No. 1, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

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

Passed December 16, 2002.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2155-02.

By Council Members Coats, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of the disposal of catch basin debris, for the Division of Water Pollution Control, 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 in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of the disposal of catch basin debris in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water Pollution Control, Department of Public Utilities. Bids shall be taken in the manner to permit 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 shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

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

the Commissioner of Purchases and Supplies under a requisition against the contract duly certified by the Director of Finance. (RL 109289)

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 December 16, 2002.

Effective December 20, 2002.

Ord. No. 2158-02.

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

An emergency ordinance authorizing the purchase by contract or contracts of one spray paint booth, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Section 1. That the Director of Port Control is authorized to make one or more written contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one spray paint booth, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 60 SF 001, Request No. 118289.

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 December 16, 2002.

Effective December 20, 2002.

Ord. No. 2159-02.

By Council Member Cimperman (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Cuyahoga County Engineer's Office to encroach into the right-of-way of a portion of the Superior Viaduct Avenue N.W. between West 25th St. and Vermont Ave. as part of a parking lot area in the proposed Detroit/Superior Bridge Bikeway Project.

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

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

Section 1. That the Director of Public Service hereby is authorized

to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to the Cuyahoga County Engineer's Office, 1370 Ontario Street, Cleveland, Ohio 44113, its successors and assigns, for the construction, use, maintenance, placement and operation of a parking lot facility that includes wearing surfaces, snow removal, drainage structures, sidewalk and landscaping and any existing encroachments which may or may not exist by Cuyahoga County, as part of the proposed Detroit/Superior Bridge Bikeway Project, which will encroach into the public right-of-way of a portion of the Superior Viaduct Avenue N.W. and between West 25th Street and Vermont Avenue N.W. and is described as follows:

PROPOSED ENCROACHMENT AREA/SUPERIOR AVENUE VIADUCT N.W. PROJECT

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and described as follows:

Being all that portion of Superior Viaduct Avenue N.W. (80.00 feet wide) extending Northeasterly from the Easterly line of West 25th Street (width varies) to the Southerly line of Vermont Avenue N.W. (33.00 feet wide).

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

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

Section 4. That Permittee shall comply with all applicable provisions of Chapter 352, Landscaping and Screening, and Chapter 457, Public Garages and Parking Lots, of the Codified Ordinances of the Cleveland, Ohio 1976, pertaining to parking lot screening requirements and guidelines, and all other provisions applicable of any Federal, State and local laws, ordinances rules and regulations.

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

Passed December 16, 2002.

Effective December 20, 2002.

Ord. No. 2160-02.

By Council Member Johnson.

An emergency ordinance to vacate a portion of Kennedy Avenue and East 92nd Street hereinafter described.

Whereas, on the day of June 3, 2002, the Council of the City of

Cleveland adopted Resolution No. 1163-02 declaring its intention to vacate a portion of Kennedy Avenue and East 92nd Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1163-02 has been served upon the owners of all the property abutting Kennedy Avenue and East 92nd Street affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments; and

Whereas, on the 30th day of October, 2002, the Board of Revision of Assessments approved the vacation of Kennedy Avenue and East 92nd Street, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Kennedy Avenue and East 92nd Street, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of the following described real property: situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and being all those portions of KENNEDY AVENUE (50.00 feet wide), extending Westerly from the Westerly line of East 93rd Street (60.00 feet wide) to the Northerly prolongation of the Westerly line of Sublot 122 of the Hamilton & Wyman Allotment recorded in Volume 5 of Maps, Page 22 of Cuyahoga County Records; and EAST 92ND STREET (12.00 feet wide) extending Southerly from the Southerly line of Kennedy Avenue (50.00 feet wide) to the Northerly line of Cumberland Avenue (50.00 feet wide), be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland easements for existing Dominion East Ohio Gas equipment.

The description of the easement is as follows:

That portions of KENNEDY AVENUE (50.00 feet wide), extending Westerly from the Westerly line of East 93rd Street (60.00 feet wide) to the Northerly prolongation of the Westerly line of Sublot 122 of the Hamilton & Wyman Allotment recorded in Volume 5 of Maps, Page 22 of Cuyahoga County Records; and EAST 92ND STREET (12.00 feet wide) extending Southerly from the Southerly line of Kennedy Avenue (50.00 feet wide) to the Northerly line of Cumberland Avenue (50.00 feet wide).

That no structures shall be hereinafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with, plans approved by Dominion East Ohio Gas.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all those portions of Kennedy Avenue and East 92nd Street, herein provided by

sending him a copy of this Ordinance.

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

Passed December 16, 2002.

Effective December 20, 2002.

Ord. No. 2161-02.

By Council Member Sweeney (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to F C I inc. to encroach into the right-of-way of Giles Road for ingress and egress of an employees parking lot, head-in visitor/customer parking lot, and landscaping in the unimproved area.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to FCI inc., 4661 Giles Road, Cleveland, Ohio 44135-3756, for the construction, use and maintenance of ingress and egress to an employee parking lot, and for a head-in visitor/customer parking lot, and landscaping for the unimproved area which will encroach into the public right-of-way of Giles Road S.W. (40.00 feet wide) Southerly from Carrington Avenue S.W. (40.00 feet wide) to its Southerly terminus.

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

Section 3. That Permittee shall comply with all applicable provisions of Chapter 352, Landscaping and Screening, and Chapter 457, Public Garages and Parking Lots, of the Codified Ordinances of Cleveland, Ohio 1976, pertaining to parking lot screening requirements and guidelines, and all other provisions applicable of any Federal, State and local laws, ordinances rules and regulations.

Section 4. That this permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

Section 5. That this ordinance is hereby declared to be an emergency measure and provided it receives the affirmative vote of two thirds of all the members elected to Council, it

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

Passed December 16, 2002.

Effective December 20, 2002.

Ord. No. 2173-02.

By Council Members Britt, Conwell, Gordon, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at the corner of Deering Avenue and East 109th Street to University Circle, Inc.

Whereas, the Director of Community Development has requested the sale of City-owned property no longer needed for public use and located at the corner of Deering Avenue and East 109th Street; and

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

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

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

Permanent Parcel No. 121-23-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Easterly 25.00 feet of Sublot Number 24 in L.M. Southern Subdivision of part of Original 100 Acre Lot Number 402, as shown by the recorded plat in Volume 8 of Maps, Page 31 of Cuyahoga County Records and bounded and described as follows:

Beginning at the intersection of the Southerly line of Deering Avenue S.E., (44 feet wide) with the Westerly line of East 109th Street, (40 feet wide);

Thence Southerly along said Westerly line of East 109th Street, said Westerly line being also the Easterly line of said Sublot Number 24, 101.00 feet to the Southeasterly corner thereof;

Thence Westerly, along the Southerly line of said Sublot Number 24, 25.00 feet to a point;

Thence Northerly, along a line parallel with the Westerly line of East 109th Street, and distant Westerly 25.00 feet at right angles therefrom, 101.00 feet to the Southerly line of Deering Avenue S.E., as first aforesaid;

Thence Easterly along said Southerly line of Deering Avenue S.E., 25.00 feet to the place of beginning be the same more or less, but subject to all legal highways and containing 2,525 sq. ft. of land.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to University Circle, Inc. at a price not less than fair market value as determined by the Board of Control.

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

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 December 16, 2002.
Effective December 20, 2002.

Ord. No. 2176-02.
By Council Members Gordon and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Community Development to enter into contract with KS Associates, Inc. for surveying services for the abandoned rail line from the Wheeling and Lake Erie Railway Co.

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

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

Section 1. That the Director of Community Development is authorized to enter into contract with KS Associates, Inc. for professional services necessary to provide surveying services in connection with the City's acceptance of an abandoned rail line from the Wheeling and Lake Erie Railway Co., in the total sum of \$32,150.00, payable from Fund No. 14 SF 027, Request No. 125722, for the Department of Community Development.

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.

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 2188-02.
By Council Member Dolan.
An emergency ordinance authorizing the continuation of City-provided group health and life insurance coverage, under the same terms and conditions currently in effect, and further authorizing a continuation of military leave with pay to all City employees who would otherwise lose such benefits as a result of a call to active military duty in connection with the terrorists acts that occurred in New York City and Washington, D.C. on September 11, 2001.

Whereas, City employees have been, or may soon be called to

active military service pursuant to an order by the President of the United States in connection with the terrorists acts in New York City and Washington, D.C. on September 11, 2001; and

Whereas, the City pays military leave with pay in accordance with the Codified Ordinances of the City and the respective collective bargaining agreements and management compensation plans when an employee is called to active military duty at the direction of the President or the Governor; and

Whereas, it is the belief of this Council that the possible discontinuation of City-provided group health and life insurance and the limitation on military leave with pay could cause economic and procedural hardships for affected employees and their families; and

Whereas, Council desires to support and assist those City employees who have been called to active military duty and their families who have been financially burdened by the employees' call to active military duty; and

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

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

Section 1. That, notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, all employees of the City who are in the reserve military forces of the United States and who are now serving or may in the future serve as part of the active military forces of the United States in connection with the terrorists acts that occurred in New York City and Washington, D.C. on September 11, 2001, shall be paid by the City throughout such employee's active military service in connection with the terrorists acts that occurred in New York City and Washington, D.C. on September 11, 2001 the difference in money between the employee's City pay and the employee's military pay so long as the employee's military pay is less than the employee's City pay for the same time period.

Section 2. That, notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the group health and life insurance benefits currently provided to all City employees pursuant to the Codified Ordinances and the City's collective bargaining agreements, shall remain in full force and effect for those City employees otherwise eligible for such benefits, who are in the reserve military forces of the United States and who are now serving or may in the future serve as part of the active military forces of the United States in connection with the terrorists acts that occurred in New York City and Washington, D.C. on September 11, 2001. Such benefits shall continue for the duration of such employees' active military service in connection with the terrorists acts that occurred in New York City and Washington, D.C. on September 11, 2001, but in no event shall such benefits continue beyond one year from the effective date of this ordinance.

Section 3. That to continue the group health insurance benefits in full force and effect, the employee shall be responsible for paying any contributions to the health care premium that the employee is required to pay as an employee.

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 2226-02.
By Council Members Coats and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Public Utilities to enter into professional services contracts, purchase contracts and requirement contracts to obtain marketing and advertising services, materials and equipment necessary to promote the Cleveland Public Power Expansion 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 employ by contract or contracts one or more professional consulting firms for the purpose of supplementing the regularly employed staff of the several departments of the City in order to provide marketing, promotional and advertising services for the Cleveland Public Power System Expansion Program.

The selection of the consultants for the services shall be made by the Board of Control upon the nomination of the Director of Public Utilities from a list of qualified consultants from a list of qualified consultants available for the employment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling such 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 Utilities, and certified by the Director of Finance.

The contracts for marketing authorized by this ordinance shall require the participation of neighborhood organizations in the development of any marketing plan, and further, shall provide that at least fifty percent (50%) of the amount of the contract or contracts for marketing services, excluding the amount attributable to printing or printing materials, shall fund participation by neighborhood organizations in marketing the Cleveland Public Power System Expansion Program.

Section 2. That the Director of Public Utilities is authorized to make one or more written requirement contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of advertisements and marketing, promotional and advertising services, materials and equipment necessary to promote and advertise the Cleve-

land Public Power System Expansion Program, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 3. That the Director of Public Utilities is further authorized to make one or more written contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: advertisements and marketing, promotional and advertising, materials, equipment and services not the subject of Section 1 of this ordinance, necessary to promote and advertise the Cleveland Public Power Expansion Program, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities.

Section 4. That the cost of contracts authorized by this ordinance shall not exceed \$350,000, shall be paid from Fund No. 58 SF 001 and shall also be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 122504)

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 2245-02.
By Council Members Reed, Gordon, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at East 117th Street to Shorebank Cleveland.

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). 137-01-078, as more fully described below, to Shorebank Cleveland.

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

P. P. No. 137-01-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 217 in the Union-Rice Subdivision of part of Original One Hundred Acre Lots Nos. 452 and 444, as shown by the recorded plat in Volume 47 of Maps, Page 24 of Cuyahoga County Records, and being 34 feet front on the Westerly side of East 117th Street, and extending back of equal width, 125 feet deep, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 2247-02.
By Council Members Cimperman, Gordon and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into agreements with various property owners to provide tax increment financing to partially finance certain improvements as part of the Lower Euclid Avenue Commercial and Residential District redevelopment project and to provide for service payments in lieu of taxes, and to declare certain improvements to real property to be a public purpose.

Whereas, by Ordinance No. 870-2000, passed May 14, 2001, this Council designated the Euclid/Prospect II Community Development Plan Area ("Area") and approved the Euclid/Prospect II Community Development Plan ("Plan"); and

Whereas, pursuant to Section 5709.41 of the Ohio Revised Code, improvements to real property within the Area and consistent with the Plan, may be declared to be a public purpose where fee title to such real property was, at one time, held by the City of Cleveland; and

Whereas, pursuant to the authority of Ordinance No. 2246-02, passed November 25, 2002, the City acquired fee title to certain real property within the Area, which is more particularly described in the documents set forth in the file described in Section 1 of this ordinance (the "Real Property") prior to adoption of this Ordinance; and

Whereas, pursuant to Section 5709.41 of the Ohio Revised Code, such improvements so declared to be a public purpose may be exempt from real property taxation; and

Whereas, pursuant to Section 5709.42 of the Ohio Revised Code, the owners of such improvements may be required to make annual service payments in lieu of taxes that would have been paid had such improvements not been exempt; and

Whereas, the Area is located in a blighted area of an impacted city as those terms are defined in Section 1728.01 of the Ohio Revised Code; and

Whereas, pursuant to Sections 5709.40 and 5709.41 of the Ohio Revised Code, said exemption may exceed 75% of such improvements for up to 30 years without the approval of the board of education of the school district within the territory of which the improvements are or will be located if the ordinance declaring improvements to a parcel to be a public purpose specifies that service payments in lieu of taxes provided for in Section 5709.42 of the Ohio Revised Code shall be paid to the school district in which the parcel is located in the amount of the taxes that would have been payable to the school district if the improvements had not been exempted from taxation; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare, and for the further reason that designation of the Area and approval of the Plan will stimulate the creation and preservation of job opportunities and advance and promote residential, commercial and economic development in the Area; now, therefore,

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

Section 1. That the commercial and residential improvements to be constructed in the Area by Lower Euclid Avenue LLC or its successors and assigns ("Redeveloper"), which meet the criteria set forth in Section 8 below ("Improvements"), on the Real Property, are hereby declared to be a public purpose for purposes of Sections 5709.40, 5709.41 and 5709.42 of the Ohio Revised Code.

Section 2. That one hundred percent (100%) of the Improvements to property are hereby declared exempt from real property taxation for a period of thirty (30) years; provided, however, that as to any residential property for which real property tax abatement is granted by an ordinance adopted pursuant to Section 3735.66 of the Ohio Revised Code, such exemption shall apply to the effective real property taxation payable after the abatement.

Section 3. That, pursuant to Section 5709.42 of the Ohio Revised Code, Redeveloper (or the owners of the Improvements) shall make service payments for a period of thirty (30) years in lieu of said exempt taxes to the Cuyahoga County Treasurer, and said payments shall be charged and collected in the same manner and shall be in an amount not less than the taxes that would have been paid, had the Improvements not been exempt from taxation.

Section 4. That the Mayor or Director of Economic Development, with the approval of the Director of Law, is authorized to enter into one or more agreements with such parties as may be necessary or appropriate to effectuate the purposes of this ordinance.

Section 5. That pursuant to Section 5709.43 of the Ohio Revised Code there is hereby established a Euclid/Prospect II Urban Redevelopment Tax Increment Equivalent Fund (the "Euclid/Prospect II TIF Fund").

Section 6. That a portion of the service payments collected pursuant to Section 4 hereof shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the Cleveland Municipal School District in the amount of the taxes that would have been payable to the District had the Improvements not been exempt from taxation.

Section 7. That the Director of Economic Development, with the approval of the Director of Law, is hereby authorized to enter into an agreement or agreements with Redeveloper (or the owners of the Improvements) to provide for the exemption and service payments described herein, including agreements securing the payments described in Section 4 of this Ordinance and including, as determined by the Director of Economic Development, guarantees of minimum service payments, which agreement or agreements shall contain such other terms and conditions as the Directors of Economic Development and Law deem necessary to protect the public interest.

Section 8. That the balance of the service payments collected pursuant to Section 4 hereof shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the City of Cleveland and deposited in the Euclid/Prospect II Fund created by Section 6 hereof. With the approval of the Director of Economic Development and the Director of Law,

moneys deposited in the Euclid/Prospect II Urban Redevelopment Tax Increment Equivalent Fund shall be used to pay the costs of, or to pay the principal (whether at maturity or by prior redemption) of, and interest on revenue bonds or other debt obligations to be issued by the City (or other appropriate governmental issuer) to finance a portion of the costs of the Improvements, and the costs attributable to the sale of the such bonds or obligations, inclusive of attorneys' fees, appraisals and other similar fees, provided that the Improvements for which bonds are issued and moneys deposited in the Euclid/Prospect II TIF Fund may be used ("Financed Improvements") shall meet the following requirements, subject, in each case, to the approval of this Council:

(a) the Financed Improvements shall be either (i) residential, office, retail, restaurant or entertainment facilities or (ii) another use which supports residential, office, retail, restaurant or entertainment facilities, including, without limitation, parking facilities containing at least 250 parking spaces for use by residents or patrons of residential, retail, restaurant or entertainment facilities within the District.

(b) If the Financed Improvements are retail, restaurant or entertainment facilities, such Financed Improvements shall meet at least three of the following four criteria:

(i) the Financed Improvements, or a portion thereof, shall be leased to anchor tenants leasing a minimum of 5,000 square feet;

(ii) the cost of tenant improvements for the Financed Improvements is at least \$125 per square foot;

(iii) either

(x) the proposed tenant is an anchor tenant which, in the reasonable judgment of the owner of the proposed Financed Improvements, and not objected to by the Director of Economic Development, would attract customers from an area greater than 50 miles from the location of the Financed Improvements, or

(y) the proposed tenant operates not less than two retail, restaurant or entertainment facilities within five or more states or not less than two retail, restaurant or entertainment facilities within the state of Ohio.

(iv) the lease term for the Financed Improvements is at least five (5) years.

Section 9. Pursuant to Section 5709.41 of the Ohio Revised Code, the Director of Economic Development is hereby directed to deliver a copy of this Ordinance to the Director of the Department of Development of the State of Ohio within fifteen (15) days of its passage and approval by the Mayor.

Section 10. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance where adopted in open meetings of this Council, and any of its committees that resulted in such formal action were in meetings open to the public in compliance with the law.

Section 11. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 2251-02.

By Council Members Jones, Gordon, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Gateway Electric, Inc. to provide economic development assistance to partially finance the construction of a facility at Block H, Parcel B in the Cleveland Industrial Park, and all other associated costs necessary to redevelop the property, located in Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a contract with Gateway Electric, Inc. to provide economic development assistance to partially finance the construction of a new 30,000 square foot facility located at Block H, Parcel B in the Cleveland Industrial Park, Cleveland, Ohio (the "Improvement").

Section 2. That the terms of the loan are described in the Summary contained in File No. 2251-02-A.

Section 3. That the costs of the contract shall not exceed a loan amount of \$210,000, and it shall be paid from Fund No. 12 SF 954 and 17 SF 008, which funds are appropriated for this purpose, Request No. 103577.

Section 4. That the Director of Economic Development is authorized to accept the collateral described in the Summary contained in the file referenced in this ordinance to secure repayment of the loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund Nos. 12 SF 958 and 17 SF 006.

Section 6. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the Director of Law is authorized to prepare the contract and other documents appropriate to complete the transaction.

