

# The City Record

Official Publication of the City of Cleveland

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September the Twenty-Fifth, Two Thousand and Two

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<b>Mayor</b>	
Jane L. Campbell	
<b>President of Council</b>	
Frank G. Jackson	
<b>Clerk of Council</b>	
Valarie J. McCall	
<b>Ward</b>	<b>Name</b>
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

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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

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

**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, John E. Barnes, Jr., 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 Weibush, 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 Emanuela 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)	13B
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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 89

WEDNESDAY, SEPTEMBER 25, 2002

No. 4633

## CITY COUNCIL

MONDAY, SEPTEMBER 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

Cleveland, Ohio

Monday, September 23, 2002.

The meeting of the Council was called to order, The President, Frank G. Jackson, in the Chair.

Council Members present: Brady, Cimperman, Cintron, Coats, Conwell, Gordon, Johnson, Jones, Lewis, O'Malley, Polensek, Reed, Rybka, Scott, Sweeney, Westbrook, White, Zone.

Also present were Mayor Campbell and Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Draper, Romero, Sims, Guzman, Fumich, Taylor, Ronaye and Barnes, Acting Directors Carrol, Glending and Williams. Rodney Jenkins, Executive Assistant to the Mayor, David McGuirk, Executive Assistant, Timothy Mueller, Executive Assistant, Terrell Cole, Erik Jenkins, Celeste Galascou, Director of Communications and Margreat A. Jackson, Legislative Affairs Liaison, and Jeffrey D. Johnson, Executive Assistant were also present.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Reverend Lawrence Shelven of St. Timothy Missionary Baptist Church, located at 7101 Carnegie Avenue in Ward 5. Pledge of Allegiance.

#### MOTION

On the Motion of Council Member Johnson the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Brady.

#### COMMUNICATIONS

##### File No. 1878-02.

From the City of Streetsboro re: United Automatic Heating Supply Ltd./Seegott, Inc. — intent to relocate. Received.

##### File No. 1879-02.

From University Circle, Inc. — Fall 2002 Newsletter. Received.

#### FROM DEPARTMENT OF LIQUOR CONTROL

##### File No. 1880-02.

Re: New Application — 84189840330 — Speedway Superamerica, LLC, d.b.a. Speedway #3320, 18501 Nottingham Road. (Ward 11). Received.

##### File No. 1881-02.

Re: New Application — 1192362 — California Greenhouse Cafe, Inc., d.b.a. California Greenhouse Cafe, 230 W. Huron Road, #7296, Tower City Center. (Ward 13). Received.

##### File No. 1882-02.

Re: New Application — 7643272 — STD Family Mart A Partnership, d.b.a. STD Family Mart, 12312 Rexford Avenue, first floor front. (Ward 2). Received.

##### File No. 1883-02.

Re: Transfer of Ownership Application — 90739950490 — True North Energy LLC, d.b.a. True North #414, 17212 Lorain Road. (Ward 21). Received.

#### MAYOR'S APPOINTMENTS

##### File No. 1230-02-A.

September 18, 2002

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Community Relations Board.

We have before us the Mayor's Letter wherein she names her appointment to the Community Relations Board:

Jesse Harris

Term expires March 31, 2005

The Mayor's Appointment Committee hereby recommends that

Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Zachary Reed  
Nelson Cintron, Jr.  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 19. Nays 0.

**File No. 1230-02-A.**

September 18, 2002

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Community Relations Board.

We have before us the Mayor's Letter wherein she names her appointment to the Community Relations Board:

Charles Patton  
Term expires March 31, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Zachary Reed  
Nelson Cintron, Jr.  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 19. Nays 0.

**File No. 1230-02-A.**

September 18, 2002

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the RTA Board.

We have before us the Mayor's Letter wherein she names her appointment to the RTA Board:

Jesse O. Anderson  
Term expires March 5, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Zachary Reed  
Nelson Cintron, Jr.  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 19. Nays 0.

**File No. 1230-02-A.**

September 18, 2002

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Gateway Economic Development Corporation Board.

We have before us the Mayor's Letter wherein she names her appointment to the Gateway Economic Development Corporation Board:

Anthony C. Peebles  
Term expires May 31, 2007

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Zachary Reed  
Nelson Cintron, Jr.  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 19. Nays 0.

**File No. 1230-02-A.**

September 18, 2002

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Fair Housing Board.

We have before us the Mayor's Letter wherein she names her appointment to the Fair Housing Board:

Richard Lenard  
Term expires June 1, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Zachary Reed  
Nelson Cintron, Jr.  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 19. Nays 0.

**File No. 1450-02-A.**

September 18, 2002

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of

the Mayor's Appointment to the Cleveland Landmark's Commission.

We have before us the Mayor's Letter wherein she names her appointment to the Cleveland Landmark's Commission:

James Gibans  
Term expires December 31, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Zachary Reed  
Nelson Cintron, Jr.  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 19. Nays 0.

**File No. 1450-02-A.**

September 18, 2002

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Cleveland Landmark's Commission.

We have before us the Mayor's Letter wherein she names her appointment to the Cleveland Landmark's Commission:

Robert Madison  
Term expires December 31, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Zachary Reed  
Nelson Cintron, Jr.  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 19. Nays 0.

**File No. 1450-02-A.**

September 18, 2002

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Police Review Board.

We have before us the Mayor's Letter wherein she names her appointment to the Police Review Board:

Vermel Whalen  
Term expires August 8, 2006

The Mayor's Appointment Committee hereby recommends that

Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Zachary Reed  
Nelson Cintron, Jr.  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 19. Nays 0.

**File No. 1450-02-A.**

September 18, 2002

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Police Review Board.

We have before us the Mayor's Letter wherein she names her appointment to the Police Review Board:

Tom Jones  
Term expires August 8, 2006

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Zachary Reed  
Nelson Cintron, Jr.  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 19. Nays 0.

**File No. 1450-02-A.**

September 18, 2002

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Fair Employment Wage Board.

We have before us the Mayor's Letter wherein she names her appointment to the Fair Employment Wage Board:

Kathryn Jackson  
Term expires May 25, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Zachary Reed  
Nelson Cintron, Jr.  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 19. Nays 0.

**File No. 1450-02-A.**

September 18, 2002

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Cleveland Landmark's Commission.

We have before us the Mayor's Letter wherein she names her appointment to the Cleveland Landmark's Commission:

Randall Shorr  
Term expires December 31, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Zachary Reed  
Nelson Cintron, Jr.  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 19. Nays 0.

**File No. 1450-02-A.**

September 18, 2002

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Cleveland Landmark's Commission.

We have before us the Mayor's Letter wherein she names her appointment to the Cleveland Landmark's Commission:

India Pierce Lee  
Term expires December 31, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Zachary Reed  
Nelson Cintron, Jr.  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 19. Nays 0.

**CONDOLENCE RESOLUTIONS**

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

**Res. No. 1902-02**—Eugene Jackson, Sr.

**Res. No. 1903-02**—Rev. William F. Tezie.

**Res. No. 1904-02** — Priscilla Guy Anderson.

**Res. No. 1905-02**—Mary Serge Martines.

**Res. No. 1906-02** — Jacqueline Pendleton Ford.

**Res. No. 1907-02**—Marjorie Adams.

**Res. No. 1908-02**—Julie A. Natalie.

**CONGRATULATION RESOLUTIONS**

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

**Res. No. 1909-02**—Tom C. Igo, Jr.

**Res. No. 1910-02**—Saint Lawrence Church.

**Res. No. 1911-02**—Fr. S. Michael Franz.

**Res. No. 1912-02**—Michael "Buck" Harris.

**Res. No. 1913-02**—Sgt. Mahmud Jabbar.

**FIRST READING EMERGENCY ORDINANCES REFERRED**

**Ord. No. 1884-02.**

**By Council Members Coats and Jackson (by departmental request).**

**An emergency ordinance approving amendments to the Plan of Operation and Governance for the City's electric aggregation program.**

Whereas, the City of Cleveland created a retail electric aggregation program to authorize the City to combine the electric loads of its residents and businesses for the purpose of seeking cheaper sources of electricity for such customers; and

Whereas, under Ordinance No. 1960-2000, passed November 20, 2000, this Council approved a Plan of Operation and Governance for the aggregation program, as required by Section 4928.20(C) of the Ohio Revised Code; and

Whereas, this Council has determined to amend the Plan of Operation and Governance to comply with the final aggregation rules issued by the Public Utilities Commission of Ohio; 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 approves the Amended Plan of Operation and Governance contained in File No. 1884-02-A for the implementation and administration of the City's electric aggregation program under Section 4928.20(C) of the Ohio Revised Code.

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

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

**Ord. No. 1885-02.**  
**By Council Members Coats and Jackson (by departmental request).**  
**An emergency ordinance ratifying and approving the emergency repair and rewind of one Delta Star MR# 1147, 5/6.25 MVA, three phase, oil filled power transformer, including labor and materials, in accordance with the Mayor's emergency repair letter dated July 25, 2002.**

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 ratifies and approves the repair and rewind of one Delta Star MR# 1147, 5/6.25 MVA, three phase, oil filled power transformer, including labor and materials, authorized under Section 181.12 of the Codified Ordinances of Cleveland, Ohio, 1976, on July 25, 2002 and ratifies the payment for the repair from Fund No. 58 SF 001.

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

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

**Ord. No. 1886-02.**  
**By Council Members Coats, Lewis and Jackson (by departmental request).**

**An emergency ordinance to amend Section 523.21 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 910-98, passed February 14, 2000; and to amend Sections 4 and 6 of Ordinance No. 910-98, relating to the Cleveland Public Power energy adjustment charge.**

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 rates, rules and regulations relating to the operation of the Division of Cleveland Public Power, Department of Public Utilities, for electric service, fixed by the Board of Control by the adoption of Resolution No. \_\_\_\_\_-02, on \_\_\_\_\_, 2002, are approved.

**Section 2.** That Section 523.21 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 910-98, passed February 14, 2000, is amended to read as follows:

**Section 523.21 Energy Adjustment Charge**

(a) An additional incremental charge for excess fuel and power production and purchase power costs may be applied to the rates prescribed in Sections 523.02 to 523.065 and any other rate schedule as may be adopted by the City.

(b) The incremental charge shall be based on the fuel and purchase power cost per kilowatt hour delivered calculated pursuant to **division (c)** of this section, and shall not be less than the charge calculated pur-

suant to **that division** on October 1, 1997.

(c)(1) The fuel and purchase power cost per kilowatt hour sold to residential ratepayers shall be determined by dividing the sum of the cost of the kilowatt hours purchased from the Power Authority of the State of New York and the average cost of kilowatt hours purchased from other sources needed to supply the residential customers. **The** incremental charge calculated herein shall be adjusted by subtracting 15 mills per kilowatt hour for residential customers who provide the Division of Cleveland Public Power with a certificate of reduction of taxes obtained pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code, and 9.75 mills per kilowatt hour for all the residential customers.

(2) Except as provided in Section 523.048, the fuel and purchase power cost per kilowatt hour sold to all ratepayers, other than residential ratepayers, during the twelve months of the year, shall be determined by dividing the sum of the total cost of coal, oil, gas and purchase power by the total kilowatt hours distributed, except that the computation shall exclude the cost of PASNY power and the amount of PASNY power allocable to kilowatt hours distributed, and shall exclude the costs of all purchased power from a specific source or sources purchased by the Division for distribution to ratepayers pursuant to Section 523.048. **The** incremental charge calculated herein shall be adjusted by subtracting 3.0 mills per kilowatt hour.

(d) At the end of each month, the Division of Cleveland Public Power shall determine the excess fuel and power charge during such month as herein provided.

**Section 3.** That existing Section 523.21 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 910-98, passed February 14, 2000, is repealed.

**Section 4.** That Sections 4 and 6 of Ordinance No. 910-98, passed February 14, 2000, are amended to read as follows:

Section 4. That the revenue resulting from the increase in the incremental charge provided for herein shall be applied **for the following purposes only: 1) to the repayment of any bonded indebtedness of Cleveland Public Power; or 2) to the replacement of prematurely decaying utility poles in the Cleveland Public Power distribution system.**

**Section 6. That Cleveland Public Power shall collect and pay over, at least annually, to the general fund all tax remittances due the City collected under Section 5727.81 of the Ohio Revised Code.** That by the end of each calendar year, Cleveland Public Power shall receive from the general fund **such percentage** of the tax remittances described in the preceding sentence **as is determined by the Board of Control to be applied for the following purposes only: 1) to the repayment of any bonded indebtedness of Cleveland Public Power; or 2) to the replacement of prematurely decaying utility poles in the Cleveland Public Power distribution system.**

**Section 5.** That existing Sections 4 and 6 of Ordinance No. 910-98, passed February 14, 2000, are repealed.

**Section 6.** That this ordinance is declared to be an emergency mea-

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

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

**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 Director 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.

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

**Ord. No. 1888-02.**  
**By Council Members Reed, Sweeney, Cimperman and Jackson (by departmental request).**

**An emergency ordinance giving consent of the City of Cleveland to the Ohio Department of Transportation to replace the surface on the Kinsman Road Bridge over the Norfolk & Southern and CSX Railroad tracks.**

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

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

**Section 1.** That it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio (the "Director of Transportation") to make the following improvements in accordance with the plans, specifications and estimates approved by the Director of Transportation: The replacement of the surface on the Kinsman Road Bridge over the Norfolk & Southern and CSX Railroad tracks (the "Improvement").