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 2310-02.**By Council Members Gordon, Sweeney and Jackson (by departmental request).****An emergency ordinance authorizing the Director of Public Service to make alterations and modifications in Contract No. 59806 with Perk Company, Inc. for the West 25th Street/Pearl Road rehabilitation project, for the Department of Public Service.**

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

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

Section 1. That the Director of Public Service is authorized to make the following alterations and modifications in Contract No. 59806 with Perk Company, Inc. for the West 25th Street/Pearl Road rehabilitation project, for the Department of Public Service:**SUBSIDIARY ADDITIONS**

ITEM NO.	DESCRIPTION	QUANT.	UNIT	UNIT PRICE	AMOUNT OVER CONTRACT	AMOUNT UNDER CONTRACT
PAVEMENT						
1	BITUMINOUS PAVEMENT PLANING	5,494	Sq. Yd.	\$ 0.75		\$ 4,120.50
2	PAVEMENT PLANING, PORTLAND CEMENT CONCRETE	1,250	Sq. Yd.	\$ 8.50		\$ 10,625.00
3	PAVEMENT REMOVED	3,813	Sq. Yd.	\$ 0.50		\$ 1,906.50
4	6" AGGREGATE BASE	3,813	Sq. Yd.	\$ 1.00		\$ 3,813.00
5	EXCAVATION NOT INCLUDING EMBANKMENT CONSTR.	3,813	Cu. Yd.	\$ 0.50		\$ 1,906.50
6	SUBGRADE COMPACTION	3,818.5	Sq. Yd.	\$ 0.10		\$ 381.85
8	EMBANKMENT CONSTRUCTION	3,850	Cu. Yd.	\$ 0.50		\$ 1,925.00
9	9" CONCRETE BASE	3,813	Sq. Yd.	\$ 1.00		\$ 3,813.00
10	PATCHING PLANED SURFACE	770	Sq. Yd.	\$ 4.00		\$ 3,080.00
12	ASPHALT CONCRETE INTERMEDIATE COURSE	404	Sq. Yd.	\$ 2.40		\$ 969.60
14	GEOTEXTILE FABRIC	1,250	Sq. Yd.	\$ 2.00		\$ 2,500.00
15	FULL DEPTH PAVEMENT SAWING	5,910	Lin. Ft.	\$ 0.10		\$ 591.00
SIDEWALK						
24	4" CONCRETE SIDEWALK	44,408.5	Sq. Ft.	\$ 7.00		\$310,860.00
		71				
25	6" CONCRETE SIDEWALK AND DRIVEWAY APRONS	1,742.657	Sq. Ft.	\$ 8.00		\$ 13,941.25
		7				
26	8" CONCRETE SIDEWALK AND DRIVEWAY APRONS	5,862.00	Sq. Ft.	\$ 8.25		\$ 48,361.50
27	FS CONCRETE, ADDITIONAL COST	200	Cu.Yd.	\$ 1.00		\$ 200.00
28	MS CONCRETE, ADDITIONAL COST	190	Cu.Yd.	\$ 100.00		\$ 19,000.00
29	CURB RAMP LAYOUT	40	EACH	\$ 600.00		\$ 24,000.00
CURB						
30	CONCRETE CURB	612	Lin. Ft.	\$ 25.00		\$ 15,300.00
31	INTEGRAL CONCRETE CURB	546	Lin. Ft.	\$ 25.00		\$ 13,650.00
32	INTEGRAL THICKENED CONCRETE CURB	54	Lin. Ft.	\$ 50.00		\$ 2,700.00
DRAINAGE AND ADJUSTMENT OF CASTINGS						
34	12" CONDUIT VITRIFIED CLAY PIPE	100	Lin. Ft.	\$ 1.00		\$ 100.00
35	VALVE BOX ADJUSTED TO GRADE	38	EACH	\$ 1,000.00	\$ 38,000.00	
36	MONUMENT BOX ADJUSTED TO GRADE	5	EACH	\$ 1,000.00		\$ 5,000.00
37	INSTALL NEW MONUMENT ASSEMBLY	4	EACH	\$ 1,200.00	\$ 4,800.00	
39	WATER METER MANHOLE ADJ TO GRADE	18	EACH	\$ 1,000.00	\$ 18,000.00	
41	CLEVELAND PUBLIC POWER MANHOLE ADJUSTED TO GRADE	5	EACH	\$ 1,500.00	\$ 7,500.00	
42	CLEVELAND PUBLIC POWER MANHOLE RECONSTRUCTED TO GRADE	2	EACH	\$ 2,000.00		\$ 4,000.00
43	SEWER MANHOLE ADJUSTED TO GRADE	14	EACH	\$ 1,500.00	\$ 21,000.00	
44	SEWER MANHOLE RECONSTRUCTED TO GRADE	8	EACH	\$ 1,600.00	\$ 12,800.00	
45	CATCH BASIN ADJUSTED TO GRADE	19	EACH	\$ 1,500.00	\$ 28,500.00	
46	CATCH BASIN RECONSTRUCTED TO GRADE	4	EACH	\$ 1,600.00	\$ 6,400.00	
47	PRE-CAST CONCRETE NO. 1 CATCH BASIN	1	EACH	\$ 2,000.00		\$ 2,000.00
48	PULL BOX ADJUSTED TO GRADE	6	EACH	\$ 1,500.00	\$ 9,000.00	
49	NEW PULL BOX, COMPLETE IN PLACE	4	EACH	\$ 1,600.00		\$ 6,400.00
50	MISCELLANEOUS METAL	5,000	LBS.	\$ 3.00	\$ 15,000.00	
GENERAL						
56	FIELD OFFICE, TYPE B	2	MONTHS	\$ 100.00	\$ 200.00	
59	MOBILE PHONE	2	MONTHS	\$ 100.00	\$ 200.00	

CONTINGENCIES						
62	CONSTRUCTION FORCE ACCOUNT	1	LUMP	\$100,000.00		\$100,000.00
ALTERNATE NO. 1						
63	3" CONDUITS, SCHEDULE 40, CONC. ENC.	5,680	Lin. Ft.	\$ 30.00	\$170,400.00	
64	NEW PULL BOX, COMPLETE IN PLACE	11	EACH	\$ 800.00		\$ 8,800.00
ALTERNATE NO. 2						
65	6" CONCRETE SIDEWALK AND DRIVEWAY APRONS	1,620	Sq. Ft.	\$ 8.00		\$129,600.00
66	CURB RAMP LAYOUT	81	EACH	\$ 600.00		\$ 48,600.00
ALTERNATE NO. 3						
67A	CONSTRUCTION FORCE ACCOUNT	1	LUMP	\$ 50,000.00		\$ 50,000.00
67B	CONSTRUCTION FORCE ACCOUNT	1	LUMP	\$100,000.00		\$100,000.00
67C	CONSTRUCTION FORCE ACCOUNT	1	LUMP	\$150,000.00		\$150,000.00
CO-1	TRUNCATED DOMES ON CURB RAMPS TO MEET A.D.A. SPECS.	56	EACH	\$ 180.00	\$ 10,080.00	
TOTAL of OVER and UNDER						\$740,012.35
SUBSIDIARY ADDITIONS						\$ 50,000.00
Original Contract Amount				\$1,782,950.20		
Subsidiary Additions				<u>50,000.00</u>		
TOTAL REVISED CONTRACT AMOUNT				\$1,832,951.20		

which alteration has been recommended in writing by the Director of Public Service, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Public Service and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$50,000, to be paid from Fund Nos. 10 SF 166, 20 SF 181, 20 SF 190, 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 334, 20 SF 342, 20 SF 353, 20 SF 364, 20 SF 373, 20 SF 437, and from the funds or funds which are credited the proceeds of any bonds or notes sold authorized for this purpose.

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.

Passed December 16, 2002.

Effective December 20, 2002.

Ord. No. 2327-02.
By Council Members Reed and Jackson (by departmental request).
An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to service and maintain police aircraft, including installation if necessary, for the Division of Police, Department of Public Safety, for a period not to exceed one year, with one option to renew for an additional one-year period.

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 in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to service and maintain police aircraft, including installation if necessary, in the approximate amount as purchased during the preceding term, with one option exercisable by the Director of Public Safety, to renew for an additional one-year term, and cancellable upon thirty days written notice by the Director, to be purchased by the Commis-

sioner of Purchases and Supplies upon 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 a year 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 cost of the contract shall be charged against the proper appropriation account and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract duly certified by the Director of Finance. (RL 119582)

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 December 16, 2002.

Effective December 20, 2002.

Ord. No. 2328-02.
By Council Members Johnson and Jackson (by departmental request).
An emergency ordinance authorizing the purchase by one or more requirement contracts of various electrical supplies, materials and equipment needed for building maintenance, renovations and improvement projects in various City facilities, for the Division of Property Management, Department of Parks, Recreation and Properties for a period not to exceed three years.

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

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

Section 1. That the Director of Parks, Recreation and Properties 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 three years for the necessary items of various electrical supplies, materials and equipment needed for building maintenance, renovations and improvement projects in various City facilities in the approximate amount as purchased during the preceding term to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Property Management, Department of Parks, Recreation and Properties. 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 cost of the contract or contracts shall be charged against the proper appropriation account and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract certified by the Director of Finance. (RL 128715)

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 December 16, 2002.
Effective December 20, 2002.

Ord. No. 2329-02.
By Council Members Cimperman, Johnson and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a property adoption agreement with Parkworks for improving a site at East 55th Street and South Marginal Road.

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 and Section 133.24 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to enter into a property adoption agreement with Parkworks (the "Contractor") for improving a site at East 55th Street and South Marginal Road. The Contractor may make improvements to the adopted property and shall maintain the adopted property during the term of the property adoption.

Section 2. That this property adoption shall not be construed as a conveyance of any right, title, or interest in public property, but is the grant of a privilege revocable at the will of Council.

Section 3. That the Director of Parks, Recreation and Properties is authorized to accept the gift of any improvements and maintenance made to the adopted property.

Section 4. That the property adoption agreement authorized shall be prepared by the Director of Law and shall contain any additional terms and conditions as the Director deems necessary to protect and benefit the public interest.

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 2334-02.
By Council Members Gordon and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Economic Development to Contract No. 52162 with Megas Beauty Care, Inc. relating to an Enterprise Zone Agreement.

Whereas, under Ordinance No. 1158-97, passed July 16, 1997, the Director of Economic Development entered into Contract No. 52162 with Megas Beauty Care, Inc. which authorized an Enterprise Zone Agreement; and

Whereas, Megas Beauty Care, Inc. has changed its name to U.S. Cotton, LLC; 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 this Council acknowledges the name change of the contractor under and consents to assignment of Contract No. 52162 from Megas Beauty Care, Inc. to U.S. Cotton, LLC. The Director of Economic Development is authorized to execute all documents and do all things necessary to implement the acknowledgment made and consent granted.

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.

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 2369-02.
By Council Member Jackson (by departmental request).

An emergency ordinance authorizing a supplement to Lease-Purchase Agreement relating to the acquisition by lease-purchase of the Cleveland Stadium; approving a Supplemental Trust Agreement and the issuance of Certificates of Participation to pay costs of refunding outstanding certificates of participation; authorizing a swaption and related master agreement; authorizing agreements for the sale of the refunding certificates of participation; and authorizing and approving related matters.

Whereas, pursuant to Ordinance No. 305-96 passed by the Council on March 8, 1996, and for the purpose of acquiring by lease-purchase the Cleveland Stadium, the City signed

and delivered a Lease-Purchase Agreement dated as of June 1, 1997 (as amended and supplemented by the First Supplemental Lease-Purchase Agreement dated as of September 15, 1999, the Existing Facility Lease) between the Cleveland-Cuyahoga County Port Authority (the Authority), as lessor, and the City, as lessee, and approved a Trust Agreement dated as of June 1, 1997 (as amended and supplemented by the First Supplemental Trust Agreement dated as of September 15, 1999, the Existing Trust Agreement), between the Authority and U.S. Bank National Association, as trustee (the Trustee), pursuant to which the Trustee signed and delivered \$139,345,000 Certificates of Participation, Series 1997 (Cleveland Stadium Project) (the 1997 Certificates) and \$20,545,051.60 Certificates of Participation, Series 1999 (Cleveland Stadium Project) (the 1999 Certificates), each such series of Certificates evidencing proportionate interests in Base Rent (as defined in the Facility Lease) to be paid by the City pursuant to the Facility Lease;

Whereas, under the Existing Trust Agreement, Additional Certificates (as defined in the Existing Trust Agreement) may, with the approval of the City, be issued to pay the cost of refunding outstanding Certificates;

Whereas, because the 1997 Certificates maturing on or after November 15, 2010 are not subject to optional redemption until on and after November 15, 2007, an advance refunding of the 1997 Certificates under current market conditions would not result in savings to the City, but the City may obtain savings at this time by entering into an agreement (the Swaption) with a financial institution (the Swap Counterparty) having terms that provide for an upfront payment to the City by the Swap Counterparty in consideration of the City's giving the Swap Counterparty the option to make effective on a future date an interest rate exchange transaction with the City in which the City will make payments to the Swap Counterparty at a fixed rate and the Swap Counterparty will make payments to the City at a variable rate, in each case, calculated in reference to an amount equal to the principal amount outstanding, from time to time, of tax-exempt Additional Certificates (the Refunding Certificates) to be issued to refund the 1997 Certificates maturing on or after the date of exercise of the option granted by the Swaption (the Refunded 1997 Certificates);

Whereas, this Council finds and determines that the present value of the Base Rent payments to be made by the City with respect to the Cleveland Stadium, taking into account the upfront payment described above, will be reduced by the refinancing of the Refunded 1997 Certificates under the arrangement described above and that it is necessary and in the best interest of the City to enter into the Swaption and refinance the Refunded 1997 Certificates, thereby reducing the financing costs of the Cleveland Stadium;

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department and provid-

ing for the immediate preservation of the public peace, property, health or safety in that the entering into the Swaption and the Swap Agreements and authorizing issuance of the Refunding Certificates, the signing of the Supplemental Lease and the approval of the Supplemental Trust Agreement, effective upon exercise by the Swap Counterparty of its option under the Swaption, is needed to enable the City to take advantage of current favorable market conditions to refinance the Refunded 1997 Certificates and thereby reduce the financing costs of the Cleveland Stadium; now, therefore,

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

Section 1. Definitions. In addition to the words and terms defined in the Existing Trust Agreement and Existing Facilities Lease, copies of which are on file with the Clerk of Council in File No. 2369-02-A, or elsewhere in this ordinance, unless the context or use clearly indicates another or different meaning or intent:

"Certificate" or "Certificates" means all Certificates issued and outstanding under the Trust Agreement.

"Continuing Disclosure Agreement" means one or more agreements authorized by Section 4 of this Ordinance and to be in accordance with Rule 15c2-12 of the Securities and Exchange Commission.

"Credit Support Instrument" means a policy of bond insurance, surety, letter of credit, standby bond purchase agreement or other credit enhancement, support or liquidity device used to enhance the security or liquidity of any Certificates or Swap Agreements.

"Escrow Agreement" means one or more agreements among the Authority, the City and the Trustee, in its capacity as Escrow Agent, authorized by Section 4 of this Ordinance.

"Existing Facility Lease" means the Lease-Purchase Agreement dated as of June 1, 1997, as supplemented by the First Supplemental Lease-Purchase Agreement dated as of September 15, 1999.

"Existing Trust Agreement" means the Trust Agreement dated as of June 1, 1997, as supplemented by the First Supplemental Trust Agreement dated as of September 15, 1999.

"Facility Lease" means the Existing Facility Lease, as to be supplemented and amended by the Supplemental Lease.

"Financial Advisor" means any financial advisory firm or firms retained by the City, from time to time, in connection with the Swaption, the Swap Agreements, the Refunding Certificates or other Hedge Agreements.

"Letter of Representation" means the Letter of Representation of the City, to be attached as an exhibit to the Purchase Agreement, evidencing approval of the Purchase Agreement by the City, authorized by Section 5 of this Ordinance.

"Original Purchaser" means the underwriting firm or firms identified in the Purchase Agreement as the original purchasers of the Refunding Certificates.

"Purchase Agreement" means the Certificate Purchase Agreement among the Authority, the Trustee

and the Original Purchaser, approved by the City and authorized under Section 5 of this Ordinance.

"Purchase Price" means the amount specified in the Purchase Agreement to be paid by the Original Purchaser for the purchase of the Refunding Certificates, provided that amount shall be not less than 97% of the amount remaining after subtracting from the aggregate principal amount of the Refunding Certificates (i) any net original discount and (ii) any premium or other costs of any Credit Support Instrument purchased from the proceeds of the Refunding Certificates.

"Rating Services" means each rating agency assigning a rating to the Refunding Certificates or if such rating agency shall be dissolved or no longer assigning credit ratings to long-term debt, then any other nationally recognized entity designated by the City assigning credit ratings to long-term debt.

"Refunded 1997 Certificates" means the 1997 Certificates maturing on or after the date of initial delivery of the Refunding Certificates.

"Refunding Certificates" means the Refunding Certificates of Participation (Cleveland Stadium Project) authorized by this Ordinance and the Trust Agreement.

"Supplemental Lease" means the Second Supplemental Lease-Purchase Agreement between the Authority and the City, dated as of the same date as the Refunding Certificates, authorized under Section 3 of this Ordinance.

"Supplemental Trust Agreement" means the Second Supplemental Trust Agreement between the Authority and the Trustee, dated as of the same date as the Refunding Certificates, authorized under Section 3 of this Ordinance.

"Swap Agreements" means, collectively, the interest rate exchange agreement in substantially the form of the International Swaps and Derivatives Association, Inc. Master Agreement (Local Currency—Single Jurisdiction) together with any related Confirmation, Schedules and Credit Support Annexes (as defined in the Master Agreement), and any other related documents authorized under of this Ordinance.

"Swap Counterparty" means the financial institution designated as the Swap Counterparty in the Swaption and the Swap Agreements. That financial institution shall be rated at the time of signing the Swaption and Swap Agreements not lower than A+ or A1 by at least one Rating Service or its obligations under the Swap Agreements shall be guaranteed or insured by an entity rated at the time of signing the Swaption and Swap Agreements not lower than A+ or A1 by at least one Rating Service.

"Swap Interest Payment" means payment pursuant to the Swap Agreements of interest or interest equivalent on a notational amount, but excluding any Swap Termination Payment.

"Swap Termination Payment" means any payment required to be paid by the City as a result of the early termination of the Swaption or the Swap Agreements.

"Swaption" means the option agreement between the City and the

Swap Counterparty, under the terms of which the City will be paid an amount representing the present value savings of Base Rent, in consideration of the City's agreement to enter into the Swap Agreements, authorized under Section 6 of this Ordinance.

"Trust Agreement" means the Trust Agreement, as to be supplemented and amended by the Supplemental Trust Agreement.

"Trustee" means the bank or trust company at the time serving as Trustee under the Trust Agreement, currently U.S. Bank National Association.

Section 2. Determinations by Council. This Council finds and determines as follows:

(a) *Public Purpose.* The acquisition and financing by the City of the Cleveland Stadium pursuant to the Facility Lease and the 1997 and 1999 Certificates, the use of the Cleveland Stadium as a source of public relaxation and entertainment, and the signing and delivery of the Swaption to refinance the Refunded 1997 Certificates, served and serves a proper public municipal purpose.

(b) *Swaption.* It is necessary, proper and in the best interest of the City to enter into the Swaption and the Swap Agreements, based on a notional amount equal to the principal amount of the Refunding Certificates and taking into account the upfront payment by the Swap Counterparty to the City, in order to obtain present value savings with respect to the Base Rent payments required to be made by the City pursuant to the Facility Lease. The Director of Finance shall negotiate the terms of the Swaption with a financial institution satisfying the credit criteria in this Ordinance for a Swap Counterparty and offering an upfront payment to the City in an amount that, in the written opinion of a Financial Advisor, is fair value for the Swaption, given the credit, terms and conditions offered by the City to the Swap Counterparty. The Director of Finance shall determine the terms and conditions of the Swaption, including without limitation, the time or times and procedures for the exercise by the Swap Counterparty of its option under the Swaption whether the obligations of the City under the Swap Agreements shall be secured by a Credit Support Instrument, and the variable rate to be paid by the Swap Counterparty to the City under the Swap Agreements in the event of the exercise of the option, which may be based on a percentage of The Bond Market Association Swap Index or USD-LIBOR-BBA or other index.

(c) *Supplemental Lease and Refunding Certificates.* It is necessary, proper and in the best interest of the City to, and the City shall, in the event of the exercise by the Swap Counterparty of its option under the Swaption, sign and deliver the Supplemental Lease, the Letter of Representations and approve the issuance and sale of the Refunding Certificates pursuant to the Supplemental Trust Agreement and the Purchase Agreement to pay costs of refunding the Refunded 1997 Certificates and establishing any necessary reserves for the Refunding Certificates and expenses relating

to the issuance of the Refunding Certificates and any Swap Termination Payment incurred in connection with the issuance of the Refunding Certificates.

(d) *Leased Premises.* The Council of the City found and determined at the time of the authorization of the Facility Lease and the 1997 Certificates, and hereby reaffirms that the Leased Premises are essential to the proper, efficient and economic operation of the City.

Section 3. Supplemental Lease and Supplemental Trust Agreement. In the event of the exercise by the Swap Counterparty of the Swaption, the Mayor and the Director of Finance are each authorized to sign and deliver the Supplemental Lease and to signify approval of the Supplemental Trust Agreement, approved as to form and correctness by the Director of Law, with terms that are not inconsistent with this Ordinance as may be approved by the officers signing such documents on behalf of the City, all of which shall be conclusively evidenced by the signing of the Supplemental Lease and the signifying of approval of the Supplemental Trust Agreement.

Section 4. Refunding of the Refunded 1997 Certificates. The Mayor, the Director of Finance and the Director of Parks, Recreation and Properties or any two of them are authorized to sign and deliver, in the name and on behalf of the City, the Escrow Agreement approved as to form and correctness by the Director of Law, with terms not inconsistent with this Ordinance as may be approved by the officers signing the Escrow Agreement, all of which shall be conclusively evidenced by that signing. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement from proceeds of the Refunding Certificates to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose. Upon the issuance and delivery of the Refunding Certificates, the Trustee and the City are authorized to disburse from the Funds established and maintained under the Trust Agreement such amounts of moneys as are in excess of the balances required by the Trust Agreement to then be maintained in those Funds. The Director of Finance is authorized and directed to give written notice to the Trustee of the call for redemption of the Refunded 1997 Certificates on the earliest redemption date following the issuance of the Refunding Certificates, pursuant to the Escrow Agreement and the Existing Trust Agreement.

Section 5. Determination of Base Rent and Sale of the Refunding Certificates.

(a) *Principal Component and Term.* The Director of Finance is hereby authorized and directed to negotiate and provide for the terms of the Base Rent, as amended pursuant to the Supplemental Lease, including the final Renewal Term, which shall end not later than 30 years from the date of initial deliv-

ery of the Refunding Certificates, and the aggregate principal component of Base Rent, which for the current Renewal Term and all subsequent Renewal Terms in aggregate shall not exceed \$175,000,000.

(b) *Swap Termination Payment.* Notwithstanding the limitation set forth in subsection (a) of this Section, the maximum aggregate principal component of Base Rent may be increased to include the amount of any Swap Termination Payment and related incremental costs of any required reserves, Credit Support Instruments and costs of issuance in the event that the Director of Finance determines it is to the financial advantage of the City and in the City's best interests to terminate the Swap Agreements.

(c) *Interest.* The Refunding Certificates may be issued as obligations bearing interest at fixed or variable interest rates, based on the determination of the Director of Finance as to the financial advantage to, and best interests of, the City, as specified in the Letter of Representations. If the Director of Finance determines that the Refunding Certificates shall bear interest at variable interest rates, then the method and procedure by which the variable rate of interest to be borne by the Refunding Certificates shall be determined as provided in the Supplemental Trust Agreement, whether by auction, by reference to a market index, by a remarketing agent or otherwise; provided that no Refunding Certificates shall bear interest at a rate in excess of sixteen percent (16%) per year. Notwithstanding that limitation, a Refunding Certificate held by a provider of a Credit Support Instrument may bear interest at a rate not in excess of twenty-five percent (25%) per year as provided in the agreement with the provider of the Credit Support Instrument. The Director of Finance may determine that the terms of variable rate Refunding Certificates may or may not permit the Holders to tender their variable rate Refunding Certificates for purchase by the City. If the Director of Finance designates the Refunding Certificates as variable rate Certificates, and if the Holders of the Refunding Certificates are to be entitled to tender those Certificates for purchase, then the Director of Finance shall also designate in the Letter of Representation, the tender agent or agents and the remarketing agent or agents, which designations shall be based on the determination of the Director of Finance that the parties so designated possess the requisite resources and experience to provide the services required of them and that the terms on which the designated parties have agreed to provide such services are fair and commercially reasonable.

(d) *Credit Support and Other Instruments.* The Director of Finance is authorized to enter into agreements in connection with the delivery of the Refunding Certificates, and from time to time thereafter so long as the Refunding Certificates are outstanding, with providers of Credit Support Instruments, tender agents (which may be the Trustee), remarketing agents (which may be any of the Original Purchasers) and others as may be determined by the

Director of Finance to be necessary or appropriate to provide for the method of determining the variable interest rates, permitting holders the right of tender and providing for payment of the purchase price of, or debt service on, the variable rate Refunding Certificates. In the event the variable rate Refunding Certificates are issued as auction rate obligations, the Director of Finance is authorized to enter into agreements with auction agents and others, or to cause the Trustee to enter into those agreements, based on his determination that the parties so designated possess the requisite resources and experience to provide the services required of them and that the terms on which the designated parties have agreed to provide such services are fair and commercially reasonable.

The Director of Finance, in connection with the original issuance of the Refunding Certificates, and regardless of whether the Refunding Certificates bear interest at variable or fixed rates, is authorized to contract for a Credit Support Instrument, and to pay the costs of it from proceeds of the Refunding Certificates, if he determines that the Credit Support Instrument will result in a savings in the cost of the financing to the City.

(e) *Base Rent.* The Base Rent to be payable under and in accordance with the Facility Lease, shall be an amount sufficient to cover the amount of Swap Interest Payments and principal of and interest component on the outstanding Certificates of any series that are due and payable during that Initial Term or Renewal Term, and such Base Rent shall be specified or determined in an exhibit to the Facility Lease; provided, however, that the City's payment of Base Rent and Additional Rent is Subject to Appropriation and Certification as provided in the Facility Lease and nothing in the Facility Lease, the Refunding Certificates, the Trust Agreement, the Swaption or the Swap Agreements constitutes a pledge by the Lessee, or an obligation of the Lessee, of any taxes or other moneys to the payments due thereunder.

(f) *Purchase Agreement.* The Director of Finance is authorized to sign and deliver, in the name and on behalf of the City, the Letter of Representations, approved as to form and correctness by the Director of Law, with terms not inconsistent with this Ordinance as may be approved by the Director of Finance, all of which shall be conclusively evidenced by that signing signifying approval of the Purchase Agreement and setting forth the schedule of Base Rent and the principal components and interest components thereof, the costs of issuance of the Refunding Certificates and the reserves for the Refunding Certificates.

(g) *Primary Offering Disclosure.* If, in the judgment of the Director of Finance after consultation with the Original Purchaser, a disclosure document is appropriate relating to the initial offering of the Refunding Certificates, the Director of Finance, on behalf of the City and in that officer's official capacity, is authorized to (i) cooperate with the Original Purchaser in the preparation of, and the making of modifications,

completions or changes of or supplements to, such a disclosure document, (ii) determine, and certify or otherwise represent when the disclosure document is to be deemed final or is final, (iii) authorize the use and distribution of that disclosure document and any supplements thereto in connection with the initial offering of the Refunding Certificates, and (iv) sign certificates, statements or other documents in connection with the finality, accuracy and completeness of that disclosure document. The Director of Finance is authorized and directed to contract for services for the production and distribution of any disclosure statements, including by printed and electronic means.

(h) *Continuing Disclosure.* If and to the extent required by Rule 15c2-12 promulgated by the Securities and Exchange Commission ("SEC"), the City shall enter into a Continuing Disclosure Agreement, approved as to form and correctness by the Director of Law, between the City and the Trustee, with terms not inconsistent with this Ordinance and as may be approved by the officer signing that Agreement on behalf of the City, all of which shall be conclusively evidenced by that signing. In the Continuing Disclosure Agreement, the City shall agree to provide, or cause to be provided, to each nationally recognized municipal securities information repository designated by the SEC from time to time in accordance with that Rule, and to any state information depository, the annual financial information and operating data and notices of specified events required by that Rule, as more particularly described in the Continuing Disclosure Agreement. The Mayor and Director of Finance, or either of them, are authorized to sign and deliver the Continuing Disclosure Agreement and any related agreements, certificates and other instruments, and to deliver such information, as may be necessary or appropriate to comply with the requirements of the Rule. The City understands and agrees that those commitments are intended to be for the benefit of the holders from time to time of the Refunding Certificates, including holders of book-entry interests in those Certificates.

(i) *Application for Ratings.* If, in the judgment of the Director of Finance the filing of applications for one or more ratings on the Refunding Certificates by one or more nationally-recognized rating agencies is necessary or desirable for marketing purposes, the Director of Finance is authorized to prepare and submit those applications, and to provide information as may be required in support of those applications for the purpose. The cost of obtaining each such rating, except to the extent paid by the Original Purchaser in accordance with the Purchase Agreement, shall be paid from the proceeds of the Refunding Certificates to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

Section 6. Swaption, Swap Agreements and Other Hedge Agreements. The Director of Finance is authorized to sign the Swaption and the Swap Agreements in the forms now

in the File referenced in Section 1 of this Ordinance, after approval thereof as to form and correctness by the Director of Law. The forms of Swaption and Swap Agreements are approved with such completions and changes therein as are not inconsistent with this Ordinance and are not substantially adverse to the City and as shall be approved by Director of Finance. The approval of those completions and changes, and the determination that those completions and changes are not adverse to the City, shall be conclusively evidenced by that signing.

The Director of Finance is authorized to contract for a Credit Support Instrument to secure or guarantee the payment by the City of amounts owed by the City to the Swap Counterparty under the Swap Agreements. The cost of that Credit Support Instrument may be paid by the Swap Counterparty or from the proceeds of the Refunding Certificates or other funds lawfully available for the purpose.

This Council finds that by engaging in interest rate hedging arrangements, from time to time, the City can, in effect, convert interest on obligations of the City from a fixed rate to a floating rate, or from a floating rate to a fixed rate, and thereby may reduce its financing costs by optimizing the relative amounts of fixed and floating rate obligations from time to time and minimizing the risk of variations in its financing costs. To permit the City to have the flexibility to undertake interest rate swap, swaption, rate cap, rate collar and other hedging transactions from time to time, in addition to the Swaption and the Swap Agreements, and to establish the procedures for approving those transactions, this Council authorizes the execution and delivery of one or more hedge agreements (each, a "Hedge Agreement") and any related agreements necessary for the consummation of the transactions contemplated by each Hedge Agreement.

Upon the determination by the Director of Finance that it will be to the financial advantage of the City, and in the best interests of the City, that a hedging arrangement be undertaken by the City with respect to Base Rent, in addition to the Swaption and the Swap Agreements, the Director of Finance may authorize one or more interest rate hedge transactions in accordance with the applicable Hedge Agreement; provided that (a) the maximum aggregate notional amount of interest rate swap or other hedging transactions outstanding at any one time, net of offsetting interest rate swap or other hedging transactions, shall not exceed such amount as will result in a lowering of the ratings assigned to the Certificates by the rating agencies, as is evidenced by written correspondence from the rating agencies or policies published in writing by the rating agencies, (b) the counterparty shall be rated at the time of signing the Hedge Agreements not lower than A+ or A1 by at least one Rating Service or its obligations under the Hedge Agreement shall be guaranteed or insured by an entity rated at the time of signing the Hedge Agreement not lower than A+ or A1 by at least one Rating Service, and (c)

the term of each hedging transaction shall not exceed 30 years. The approval of each hedge transaction by the Director of Finance shall be conclusively evidenced by the signing and delivery of the applicable Hedge Agreement by the Director of Finance.

The City's obligation to pay any amounts due under the Swaption, the Swap Agreements and any other Hedge Agreement related to the Facility Lease is Subject to Appropriation and Certification as provided in the Facility Lease, and nothing in the Swaption, the Swap Agreements or any other Hedge Agreement constitutes a pledge by the Lessee, or an obligation of the Lessee, of any taxes or other moneys to the payments due thereunder.

Section 7. Tax Covenants. The Director of Finance, as the fiscal officer, or any other officer having responsibility for executing the Facility Lease, is, alone or in conjunction with any of the foregoing or with any other officer or employee of the City, authorized and directed (a) to cooperate with the Original Purchaser and the Trustee by making, on behalf of the City, such covenants and representations in the Facility Lease as are appropriate and necessary so that (a) the Facility Lease and the Refunding Certificates will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the "Code") or (ii) be treated other than as obligations to which Section 103(a) of the Code applies, and (b) the interest components of the Lease and on the Refunding Certificates will not be treated as an item of tax preference under Section 57 of the Code. The City hereby covenants it will take or cause to be taken such actions that may be required of it for the interest components of the Lease and on the Refunding Certificates to be and remain excluded from gross income for federal income tax purposes and that it will not take or authorize to be taken any actions that would adversely affect that exclusion.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for execution of the Facility Lease is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Facility Lease and the Refunding Certificates as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Lease and the Refunding Certificates or the interest components thereof or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as

determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the interest components of the Lease and on the Refunding Certificates, and (c) to give one or more appropriate certifications of the City, for inclusion in the transcript for the Refunding Certificates, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds from the sale of the Refunding Certificates, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest component of and the tax status of the Refunding Certificates. Notwithstanding the foregoing or any other provisions of this ordinance to the contrary, if the Director of Finance determines prior to the execution and delivery of the Purchase Agreement and Letter of Representations that it is necessary and appropriate and in the best interests of the City for the interest components of the Base Rent to be included in gross income for federal income tax purposes, the City shall not be bound by the covenants of this Section 7.

Each covenant made in this Section with respect to the Refunding Certificates is also made with respect to all issues any portion of the principal or interest on which is paid from proceeds of the Refunding Certificates (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Refunding Certificates from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Refunding Certificates.

Section 8. Financial Advisor. The Director of Finance may obtain the services of one or more Financial Advisors, from time to time, to assist him in making any of the determinations required by this Ordinance to be determined by the Director of Finance or in valuing the Swap Agreements or Hedge Agreements. The Director of Finance may rely on the written advice of any Financial Advisor. Any Financial Advisor employed under the authority of this ordinance shall be disinterested in the Swaption transaction and independent of the counterparty and any other party interested in the Swaption transaction.

Section 9. Validity. It is found and determined, and is hereby represented and recited, that the provisions of Sections 28, 29, 32, 33 (including the provisions of Section 33 with respect to readings on three separate days or dispensing with such readings by a two-thirds vote of all members of the Council), 36, 37, 48 and all other applicable provisions of the City's Charter and the

rules of this Council have been fully complied with and this ordinance was passed in conformity therewith.

Section 10. Severability. Each section of this ordinance and each subdivision or paragraph of any section is hereby declared to be independent and the finding or holding of any section or any subdivision or paragraph of any section to be invalid or void shall not be deemed or held to affect the validity of any other section, subdivision or paragraph of this ordinance.

Section 11. Compliance with Open Meeting Law. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including the Charter of the City and any applicable provisions of Section 121.22 Ohio Revised Code.

Section 12. Effective Date. This ordinance constitutes an emergency measure providing for the usual operation of a municipal department and providing for the immediate preservation of the public peace, property, health or safety in that the signing and delivery of the Swaption, and the authorization of the Swap Agreements, the Supplemental Lease, the Supplemental Trust Agreement, the Purchase Agreement and the issuance of the Refunding Certificates, all as authorized by this ordinance, is needed to enable the City to take advantage of current favorable market conditions to refinance the Refunded 1997 Certificates (taking into account the upfront payment under the Swaption) and thereby reduce the financing costs of the Cleveland Stadium and, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest date allowed by law.

Passed December 16, 2002.

Effective December 20, 2002.

Ord. No. 2370-02.
By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the issuance of Parking Facilities Refunding Revenue Bonds for the purpose of refunding certain outstanding bonds; authorizing a swaption and related swap agreements; authorizing agreements for the sale of the refunding bonds and for their security; and authorizing and approving related matters.

Whereas, Ordinance No. 328-92, passed by the Council on February 24, 1992, authorized the City's \$71,000,000 Parking Facilities Improvement Revenue Bonds, Series 1992, dated as of October 15, 1992 (the Series 1992 Bonds), for the purpose of providing funds for acquiring, constructing, improving, rehabilitating and equipping certain

parking facilities of the City (the 1992 Project);

Whereas, the Series 1992 Bonds were refunded by \$81,105,000 Parking Facilities Refunding Revenue Bonds, Series 1996, dated as of September 1, 1996 (the Series 1996 Bonds), authorized by Ordinance No. 1023-96, passed by the Council on June 18, 1996, under an advance refunding structure within the meaning of federal tax laws applicable to tax-exempt municipal securities;

Whereas, the Series 1996 Bonds may not be refinanced by another advance refunding structure of tax-exempt refunding obligations of the City, but the Series 1996 Bonds maturing on or after September 15, 2010 may be refinanced by a current refunding structure of tax-exempt refunding obligations of the City beginning on the 90th day prior to September 15, 2006, when those Series 1996 Bonds may first be called for optional redemption;

Whereas, the City may obtain debt service savings with respect to the Series 1996 Bonds prior to 2006 by entering into an agreement (the Swaption) with a financial institution (the Swap Counterparty) having terms that provide for an upfront payment to the City by the Swap Counterparty in consideration of the City's giving the Swap Counterparty the option to make effective at a future date an interest rate exchange transaction with the City in which the City will make payments to the Swap Counterparty at a fixed rate and the Swap Counterparty will make payments to the City at a variable rate, in each case calculated in reference to an amount equal to the principal amount outstanding, from time to time, of tax-exempt refunding obligations (the Refunding Bonds) to be issued by the City to refund the Series 1996 Bonds maturing on and after the later of the date of exercise of the option granted by the Swaption or September 15, 2010 (the Refunded 1996 Bonds).

Whereas, this Council finds and determines that the present value of the debt service payments to be made by the City with respect to the 1992 Project, taking into account the upfront payment described above, will be reduced by the refinancing of the Refunded Bonds under the arrangement described above and that it is necessary and in the best interests of the City to refinance the Refunded 1996 Bonds, to call for optional redemption the Refunded 1996 Bonds, and to issue the Refunding Bonds to provide funds, together with any other funds available to the City for that purpose, to refund the Refunded 1996 Bonds, thereby reducing the financing costs of the 1992 Project;

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department and providing for the immediate preservation of the public peace, property, health or safety in that the entering into the Swaption and the Swap Agreements (described below), and authorizing issuance of the Refunding Bonds upon exercise by the Swap Counterparty of its option under the Swaption is needed to enable the City to take advantage of current favorable market conditions to refi-

nance the Refunded 1996 Bonds and thereby reduce the financing costs of the 1992 Project; now, therefore,

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

Section 1. Definitions. In addition to the words and terms defined in the Existing Indenture, a copy of which is on file in with the Clerk of Council in File No. 2370-02-A, or elsewhere in this ordinance, unless the context or use clearly indicates another or different meaning or intent:

"Additional Pledged Revenues" means, any of the following moneys not raised by taxation: fines, waivers, court costs and other receipts of the City relating to citations for the violation of municipal parking ordinances; all fines, waivers, court costs and other receipts of the City relating to citations for any misdemeanor offense under municipal ordinances.

"Bond" or "Bonds" means all Bonds issued and outstanding under the Indenture.

"Bond Service Charges" means, for any period or time, the principal of (whether at stated maturity, by mandatory sinking fund redemption, by acceleration or otherwise) and interest and any premium due on the Bonds for that period or payable at that time, as the case may be.

"Book entry form" or "book entry system" means, with respect to the Bonds, a form or system, as applicable, under which (a) the ownership of beneficial interests in Bonds and Bond Service Charges may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are registered only in the name of a Depository or its nominee as Holder, with the physical Bond certificates "immobilized" in the custody of the Depository. The book entry system is maintained by and is the responsibility of the Depository and not the City or the Trustee. The book entry is the record that identifies, and records the transfer of the interest of, the owners of beneficial (book entry) interests in the Bonds.

"Certificate of Award" means, as to the Refunding Bonds, the certificate authorized by Section 4 of this Ordinance, to be executed by the Director of Finance, setting forth and determining those terms or other matters pertaining to the Refunding Bonds and their issuance, sale and delivery as this Ordinance authorizes to be determined therein.

"Credit Support Instrument" means an insurance policy, surety, letter of credit, standby bond purchase agreement or other credit enhancement, support or liquidity device used to enhance the security or liquidity of any Bonds or Swap Agreements.

"Escrow Agreement" means one or more agreements between the City and the Trustee, in its capacity as Escrow Agent, authorized by Section 9 of this Ordinance.