**Section 2.** That the City gives its consent to the Improvement and its administration by the Director of Transportation, provided that this ordinance shall not be construed to impose any financial obligation on the City for such Improvement. However, the City agrees to assume and contribute 100% of the cost of any items included in the construction contract, at the request of the City, which are determined by the Director of Transportation not to be eligible or made necessary by the Improvement.

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

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

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

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

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

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

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

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

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

c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the Improvement, that said companies have agreed to make any and all necessary rearrangements in such

manner as to be clear of any construction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the State of Ohio.

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

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

f) That the City agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the City's obligations made or agreed to in this section.

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

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

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

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

**Section 7.** That the Clerk of Council is authorized to transmit to the Director of Transportation three (3) certified copies of this ordinance immediately its taking effect, and it shall become the basis for proceeding with the Improvement.

**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.

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

**Ord. No. 1889-02.**

**By Council Members Reed, Gordon, Cimperman and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into contract with Mt. Pleasant Now Development Corporation, or its designee, to provide financial assistance in the form of a Community Development Float Loan to partially finance the development of the Kinsman Townhouses along the Kinsman Road corridor.**

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 a Community Development Float Loan Agreement with Mt. Pleasant Now Development Corporation, or its designee, to provide financial assistance to partially finance the development of the Kinsman Townhouses along the Kinsman Road corridor.

**Section 2.** That the terms of the loan shall be determined by the Director of Community Development in accordance with Federal regulations, State and local laws, and said Director is authorized to amend said terms, from time to time, as she deems necessary to remain consistent with said laws and regulations.

**Section 3.** That the aggregate cost of the agreement referenced above shall not exceed Two Hundred Thousand Dollars (\$200,000) and shall be paid from Fund No. 14 SF 810, Request No. 125718.

**Section 4.** That the Director of Community Development shall obtain an irrevocable letter of credit to secure repayment of the loan.

**Section 5.** That the Director of Community Development is authorized to accept collateral as she shall deem adequate in order to secure repayment of the loan. Any and all security instrument agreements or other agreements shall be prepared and approved by the Director of Law.

**Section 6.** That the Director of Community Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund No. 14 SF 810.

**Section 7.** That the Director of Community Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend the fees to cover costs incurred in the preparation of the loan application, closing, and servicing of the loan.

**Section 8.** That the Director of Law is authorized to prepare the contract and such other documents as may be appropriate to complete the transactions.

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

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

**Ord. No. 1890-02.****By Council Members Lewis and Jackson (by departmental request).****An emergency ordinance to amend Section 42 of Ordinance No. 469-02, passed April 1, 2002, as amended by Ordinance No. 639-02, passed April 15, 2002, 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 Section 42 of Ordinance No. 469-02, passed April 1, 2002, as amended by Ordinance No. 639-02, passed April 15, 2002, is amended to read as follows:**Section 42. Part-Time/Seasonal Group**

That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Box Office Cashier.....	\$10.33	\$13.97
2. Chaplain.....	<b>\$ 9.20</b>	\$11.04
3. Checker.....	<b>\$ 9.20</b>	\$ 9.20
4. Conservation Aide.....	<b>\$ 9.20</b>	\$ 9.20
5. Dentist.....	\$13.38	\$27.48
6. Head Usher.....	<b>\$ 9.20</b>	\$10.91
7. Law Clerk.....	<b>\$ 9.20</b>	\$12.00
8. Medical Examiner.....	\$21.40	\$56.36
9. Organ Tuner.....	\$ 9.63	\$24.11
10. Park Maintenance Aide.....	<b>\$ 9.20</b>	\$ 9.20
11. Ranger.....	<b>\$ 9.20</b>	\$10.77
12. School Crossing Guard (Per Day).....	<b>\$20.50</b>	\$25.00
13. Section Supervisor.....	\$ 8.70	\$ 9.20
14. Snow Removal Vehicle Operator.....	\$10.40	\$13.56
15. Stage Hand.....	\$19.11	\$26.29
16. Stage Hand Casual.....	\$20.60	\$25.96
17. Stage Hand - Show Rate (Per Show).....	\$64.89	\$85.34
18. Student Aide.....	<b>\$ 9.20</b>	\$ 9.20
19. Student Assistant.....	<b>\$ 9.20</b>	\$ 9.20
20. Usher.....	<b>\$ 9.20</b>	\$ 9.20
21. Usher Captain.....	<b>\$ 9.20</b>	\$ 9.20

**Section 2.** That existing Section 42 of Ordinance No. 469-02, passed April 1, 2002, as amended by Ordinance No. 639-02, passed April 15, 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.

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

**Ord. No. 1891-02.****By Council Members Lewis and Jackson (by departmental request).****An emergency ordinance to authorize the Director of Personnel and Human Resources to exercise an option to renew Contract No. 59598 with Integrated Consulting Services, Ltd. for the purchase of professional services to provide workers' compensation actuarial and auditing services, for the Department of Personnel and Human Resources.**

Whereas, Ordinance No. 731-02, passed May 20, 2002, authorized the Director of Personnel and Human Resources to enter into contract with Integrated Consulting Services, Ltd. for the purchase of professional services to provide workers' compensation actuarial and auditing services, for the Department of Personnel and Human Resources; and

Whereas, Ordinance No. 731-02 requires further legislative authority prior to exercising the option to renew Contract No. 59598 with Integrated Consulting Services, Ltd.; and

Whereas, the Council desires to grant authority to exercise an option to renew Contract No. 59598 with Integrated Consulting Services, Ltd.; 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 any provision of Ordinance No. 731-02, passed May 20, 2002 to the contrary, the Director of Personnel and Human Resources is authorized to exercise the option to renew Contract No. 59598, for an additional six-month period, with Integrated Consulting Services, Ltd., for professional services to provide workers' compensation actuarial and auditing services for the Department of Personnel and Human Resources. This ordinance constitutes the additional legislative authority required by Ordinance No. 731-02, passed May 20, 2002, to exercise this option. At the expiration of the contract term as extended by the first option to renew, Contract No. 59598 shall expire.**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 1892-02.****By Council Members Cintron, Gordon and Jackson (by departmental request).****An emergency ordinance authorizing the Director of Economic Development to enter into an amendment to Contract No. 58227 with 3500 Group, Ltd. to modify certain terms of the contract.**

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 Contract No. 58227 with 3500 Group, Ltd. to modify certain terms and conditions of the contract as set forth in File No. 1892-02-A.

All other terms and conditions contained in the original contract shall remain the same.

**Section 2.** That the amendment to Contract No. 58227 shall be prepared by the Director of Law and shall contain 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.

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

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

**Ord. No. 1893-02.**

**By Council Member Conwell.**

An emergency ordinance amending Section 3 of Ordinance No. 287-02, passed March 4, 2002 as it pertains to authorizing the expenditure of moneys raised by taxation to provide, or assist in providing housing pursuant to Section 16 of Article VIII, Ohio Constitution.