"Existing Indenture" means the Trust Indenture dated as of September 1, 1996, as supplemented by the First Supplemental Trust Indenture dated as of September 1, 1996, each between the City and the Trustee.

"Financial Advisor" means any financial advisory firm or firms retained by the City, from time to time, in connection with the Swap-

tion, the Swap Agreements, other Hedge Agreements or the Refunding Bonds.

"Funds" means any of the funds established under the Existing Indenture.

"Holder" or "Holder of a Bond" means the Person in whose name a Bond issued under the Indenture is registered on the Register.

"Indenture" means the Existing Indenture, as to be supplemented and amended by the Second Supplemental Indenture.

"Original Purchaser" means the underwriting firm or firms identified in the Certificate of Award for the Refunding Bonds as the original purchasers of the Refunding Bonds.

"Parking Revenues" means the Off-street Parking Revenues and the On-street Parking Revenues as defined in the Indenture.

"Pledged Revenues" means the Parking Revenues and any Additional Pledged Revenues identified in the Second Supplemental Indenture.

"Purchase Agreement" means the Bond Purchase Agreement between the City and the Original Purchaser, authorized under Section 4 of this Ordinance.

"Purchase Price" means the amount specified in the Certificate of Award to be paid to the City by the Original Purchaser of the Refunding Bonds, provided that amount shall be not less than 97% of the amount remaining after subtracting from the aggregate principal amount of the Refunding Bonds (i) any net original issue discount and (ii) any premium or other costs of any Credit Support Instrument purchased from the proceeds of the Refunding Bonds.

"Rating Services" means each rating agency assigning a rating to the Refunding Bonds or if such rating agency shall be dissolved or no longer assigning credit ratings to long-term debt, then any other nationally recognized entity designated by the City assigning credit ratings to long-term debt.

"Refunded 1996 Bonds" means those Series 1996 Bonds maturing on or after September 15, 2010 designated in the Certificate of Award to be refunded with proceeds of the Refunding Bonds.

"Refunding Bonds" means the Parking Facilities Refunding Revenue Bonds of the City authorized by this Ordinance, the Certificate of Award and the Existing Indenture, as supplemented and amended by the Second Supplemental Indenture.

"Second Supplemental Indenture" means the Second Supplemental Trust Indenture between the City and the Trustee, dated as of the same date as the Refunding Bonds, authorized under Section 11 of this Ordinance.

"State" means the State of Ohio.

"Swap Agreements" means, collectively, the interest rate exchange agreement in substantially the form of the International Swaps and Derivatives Association, Inc. Master Agreement (Local Currency - Single Jurisdiction), together with any related Confirmation, Schedules, and Credit Support Annexes (as defined in that Master Agreement), and other related documents authorized under this Ordinance.

"Swap Counterparty" means the financial institution designated as

the counterparty in the Swaption and the Swap Agreements. That financial institution shall be rated at the time of signing the Swaption and Swap Agreements not lower than A+ or A1 by at least one Rating Service or its obligations under the Swap Agreements shall be guaranteed or insured by an entity rated at the time of signing the Swaption and Swap Agreement not lower than A+ or A1 by at least one Rating Service.

"Swap Interest Payment" means payment pursuant to the Swap Agreements of interest or interest equivalent on a notional amount, but excluding any Swap Termination Payment.

"Swap Termination Payment" means any payment required to be paid by the City as a result of the early termination of the Swaption or the Swap Agreements.

"Swaption" means the option agreement between the City and the Swap Counterparty under the terms of which the City will be paid an amount representing present value debt service savings, in consideration of the City's agreement to enter into the Swap Agreements authorized under Section 12 of this Ordinance.

"Trustee" means the bank or trust company at the time serving as Trustee under the Indenture, currently J. P. Morgan Trust Company, National Association.

Section 2. Determinations by Council. This Council finds and determines as follows:

(a) *Public Purpose.* It was necessary for the City to acquire, construct, improve, rehabilitate and equip the municipal parking facilities comprising the 1992 Project; the 1992 Project and the issuance of the Series 1992 Bonds to pay costs of the 1992 Project, and the delivery of the Swaption, the issuance of the Refunding Bonds and any payments under the Swap Agreements to refinance the Refunded 1996 Bonds, served or serves a proper public municipal purpose by providing needed parking facilities to the people of the City, alleviating traffic congestion on the streets of the City, thereby facilitating the movement of traffic, the movement of police and fire vehicles in the City for the safety and welfare of its citizens, and the cleaning of the streets for the health, safety and welfare of its citizens. The facilities comprising the 1992 Project are located in designated urban renewal areas of the City, and the City's completion of the municipal facilities constituting the 1992 Project in those urban renewal areas, and the issuance of the Series 1992 Bonds to pay costs of the 1992 Project, the delivery of the Swaption, the issuance of the Refunding Bonds and any payments under the Swap Agreements to refinance the Refunded 1996 Bonds, were and will be undertaken for the elimination of conditions of blight determined to exist in those areas and to prevent the reoccurrence of such conditions of blight. The 1992 Project advances the economic welfare of the City by increasing and promoting commerce by providing parking facilities for surrounding businesses and other commercial enterprises, and the 1992 Project creates and preserves jobs and employ-

ment opportunities in the City and improves the economic welfare of the City by maintaining and improving access to the City by the computing public.

(b) *Swaption.* It is necessary, proper and in the best interests of the City to enter into the Swaption and the Swap Agreements, based on a notional amount equal to the principal amount of the Refunding Bonds and taking into account the upfront payment by the Swap Counterparty to the City, in order to obtain present value debt service savings with respect to the Series 1996 Bonds. The Director of Finance shall negotiate the terms of the Swaption with a financial institution satisfying the credit criteria in this Ordinance for a Swap Counterparty and offering an upfront payment to the City in an amount that, in the written opinion of a Financial Advisor, is fair value for the Swaption, given the credit, terms and conditions offered by the City to the Swap Counterparty. The Director of Finance shall determine the terms and conditions of the Swaption, including without limitation, the time or times and procedures for the exercise by the Swap Counterparty of its option under the Swaption, whether the obligations of the City under the Swap Agreements shall be secured by a Credit Support Instrument, and the variable rate to be paid by the Swap Counterparty to the City under the Swap Agreements in the event of the exercise of the option, which may be based on a percentage of The Bond Market Association Swap Index or USD-LIBOR-BBA or other index.

(c) *Issuance of Refunding Bonds.* It is necessary, proper and in the best interest of the City to, and the City shall, in the event of the exercise by the Swap Counterparty of its option under the Swaption, issue the Refunding Bonds in the maximum aggregate principal amount of \$80,000,000 for the purpose of refinancing the Refunded 1996 Bonds. The aggregate principal amount of Refunding Bonds to be issued shall be the amount determined in the Certificate of Award by the Director of Finance to be the aggregate principal amount of Refunding Bonds that are required to be issued, taking into account any other funds available to the City for the purpose, in order to refund the Refunded 1996 Bonds, to establish any reserves required under the Indenture, to pay costs of any Credit Support Instruments, to pay expenses relating to the refunding or the issuance of the Refunding Bonds and otherwise to effect the purpose for which the Refunding Bonds are to be issued.

(d) *Pledged Revenues.* Bond Service Charges on the Refunding Bonds and Swap Interest Payments shall be payable from the Parking Revenues and may be payable also from the Additional Pledged Revenues to the extent provided in the Second Supplemental Indenture and the Swap Agreements. Bond Service Charges on the Refunding Bonds and Swap Interest Payments may be secured by a pledge of those Revenues and may be Parity Obligations or Limited Parity Obligations as defined in the Existing Indenture.

(e) *Refunding of Refunded 1996 Bonds.* It is necessary and in the

best interest of the City to refund the Refunded 1996 Bonds and to redeem by optional redemption, on the first redemption date following the issuance of the Refunding Bonds, those Refunded 1996 Bonds maturing after that date. The Director of Finance is authorized to give written notice to the Trustee of that call for redemption, and the Refunded 1996 Bonds shall be redeemed in accordance with the Existing Indenture and the Escrow Agreement.

(f) *Swap Termination Payment.* Notwithstanding the limitation set forth in subdivision (c) of this Section, the maximum aggregate principal amount of Refunding Bonds may be increased to include the amount of any Swap Termination Payment and related incremental costs of any reserves required under the Indenture, any Credit Support Instruments, and costs of issuance in the event that that Director of Finance determines it is to the financial advantage of the City and in the City's best interests to terminate the Swap Agreements.

Section 3. Terms and Provisions of the Refunding Bonds.

The Refunding Bonds shall be issued only in registered form, substantially in the form set forth in the Indenture. The Refunding Bonds shall contain on the face thereof a statement to the effect that the Refunding Bonds, as to both principal and interest, are not a general obligation of the City but are payable solely from the revenues pledged to their payment under the Indenture.

The Refunding Bonds shall be dated the date of their initial delivery, or such other date as may be established in the Certificate of Award; shall bear interest from their date or the most recent date to which interest has been paid or duly provided for, and that interest shall be payable on the first Business Day of each month or as otherwise provided for in the Indenture; shall mature on the dates and in the respective principal amounts set forth in the Certificate of Award provided that the final maturity shall be not later than 30 years from date of their original delivery, as is determined in the Certificate of Award; shall be subject to mandatory and optional redemption on the terms and conditions set forth in the Certificate of Award and the Indenture; and shall be signed by the Mayor and the Director of Finance, provided that one or both of such signatures may be a facsimile, and shall bear the seal of the City or a facsimile thereof. Pursuant to Section 83 of the City's Charter, the Director of Law shall prepare the Refunding Bonds and shall endorse thereon his approval of the form and correctness by his manual or facsimile signature.

The Refunding Bonds may be issued as obligations bearing interest at fixed or variable interest rates. In the event that the Director of Finance determines that the City's best interests will be served by causing the Refunding Bonds to be obligations bearing interest at variable interest rates, then the Director of Finance is authorized to so specify in the Certificate of Award. If the Director of Finance so determines, then the method and pro-

cedure by which the variable rate of interest to be borne by the Refunding Bonds shall be determined as provided in the Second Supplemental Indenture, whether by auction, by reference to a market index, by a remarketing agent or otherwise; provided that no Refunding Bonds shall bear interest at a rate in excess of sixteen percent (16%) per year. Notwithstanding that limitation, Refunding Bonds held by a provider of a Credit Support Instrument may bear interest at a rate not in excess of twenty-five percent (25%) per year as provided in the agreement with the provider of the Credit Support Instrument. The Director of Finance may determine that the terms of variable rate Refunding Bonds may or may not permit the Holders to tender their variable rate Refunding Bonds for purchase by the City. If the Director of Finance designates the Refunding Bonds as variable rate bonds, and if the Holders of the Refunding Bonds are to be entitled to tender those Refunding Bonds for purchase, then the Director of Finance shall also designate in the Certificate of Award for those variable rate Refunding Bonds, the tender agent or agents and the remarketing agent or agents, which designations shall be based on the determination of the Director of Finance that the parties so designated possess the requisite resources and experience to provide the services required of them and that the terms on which the designated parties have agreed to provide such services are fair and commercially reasonable.

The Director of Finance is authorized to enter into agreements in connection with the delivery of the Refunding Bonds, and from time to time thereafter so long as the Refunding Bonds are outstanding, with providers of Credit Support Instruments, tender agents (which may be the Trustee), remarketing agents (which may be any of the Original Purchasers) and others as may be determined by the Director of Finance to be necessary or appropriate to provide for the method of determining the variable interest rates, permitting holders the right of tender and providing for payment of the purchase price of, or debt service on, the variable rate Refunding Bonds. In the event the Refunding Bonds are issued as auction rate obligations, the Director of Finance is authorized to enter into agreements with auction agents and others, or to cause the Trustee to enter into those agreements, based on the determination by the Director of Finance that the parties so designated possess the requisite resources and experience to provide the services required of them and that the terms on which the designated parties have agreed to provide such services are fair and commercially reasonable.

The Director of Finance, in connection with the original issuance of the Refunding Bonds, and regardless of whether the Refunding Bonds bear interest at variable or fixed rates, is authorized to contract for a Credit Support Instrument, and to pay the costs of it from proceeds of the Refunding Bonds, if he determines that the Credit Support Instrument will result in a savings in the cost of the financing to the City.

The Refunding Bonds shall be issued originally to a Depository (as

defined in the Indenture) for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Refunding Bonds shall be issued in the form of a single registered Refunding Bond representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book entry form shall have no right to receive Refunding Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Refunding Bonds for use in a book entry system, the Director of Finance and Trustee may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance and Trustee do not or are unable to do so, the Director of Finance and Trustee, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Refunding Bonds from the Depository, and authenticate and deliver registered Refunding Bond certificates to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Mayor, the Director of Finance, the Director of Parks, Recreation and Properties, or any one of them, are authorized and directed to the extent necessary or required to enter into any agreements determined necessary in connection with the book entry system for the Refunding Bonds, after determining (as evidenced by their signing) that the signing thereof will not endanger the funds or securities of the City under the Indenture.

Section 4. Sale of the Refunding Bonds. The Series 1996 Bonds are awarded and sold to the Original Purchaser in accordance with the Purchase Agreement and at the Purchase Price, as shall be determined in the Certificate of Award. The Director of Finance is authorized to sign the Certificate of Award selling the Refunding Bonds to the Original Purchaser at the Purchase Price established therein in accordance with this Ordinance, and to evidence the further terms of that sale by completing, signing and delivering the Purchase Agreement, approved as to form and correctness by the Director of Law, with terms not inconsistent with this Ordinance and as may be approved by the Director of Finance, all of which shall be conclusively evidenced by the signing of the Purchase Agree-

ment by the Director of Finance.

Having due regard to the best interests of the City there shall be further determined in the Certificate of Award or, as appropriate, in the Second Supplemental Indenture, consistent with the provisions of this Ordinance, (a) the date of the Refunding Bonds, (b) the final aggregate principal amount of the Refunding Bonds, (c) the principal maturity or maturities of the Refunding Bonds, the dates on which principal shall be payable, whether by mandatory sinking fund redemption or at stated maturity, (d) the dates and prices upon and at which any Refunding Bonds shall be subject to optional redemption, (e) the interest rate or rates and, if the Refunding Bonds bear interest at variable rates, the method of determining those variable rates, and the dates on which interest is to be paid, (f) the Purchase Price of the Refunding Bonds, and (g) any other matters as provided in this Ordinance.

It is hereby determined by this Council that the terms of the Refunding Bonds and the procedures for their sale and the determination of the price to be paid for them, all as established in accordance with this Ordinance, the Purchase Agreement and the Indenture, are and will be in the best interest of the City.

The Mayor, the Director of Finance, the Clerk of Council and other City officials as appropriate are authorized to make the necessary arrangements on behalf of the City to establish the date, location, procedure and conditions for the delivery of the Refunding Bonds to the Original Purchaser and to take all actions necessary to effect due signing, authentication and delivery of the Refunding Bonds under the terms of this Ordinance, the Purchase Agreement and the Indenture.

The Mayor, the Director of Finance and other City officials as deemed appropriate, each are authorized, on behalf of the City and in their official capacities, to prepare or cause to be prepared, a disclosure document relating to the issuance of the Refunding Bonds. The distribution and use of that disclosure document by the Original Purchaser is hereby authorized and approved. The Director of Finance is authorized to contract for services for the production and distribution of the disclosure document, including by printed and electronic means.

If and to the extent required by SEC Rule 15c2-12, those officers and each of them are authorized, on behalf of the City and in their official capacities, to certify or otherwise represent, that the disclosure document is a "deemed final" official statement (except for permitted omissions) by the City as of its date for purposes of that Rule or is a final official statement for purposes of that Rule. Those officers each are further authorized to use and distribute, or authorize the use and distribution of, the disclosure document and any supplements thereto in connection with the original issuance of the Refunding Bonds as may, in their judgment, be necessary or appropriate. Those officers each are further authorized to sign and deliver, on behalf of the City and in their official capacities, the disclosure

document and such certificates in connection with the accuracy of it and any amendment thereto as may, in their judgment, also be necessary or appropriate.

If and to the extent required by SEC Rule 15c2-12, for the benefit of the holders and beneficial owners from time to time of the Refunding Bonds, the City may agree to provide or cause to be provided such financial information and operating data and notices, in such manner, as may be required for purposes of SEC Rule 15c2-12. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Mayor and the Director of Finance are authorized to prepare, or cause to be prepared, and to sign and deliver, in the name and on behalf of the City, a continuing disclosure agreement or certificate, which shall constitute the continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners of the Refunding Bonds in accordance with SEC Rule 15c2-12. The performance of that Agreement shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform it. The Director of Finance is further authorized to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices.

If in the judgment of the Director of Finance the filing of applications for a rating on the Refunding Bonds by one or more Rating Services is necessary or desirable for marketing purposes, the Director of Finance is authorized to prepare and submit those applications, to provide such information as may be required in support of them and to provide further for the payment of the cost of such a rating from proceeds of the Refunding Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

Section 5. Application of Proceeds of Refunding Bonds. The proceeds of sale of the Refunding Bonds shall be allocated and deposited as provided in the Indenture, including: deposit to the Interest Payment Account of the Bond Service Fund, any accrued interest paid by the Original Purchaser; deposit to the Escrow Fund, the amount necessary, when added to the amounts to be deposited in the Escrow Fund by the Escrow Trustee or by the City from other sources in accordance with Section 9 of this ordinance, to effect the payment and discharge of the Refunded 1996 Bonds; deposit to any reserve funds such amounts as may be necessary, when added to any amounts in the funds available for the purpose, to establish or maintain reserves required by the Indenture; payment to the Swap Counterparty any Swap Termination Payment determined by the Director of Finance to be paid from proceeds of the Refunding Bonds in the event the Director of Finance determines it is in the best interests of the City

to terminate the Swap Agreements; and deposit to the Costs of Issuance Fund, as defined in the Indenture, such amounts needed to pay costs of refunding the Refunded 1996 Bonds and issuing the Refunding Bonds. The proceeds from the sale of the Refunding Bonds are appropriated and shall be used for the purpose for which those Bonds are issued as provided in this Ordinance and the Indenture.

Section 6. Security for the Bonds. The Refunding Bonds do not constitute a debt, or a pledge of the faith and credit of the City. Bond Service Charges on the Refunding Bonds shall be secured by, and shall be payable solely from the Parking Revenues and any Additional Pledged Revenues as provided in the Indenture.

Section 7. Establishment of Funds; Application of Revenues. There is hereby created pursuant to Section 725.03 of the Ohio Revised Code an urban renewal debt retirement fund which shall be maintained as a trust fund in the custody of the Trustee as a separate deposit account and as an account of the Revenue Fund under the Indenture. The Parking Revenues and any Additional Pledged Revenues pledged under the Indenture shall be deposited in that urban renewal debt retirement fund pursuant to Chapter 725 of the Ohio Revised Code and the Indenture. All other Funds, accounts therein and Accounts described in the Indenture shall be and hereby are established and shall be designated as indicated in the Indenture. Each Fund and Account shall be maintained in the custody of the City or the Trustee, as provided in the Indenture. The Parking Revenues and any Additional Pledged Revenues and other money and funds as described in the Indenture shall be deposited in, and disbursed from, those Funds, accounts therein and Accounts as provided in the Indenture.

Section 8. Covenants of the City. The City, by issuance of the Refunding Bonds and any additional Bonds, covenants and agrees with the holders of the Refunding Bonds to perform its covenants and agreements set forth in the Indenture.

Section 9. Refunding of the Refunded 1996 Bonds. The Mayor, the Director of Finance and the Director of Parks, Recreation and Properties or any two of them are authorized to sign and deliver, in the name and on behalf of the City, the Escrow Agreement, between the City and the Escrow Trustee in a form approved by the Director of Law and by the officers signing the Escrow Agreement, not inconsistent with this Ordinance and not adverse to the City which shall be conclusively evidenced by the signing of the Escrow Agreement by those officers. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement from proceeds of the Refunding Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose. Upon the issuance

and delivery of the Refunding Bonds, the Trustee and the City are authorized to disburse from the Funds established and maintained under the Existing Indenture such amounts of moneys as are in excess of the balances required by the Indenture to then be maintained in those Funds.

Section 10. Tax Covenants of City. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Refunding Bonds in such manner and to such extent as may be necessary so that (a) the Refunding Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be treated as an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Refunding Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Refunding Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Refunding Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Refunding Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Refunding Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclu-

sion of interest from gross income and the intended tax status of the Refunding Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Refunding Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Refunding Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Refunding Bonds.