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

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

**Section 1.** That Section 3 of Ordinance No. 287-02, passed March 4, 2002 is amended to read respectively as follows:

Section 3. That the cost of said contract shall be in an amount not to exceed \$320,000 and shall be paid from Fund No. 10 SF 166.

**Section 2.** That Section 3 of Ordinance No. 287-02, passed March 4, 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.

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

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

**Ord. No. 1894-02.**

**By Council Member Westbrook.**

An emergency ordinance amending Section 2 of Ordinance No. 2386-01, passed December 3, 2001 as it relates to the Neighborhood Priorities Program through the use of Ward 18 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 Section 2 of Ordinance No. 2386-01, passed December 3, 2001 is hereby amended to read respectively as follows:

Section 2. That the cost of said contract shall be in an amount not to exceed \$40,000 and shall be paid from Fund No. 10 SF 166.

**Section 2.** That Section 2 of Ordinance No. 2386-01, passed December 3, 2001 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.

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

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

**Ord. No. 1895-02.**

**By Council Member Jackson.**

An emergency ordinance authorizing the Clerk of Council to enter into contract with one or more professional consultants to provide professional services necessary to design, implement, maintain, and update Cleveland City Council's web page and internet services.

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

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

**Section 1.** That the Clerk of Council is hereby authorized to enter into contract with one or more professional consultants to provide professional services necessary to design, implement, maintain, and update Cleveland City Council's web page and internet services.

**Section 2.** That the costs for such services shall not exceed \$25,000 and shall be paid from Fund No. 01 SF 001 (RL #100015).

**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.

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

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

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

**Res. No. 1896-02.**

**By Council Member Conwell.**

An emergency resolution designating the second Wednesday of October of each year as "Disability Awareness Day".

Whereas, October is National Disability Month; and

Whereas, Council Member Kevin Conwell and Goodwill Industries of Greater Cleveland, Inc. are organizing the City of Cleveland's first annual "Disability Awareness Day" to be held on Wednesday, October 9, 2002 in the City Hall Rotunda;

Whereas, the purpose of this event is to sensitive and educate the community about people with disabilities and to provide various information;

Whereas, this Council desires to designate the second Wednesday of October of each year as "Disability Awareness Day" in the City of Cleveland; and

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

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

**Section 1.** That this Council hereby designates the second Wednesday of October of each year as "Disability Awareness Day" in the City of Cleveland.

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

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

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

**Res. No. 1897-02.**

**By Council Member White.**

An emergency resolution declaring the Cleveland City Council's support of the proposal of Union Miles HDAP 2002 to the Ohio Housing Finance Agency for the use of Housing Development Assistance Program Funds to develop affordable housing units in the City of Cleveland.

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

Whereas, the Council of the City of Cleveland has recognized the need to maintain affordable housing in our neighborhoods; and

Whereas, Union Miles HDAP 2002 is proposing to develop up to 10 single-family homes in the City of Cleveland; and

Whereas, 100% of these units will be occupied by families with incomes at or below 80% of the area median income, with no market rate units; and

Whereas, the Union Miles HDAP 2002 project will benefit the citizens of the City; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public safety, welfare and health; now, therefore,

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

**Section 1.** That the Council of the City of Cleveland supports the proposal of Union Miles HDAP 2002 to provide affordable housing for the citizens of Cleveland through the use of funding from the Housing Development Assistance Program of the Ohio Housing Finance Agency.

**Section 2.** That the Clerk of Council is hereby requested to transmit a copy of this resolution to the Executive Director of Cleveland Housing Network.

**Section 3.** That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

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

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

**Res. No. 1898-02.**  
**By Council Member Cimperman.**  
**An emergency resolution encouraging the Department of Housing and Urban Development to list Carter Manor Apartments as a building for elderly only.**

Whereas, historically elderly tenants have occupied the Carter Manor Apartments, located at 1012 Prospect Avenue in the City of Cleveland; and

Whereas, the Department of Housing and Urban Development currently does not list the Carter Manor Apartments as an "elderly only" apartment building; and

Whereas, recently, families have requested to move into the Carter Manor Apartments; and

Whereas, the Carter Manor Apartment building is not designed for families or for children in that there are no play areas for children and the units are either efficiencies or one-bedroom apartments; and

Whereas, if HUD lists the Carter Manor Apartments as "elderly only", then families would know beforehand that this building is not suitable for them; and

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

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

**Section 1.** That the Council of the City of Cleveland hereby encourages the Department of Housing and Urban Development to list Carter Manor Apartments as a building for elderly only.

**Section 2.** That the Clerk of Council is hereby directed to forward a copy of this resolution to the Director of Housing and Urban Development.

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

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

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

**Res. No. 1899-02.**  
**By Council Member Jackson.**  
**An emergency resolution declaring this Council's support of Burten, Bell, Carr Development Corporation's East Central Place Phase II proposal to the State of Ohio's Housing Development Assistance Program.**

Whereas, each year the Ohio Housing Finance Agency allocates funds for affordable housing developments through the Housing Development Assistance Program through-

out Ohio using a competitive proposal process; and

Whereas, the Burten, Bell, Carr Development Corporation intends to develop East Central Place Phase II, which will consist of ten new market rate homeownership units to be sold to buyers whose incomes are at or below eighty percent of the Area Median Income; and

Whereas, Burten, Bell, Carr Development Corporation intends to apply for funds from this state program for this project; and

Whereas, the Burten, Bell, Carr Development Corporation's proposal will benefit the citizens of the City; and

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

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

**Section 1.** That the Council hereby declares its support of Burten, Bell, Carr Development Corporation's East Central Place Phase II proposal to the State of Ohio's Housing Development Assistance Program.

**Section 2.** That the Clerk of Council is hereby directed to transmit two certified copies of this resolution to the Executive Director of the Burten, Bell, Carr Development Corporation.

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

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

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

**Res. No. 1900-02.**  
**By Council Member Scott.**  
**An emergency resolution objecting to the transfer of ownership of a C2, C2X and D6 Liquor Permit to 1208 East 105th Street.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C2, C2X and D6 Liquor Permit from Strongsville Tobacco Trading Co., Inc., DBA Tobacco Gourmet, Mail Area, Cleveland Hopkins International Airport, Cleveland, Ohio 44136 Permanent Number 8649414 to Tune Palace, Inc., DBA Variety Store, 1208 East 105th Street, Cleveland, Ohio 44108, Permanent Number 9093566; 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 C2, C2X and D6 Liquor Permit from Strongsville Tobacco Trading Co., Inc., DBA Tobacco Gourmet, Mail Area, Cleveland Hopkins International Airport, Cleveland, Ohio 44136 Permanent Number 8649414 to Tune Palace, Inc., DBA Variety Store, 1208 East 105th Street, Cleveland, Ohio 44108, Permanent Number 9093566; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 1901-02.**  
**By Council Members Johnson and Britt.**

**An emergency resolution urging the Director of Public Safety to conduct a security audit at Jaelot Senior Citizens High Rise apartment building and further urging the management of said apartment building to provide uniformed security for its residents.**

Whereas, the Jaelot Senior Citizens High Rise apartment building is located at 12730 Shaker Boulevard in the City of Cleveland; and

Whereas, there have recently been increased instances of crime in and around the Jaelot Senior Citizens High Rise apartment building; and

Whereas, it is important for the Director of Public Safety to deter-

mine whether additional security is needed at the Jaelot; and

Whereas, it is incumbent upon the management of the Jaelot apartment building to ensure the safety of its residents; and

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

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

**Section 1.** That this Council hereby urges the Director of Public Safety to conduct a security audit at Jaelot Senior Citizens High Rise apartment building and further urges the management of said apartment building to provide uniformed security for its residents.