Each covenant made in this Section with respect to the Refunding Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Refunding Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Refunding Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Refunding Bonds.

Section 11. Indenture and Other Documents. To secure the payment of the Bond Service Charges on the Refunding Bonds as the same shall become due and payable and the performance by the City of its obligations provided for in this Ordinance, the Mayor, the Director of Finance and the Director of Parks, Recreation and Properties, or any two of them, are authorized and directed, for and in the name of the City and on its behalf, to sign and deliver to the Trustee the Second Supplemental Indenture, approved as to form and correctness by the Director of Law, with terms not inconsistent with this Ordinance and the Certificate of Award as may be approved by the officers signing the Supplemental Indenture on behalf of the City, all of which shall be conclusively evidenced by the signing and delivery of that Supplemental Indenture by those officers.

The Mayor, the Director of Finance, the Director of Parks, Recreation and Properties, the Director of Law, the Clerk of Council and such other officers of the City as may be appropriate are authorized to furnish, execute and deliver such documents, certifications and instruments as may be necessary or appropriate to issue the Refunding Bonds and to consummate the transactions contemplated herein, and in the Swaption, the Swap Agreements, the Indenture, the Escrow Agreement and the Purchase Agreement. The Clerk of Council or other appropriate official of the City shall furnish the Original Purchasers a true transcript of proceedings certified by the Clerk or other official, of all proceedings had with reference to the issuance of the Refunding Bonds along with such information for the records as is necessary to determine the regularity and validity of the issuance of the Refunding Bonds.

Section 12. Swaption and Swap Agreements. The Director of Finance is authorized to sign the Swaption and the Swap Agreements

in the forms now on file with the Clerk of Council in the file referenced in Section 1 after approval thereof as to form and correctness by the Director of Law. The forms of Swaption and Swap Agreements are approved with such completions and changes therein as are not inconsistent with this Ordinance and are not substantially adverse to the City and as shall be approved by Director of Finance. The approval of those completions and changes, and the determination that those completions and changes are not adverse to the City, shall be conclusively evidenced by that signing. The Director of Finance is authorized to contract for a Credit Support Instrument to secure or guarantee the payment by the City of amounts owed by the City to the Swap Counterparty under the Swap Agreements. The cost of that Credit Support Instrument may be paid by the Swap Counterparty or from the proceeds of the Refunding Bonds or other funds lawfully available for the purpose.

Section 13. Other Hedge Agreements. This Council finds that by engaging in interest rate hedging arrangements, from time to time, the City can, in effect, convert interest on all or a portion of the Bonds under the Indenture from a fixed rate to a floating rate, or from a floating rate to a fixed rate, and thereby may reduce its cost of borrowing by optimizing the relative amounts of fixed and floating rate obligations from time to time and minimizing the risk of variations in its debt service costs. To permit the City to have the flexibility to undertake interest rate swap, swaption, rate cap, rate collar and other hedging transactions from time to time, in addition to the Swaption and the Swap Agreements, and to establish the procedures for approving those transactions, this Council authorizes the execution and delivery of one or more hedge agreements (each, a "Hedge Agreement") and any related agreements necessary for the consummation of the transactions contemplated by each Hedge Agreement.

Upon the determination of the Director of Finance that it is to the financial advantage of the City and in the City's best interests that a hedging arrangement be undertaken by the City with respect to any Bonds issued and Outstanding under the Indenture, in addition to the Swaption and the Swap Agreements, the Director of Finance may authorize one or more interest rate hedge transactions in accordance with the applicable Hedge Agreement; provided that (a) the maximum aggregate notional amount of interest rate swap or other hedging transactions outstanding at any one time, net of offsetting interest rate swap or other hedging transactions, shall not exceed such amount as will result in a lowering of the ratings assigned to the Bonds by the rating agencies, as is evidenced by written correspondence from the rating agencies or policies published in writing by the Rating Services, (b) the counterparty shall be rated at the time of signing the Hedge Agreement not lower than A+ or A1 by at least one rating agency or its obligations under the Hedge Agree-

ment shall be guaranteed or insured by an entity rated at the time of signing the Hedge Agreement not lower than A+ or A1 by at least one Rating Service, and (c) the term of each interest rate swap transaction shall not exceed 30 years. The approval of each interest rate hedge transaction by the Director of Finance shall be conclusively evidenced by the signing and delivery of the applicable Hedge Agreement by the Director of Finance.

Section 14. Security for Swap Agreements and Other Hedge Agreements. The City's obligations to make Swap Interest Payments under the Swap Agreements and similar payments of interest or interest equivalent under any Hedge Agreement shall be payable from the Parking Revenues and may be payable also from the Additional Pledged Revenues. Those payments may be secured by a pledge of those Revenues on a parity with the pledge of those Revenues to the payment of Bond Service Charges on the Refunding Bonds, and may be Limited Parity Obligations or Parity Obligations as defined in the Existing Indenture, all as determined by the Director of Finance and set forth in the Swaption, Swap Agreements or other Hedge Agreements. Any Swap Termination Payment shall be payable from the Parking Revenues and may be payable also from the Additional Pledged Revenues or any other available moneys of the City permitted by law to be used for the purpose of making those payments as approved by the Director of Finance and set forth in the Swaption or Swap Agreements or Hedge Agreements.

The obligation of the City to make payments under the Swaption, the Swap Agreements or any Hedge Agreement does not and shall not represent or constitute a general obligation, debt, bonded indebtedness or a pledge of the faith and credit of the City, the State of Ohio or any other political subdivision thereof. Nothing herein gives the Swap Counterparty or any party to any Hedge Agreement the right to have excises, ad valorem or other taxes levied by the City or the State of Ohio or by the taxing authority of any other political subdivision for the payment of any amounts due under the Swaption, the Swap Agreements or any Hedge Agreement.

Section 15. Financial Advisors. The Director of Finance may obtain the services of one or more Financial Advisors, from time to time, to assist him in making any of the determinations required by this Ordinance to be determined by the Director of Finance or to value the Swap Agreements or other Hedge Agreements. The Director of Finance may rely on the written advice of any Financial Advisor so retained. Any Financial Advisor employed under the authority of this ordinance shall be disinterested in the Swaption transaction and be independent of the counterparty and any other party interested in the Swaption transaction.

Section 16. Severability. Each section of this ordinance and each sub-

division or paragraph of any section is declared to be independent and the finding or holding of any section or any subdivision or paragraph of any section to be invalid or void shall not be deemed or held to affect the validity of any other section, subdivision or paragraph of this ordinance.

Section 17. Validity. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Refunding Bonds and the signing and delivery of the Swaption and the Swap Agreements in order to make them legal, valid and binding special obligations of the City have been performed and have been met, or will at the time of delivery of the Refunding Bonds or the Swaption and the Swap Documents, as the case may be, have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Refunding Bonds and the signing and delivery of the Swaption and the Swap Agreements. It is further found and determined, and is hereby represented and recited, that the provisions of Sections 28, 29, 32, 33 (including the provisions of Section 33 with respect to readings on three separate days or dispensing with such readings by a two-thirds vote of all members of the Council), 36, 37, 48 and all other applicable provisions of the City's Charter and the rules of this Council have been fully complied with and this ordinance was passed in conformity therewith.

Section 18. Compliance with Open Meeting Law. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 19. Effective Date. This ordinance constitutes an emergency measure providing for the usual operation of a municipal department and providing for the immediate preservation of the public peace, property, health or safety in that the delivery of the Swaption and Swap Agreements and the issuance of the Refunding Bonds authorized by this ordinance is needed to enable the City to take advantage of current favorable market conditions to refinance the Refunded 1996 Bonds (taking into account the upfront payment under the Swaption) and thereby reduce the financing costs of the 1992 Project and, provided this ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest date allowed by law.

Passed December 16, 2002.

Effective December 20, 2002.

Ord. No. 2377-02.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of asphalt, concrete and tack coat, and labor and materials to deliver, spread, and compact those materials to repair roadways and runways, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is 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 two years for the necessary items of asphalt, concrete and tack coat, and labor and materials to deliver, spread, and compact those materials to repair roadways and runways, in the approximate amount as purchased during the preceding term to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in 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 cost of the contract or contracts shall be charged against the proper appropriation account and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract certified by the Director of Finance. (RL 118295)

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 December 16, 2002.
 Effective December 20, 2002.

Ord. No. 2378-02.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to amend Contract No. 53694 with Parsons Infrastructure and Technology, Inc. for professional management services relating to the expansion of Cleveland Hopkins International Airport.

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

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

Section 1. That the Director of Port Control is authorized to amend Contract No. 53694 with Parsons Infrastructure and Technology, Inc. to provide additional management services relating to the expansion of Cleveland Hopkins International Airport and to extend the term of the Contract to December 31, 2004. This amendment will increase the contract by an amount not to exceed \$11,000,000.

Section 2. That the cost of the contract authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, passenger facility charges and the fund and/or sub-funds to which are credited the proceeds of any general airport revenue bonds, federal grants, state grants, and local grants issued for the purposes of this contract, Request No. 129113.

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

Passed December 16, 2002.
 Effective December 20, 2002.

Ord. No. 2379-02.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide emergency spill response, evaluation, handling, and disposal at Cleveland Hopkins International Airport and Burke Lakefront Airport, for the Department of Port Control.

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

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

Section 1. That the Director of Port Control is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide emergency spill response, evaluation, handling, and disposal at Cleveland Hopkins International Airport and Burke Lakefront Airport, for the Department of Port Control. That the contract or contracts authorized shall be entered into within one year from the date of passage of this ordinance.

The selection of the consultants for the services shall be made by the Board of Control upon the nomination of the Director of Port Control from a list of qualified consultants available for the employment as may be determined after a full

and complete canvass by the Director of Port Control for the purpose of compiling the 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 Port Control, and certified by the Director of Finance.

Section 2. That the costs for the services contemplated shall be paid from Fund No. 60 SF 001, Request No. 129106.

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 December 16, 2002.
 Effective December 20, 2002.

Ord. No. 2380-02.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to prepare planning studies, for the various divisions of the Department of Port Control.

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

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

Section 1. That the Director of Port Control is authorized to 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 prepare planning studies, for the various divisions of the Department of Port Control. That the contract or contracts authorized shall be entered into within one year from the date of passage of this ordinance.

The selection of the consultants for the services shall be made by the Board of Control upon the nomination of the Director of Port Control from a list of qualified consultants available for the employment as may be determined after a full and complete canvass by the Director of Port Control for the purpose of compiling the 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 Port Control, and certified by the Director of Finance. The contract or contracts authorized shall be entered into within one year from the date of passage of this ordinance. The selection of the consultants for the services shall be made by the Board of Control upon the nomination of the Director of Port Control from a list of qualified consultants available for the employment as may be determined after a full

Section 2. That the costs for the services contemplated shall be paid from Fund No. 60 SF 001, Request No. 118280.

Section 3. That the Director of Port Control will notify the Clerk of Council and the Chair of the Aviation and Transportation Committee whenever a prime or subcontract is entered into under this ordinance. The information reported will identify each contract amount and the source of funds for each contract entered into under this ordinance.

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 December 16, 2002.
Effective December 20, 2002.

Ord. No. 2381-02.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide services necessary to design, layout, produce, and distribute 2002 and 2003 annual reports and other customer public information materials, for the various divisions of the Department of Port Control.

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

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

Section 1. That the Director of Port Control is authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design, layout, produce, and distribute 2002 and 2003 annual reports and other customer public information materials, including but not limited to writing, photography and artwork offset lithographic reproduction, for the various divisions of the Department of Port Control.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Port Control from a list of qualified consultants 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 compensation to be paid for the services shall be fixed by the Board of Control. The contract authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 2. That the costs for the services contemplated shall not exceed \$70,000 and shall be paid from Fund No. 60 SF 001, Request No. 129109.

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

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 2382-02.

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

An emergency ordinance authorizing the purchase by contract or contracts of one double wall tank, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Section 1. That the Director of Port Control is authorized to make one or more written contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one double wall tank, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 60 SF 001, Request No. 118293.

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 December 16, 2002.
Effective December 20, 2002.

Ord. No. 2384-02.

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

An emergency ordinance to appropriate property for the public purpose of constructing Maplewood Park, located at 17810 Midvale Avenue.

Whereas, the Council of the City of Cleveland, by Resolution No. 2186-02, adopted November 11, 2002, declared the necessity and intention of appropriating the fee simple property interests described for the public purpose of constructing Maplewood Park, located at 17810 Midvale Avenue; and

Whereas, notice of adoption of the resolution has been served upon the persons in possession or having an interest in the property; 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 for the public purpose of constructing Maplewood Park, located at 17810 Midvale

Avenue, the following described fee simple property interests are appropriated:

Permanent Parcel No. 028-11-040
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 142 in the Provident Land Company's Riverview Subdivision No. 2 and a part of Original Rockport Township Section No. 3, as shown by the recorded plat in Volume 95 of Maps, Page 38 of Cuyahoga County Records and being 40 feet front on the Northerly side of Midvale Avenue S.W., and extending back between parallel lines 126 feet, as appears by said plat.

Section 2. That the Director of Law is directed to apply to a court of competent jurisdiction to have a jury impaneled to inquire into and assess the compensation paid for the fee simple interests described above.

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 December 16, 2002.
Effective December 20, 2002.

Ord. No. 2386-02.

By Council Members Lewis and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with Recovery Resources to provide services relating to the Employee Assistance Program; and authorizing a three month interim extension of Contract No. 58622 with Recovery Resources.

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

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

Section 1. That the Director of Personnel and Human Resources is authorized to enter into a contract for one year from January 1, 2003 to December 31, 2003, with Recovery Resources for the professional services necessary to administer assistance to City employees and their families in dealing with personal difficulties, including but not limited to family difficulties, marriage problems, financial concerns, legal issues, alcohol and drug problems, workplace problems, emotional and stress-related difficulties, in the estimated sum of \$150,000, for the Department of Personnel and Human Resources.

Section 2. That the Director of Personnel and Human Resources is authorized to extend the term of Contract No. 58622 with Recovery Resources, for a period of three months beginning October 1, 2002, for the employee assistance programs described above.

Section 3. That the cost of the new contract and the extension of Contract No. 58622 shall be paid from Fund No. 01-040201-632000, and from the fund or funds appropriated for this purpose in budget year 2003, Request No. 107530.

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 2387-02.
By Council Members Sweeney, Gordon and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Economic Development to enter into an amendment to Contract No. 50034 with Emerald Research Park, Ltd.

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

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

Section 1. That the Director of Economic Development is authorized to enter into an amendment to city Contract No. 50034, between the City of Cleveland and Emerald Research Park, Ltd., to extend the term of the loan under the terms in File 2387-02-A, as clarified by this ordinance. The Director of Economic Development shall include in the contract amendment authorized by this ordinance a requirement that, from and after the effective date of the contract amendment, Emerald Research Park, Ltd. shall pay to the City \$30,000 per acre sold within the park, to be applied to the principal loan amount.

The entire principal balance shall be due on February 11, 2008.

All other terms and conditions contained in the original contract shall remain the same.

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

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 December 16, 2002.
Effective December 20, 2002.

Ord. No. 2394-02.

By Council Member Jackson (by departmental request).

An emergency ordinance to make temporary appropriation for the current payrolls and other ordinary expenses of the City of Cleveland for the period from January 1, 2003 until the effective date of the annual appropriation ordinance for the fiscal year ending December 31, 2003.

Whereas, it is desired to postpone the passage of the annual appropriation ordinance until the amended certificate is received, based on the actual balances as the same may be determined by the Director of Finance and the County Budget Commission; 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. To provide for the current payrolls, sinking fund and other ordinary expenses of the City of Cleveland for the period from January 1, 2003, until the effective date of the Annual Appropriation Ordinance for the fiscal year ending December 31, 2003, there be and there is hereby appropriated for the period from January 1, 2003, to the effective date of the Annual appropriation Four Hundred Sixty Seven Million Two Hundred Forty Nine Thousand Four Hundred Four Dollars \$467,249,404 out of taxes due the City of Cleveland and any other revenues accrued or occurring during said period of time and said funds are respectively appropriated as follows:

GENERAL FUND

Council and Clerk of Council		
I	Personnel and Related Expenses	\$ 1,304,571
II	Other Expenses	<u>\$ 753,174</u>
		\$ 2,057,745
Judicial Branch		
Judicial Division		
I	Personnel and Related Expenses	\$ 5,155,496
II	Other Expenses	<u>\$ 1,779,958</u>
		\$ 6,935,454
Housing Division		
I	Personnel and Related Expenses	\$ 780,183
II	Other Expenses	<u>\$ 91,649</u>
		\$ 871,832
Clerks Division		
I	Personnel and Related Expenses	\$ 2,333,112
II	Other Expenses	<u>\$ 858,054</u>
		<u>\$ 3,191,166</u>
Total Judicial Branch		\$ 10,998,452
Executive Branch		
Office of the Mayor		
I	Personnel and Related Expenses	\$ 693,958
II	Other Expenses	<u>\$ 117,543</u>
		\$ 811,501
Department of Public Safety		
Public Safety Administration		
I	Personnel and Related Expenses	\$ 926,591
II	Other Expenses	<u>\$ 180,256</u>
		\$ 1,106,847

Division of Police		
I	Personnel and Related Expenses	\$ 51,082,589
II	Other Expenses	<u>\$ 3,997,158</u>
		\$ 55,079,747
Division of Fire		
I	Personnel and Related Expenses	\$ 23,462,049
II	Other Expenses	<u>\$ 1,166,741</u>
		\$ 24,628,790
Emergency Medical Services		
I	Personnel and Related Expenses	\$ 5,965,306
II	Other Expenses	<u>\$ 715,658</u>
		\$ 6,680,964
Division of Dog Pound		
I	Personnel and Related Expenses	\$ 238,348
II	Other Expenses	<u>\$ 59,102</u>
		<u>\$ 297,450</u>
Total Public Safety		
		\$ 87,793,798
Community Relations Board		
I	Personnel and Related Expenses	\$ 297,472
II	Other Expenses	<u>\$ 43,133</u>
		\$ 340,605
Department of Public Service		
Public Service Administration		
I	Personnel and Related Expenses	\$ 157,694
II	Other Expenses	<u>\$ 9,627</u>
		\$ 167,321
Division of Architecture		
I	Personnel and Related Expenses	\$ 219,152
II	Other Expenses	<u>\$ 9,557</u>
		\$ 228,709
Waste Collection and Disposal		
I	Personnel and Related Expenses	\$ 5,174,823
II	Other Expenses	<u>\$ 4,782,188</u>
		\$ 9,957,011
Engineering and Construction		
I	Personnel and Related Expenses	\$ 1,480,526
II	Other Expenses	<u>\$ 139,394</u>
		\$ 1,619,920
Division of Traffic Engineering		
I	Personnel and Related Expenses	\$ 975,653
II	Other Expenses	<u>\$ 309,388</u>
		<u>\$ 1,285,041</u>
Total Public Service		
		\$ 13,258,002
Parks, Recreation and Properties		
Parks, Recreation and Properties Admin		
I	Personnel and Related Expenses	\$ 179,617
II	Other Expenses	<u>\$ 146,500</u>
		\$ 326,117
Research, Planning and Development		
I	Personnel and Related Expenses	\$ 250,000
II	Other Expenses	<u>\$ 61,000</u>
		\$ 311,000
Division of Recreation		
I	Personnel and Related Expenses	\$ 2,530,651
II	Other Expenses	<u>\$ 1,337,150</u>
		\$ 3,867,801

Parking Facilities - On Street		
I	Personnel and Related Expenses	\$ 324,504
II	Other Expenses	<u>\$ 22,000</u>
		\$ 346,504
Division of Property Management		
I	Personnel and Related Expenses	\$ 2,365,250
II	Other Expenses	<u>\$ 1,436,750</u>
		\$ 3,802,000
Park Maintenance and Properties		
I	Personnel and Related Expenses	\$ 2,871,596
II	Other Expenses	<u>\$ 2,517,148</u>
		<u>\$ 5,388,744</u>
Total Parks and Recreation		
		\$ 14,042,166
Department of Community Development		
Division of Administrative Services		
I	Personnel and Related Expenses	\$ 453,948
II	Other Expenses	<u>\$ 128,387</u>
		\$ 582,335
Division of Building and Housing		
I	Personnel and Related Expenses	\$ 5,928,126
II	Other Expenses	<u>\$ 335,354</u>
		\$ 6,263,480
Director's Office		
I	Personnel and Related Expenses	\$ 101,227
II	Other Expenses	<u>\$ 0</u>
		\$ 101,227
Division of Neighborhood Development		
I	Personnel and Related Expenses	\$ 542,201
II	Other Expenses	<u>\$ 120,000</u>
		\$ 662,201
Division of Neighborhood Services		
I	Personnel and Related Expenses	\$ 298,423
II	Other Expenses	<u>\$ 0</u>
		<u>\$ 298,423</u>
Total Community Development		
		\$ 7,907,666
Landmarks Commission		
I	Personnel and Related Expenses	\$ 48,590
II	Other Expenses	<u>\$ 4,922</u>
		\$ 53,512
Board of Building Standards & Appeals		
I	Personnel and Related Expenses	\$ 28,288
II	Other Expenses	\$ 6,505
		<u>\$ 34,793</u>
Board of Zoning Appeals		
I	Personnel and Related Expenses	\$ 73,010
II	Other Expenses	<u>\$ 8,431</u>
		\$ 81,441
Board of Examiners of Plumbers & Elect.		
I	Personnel and Related Expenses	\$ 31,604
II	Other Expenses	<u>\$ 1,337</u>
		\$ 32,941
Fair Campaign Finance Commission		
II	Other Expenses	<u>\$ 4,000</u>
		\$ 4,000

Economic Development		
I	Personnel and Related Expenses	\$ 383,675
II	Other Expenses	<u>\$ 33,263</u>
		\$ 416,938
Office of Equal Opportunity		
I	Personnel and Related Expenses	\$ 203,904
II	Other Expenses	<u>\$ 19,763</u>
		\$ 223,667
Department of Consumer Affairs		
I	Personnel and Related Expenses	\$ 86,700
II	Other Expenses	<u>\$ 59,440</u>
		\$ 146,140
City Planning Commission		
I	Personnel and Related Expenses	\$ 472,888
II	Other Expenses	<u>\$ 33,298</u>
		\$ 506,186
Department of Public Health		
Health Administration		
I	Personnel and Related Expenses	\$ 230,499
II	Other Expenses	<u>\$ 34,999</u>
		\$ 265,498
Division of Corrections		
I	Personnel and Related Expenses	\$ 1,551,343
II	Other Expenses	<u>\$ 476,215</u>
		\$ 2,027,558
Division of Health		
I	Personnel and Related Expenses	\$ 774,756
II	Other Expenses	<u>\$ 443,270</u>
		\$ 1,218,026
Division of the Environment		
I	Personnel and Related Expenses	\$ 353,044
II	Other Expenses	<u>\$ 138,255</u>
		\$ 491,299
Division of Air Quality		
I	Personnel and Related Expenses	\$ 32,482
II	Other Expenses	<u>\$ 316,880</u>
		<u>\$ 349,362</u>
Total Public Health		
		\$ 4,351,743
Department of Aging		
I	Personnel and Related Expenses	\$ 107,364
II	Other Expenses	<u>\$ 38,649</u>
		\$ 146,013
Department of Finance		
Finance Administration		
I	Personnel and Related Expenses	\$ 160,849
II	Other Expenses	<u>\$ 27,196</u>
		\$ 188,045
Division of Accounts		
I	Personnel and Related Expenses	\$ 335,299
II	Other Expenses	<u>\$ 234,704</u>
		\$ 570,003
Division of Assessments & Licenses		
I	Personnel and Related Expenses	\$ 393,184
II	Other Expenses	<u>\$ 66,657</u>
		\$ 459,841

Division of Treasury		
I	Personnel and Related Expenses	\$ 162,314
II	Other Expenses	<u>\$ 38,824</u>
		\$ 201,138
Division of Purchases and Supplies		
I	Personnel and Related Expenses	\$ 209,268
II	Other Expenses	<u>\$ 57,034</u>
		\$ 266,302
Bureau of Internal Audit		
I	Personnel and Related Expenses	\$ 215,480
II	Other Expenses	<u>\$ 196,888</u>
		\$ 412,368
Financial Reporting & Control		
I	Personnel and Related Expenses	\$ 376,691
II	Other Expenses	<u>\$ 379,367</u>
		\$ 756,058
Information Systems Services		
I	Personnel and Related Expenses	\$ 1,015,000
II	Other Expenses	<u>\$ 332,500</u>
		<u>\$ 1,347,500</u>
Total Finance		\$ 4,201,255
Office of Budget & Management		
I	Personnel and Related Expenses	\$ 164,579
II	Other Expenses	<u>\$ 15,481</u>
		\$ 180,060
Law		
I	Personnel and Related Expenses	\$ 2,129,115
II	Other Expenses	<u>\$ 1,281,407</u>
		\$ 3,410,522
Office of Personnel		
I	Personnel and Related Expenses	\$ 407,802
II	Other Expenses	<u>\$ 379,055</u>
		\$ 786,857
Civil Service Commission		
I	Personnel and Related Expenses	\$ 218,479
II	Other Expenses	<u>\$ 255,797</u>
		\$ 474,276
Non-Departmental		
County Auditor Deductions		
II	Other Expenses	<u>\$ 365,000</u>
		\$ 365,000
Other Administrative		
II	Other Expenses	<u>\$ 6,440,000</u>
		\$ 6,440,000
Transfers to Other Funds		
Transfers to Other Funds		
II	Other Expenses	\$ 4,000,000
		<u>\$ 4,000,000</u>
Total Nondepartmental		<u>\$ 10,805,000</u>
Total General Fund		\$163,065,279
SPECIAL REVENUE FUND		
Restricted Income Tax		
I	Capital	\$ 15,209,857
II	Debt Service	<u>\$ 17,000,000</u>
		\$ 32,209,857

Street Construction, Maintenance & Repair		
I	Personnel and Related Expenses	\$ 5,858,177
II	Other Expenses	<u>\$ 7,427,400</u>
		\$ 13,285,577
Schools Recreation & Cultural Activities		
II	Other Expenses	<u>\$ 2,000,000</u>
		<u>\$ 2,000,000</u>
Total Special Revenue		\$ 47,495,434

INTERNAL SERVICE FUND

ISS - Telecommunications		
I	Personnel and Related Expenses	\$ 264,000
II	Other Expenses	<u>\$ 3,107,000</u>
		\$ 3,371,000
Motor Vehicle Maintenance		
I	Personnel and Related Expenses	\$ 2,263,500
II	Other Expenses	<u>\$ 6,000,455</u>
		\$ 8,263,955
Printing and Reproduction		
I	Personnel and Related Expenses	\$ 212,324
II	Other Expenses	<u>\$ 277,184</u>
		\$ 489,508
City Storeroom		
I	Personnel and Related Expenses	\$ 18,767
II	Other Expenses	<u>\$ 330,183</u>
		<u>\$ 348,950</u>
Total Internal Service		\$ 12,473,413

ENTERPRISE FUNDS

Department of Public Utilities		
Utilities Administration		
I	Personnel and Related Expenses	\$ 475,680
II	Other Expenses	<u>\$ 235,000</u>
		\$ 710,680
Radio		
I	Personnel and Related Expenses	\$ 18,450
II	Other Expenses	<u>\$ 1,310,500</u>
		\$ 1,328,950
Division of Fiscal Control		
I	Personnel and Related Expenses	\$ 929,000
II	Other Expenses	<u>\$ 125,500</u>
		\$ 1,054,500
Division of Water		
I	Personnel and Related Expenses	\$ 30,550,000
II	Other Expenses	<u>\$ 62,550,000</u>
		\$ 93,100,000
Division of Water Pollution Control		
I	Personnel and Related Expenses	\$ 3,408,500
II	Other Expenses	<u>\$ 6,388,000</u>
		\$ 9,796,500
Division of Cleveland Public Power		
I	Personnel and Related Expenses	\$ 9,005,500
II	Other Expenses	<u>\$ 47,155,000</u>
		<u>\$ 56,160,500</u>
TOTAL PUBLIC UTILITIES		\$162,151,130

Department of Port Control		
Airports - Operations		
I	Personnel and Related Expenses	\$ 7,448,848
II	Other Expenses	<u>\$ 41,547,936</u>
		\$ 48,996,784
Department of Parks, Recreation & Properties		
Division of Cemeteries		
I	Personnel and Related Expenses	\$ 634,424
II	Other Expenses	<u>\$ 316,500</u>
		\$ 950,924
Golf Courses Fund		
I	Personnel and Related Expenses	\$ 383,640
II	Other Expenses	<u>\$ 608,500</u>
		\$ 992,140
Parking Facilities - Off Street		
I	Personnel and Related Expenses	\$ 362,798
II	Other Expenses	<u>\$ 3,556,229</u>
		\$ 3,919,027
Convention Center		
I	Personnel and Related Expenses	\$ 1,267,937
II	Other Expenses	<u>\$ 1,510,000</u>
		\$ 2,777,937
West Side Market		
I	Personnel and Related Expenses	\$ 179,810
II	Other Expenses	<u>\$ 338,300</u>
		\$ 518,110
Stadium Fund		
II	Other Expenses	<u>\$ 6,000,000</u>
		\$ 6,000,000
Property Management - East Side Market		
I	Personnel and Related Expenses	\$ 20,341
II	Other Expenses	<u>\$ 10,000</u>
		\$ 30,341
Total Enterprise		\$226,336,393

AGENCY FUND

Central Collection Agency		
I	Personnel and Related Expenses	\$ 1,500,607
II	Other Expenses	<u>\$ 1,164,808</u>
		\$ 2,665,415

DEBT SERVICE FUNDS

Sinking Fund Commission		
I	Personnel and Related Expenses	\$ 41,750
II	Other Expenses	\$ 171,720
III	Debt Service	<u>\$ 15,000,000</u>
		<u>\$ 15,213,470</u>
Total All Funds		\$467,249,404

Section 2. That all expenditures and payments made under and pursuant to the ordinance appropriating such sum or sums of money shall be charged against the annual appropriation ordinance for the fiscal year ending December 31, 2003, when such appropriation ordinance shall become effective, and to the various departments and divisions and payment of whose officers and employees and operating expenses such sum or sums of money hereunder shall then have paid out or expended. Provided, however, that no payment shall be made under the authority of this ordinance after the effective date of said Annual Appropriation Ordinance for the fiscal year ending December 31, 2003.

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

Passed December 16, 2002.

Effective December 20, 2002.

Ord. No. 2447-02.

By Council Member Jackson (by departmental request).

An emergency ordinance to provide the transfer of the sum of Three Million Three Hundred Sixty-One Thousand Dollars (\$3,360,000) within various divisions of the General Fund; Two Hundred Fifty Thousand Dollars (\$250,000) within the Special Revenue Fund; Twenty Thousand Dollars (\$20,000) within the Internal Service Fund; and One Hundred Seventy-Five Thousand Dollars (\$175,000) within the Enterprise Fund.

Whereas, in accordance with Section 41 of the Charter, the Mayor has recommended in writing the within transfer; and

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

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

Section 1. That the sum of Three Million Eight Hundred Six Thousand Dollars (\$3,806,000) be the same and hereby transferred as follows:

	FROM	TO
GENERAL FUND		
LEGISLATIVE BRANCH		
Council and Clerk of Council		
II Other Expenses	\$ 100,000	\$ —
TOTAL LEGISLATIVE BRANCH	\$ 100,000	\$ —
JUDICIAL BRANCH		
Judicial Division		
I Personnel and Related Expenses	\$ 35,000	\$ —
Clerks Division		
I Personnel and Related Expenses	\$ 36,000	\$ —
TOTAL JUDICIAL BRANCH	\$ 71,000	\$ —
EXECUTIVE BRANCH		
Office of the Mayor		
I Personnel and Related Expenses	\$ 35,000	\$ —
DEPARTMENT OF PUBLIC SAFETY		
Public Safety Administration		
II Other Expenses	\$ 25,000	\$ —
Division of Police		
I Personnel and Related Expenses	\$ 1,000,000	\$ —
II Other Expenses	\$ —	\$ 600,000
Division of Fire		
I Personnel and Related Expenses	\$ 350,000	\$ —
Emergency Medical Services		
I Personnel and Related Expenses	\$ 100,000	\$ —
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$ 1,475,000	\$ 600,000
Department of Consumer Affairs		
I Personnel and Related Expenses	\$ 10,000	\$ —
DEPARTMENT OF PUBLIC SERVICE		
Waste Collection and Disposal		
II Other Expenses	\$ 200,000	\$ —
Division of Traffic Engineering		
II Other Expenses	\$ —	\$ 65,000
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$ 200,000	\$ 65,000
DEPARTMENT OF PARKS, RECREATION & PROPERTIES		
Parks, Recreation and Properties Admin		
I Personnel and Related Expenses	\$ —	\$ 20,000
Division of Recreation		
I Personnel and Related Expenses	\$ 340,000	\$ —
II Other Expenses	\$ —	\$ 100,000
Division of Property Management		
I Personnel and Related Expenses	\$ —	\$ 300,000
Park Maintenance and Properties		
I Personnel and Related Expenses	\$ —	\$ 125,000
II Other Expenses	\$ —	\$ 60,000
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$ 340,000	\$ 605,000

Board of Zoning Appeals		
I Personnel and Related Expenses	\$ —	\$ 5,000
Economic Development		
I Personnel and Related Expenses	\$ 30,000	\$ —
DEPARTMENT OF PUBLIC HEALTH		
Division of the Environment		
II Other Expenses	\$ —	\$ 116,000
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$ —	\$ 116,000
DEPARTMENT OF FINANCE		
Division of Accounts		
I Personnel and Related Expenses	\$ 50,000	\$ —
Division of Treasury		
I Personnel and Related Expenses	\$ —	\$ 10,000
Division of Purchases and Supplies		
I Personnel and Related Expenses	\$ 60,000	\$ —
Bureau of Internal Audit		
II Other Expenses	\$ 280,000	\$ —
TOTAL DEPARTMENT OF FINANCE	\$ 390,000	\$ 10,000
Law		
I Personnel and Related Expenses	\$ 100,000	\$ —
Civil Service Commission		
I Personnel and Related Expenses	\$ —	\$ 10,000
II Other Expenses	\$ 10,000	\$ —
NON-DEPARTMENTAL		
Other Administrative		
II Other Expenses	\$ —	\$ 1,950,000
Transfers to Other Funds		
II Other Expenses	\$ 600,000	\$ —
TOTAL NON-DEPARTMENTAL	\$ 600,000	\$ 1,950,000
TOTAL GENERAL FUND	\$ 3,361,000	\$ 3,361,000
SPECIAL REVENUE FUND		
Street Construction, Maintenance & Repair		
I Personnel and Related Expenses	\$ —	\$ 250,000
II Other Expenses	\$ 250,000	\$ —
TOTAL SPECIAL REVENUE FUNDS	250,000	250,000
INTERNAL SERVICE FUND		
Printing and Reproduction		
I Personnel and Related Expenses		\$ 20,000
II Other Expenses	\$ 20,000	
TOTAL INTERNAL SERVICE FUNDS	\$ 20,000	\$ 20,000
ENTERPRISE FUNDS		
DEPARTMENT OF PARKS, RECREATION & PROPERTIES		
Division of Cemeteries		
I Personnel and Related Expenses	\$ —	\$ 25,000
II Other Expenses	\$ 25,000	\$ —
Convention Center		
I Personnel and Related Expenses		\$ 100,000
II Other Expenses	\$ 100,000	
West Side Market		
I Personnel and Related Expenses	\$ —	\$ 50,000
II Other Expenses	\$ 50,000	\$ —
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$ 175,000	\$ 175,000
TOTAL ENTERPRISE FUNDS	\$ 175,000	\$ 175,000
TOTAL ALL FUNDS	\$ 3,806,000	\$ 3,806,000

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

Passed December 16, 2002.

Effective December 20, 2002.

Ord. No. 2448-02.

By Councilman Jackson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with SEME, Local 1; and to amend Section 17 of Ordinance No. 469-02, passed April 1, 2002, as amended, relating to compensation for various classifications.

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, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with SEME, Local 1, in File No. 2448-02-A for the period from April 1, 2001 through March 31, 2004, which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

<u>Increase</u>	<u>Effective Date of Increase</u>
Three percent (3%)	April 1, 2001
Three and one-half percent (3.5%)	April 1, 2002
Four percent (4%)	April 1, 2003

Section 2. That Section 17 of Ordinance No. 469-02, passed April 1, 2002, is amended to read as follows:

Section 17. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Auto Body Repair Unit Leader.....	\$12.88	\$21.95
2. Auto Body Repair Worker.....	\$15.73	\$18.25
3. Automobile Repair Helper.....	\$10.13	\$14.39
4. Automobile Repair Worker.....	\$12.60	\$18.09
5. Automobile Repairman Unit Leader.....	\$17.78	\$20.59
6. Blacksmith.....	\$15.79	\$21.38
7. Garage Worker.....	\$12.42	\$15.38
8. Heavy Duty Mechanic.....	\$15.75	\$21.67
9. Heavy Duty Unit Leader.....	\$23.85	\$26.87
10. Small Equipment Repair Worker.....	\$12.26	\$16.64
11. Tire Repair Worker.....	\$14.08	\$16.49
12. Welder.....	\$18.36	\$21.08

Section 3. That existing Section 17 of Ordinance No. 469-02, passed April 1, 2002, is repealed.

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

Passed December 16, 2002.

Effective December 20, 2002.

Ord. No. 2449-02.

By Council Members Polensek, Gordon and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Tops Market, LLC to provide for a ten year seventy-five percent tax abatement for certain tangible personal property, real property improvements, inventory, furniture and fixtures as an incentive to construct a new supermarket located at 18501 Neff Road in the Cleveland Area Enterprise Zone.

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 Ohio Revised Code; and

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

Whereas, Tops Market, LLC (the "Enterprise") has proposed to construct a new supermarket located at 18501 Neff 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 personal property, real property improvements, inventory, furniture and fixtures were not abated; and

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

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

Section 1. 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 opportuni-

ties in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten year seventy-five percent (75%) tax abatement for certain tangible personal property, real property improvements, inventory, furniture and fixtures as an incentive to construct a new supermarket located at 18501 Neff Road in the Cleveland Area Enterprise Zone; the abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of the tax abatement shall be in accordance with the terms in the Summary contained in File No. 2449-02-A. These terms shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

Section 4. That the Director of Economic Development is 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, Loan Fees Fund.

Section 5. That the Director of Law shall prepare and approve the agreement and that the agreement shall contain the terms and provisions the director deems necessary to protect the City's interest.

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

Passed December 16, 2002.

Effective December 20, 2002.

Ord. No. 2469-02.

By Council Members Lewis and Jackson (by departmental request).

An emergency ordinance to supplement Ordinance No. 469-02, passed April 1, 2002, by adding new Sections 8a and 31a, relating to compensation for various classifications.

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 Ordinance No. 469-02, passed April 1, 2002, is supplemented by adding new Sections 8a and 31a, to read as follows:

Section 8a. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Environmental Compliance Specialist I.....	\$14.95	\$19.84
2. Environmental Compliance Specialist II.....	\$16.35	\$20.78
3. Environmental Compliance Specialist III.....	\$17.90	\$26.74
4. Environmental Enforcement Specialist I.....	\$14.95	\$20.65
5. Environmental Enforcement Specialist II.....	\$16.35	\$21.64
6. Environmental Enforcement Specialist III.....	\$17.90	\$22.68
7. Environmental Monitoring Specialist I.....	\$13.33	\$20.47
8. Environmental Monitoring Specialist II.....	\$14.18	\$21.44
9. Environmental Monitoring Specialist III.....	\$15.74	\$22.46
10. Environmental Technician.....	\$12.35	\$17.85
11. Instrument Repairman.....	\$ 8.21	\$18.25
12. Lab Coordinator.....	\$16.82	\$22.97
13. Public Health Sanitarian I.....	\$12.78	\$18.69
14. Public Health Sanitarian II.....	\$14.35	\$20.15
15. Public Health Sanitarian III.....	\$15.49	\$20.94
16. Public Health Sanitarian IV.....	\$ 8.78	\$25.48
17. Quality Control Coordinator.....	\$16.82	\$22.97

Section 31a. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. District Supervisor - Environmental Health.....	\$19,784.74	\$51,000.00

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.

Passed December 16, 2002.

Effective December 20, 2002.