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

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

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

#### SECOND READING EMERGENCY ORDINANCES PASSED

##### Ord. No. 1537-02.

By Council Member Britt.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 100th Street to Fairfax Renaissance Development Corporation.

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

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

##### Ord. No. 1710-02.

By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the purchase by contract or contracts of a software-update package for the existing document management system, including implementation, necessary server licenses, update licenses, and client licenses, for the Department of Law.

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

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

##### Ord. No. 1711-02.

By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the purchase by contract of one large format printer/scanning system, for the Division of Printing and Reproduction, Department of Finance.

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

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

##### Ord. No. 1712-02.

By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the purchase by contract of high capacity paper drill, for the Division of Printing and Reproduction, Department of Finance.

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

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

##### Ord. No. 1715-02.

By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the purchase by contract of one high speed envelope press, for the Division of Printing and Reproduction, Department of Finance.

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

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

##### Ord. No. 1720-02.

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

An emergency ordinance authorizing the Director of Public Service to enter into an agreement with the City of Warrensville Heights in order for the City of Cleveland to make the public improvement of grinding and resurfacing East 190th Street/Evanston Avenue, including the installation of ADA ramps.

Approved by Directors of Public Service, Finance, Law; Relieved of City Planning Committee; Passage recommended by Committees on Public Service, Finance.

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

##### Ord. No. 1721-02.

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

An emergency ordinance to amend Section 3 of Ordinance No. 610-01, passed May 21, 2001, as amended by Ordinance No. 1255-01, passed June 19, 2001, relating to crack sealing material.

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

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

##### Ord. No. 1723-02.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with Boston Mills Ski Resort, Inc. to provide youth ski lessons for the 2003 ski season, for the Division of Recreation, Department of Parks, Recreation and Properties.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Passage recommended by Com-

mittees on Public Parks, Property and Recreation, Finance.

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

##### Ord. No. 1760-02.

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

An emergency ordinance to amend Section 133.33 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 925-96, passed June 10, 1996, relating to parking fees.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Passage recommended by Committees on Public Parks, Property and Recreation, Legislation, Finance; when amended as follows:

1. In Section 1, at Section 133.33(a)(1)G., in Section 133.33(a)(2)F. and Section 133.33(a)(4)D., strike "up to 30.00" and insert in lieu thereof "up to 15.00".

2. In Section 1, at the end, add a new division "(h)" to read as follows:

"(h) In addition to the schedule contained in division (a) of this section, the Commissioner of Parking Facilities may enter into agreements with the sponsors of events that wish to reserve specific parking spaces in the Willard Park Garage, the Cleveland Convention Center Garage or the North Coast Municipal Parking Lot that provide for the payment by the sponsor of up to thirty dollars (\$30.00) per parking space."

Amendments agreed to.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 1.

Those voting yea: Council Members Brady, Cimperman, Cintron, Coats, Conwell, Gordon, Jackson, Johnson, Jones, Lewis, O'Malley, Reed, Rybka, Scott, Sweeney, Westbrook, White, Zone.

Those voting nay: Council Member Polensek.

Absent: Council Members Britt and Dolan.

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

##### Ord. No. 1841-02.

By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the Director of Finance to employ one or more cost recovery companies to identify credits and refunds due the City of Cleveland from errors relating to utility billings and to provide an analysis with cost-reducing recommendations for consideration by the City.

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

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

##### Ord. No. 1842-02.

By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of exterminating services, for the various divisions of City government.

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

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

**SECOND READING EMERGENCY RESOLUTION ADOPTED**

**Res. No. 1752-01.**

By Council Members Zone and Westbrook.

An emergency resolution authorizing the Mayor to sign a dedication plat for Denison Avenue S.W. widening at the Northeast corner of West 73rd Street.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Adoption recommended by Committees on Public Service, City Planning, Finance.

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

**LAI D ON THE TABLE**

**Ord. No. 883-90.**

By Council Member Jackson.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 141.061 thereof, relating to drug treatment for City residents.

**Res. No. 444-91.**

By Council Members Jackson, O'Malley and Patton.

An emergency resolution requesting the Administration to develop a plan to make the House of Corrections self-sufficient.

**Ord. No. 2006-98.**

By Council Members Willis, Gordon, Rybka and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing, upgrading, securing or otherwise improving certain City-owned recreation facilities and City-owned health centers, including site improvements and appurtenances; authorizing the Directors of Parks, Recreation and Properties and Public Health to proceed with said improvements by the direct employment of the necessary labor for areas not otherwise improved; authorizing said directors to enter into contracts for the making of their respective improvements; to employ one or more architectural, landscape architectural or engineering firms and other consultants necessary to provide professional services relating to such improvements; and authorizing and directing the purchase by contract of furniture and equipment necessary for the improvements for the Divisions of Recreation and Health, Departments of Parks, Recreation and Properties and Public Health.

Without objection, all committees were relieved of further consideration of the aforementioned legislation and were laid on the table pursuant to the Rules of Council. Legislation tabled. Yeas 19. Nays 0.

**MOTION**

By Council Member O'Malley and seconded by Council Member Cintron and unanimously carried that the absence of Council Members Patricia J. Britt and Michael A. Dolan, be and is hereby authorized.

The Council Meeting adjourned at 8:15 p.m. to meet on Monday, September 30, 2002, at 7:00 p.m. in the Council Chambers.



Clerk of Council

**THE CALENDAR**

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

NONE

**BOARD OF CONTROL**

September 18, 2002

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

Present: Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Sims, Fumich and Acting Director Perez.

Absent: Director Baker.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

K. Velkoff, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

**Resolution No. 614-02.**

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on August 14, 2002 for an estimated quantity of labor and materials necessary to repair and maintain the lifting equipment on one (1) plate truck for the Division of Water Pollution Control, Department of Public Utilities, pursuant to the authority of Ordinance No. 1760-02, passed by the Council of the City of Cleveland on June 10, 2002 are hereby rejected.

Yeas: Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Sims, Fumich, Acting Director Perez.

Nays: None.

Absent: Directors Baker and Romero.

**Resolution No. 615-02.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Emerald Envi-

ronmental Services, Inc. for the following: hauling and disposing of water plant residuals for the Crown Water Treatment Plant, items 1a & 1b, except for such terms and conditions as are unacceptable to the Director of Law, for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the later of the date of execution of a contract or receipt of a notice to proceed, received on the 26th day of June, 2002, pursuant to the authority of Ordinance No. 213-02, passed April 8, 2002, which on the basis of the order quantity would amount to Four Hundred Fifty Eight Thousand Four Hundred and no/100 Dollars (\$458,400.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 122990

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

Said requirement contract shall further provide that the Contractor 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, Konicek, Mok, Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Sims, Fumich, Acting Director Perez.

Nays: None.

Absent: Directors Baker and Romero.

**Resolution No. 616-02.**

By Director Mok.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to Ordinance No. 912-2000, passed July 18, 2001 and Board of Control Resolution No. 164-02, adopted April 3, 2002, approving The Schloss Paving Company for the public improvement of constructing an employee parking lot and related facilities at the Riveredge site, for the Division of Cleveland Hopkins International Airport, Department of Port Control, the employment of the following additional subcontractors for the above-mentioned public improvement is hereby approved.

**SUBCONTRACTORS**

DESCRIPTION	AMOUNT
Martin Enterprises	
Earthwork	\$669,306.00
Geo-Sci, Inc.	
Quality Control	\$ 7,328.70
Calabrese Contracting	
Concrete work	\$136,550.00
Royal Landscaping	
Seeding & Landscaping	\$ 66,987.69
PTC Industries	
Parking Control Equipment	\$109,590.00

Vermillion Tree and  
Landscaping Service, Inc.  
Clearing & Grubbing \$ 5,500.00

Genley Transfer  
Trucking \$ 11,075.79

Yeas: Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Sims, Fumich and Acting Director Perez.

Nays: None.

Absent: Director Baker.

**Resolution No. 617-02.**

By Director Mok.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Blind & Sons Tri/County, for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, HVAC/Electrical Construction, Contract "G-02-2", all items, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on May 8, 2002, pursuant to the authority of Ordinance No. 930-95, passed on June 19, 1995, Ordinance No. 469-98, passed on May 18, 1998, and Ordinance No. 327-00, passed on June 12, 2000, upon a unit basis for the improvement, in the aggregate amount of \$538,419.50, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.

Yeas: Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Sims, Fumich and Acting Director Perez.

Nays: None.

Absent: Director Baker.

**Resolution No. 618-02.**

By Director Mok.

Be it resolved by the Board of Control of the City of Cleveland that the bid of S&L Specialty Contracting, Inc., for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, HVAC/Electrical Construction, Contract "H-02-2", all items, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on May 8, 2002, pursuant to the authority of Ordinance No. 930-95, passed on June 19, 1995, Ordinance No. 469-98, passed on May 18, 1998, and Ordinance No. 327-00, passed on June 12, 2000, upon a unit basis for the improvement, in the aggregate amount of \$598,334.30, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractor by S&L Specialty Contracting, Inc. for the public improvement of the Phase 2 continuation of the Residential Sound Insulation Program, HVAC/Electrical Construction, Contract "H-02-2", hereby is approved:

MAP International  
(MBE) \$175,000.00

Yeas: Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto,

Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Sims, Fumich and Acting Director Perez.

Nays: None.

Absent: Director Baker.

**Resolution No. 619-02.**

By Director Mok.

Be it resolved by the Board of Control of the City of Cleveland that the bid of S&L Specialty Contracting, Inc., for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, HVAC/Electrical Construction, Contract "I-02-2", all items, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on May 22, 2002, pursuant to the authority of Ordinance No. 930-95, passed on June 19, 1995, Ordinance No. 469-98, passed on May 18, 1998, and Ordinance No. 327-00, passed on June 12, 2000, upon a unit basis for the improvement, in the aggregate amount of \$622,254.70, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractor by S&L Specialty Contracting, Inc. for the public improvement of the Phase 2 continuation of the Residential Sound Insulation Program HVAC/Electrical Construction, Contract "I-02-2", hereby is approved:

MAP International  
(MBE) \$186,000.00

Yeas: Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Sims, Fumich and Acting Director Perez.

Nays: None.

Absent: Director Baker.

**Resolution No. 620-02.**

By Director Mok.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Koch Corporation, for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, General Construction, Contract "I-02-1", all items, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on May 22, 2002, pursuant to the authority of Ordinance No. 930-95, passed on June 19, 1995, Ordinance No. 469-98, passed on May 18, 1998, and Ordinance No. 327-00, passed on June 12, 2000, upon a unit basis for the improvement, in the aggregate amount of \$996,765.50, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractor by Koch Corporation for the public improvement of the Phase 2 continuation of the Residential Sound Insulation Program, General Construction Contract "I-02-1", hereby is approved:

Williams Interiors  
(MBE) \$299,100.00

Yeas: Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Sims, Fumich and Acting Director Perez.

Nays: None.

Absent: Director Baker.

**Resolution No. 621-02.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of ODB (Old Dominion Brush) for an estimated quantity of Elgin Gutter Broom Sets, tubes and gutter brooms (all items) for the Division of Streets, Department of Public Service, for the period of one year beginning with the date of execution of a contract, received on August 8, 2002, pursuant to the authority of Ordinance No. 764-02 passed June 3, 2002, which on the basis of the estimated quantity would amount to Sixty nine Thousand Sixty Seven and 00/100 Dollars (\$69,067.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 123311  
which shall be certified against such contract in the sum of Five Thousand Five Hundred Forty Five and 00/100 Dollars (\$5,545.00).

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

Yeas: Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Sims, Fumich and Acting Director Perez.

Nays: None.

Absent: Director Baker.

**Resolution No. 622-02.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Hy-Grade Corporation for an estimated quantity of cold mix, for the Division of Streets, Department of Public Service, for the period of one (1) year beginning on date of execution of a contract, received on August 7, 2002, pursuant to the authority of Ordinance No. 765-02, passed June 3, 2002, which on the basis of the estimated quantity would amount to One Hundred Seventy-Six Thousand Three Hundred and 00/100 Dollars (\$176,300.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 121392  
which shall be certified against such contract in the sum of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Sims, Fumich and Acting Director Perez.

Nays: None.

Absent: Director Baker.

**Resolution No. 623-02.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Able Contracting Group, Inc. for an estimated quantity of Guard Rail Elements, for the Division of Streets, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on August 9, 2002, pursuant to the authority of Ordinance No. 767-02, passed June 3, 2002, which on the basis of the estimated quantity would amount to Fifty Seven Thousand Five Hundred Thirty and 00/100 Dollars (\$57,530.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 123310**

which shall be certified against such contract in the sum of Two Thousand Nine Hundred and 00/100 Dollars (\$2,900.00).