Ord. No. 2474-02.**By Council Member Lewis.**

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Barbizon of Northeastern Ohio, Inc to provide a job readiness program in order to carry out the public purpose of provide employment opportunities for the residents of the City of Cleveland through the use of Ward 7 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a grant agreement with Barbizon of Northeastern Ohio, Inc to provide a job readiness program in order to carry out the public purpose of provide employment opportunities for the residents of the City of Cleveland through the use of Ward 7 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$49,750 and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 2478-02.**By Council Member Jackson.**

An emergency ordinance authorizing the Clerk of Council to enter into contract or contracts for the purchase of a software assurance package and all related computer programs and for professional services for installation of software upgrades for the year 2003.

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

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

Section 1. That the Clerk of Council is hereby authorized to enter into a contract or contracts for the purchase of a software assurance package and all related computer programs, and for professional services for installation of software upgrades, for a period of one year beginning January 1, 2003.

Section 2. That the cost of said contract or contracts shall not exceed \$85,000 and shall be payable from Fund No. 01, Subclass 001 or Fund No. 11, Subclass 006.

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

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 2479-02.**By Council Member Jackson.**

An emergency ordinance to amend the title, Section 1, and Section 2 of Ordinance No. 1013-02, passed May 20, 2002, as amended by Ordinance No. 1394-02, passed July 17, 2002, relating to public improvements at Barkwill Park.

Whereas, Ordinance No. 1748-99, passed April 17, 2000, determined the method of making certain public improvements to certain City-owned parks; 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 title of Ordinance No. 1013-02, passed May 20, 2002, as amended by Ordinance No. 1394-02, passed July 17, 2002, is hereby amended to read as follows:

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving Barkwill Park, authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement, and authorizing the Director of Parks, Recreation and Properties to enter into a grant agreement with McKnight and Associates for surveying, design and planning of park improvements to Barkwill Park.

Section 2. That Section 1 of Ordinance No. 1013-02, passed May 20, 2002, as amended by Ordinance No. 1394-02, passed July 17, 2002, is hereby amended to read as follows:

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

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

That the Director of Parks, Recreation and Properties is hereby authorized to enter into a grant agreement with McKnight and Associates for surveying, design and planning of park improvements to Barkwill Park.

Section 3. That Section 2 of Ordinance No. 1013-02, passed May 20, 2002, as amended by Ordinance No. 1394-02, passed July 17, 2002, is hereby amended to read as follows:

Section 2. That the cost of said contracts shall be paid from any funds appropriated for the purpose of improving Barkwill Park including, but not limited to, the funds authorized in Ordinance No. 1748-99, passed April 17, 2000, and, in an amount not to exceed \$250,000, from Fund No. 10 SF 166.

Section 4. That the Title, existing Section 1, and existing Section 2 of Ordinance No. 1013-02, passed May 20, 2002, as amended by Ordinance No. 1394-02, passed July 17, 2002, is hereby repealed.

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

Passed December 16, 2002.
Effective December 20, 2002.

Ord. No. 2480-02.**By Council Member Jackson.**

An emergency ordinance to amend Section 1 of Ordinance No. 1570-02, passed August 14, 2002, relating to the purchase of office furniture, fixtures, and equipment for Cleveland City Council.

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

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

Section 1. That Section 1 of Ordinance No. 1570-02, passed August 14, 2002 is hereby amended to read as follows:

Section 1. That the Director of Finance and the Clerk of Council are hereby authorized to enter into a written contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the necessary items of office furniture, fixtures, and equipment, including labor and materials necessary for installation and/or refinishing, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for Cleveland City Council. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 2. That existing Section 1 of Ordinance No. 1570-02, passed August 14, 2002 is hereby repealed.

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

Passed December 16, 2002.
Effective December 20, 2002.

REPRINT

Ord. No. 2241-02.
By Council Members Britt and Jackson (by departmental request).
An emergency ordinance to amend Section 141.39 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 382-01, passed May 21, 2001, relating to employment of licensed medical professionals.

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 141.39 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 382-01, passed May

21, 2001, is amended to read as follows:

Section 141.39 Employment of Licensed Medical Professionals

The Director of Public Health is authorized to contract for professional services of licensed medical professionals as may be necessary for the administration and operation of the Department of Public Health, the clinics and other facilities under the jurisdiction of the Department of Public Health. All such contracts shall require the medical professionals to indemnify the City and provide insurance coverage acceptable to the Director of Public Health and Director of Law.

Section 2. That existing Section 141.39 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 382-01, passed May 21, 2001, 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 November 25, 2002.

Effective December 3, 2002, without the signature of the Mayor.

COUNCIL COMMITTEE MEETINGS

NO MEETINGS

Index

O—Ordinance; R—Resolution; F—File
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
 Bold type in sections indicates amendments

Agreements

Cleveland Stadium — lease purchase agreement — supplement (O 2369-02) **2820**

Appropriations

Lakeshore Blvd., 16300 — intention to appropriate (R 2254-02) **2801**
 League Park — appropriate property — intention (R 1208-02) **2801**
 Temporary appropriation — 2003 (O 2394-02)..... **2832**

Baldwin Water Purification Plant

Chemical Rehabilitation Project — Phase I-B — Water Supply Revolving Loan Account loan (O 1975-02)..... **2811**

Board of Building Standards and Building Appeals

Carnegie Avenue, 3855, (Ward 5) — John Calicchia, owner — appeal adopted on 12/18/02 (Doc. A-178-02) 2800
 East 114th Street, 3391, (Ward 3) — Virginia L. Demmings, owner — appeal adopted on 12/18/02 (Doc. A-151-02) 2800
 East 131st Street, 246, (Ward 10) — Freeway Industrial Properties, owner — appeal rescheduled to 1/29/03 on 12/18/02 (Doc. A-187-01) 2800
 East 185th Street, 777, (Ward 11) — Saxon Mortgage, Inc., Mortgagee — appeal withdrawn on 12/18/02 (Doc. A-158-02)..... 2799
 East 57th Street, 3204, (Ward 12) — Susan M. Pawlak, owner — appeal adopted on 12/18/02 (Doc. A-165-02) 2800
 Euclid Avenue, 668-700, (a.k.a. 621 Prospect Avenue), (Ward 13) — 668 Euclid LLC & G.S.K. Atrium LLC, owners — appeal resolved on 12/18/02 (Doc. A-177-02) 2800
 Lakeshore Boulevard, 15700, (Ward 11) — Montlack Management, owner — appeal adopted on 12/18/02 (Doc. A-96-02) 2800
 Lakeshore Boulevard, 15800, (Ward 11) — Montlack Management, owner — appeal adopted on 12/18/02 (Doc. A-97-02) 2800
 Park Avenue, 6917, (Ward 12) — Saxon Mortgage, Inc., Mortgagee — appeal adopted on 12/18/02 (Doc. A-155-02) 2800
 Superior Avenue, 11216, (Ward 9) — Donna T. Gaston, owner — appeal adopted on 12/18/02 (Doc. A-143-02) 2800
 Valentine Avenue, 1924, (Ward 14) — Kurt C. Weaver, owner — appeal adopted on 12/18/02 (Doc. A-176-02) 2800
 West 9th Street, 1293, (Ward 13) — Fleck & Associates, Inc., owner — appeal rescheduled to 1/15/02 on 12/18/02 (Doc. A-154-02) 2800

Board of Control — Cleveland Hopkins International Airport Division

Airport maintenance vehicles and equipment, repair and maintain — contract per Ord. 1003-01 to Concord Road Equipment Mfg., Inc. — Dept. of Port Control (BOC Res. 828-02) 2784

Permit compliance services — Record of Decision for Runway 6L/24R — contract per Ord. 552-2000 and 1234-2000 to Landrum & Brown, Inc. — Dept. of Port Control (BOC Res. 827-02) 2783

Security and control system study for Cleveland Hopkins International Airport Capital Improvement Plan — amend Contract #58018 per BOC Res. 125-01 — merger to form DMJMH + N, Inc. — Dept. of Port Control (BOC Res. 826-02) 2783

Board of Control — Cleveland Public Power Division

Emissions test on turbines — contract per Ord. 586-02 to Air Compliance Testing Inc. - Dept. of Public Utilities (BOC Res. 825-02) 2783

Meters and metering equipment — contract per C.O. Sec. 129.26 to Wesco Distribution, Inc. — Dept. of Public Utilities (BOC Res. 820-02) 2782

Meters and metering equipment — contract per C.O. Sec. 129.26 to Rosati Sales, Inc. — Dept. of Public Utilities (BOC Res. 821-02) 2782

Meters and metering equipment — contract per C.O. Sec. 129.26 to Electric Laboratories and Sales Corp. — Dept. of Public Utilities (BOC Res. 822-02) 2782

Meters and metering equipment — contract per C.O. Sec. 129.26 to Reed City Power Line Supply — Dept. of Public Utilities (BOC Res. 823-02) 2783

Meters and metering equipment — contract per C.O. Sec. 129.26 to Professional Electric Products Co. — Dept. of Public Utilities (BOC Res. 824-02) 2783

Test equipment, maintain, repair and train — amend Contract #59067 per BOC Res. 843-01 — name change to Megger — Dept. of Public Utilities (BOC Res. 819-02) 2782

Board of Control — Community Development Department

East 35th Street, 2170 (Ward 5) — PPN 103-21-089 — to Carolyn L. Davis (BOC Res. 832-02) 2784

Quimby Avenue (Ward 7) — PPN 104-20-035 — to Oriana House, Inc. per Ord. 1848-02 (BOC Res. 831-02) 2784

Board of Control — Finance Department

Acquire and reconvey property (Euclid/Prospect II Community Development Area) — per Ord. 2246-02 to Lower Euclid Avenue LLC (BOC Res. 835-02) 2785

Building materials — contract per Ord. 745-01 to Cleveland Central Enterprises, Inc. (BOC Res. 818-02) 2782

Building materials — rescind BOC Res. 736-02 — reject all bids (BOC Res. 815-02) 2781

Fasteners — contract per Ord. 1065-02 to Servco Products, Inc. (BOC Res. 816-02) 2781

Fasteners — per Ord. 1065-02 — bids rejected (BOC Res. 817-02) 2782

Sell Parcel B (Block H of the Lee-Seville / Cleveland Outerbelt Industrial Park) — per Ord. 1727-02 to SATRAJ, Ltd. (BOC Res. 833-02) 2785

Board of Control — Fire Division

Apparatus and alterations for Fire Station No. 39 — contract per Ord. 838-02 to Schirmer Construction Company — Dept. of Public Safety (BOC Res. 836-02) 2785

Board of Control — Land Acquisition

Acquire and reconvey property (Euclid/Prospect II Community Development Area) — per Ord. 2246-02 to Lower Euclid Avenue LLC (BOC Res. 835-02) 2785

Board of Control — Land Reconveyance

Acquire and reconvey property (Euclid/Prospect II Community Development Area) — per Ord. 2246-02 to Lower Euclid Avenue LLC (BOC Res. 835-02) 2785

Board of Control — Land Reutilization Program

East 35th Street, 2170 (Ward 5) — PPN 103-21-089 — to Carolyn L. Davis
 (BOC Res. 832-02) 2784
 Quimby Avenue (Ward 7) — PPN 104-20-035 — to Oriana House, Inc. per Ord.
 1848-02 (BOC Res. 831-02) 2784

Board of Control — Land Reutilization Program (Ward 5)

East 35th Street, 2170 (Ward 5) — PPN 103-21-089 — to Carolyn L. Davis
 (BOC Res. 832-02) 2784

Board of Control — Land Reutilization Program (Ward 7)

Quimby Avenue (Ward 7) — PPN 104-20-035 — to Oriana House, Inc. per Ord.
 1848-02 (BOC Res. 831-02) 2784

Board of Control — Land Sales

Sell Parcel B (Block H of the Lee-Seville / Cleveland Outerbelt Industrial Park) — per
 Ord. 1727-02 to SATRAJ, Ltd. (BOC Res. 833-02) 2785

Board of Control — Lee-Seville / Cleveland Outerbelt Industrial Park

Sell Parcel B (Block H of the Lee-Seville / Cleveland Outerbelt Industrial Park) — per
 Ord. 1727-02 to SATRAJ, Ltd. (BOC Res. 833-02) 2785

Board of Control — Munn Park

Site improvements — per Ord. 1748-99 — all bids rejected — Dept. of Parks, Recreation and
 Properties (BOC Res. 830-02) 2784

Board of Control — Parks, Recreation and Properties Department

Cleveland Lakefront Bikeway master plan — amend Contract #49526 per BOC Res. 578-95,
 1041-97 and 451-02 (BOC Res. 829-02) 2784
 Munn Park site improvements — per Ord. 1748-99 — all bids rejected
 (BOC Res. 830-02) 2784

Board of Control — Port Control Department

Airport maintenance vehicles and equipment, repair and maintain — contract per Ord.
 1003-01 to Concord Road Equipment Mfg., Inc. — Division of Cleveland Hopkins
 International Airport (BOC Res. 828-02) 2784
 Permit compliance services — Record of Decision for Runway 6L/24R — contract
 per Ord. 552-2000 and 1234-2000 to Landrum & Brown, Inc. — Division
 of Cleveland Hopkins International Airport (BOC Res. 827-02) 2783
 Security and control system study for Cleveland Hopkins International Airport
 Capital Improvement Plan — amend Contract #58018 per BOC Res. 125-01 — merger
 to form DMJMH + N, Inc. — Division of Cleveland Hopkins International
 Airport (BOC Res. 826-02) 2783

Board of Control — Professional Service Contracts

Cleveland Lakefront Bikeway master plan — amend Contract #49526 per BOC Res. 578-95,
 1041-97 and 451-02 — Dept. of Parks, Recreation and Properties
 (BOC Res. 829-02) 2784
 Permit compliance services — Record of Decision for Runway 6L/24R — contract
 per Ord. 552-2000 and 1234-2000 to Landrum & Brown, Inc. — Division
 of Cleveland Hopkins International Airport, Dept. of Port Control
 (BOC Res. 827-02) 2783
 Plant Enhancement Program, Phase II — amend BOC Res. 417-02 — Division of Water, Dept.
 of Public Utilities (BOC Res. 834-02) 2785
 Security and control system study for Cleveland Hopkins International Airport
 Capital Improvement Plan — amend Contract #58018 per BOC Res. 125-01 — merger
 to form DMJMH + N, Inc. — Division of Cleveland Hopkins International Airport, Dept.
 of Port Control (BOC Res. 826-02) 2783

Board of Control — Public Improvement Contracts

Apparatus and alterations for Fire Station No. 39 — contract per Ord. 838-02 to Schirmer Construction Company — Division of Fire, Dept. of Public Safety (BOC Res. 836-02) 2785

Board of Control — Public Safety Department

Apparatus and alterations for Fire Station No. 39 — contract per Ord. 838-02 to Schirmer Construction Company — Division of Fire (BOC Res. 836-02) 2785

Board of Control — Public Utilities Department

Emissions test on turbines — contract per Ord. 586-02 to Air Compliance Testing Inc. - Division of Cleveland Public Power (BOC Res. 825-02) 2783

Meters and metering equipment — contract per C.O. Sec. 129.26 to Wesco Distribution, Inc. — Division of Cleveland Public Power (BOC Res. 820-02) 2782

Meters and metering equipment — contract per C.O. Sec. 129.26 to Rosati Sales, Inc. — Division of Cleveland Public Power (BOC Res. 821-02) 2782

Meters and metering equipment — contract per C.O. Sec. 129.26 to Electric Laboratories and Sales Corp. — Division of Cleveland Public Power (BOC Res. 822-02) 2782

Meters and metering equipment — contract per C.O. Sec. 129.26 to Reed City Power Line Supply — Division of Cleveland Public Power (BOC Res. 823-02) 2783

Meters and metering equipment — contract per C.O. Sec. 129.26 to Professional Electric Products Co. — Division of Cleveland Public Power (BOC Res. 824-02) 2783

Plant Enhancement Program, Phase II — amend BOC Res. 417-02 — Division of Water (BOC Res. 834-02) 2785

Test equipment, maintain, repair and train — amend Contract #59067 per BOC Res. 843-01 — name change to Megger — Division of Cleveland Public Power (BOC Res. 819-02) 2782

Board of Control — Purchases and Supplies Division

Acquire and reconvey property (Euclid/Prospect II Community Development Area) — per Ord. 2246-02 to Lower Euclid Avenue LLC (BOC Res. 835-02) 2785

Sell Parcel B (Block H of the Lee-Seville / Cleveland Outerbelt Industrial Park) — per Ord. 1727-02 to SATRAJ, Ltd. (BOC Res. 833-02) 2785

Board of Control — Requirement Contracts

Airport maintenance vehicles and equipment, repair and maintain — contract per Ord. 1003-01 to Concord Road Equipment Mfg., Inc. — Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 828-02)..... 2784

Building materials — contract per Ord. 745-01 to Cleveland Central Enterprises, Inc. - Dept. of Finance (BOC Res. 818-02)..... 2782

Building materials — rescind BOC Res. 736-02 — reject all bids — Dept. of Finance (BOC Res. 815-02) 2781

Emissions test on turbines — contract per Ord. 586-02 to Air Compliance Testing Inc. - Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 825-02) 2783

Fasteners — contract per Ord. 1065-02 to Servco Products, Inc. — Dept. of Finance (BOC Res. 816-02) 2781

Meters and metering equipment — contract per C.O. Sec. 129.26 to Wesco Distribution, Inc. — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 820-02) 2782

Meters and metering equipment — contract per C.O. Sec. 129.26 to Rosati Sales, Inc. — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 821-02) 2782

Meters and metering equipment — contract per C.O. Sec. 129.26 to Electric Laboratories and Sales Corp. — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 822-02) 2782

Meters and metering equipment — contract per C.O. Sec. 129.26 to Reed City Power Line Supply — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 823-02)	2783
Meters and metering equipment — contract per C.O. Sec. 129.26 to Professional Electric Products Co. — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 824-02)	2783
Test equipment, maintain, repair and train — amend Contract #59067 per BOC Res. 843-01 — name change to Megger — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 819-02)	2782

Board of Control — Water Division

Plant Enhancement Program, Phase II — amend BOC Res. 417-02 — Dept. of Public Utilities (BOC Res. 834-02)	2785
--	------

Board of Zoning Appeals — Report

Beaver Avenue, 6830, (Ward 5) – Joseph Cooper, owner — appeal postponed to 1/13/03 on 12/23/02 (Cal. 02-351)	2799
Broadway Avenue, 7512, (Ward 12) – Chester Partika, owner — appeal postponed to 1/13/03 on 12/23/02 (Cal. 02-355)	2799
Delrey Avenue, 16327, (Ward 1) – Camille Wilson, owner — appeal heard on 12/23/02 (Cal. 02-352)	2799
Holmes Avenue, 15519, (Ward 11) – Diocese of Cleveland and St. Mary’s Church, owner, c/o Tom Ziska, agent — appeal granted and adopted on 12/23/02 (Cal. 02-346)	2799
Kingsford Avenue, 14909, (Ward 1) – Stephane Lowe, owner — appeal dismissed on 12/23/02 (Cal. 02-326)	2799
Lakeshore Boulevard, 15116, (Ward 11) – Abundant Faith Apostolic Church, owner c/o Douglas Revels, pastor — appeal denied and adopted on 12/23/02 (Cal. 02-333)	2799
Memphis Avenue, 4713, (Ward 16) – Angela Miller, owner — appeal denied and adopted on 12/23/02 (Cal. 02-349)	2799
Seranton Road, 3307, (Ward 14) – Metro Lofts LLC, owner c/o Douglas Wahl, agent — appeal granted and adopted on 12/23/02 (Cal. 02-282)	2799
Sedalia Avenue, 17909, (Ward 21) – Frank Bemak, owner — appeal heard on 12/23/02 (Cal. 02-354)	2799
South Moreland Boulevard, 2902, (Ward 4) – Gary Rhodes, owner c/o David Hogan, agent - appeal denied and adopted on 12/23/02 (Cal. 02-318)	2799
Storer Avenue, 5800-34, (Ward 17) – MSM Family Investment Ltd., owner c/o Dan Bickerstaff, agent — appeal granted and adopted on 12/23/02 (Cal. 02-276)	2799
Superior Avenue, 8118, (Ward 7) – The Edward T. Haggins Trust, owner, and Isaac and Ninra Haggins, tenants — appeal postponed to 1/21/03 on 12/23/02 (Cal. 02-331)	2799
Union Avenue, 11626, (Ward 3) – Shorebank Cleveland Corporation, owners — appeal granted and adopted on 12/23/02 (Cal. 02-317)	2799
West 105th Street, 1977, (Ward 19) – West Cleveland Management, owner c/o Edward Hardin — appeal heard on 12/23/02 (Cal. 02-356)	2799
West 136th Street, 3895, (Ward 20) – Michael A. Sopko, owner — appeal heard on 12/23/02 (Cal. 02-357)	2799
West 143rd Street, 4227, (Ward 20) – Michael Hastings, owner — appeal granted and adopted on 12/23/02 (Cal. 02-337)	2799
West 21st Street, 1961, (Ward 13) – Robert Ewolski, owner — appeal granted and adopted on 12/23/02 (Cal. 02-350)	2799
West 93rd Street, 2201, (Ward 18) – WTech, L.P., owner, c/o David Orlean — appeal granted and adopted on 12/23/02 (Cal. 02-348)	2799