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

Yeas: Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Sims, Fumich and Acting Director Perez.

Nays: None.

Absent: Director Baker.

**Resolution No. 624-02.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Valk Manufacturing Company for an estimated quantity of plow blades and curb bumpers, for the Division of Streets, Department of Public Service, for the period of One (1) year beginning with the execution of this contract, received on August 8, 2002, pursuant to the authority of Ordinance No. 762-02, passed June 3, 2002, which on the basis of the estimated quantity would amount to Fifty-Eight Thousand Two Hundred Eighty-Two and 00/100 Dollars (\$58,282.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services,

which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 123309**

which shall be certified against such contract in the sum of Three Thousand Nine Hundred and 00/100 Dollars (\$3,900.00).

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

Yeas: Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Sims, Fumich and Acting Director Perez.

Nays: None.

Absent: Director Baker.

**Resolution No. 625-02.**

By Acting Director Glending.

Whereas, Resolution No. 265-02, adopted by this Board on May 1, 2002, pursuant to the authority of Ordinance No. 134-2000, passed by the Council of the City of Cleveland June 19, 2000, authorized the Director of Parks, Recreation and Properties to enter into an agreement with Envirocom Construction Company, Inc. for building improvements at the West and East Side Markets; and

Whereas, Ordinance No. 1378-02, passed by the Council of the City of Cleveland on August 14, 2002, amended said Ordinance No. 134-2000 to amend the anticipated approximate costs and the commencement date of the improvements; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Board of Control Resolution No. 265-02 adopted May 1, 2002, is hereby amended by inserting the words "as amended by Ordinance No. 1378-02 passed by the Council of the City of Cleveland on August 14, 2002," after "Ordinance No. 134-2000 passed June 19, 2000" in the first paragraph.

Be it further resolved, that all other provisions of said Resolution No. 265-02 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Sims, Fumich and Acting Director Perez.

Nays: None.

Absent: Director Baker.

**Resolution No. 626-02.**

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. 003-25-063 under said Land Reutilization Program; and

Whereas, Ordinance No. 1658-99 passed December 13, 1999, 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, Mark G. Pokrandt 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. 1658-99 passed December 13, 1999, 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 Mark G. Pokrandt for the sale and development of Permanent Parcel No. 003-25-063, 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 \$660.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Sims, Fumich and Acting Director Perez.

Nays: None.

Absent: Director Baker.

**Resolution No. 627-02.**

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. 104-18-100 under said Land Reutilization Program; and

Whereas, Ordinance No. 1971-99 passed June 12, 2000, 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, The Eleanor B. Rainey Memorial Institute, 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. 1971-99 passed June 12, 2000, 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 The Eleanor B. Rainey Memorial Institute, Inc. for the sale and development of Permanent Parcel No. 104-18-100, 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 \$100.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto, Acting Director Carroll, Director Draper, Acting Director Glending, Directors Hudecek, Romero, Sims, Fumich and Acting Director Perez.

Nays: None.

Absent: Director Baker.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES****General Information**

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

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

**EXAMINATION RESULTS:** Each applicant whether passing or failing will be notified of the results of the examination as soon as the commission has graded the papers. Thereafter, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

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

REYNALDO GALINDO,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, OCTOBER 7, 2002**

**9:30 A.M.**

**Calendar No. 02-231:** 11905 Superior Avenue (Ward 9)

Tops Markets and the Superior and Lakeview Development Company, owners, c/o Nancy Borchert, agent, appeal to install approximately 395' of 3' high chain link fencing on top of an existing 6' masonry wall to the north and west of an irregular shaped acreage parcel located in a General Retail Business District and a Semi-Industry District on the north side of Superior Avenue at 11905 Superior Avenue; said installation being contrary to the Fence Regulations, where the proposed 3' high fence will be installed on top of an existing 6' masonry wall for a total height of 9' and 6' is permitted in rear yards as stated in Section 358.05(a)(2) of the Codified Ordinances.

**Calendar No. 02-244:** 13527 Puritas Avenue (Ward 20)

Joseph Gaglione, owner, appeals to construct and repair a 10' x 19' front porch of an existing single dwelling house all situated on a 40' x 120' parcel located in a Single Family District on the south side of Puritas Avenue at 13527 Puritas Avenue; said construction and repair being contrary to the Yards and Courts Requirements, where a 10' porch projection is proposed and no open porticos or porches shall project more than 6' as stated in Section 357.13(b)(4) of the Codified Ordinances.

**Calendar No. 02-245:** 3159 West 25th Street (Ward 14)

Ricardo Perez, tenant, appeals to change the use of an approximate 35' x 109' existing two-story furniture store building into an assembly use and club with entertainment, all situated on an approximate 38' x 113' irregular shaped parcel located in a General Retail Business District on the east side of West 25th Street at 3159 West 25th Street; said change of use being contrary to the Specific Use Regulations of Section 347.12(a), where amusement and recreation uses shall not be established within 500' of a residential district, church or school and the proposed use abuts a residential district at the rear and is less than 500' from a church on the southwest corner of Scranton Road and Prame Court; and is also less than 500' from a secondary school on the northwest corner of Scranton Road and Prame Court and contrary to Off-Street Parking and Loading Requirements of Section 349.04, where 30 parking spaces are required and none are proposed and contrary to the Landscaping and Screening Requirements, where no transition strip is provided and a 10' wide landscaping strip is required at the rear of the property where the property meets the residential district.

**Calendar No. 02-246:** 15605 Alonzo Avenue, a.k.a. 4473 East 156th Street (Ward 1)

Richard and Anne Price, owners c/o Bernard Gaston, agent, appeal to change the use of an existing 24' x 40' nonconforming structure into 1 dwelling unit all situated on an approximate 52' x 125' irregular shaped corner parcel located in a One-Family District on the northeast corner of East 156th Street and Alonzo Avenue at 15605 Alonzo Avenue; said change of use being contrary to the Yards and Courts Requirements of Section 357.04, where a 7.8' front yard setback is required and 6.5' is proposed and an interior side yard setback of 4" is proposed and 3' is required as stated in Section 357.09 of the Codified Ordinances.

**Calendar No. 02-247:** 18921 Homeway Road (Ward 20)

Daniel R. Warren, owner, appeals to install approximate 35 linear feet of 5' high wooden fencing to the north, east and south of a 40' x 136' parcel located in a One-Family District on the south side of Homeway Road at 18921 Homeway Road; said installation being contrary to the Fence Regulations, where the proposed fence is 5' high and less than 50% open and the maximum height of fence permitted along the rear yard of the actual side street yard is 4' and shall be 50% open as stated in Section 358.04(a) of the Codified Ordinances.