Board of Zoning Appeals — Schedule

Columbus Road, 2197, (Ward 14) – Niagra Homes, Ltd., owner c/o Mike McBride, agent — appeal to be heard on 1/6/03 (Cal. 02-364)	2799
East 115th Street, 1414, (Ward 9) – Luther Pettit, owner — appeal to be heard on 1/6/03 (Cal. 02-363)	2798
East 6th Street, 1403-5, (Ward 13) – Bedford Properties, owner c/o Lew Wallner — appeal to be heard on 1/6/03 (Cal. 02-359)	2798

Engel Avenue, 5945-49, (Ward 12) - James Stropko, owner, and Community of Faith Church
 c/o Pastor Thomas Minor — appeal to be heard on 1/6/03
 (Cal. 02-362)..... 2798

Harvard Avenue, 14201-05, (Ward 1) - Eleare Kinney, owner, and Claude Carson, agent —
 appeal to be heard on 1/6/03 (Cal. 02-360) 2798

Melville Road, 18415, (Ward 11) - Marc Batulewick, owner — appeal to be heard on 1/6/03
 (Cal. 02-361)..... 2798

Ramona Boulevard, 9719, (Ward 4) - Damascus Missionary Baptist Church, owner c/o Curtis
 Williams — appeal to be heard on 1/6/03 (Cal. 02-358) 2798

West 45th Street, 3441, (Ward 14) - Sidney Small, owner — appeal to be heard on 1/6/03
 (Cal. 02-353)..... 2798

Bonds

Parking facilities — revenue bonds — refund — sale (O 2370-02)..... **2824**

Budget

Temporary appropriation — 2003 (O 2394-02)..... **2832**

Burke Lakefront Airport

Emergency spill response, evaluation, handling, and disposal — professional consultants
 — Cleveland Hopkins International Airport and Burke Lakefront Airport
 (O 2379-02)..... **2830**

City Council

Office furniture, fixtures, and equipment — purchase — amend Ord. No. 1570-02
 (O 2480-02)..... **2843**

Software assurance package — purchase — year 2003 (O 2478-02) **2843**

City of Cleveland Bids

Crown WaterWorks Plant Sludge Dome repair — Department of Public Utilities — Division of
 Water Pollution Control — per Ord. 1148-01 — bid due January 17, 2003
 (advertised 12/18/2002 and 12/25/2002) 2801

Diesel fuel — Department of Public Service — Division of Motor Vehicle Maintenance — per
 Ord. 2112-02 — bid due January 16, 2003 (advertised 12/25/2002 and 1/1/2003) 2801

Lecterns — Department of Parks, Recreation and Properties — per Ord. 1205-2000 — bid due
 January 15, 2003 (advertised 12/18/2002 and 12/25/2002)..... 2800

Storm Water Collection System investigation (RFP) — Department of Port Control —
 Division of Cleveland Hopkins International Airport — due January 21, 2003
 (advertised 12/25/2002 and 1/1/2003)..... 2801

City Planning Commission

Franklin Ave., 8205 — change zoning (O 2119-02) 2812

W. 11th St.(east), Fairfield Ave. (south) — zoning change (Ward 13)
 (O 2069-02)..... 2812

Clark Metro Development Corporation

Newark Ave. & — W. 48th St. — Land Reutilization Program (O 1846-02)..... **2806**

Clerk of Council

Office furniture, fixtures, and equipment — purchase — amend Ord. No. 1570-02
 (O 2480-02)..... **2843**

Software assurance package — purchase — year 2003 (O 2478-02) **2843**

Cleveland Hopkins International Airport

Continental Airlines Special Facilities Lease — amendment — amend Ord. 1127-01
 (O 1523-02)..... **2805**

Double wall tank — purchase (O 2382-02) **2831**

Emergency spill response, evaluation, handling, and disposal — professional consultants
 — Cleveland Hopkins International Airport and Burke Lakefront Airport
 (O 2379-02)..... **2830**

Electrical vaults 5 and 7 — upgrades — Cleveland Hopkins International Airport (O 1260-02).....	2805
Parsons Infrastructure and Technology, Inc. — amend Contract No. 53694 — expansion (O 2378-02).....	2830
Spray paint booth — purchase (O 2158-02).....	2813
Cleveland Industrial Park	
Gateway Electric, Inc. — economic development assistance — facility at Block H, Parcel B (O 2251-02).....	2817
Cleveland Public Power	
Expansion Program — marketing and advertising services (O 2226-02).....	2815
Codified Ordinances	
Licensed medical professionals — employment — amend Sec. 141.39 (O 2241-02).....	2844-R
Collective Bargaining Agreements	
SEME, Local 1 — amend Sec. 17 of Ord. No. 469-02 (O 2448-02).....	2841
Community Development	
Abandoned rail line — surveying services — KS Associates, Inc. (O 2176-02).....	2815
Deering Ave. & E. 109th St. — sell City-owned property — University Circle, Inc. (O 2173-02).....	2814
E. 117th St. — Land Reutilization Program — Shorebank Cleveland (O 2245-02).....	2816
Hurston Court/Cliffview West project — public improvement (O 2029-02).....	2811
League Park — appropriate property — intention (R 1208-02).....	2801
League Park — appropriate property — PPN 106-13-068 and 106-13-070 (O 1204-02).....	2804
Contracts	
Abandoned rail line — surveying services — KS Associates, Inc. (O 2176-02).....	2815
Emerald Research Park, Ltd — amendment to Contract No. 50034 — Economic Development (O 2387-02).....	2832
Megas Beauty Care, Inc. — Contract No. 52162 — Enterprise Zone Agreement (O 2334-02).....	2820
Parsons Infrastructure and Technology, Inc. — amend Contract No. 53694 — expansion of Cleveland Hopkins International Airport (O 2378-02).....	2830
Recovery Resources — Employee Assistance Program — extension of Contract No. 58622 (O 2386-02).....	2831
Economic Development Department	
Barbizon of Northeastern Ohio, Inc — job readiness program — Ward 7 Neighborhood Equity Funds (O 2474-02).....	2843
Emerald Research Park, Ltd — amendment to Contract No. 50034 (O 2387-02).....	2832
Gateway Electric, Inc. — economic development assistance — facility at Block H, Parcel B (O 2251-02).....	2817
Lower Euclid Avenue Commercial and Residential District redevelopment project — tax increment financing (O 2247-02).....	2816
Megas Beauty Care, Inc. — Contract No. 52162 — Enterprise Zone Agreement (O 2334-02).....	2820
STL Medical LLC — Empowerment Zone Section 108 — new medical office building — E. 116th St. & Shaker Blvd (O 1546-02).....	2805
STL Medical LLC — Enterprise Zone Agreement — new medical office building — E. 116th St. & Shaker Blvd (O 1547-02).....	2806
Tops Market, LLC — Enterprise Zone Agreement — new supermarket — 18501 Neff Road (O 2449-02).....	2841

Empowerment Zone

STL Medical LLC — Empowerment Zone Section 108 — new medical office building —
 E. 116th St. & Shaker Blvd (O 1546-02)..... **2805**

Enterprise Funds

General Fund — transfer (\$3,360,000) within various divisions
 (O 2447-02)..... **2839**

Enterprise Zone Agreement

Megas Beauty Care, Inc. — Contract No. 52162 (O 2334-02)..... **2820**
 STL Medical LLC — new medical office building — E. 116th St. & Shaker Blvd
 (O 1547-02)..... **2806**

Finance Department

Cleveland Stadium — lease purchase agreement — supplement
 (O 2369-02)..... **2820**
 General Fund — transfer (\$3,360,000) within various divisions
 (O 2447-02)..... **2839**
 Parking facilities — revenue bonds — refund — sale (O 2370-02)..... **2824**
 PeopleSoft Financial Management System — functional training and technical training
 (O 1923-02)..... **2808**
 PeopleSoft optimization study — City financial management assessment
 (O 1922-02)..... **2808**
 SEME, Local 1 — collective bargaining agreement — amend Sec. 17 of Ord. No. 469-02
 (O 2448-02)..... **2841**
 Temporary appropriation — 2003 (O 2394-02)..... **2832**

Funds

General Fund — transfer (\$3,360,000) within various divisions
 (O 2447-02)..... **2839**

General Fund

General Fund — transfer (\$3,360,000) within various divisions
 (O 2447-02)..... **2839**

Grants

State of Ohio and Federal grant funds — Port Control (O 1887-02)..... **2808**

Health Department

Licensed medical professionals — employment — amend Sec. 141.39
 (O 2241-02)..... **2844-R**

Internal Service Funds

General Fund — transfer (\$3,360,000) within various divisions
 (O 2447-02)..... **2839**

Land Reutilization Program

Caine Ave. — Pentecostal Determine Church of God
 (O 1942-02)..... **2810**
 E. 117th St. — Shorebank Cleveland (O 2245-02)..... **2816**
 E. 85th St., 1421 — Jo Anne Elkins (O 1847-02)..... **2807**
 E. 93rd St. — United Glorius Church of God (O 1939-02)..... **2809**
 Gilmore Ave. — Lillian Flores (O 1941-02)..... **2809**
 Newark Ave. & — W. 48th St. — Clark-Metro Dev. Corp.
 (O 1846-02)..... **2806**

Liquor Permits

Buckeye Rd., 13108 — objection (Ward 4) (R 2486-02).....	2804
E. 105th St., 965 — objection (Ward 8) (R 2485-02).....	2803
E. 125th St. 780-86 — objection (Ward 9) (R 2482-02).....	2803
E. 135th St., 3218 — objection — withdraw (Ward 4) (R 2484-02)	2803
St. Clair Ave., 11701 — objection — withdraw (Ward 9) (R 2483-02)	2803
Western Ave., 11121 — transfer — objection (Ward 19) (R 2481-02)	2802

Loans

Baldwin Water Treatment Plant — Chemical Rehabilitation Project — Phase I-B — Water Supply Revolving Loan Account loan (O 1975-02)	2811
---	------

Neighborhood Equity Funds

Barbizon of Northeastern Ohio, Inc — job readiness program — Ward 7 (O 2474-02).....	2843
Barkwill Park — public improvements — amend Ord. No. 1013-02 (O 2479-02).....	2843

Parks

Maplewood Park — construction — Midvale Ave., 17810 — appropriate property (O 2384-02).....	2831
--	------

Parks, Recreation and Properties Department

Barkwill Park — public improvements — amend Ord. No. 1013-02 (O 2479-02).....	2843
Building maintenance — electrical supplies, materials and equipment — Division of Property Management (O 2328-02)	2819
E. 55th St. & South Marginal Rd. — — property adoption agreement — Parkworks (O 2329-02).....	2820
Lakeshore Blvd., 16300 — intention to appropriate (R 2254-02)	2801
Memphis School — acquisition — park and recreation purposes (O 2111-02).....	2812
Midvale Ave., 17810 — appropriate property — constructing Maplewood Park (O 2384-02).....	2831
West Side Market — rent (O 129-02)	2804

Permits

Detroit/Superior Bridge Bikeway Project — right-of-way — Cuyahoga County Engineer's Office (O 2159-02)	2813
F C I, Inc. — right-of-way — Giles Road — employees parking lot, head-in visitor/customer parking lot (O 2161-02).....	2814

Personnel Department

Compensation — amend Ord. No. 469-02 new Sections 8a and 31a (O 2469-02).....	2842
Military leave — group health and life insurance coverage — continuation (O 2188-02).....	2815
Recovery Resources — Employee Assistance Program — extension of Contract No. 58622 (O 2386-02).....	2831

Police Division

Police aircraft — maintenance (O 2327-02).....	2819
--	------

Port Control Department

Annual reports 2002 & 2003 — professional consultants (O 2381-02).....	2831
Asphalt, concrete and tack coat — purchase (O 2377-02).....	2830
Continental Airlines Special Facilities Lease — amendment — amend Ord. 1127-01 (O 1523-02).....	2805
Double wall tank — purchase — Cleveland Hopkins International Airport (O 2382-02).....	2831
Electrical vaults 5 and 7 — upgrades — Cleveland Hopkins International Airport (O 1260-02).....	2805
Emergency spill response, evaluation, handling, and disposal — professional consultants — Cleveland Hopkins International Airport and Burke Lakefront Airport (O 2379-02).....	2830
Parsons Infrastructure and Technology, Inc. — amend Contract No. 53694 — expansion of Cleveland Hopkins International Airport (O 2378-02)	2830
Planning studies — professional consultants (O 2380-02).....	2830
Spray paint booth — purchase — Division of Cleveland Hopkins International Airport (O 2158-02).....	2813
State of Ohio and Federal grant funds (O 1887-02)	2808

Purchases and Supplies Division

Deering Ave. & E. 109th St. — sell City-owned property — University Circle, Inc. (O 2173-02).....	2814
Lakeshore Blvd., 16300 — acquire property — park and recreational purposes (O 2243-02).....	2781
Memphis School — acquisition — park and recreation purposes (O 2111-02).....	2812

Resolutions — Miscellaneous

Lott, Tret Senator — condemning comments re: racial segregation (R 2475-02)	2802
--	------

Right-of-Way

Detroit/Superior Bridge Bikeway Project — permit — Cuyahoga County Engineer's Office (O 2159-02).....	2813
F C I, Inc. — permit — Giles Road — employees parking lot, head-in visitor/customer parking lot (O 2161-02).....	2814

Safety Department

Police aircraft — maintenance (O 2327-02).....	2819
--	------

Salaries

Compensation — amend Ord. No. 469-02 new Sections 8a and 31a (O 2469-02).....	2842
SEME, Local 1 — collective bargaining agreement — amend Sec. 17 of Ord. No. 469-02 (O 2448-02).....	2841

Service Department

Detroit/Superior Bridge Bikeway Project — right-of-way — permit — Cuyahoga County Engineer's Office (O 2159-02)	2813
Hurston Court/Cliffview West project — public improvement (O 2029-02).....	2811
West 25th Street/Pearl Road rehabilitation project — Contract No. 59806 — modifications — Perk Company, Inc. (O 2310-02)	2818

Sidewalks

Hurston Court/Cliffview West project — public improvement (O 2029-02).....	2811
--	------

Special Revenue Funds

General Fund — transfer (\$3,360,000) within various divisions (O 2447-02)..... **2839**

Stadium

Cleveland Stadium — lease purchase agreement — supplement (O 2369-02)..... **2820**

Street Vacation

Central Ave. S. E. (Ward 5) (O 2063-02)..... **2811**

Kennedy Ave. & E. 92nd St. (Ward 4) (O 2160-02) **2813**

Streets — Name

East 9th Street-Rock & Roll Boulevard — name change (O 1843-02)..... **2806**

Superior Viaduct

Detroit/Superior Bridge Bikeway Project — right-of-way — permit — Cuyahoga County
Engineer's Office (O 2159-02) **2813**

Utilities Department

Baldwin Water Treatment Plant — Chemical Rehabilitation Project — Phase I-B — Water
Supply Revolving Loan Account loan (O 1975-02) **2811**

Cleveland Public Power Expansion Program — marketing and advertising services
(O 2226-02)..... **2815**

Disposal of catch basin debris — purchase — Division of Water Pollution Control
(O 2155-02)..... **2813**

Hurston Court/Cliffview West project — public improvement (O 2029-02)..... **2811**

Ward 01

Gateway Electric, Inc. — economic development assistance — facility at Block H, Parcel
B (O 2251-02) **2817**

Ward 02

Caine Ave. — Land Reutilization Program — Pentecostal Determine Church of
God (O 1942-02) **2810**

Ward 03

E. 117th St. — Land Reutilization Program — Shorebank Cleveland (O 2245-02) **2816**

Ward 04

Buckeye Rd., 13108 — objection (R 2486-02)..... **2804**

E. 135th St., 3218 — objection — withdraw (R 2484-02)..... **2803**

E. 93rd St. — Land Reutilization Program — United Glorious Church of God
(O 1939-02)..... **2809**

Kennedy Ave. & E. 92nd St. — vacate (O 2160-02) **2813**

Ward 05

Barkwill Park — public improvements — amend Ord. No. 1013-02 (O 2479-02)..... **2843**

Central Ave. S. E. — vacate (O 2063-02)..... **2811**

Ward 06

Deering Ave. & E. 109th St. — sell City-owned property — University Circle, Inc.
(O 2173-02)..... **2814**

STL Medical LLC — Empowerment Zone Section 108 — new medical office building —
E. 116th St. & Shaker Blvd (O 1546-02)..... **2805**

STL Medical LLC — Enterprise Zone Agreement — new medical office building — E. 116th
St. & Shaker Blvd (O 1547-02) **2806**

Ward 07

Barbizon of Northeastern Ohio, Inc — job readiness program — Neighborhood Equity Funds (O 2474-02).....	2843
E. 85th St., 1421 — Land Reutilization Program — Jo Anne Elkins (O 1847-02).....	2807
League Park — appropriate property — intention (R 1208-02)	2801
League Park — appropriate property — PPN 106-13-068 and 106-13-070 (O 1204-02).....	2804

Ward 08

E. 105th St., 965 — objection (R 2485-02)	2803
---	------

Ward 09

Deering Ave. & E. 109th St. — sell City-owned property — University Circle, Inc. (O 2173-02).....	2814
E. 125th St. 780-86 — objection (R 2482-02).....	2803
St. Clair Ave., 11701 — objection — withdraw (R 2483-02)	2803

Ward 10

Hurston Court/Cliffview West project — public improvement (O 2029-02).....	2811
--	------

Ward 11

Lakeshore Blvd., 16300 — intention to appropriate (R 2254-02)	2801
Tops Market, LLC — Enterprise Zone Agreement — new supermarket — 18501 Neff Road (O 2449-02).....	2841

Ward 13

Detroit/Superior Bridge Bikeway Project — right-of-way — permit — Cuyahoga County Engineer's Office (O 2159-02)	2813
E. 55th St. & South Marginal Rd. — — property adoption agreement — Parkworks (O 2329-02).....	2820
East 9th Street-Rock & Roll Boulevard — name change (O 1843-02).....	2806
Lower Euclid Avenue Commercial and Residential District redevelopment project — tax increment financing (O 2247-02).....	2816
W. 11th St.(east), Fairfield Ave. (south) — zoning change (O 2069-02).....	2812

Ward 14

Newark Ave. & — W. 48th St. — Land Reutilization Program — Clark-Metro Dev. Corp. (O 1846-02).....	2806
---	------

Ward 15

West 25th Street/Pearl Road rehabilitation project — Contract No. 59806 — modifications — Perk Company, Inc. (O 2310-02)	2818
---	------

Ward 16

Memphis School — acquisition — park and recreation purposes (O 2111-02).....	2812
---	------

Ward 17

Franklin Ave., 8205 — change zoning (O 2119-02)	2812
---	------

Ward 19

Western Ave., 11121 — transfer — objection (R 2481-02).....	2802
---	------

Ward 20

F C I, Inc. — right-of-way — permit — Giles Road — employees parking lot, head-in
 visitor/customer parking lot (O 2161-02) **2814**

Gilmore Ave. — Land Reutilization Program — Lillian Flores
 (O 1941-02)..... **2809**

Midvale Ave., 17810 — appropriate property — constructing Maplewood Park
 (O 2384-02)..... **2831**

Water Pollution Control Division

Disposal of catch basin debris — purchase (O 2155-02) **2813**

West Side Market

Rent — Parks, Recreation and Properties Dept. (O 129-02) **2804**

Zoning

Franklin Ave., 8205 — change zoning (O 2119-02) 2812

W. 11th St.(east), Fairfield Ave. (south) — zoning change (Ward 13)
 (O 2069-02)..... 2812