**Calendar No. 02-262:** Appeal of 1476 Davenport Ltd. Partn., 1613 Davenport Avenue (Ward 13)

Matthew Lombardy, agent, appeals for Davenport Ltd Partnership, owner, under the authority of Section 329.02(c), where the appellant has the right to appeal to the Board of Zoning Appeals from a violation notice issued June 13, 2002 by

the Department of Community Development and the Division of Building under Section 349.07(B) of the Codified Ordinances, where accessory off-street parking spaces shall be provided with wheel or bumper guards and none are provided; the majority of the said violations are contrary to the Board of Building Standards and Appeals Sections as stated in the Codified Ordinances.

**Calendar No. 02-263:** 4486 West 158th Street (Ward 20)

George Karadimas, owner, appeals to construct a 28' x 52' wooden deck to the rear of an existing 1 1/2 dwelling house and to install approximately 47 linear feet of 8' high fence around the perimeter of the rear yard all situated on a 47' x 141' parcel located in a One-Family District on the west side of West 158th Street at 4486 West 158th Street; said construction and installation being contrary to the Yards and Courts Requirements of Section 357.08(2)(b)(1), where a 20' rear yard setback is required and 45" is proposed and Section 357.09(2)(b), where no deck shall be less than 3' from the property line and 2' is proposed and contrary to the Fence Regulations, where an 8' high fence is proposed and fences in rear yards shall not exceed 6' in height as stated in Section 358.04(a) of the Codified Ordinances.

**Calendar No. 02-267:** 18219 Landseer Road (Ward 11)

Thomas M. Ungrady, owner, appeals to install and maintain approximately 40 linear feet of 8' high wooden fencing to the north, east and south of a 50' x 135' parcel located in a One-Family District on Landseer Road at 18219 Landseer Road; said installation being contrary to the Fence Regulations, where an 8' high fence is proposed and fences in rear yards shall not exceed 6' in height as stated in Section 358.04(a) of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, SEPTEMBER 23, 2002**

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

The following appeals were **Approved:**

**Calendar No. 02-227:** 12219 Iowa Avenue

Adell and Mary Hobson appealed to enclose an 8' x 20' front porch of a two dwelling house in a One-Family District.

**Calendar No. 02-229:** 4140 East 113th Street

Judge Carter appealed to construct a 30' x 30' one-story detached garage to the rear of a two-story house on a 40' x 142' parcel in a Two-Family District.

**Calendar No. 02-232:** 5501 Cass Avenue

HKM Direct Market Communication, Inc. appealed to install approximately 110 linear feet of 10' high wood fencing to the west and south of an irregular shaped parcel in a Semi-Industry District; subject to conditions.

**Calendar No. 02-233:** 7400 Platt Avenue

Mount Herman Good Samaritan Foundation appealed to install 132 linear feet of 7' high chain link fencing with 1' of barbed wire to the north of an irregular shaped corner parcel in a Multi-Family District; with condition that fence height and material will be 6' chain link.

**Calendar No. 02-234:** 19108 Kildeer Avenue

Ante Valentice appealed to construct a 19' x 24' one-story, frame attached garage to a 20' x 40' one dwelling house on a 50' x 100' parcel in a Two-Family District; with condition that appellant comply with required interior side yard setback.

**Calendar No. 02-189:** 716 East 156th Street

Cleveland Catholic Diocese appealed to install a 14' x 50' one-story modular, free-standing classroom building on a 120' x 157' parcel in a Two-Family District; subject to condition that fence and landscaping buffer are included.

The following appeals were **Denied:**

**Calendar No. 02-226:** 4460 Douse Avenue

S.C. Baumgartner, executor of the Estate of Mary K. Brumfield, appealed to construct a 14' x 24' one-story attached garage to a 23' x 45' one dwelling house on a 40' x 120' parcel in a Two-Family District.

**Calendar No. 02-230:** 3309 West 162nd Street

Raymond A. Murray appealed to install 64 linear feet of 6' high wood fencing to the north side yard of a 40' x 120' parcel in a One-Family District.

The following appeal was **Withdrawn:**

**Calendar No. 02-112:** 1360 West 85th Street

Nick Mitrofan appealed to construct and attach a 13'-6" x 15'-6" one-story enclosed patio to an existing 17' x 22' garage at the rear of a 40' x 136' parcel in a Two-Family District.

The following appeals were **Postponed:**

**Calendar No. 02-197:** 1173 East 61st Street postponed to October 28, 2002.

**Calendar No. 02-199:** 15125 Sunview Avenue postponed to October 28, 2002.

**On Monday, September 23, 2002, in Executive Session:**

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

The following appeals were **Approved:**

**Calendar No. 02-219:** 15700 South Waterloo Road

Glenn Properties, owner, and Jergens, Inc. tenant, appealed to install a 14' x 42' permanent display banner on an existing building in a General Industry District; subject to conditions.

**Calendar No. 02-221:** 18800 Puritas Avenue

Geraldine Messeri appealed to construct a 5' x 7'-10" open front porch to a 1 1/2 dwelling house in a One-Family District.

**Calendar No. 02-222:** 997 Lakeview Road

Greater New Zion Baptist Church appealed to construct a 50' x 100' one-story masonry church building on a 152' x 200' parcel in a Local Retail Business District

**Calendar No. 02-224:** 4465 Broadview Road

Tim Tsirambidis appealed to change the use of a 25' x 35' one-story store building on a 35' x 118' parcel into a coffee shop in a Local Retail Business District.

The following appeal was **Denied:**

**Calendar No. 02-223:** 12222 Lorain Avenue

Edward Krivec, owner, and Donald Folmer, tenant, appealed to change the use of a first floor 750 sq. ft. tenant space area into a tattoo and body piercing shop on a 50' x 118' parcel in a General Retail Business District.

EUGENE CRANFORD, JR.,  
Secretary

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

Re: Report of the Meeting of  
September 11, 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-96-02.**

RE: Appeal of Montlack Management, Owner of the One Story Masonry Property located on the premises known as 15700 Lakeshore Boulevard from a 30 DAY CONDEMNATION ORDER — MS of the Commissioner of the Division of Building and Housing, dated May 7, 2001, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action on Docket A-96-02 this date; the docket will be rescheduled for a later date.

\* \* \*

#### **Docket A-97-02.**

RE: Appeal of Montlack Management, Owner of the One Story Masonry Property located on the

premises known as 15800 Lakeshore Boulevard from a 30 DAY CONDEMNATION ORDER — MS of the Commissioner of the Division of Building and Housing, dated May 7, 2001, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action on Docket A-97-02 this date; the docket will be rescheduled for a later date.

\* \* \*

#### **Docket A-121-02.**

RE: Appeal of Stelia Pellegrino, Owner of the One Story Masonry Commercial Property located on the premises known as 4359 Rocky River Drive (a.k.a. 4359-63 Rocky River Drive) from a NOTICE OF VIOLATION — UNAUTHORIZED USE of the Commissioner of the Division of Building and Housing, dated July 3, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-121-02 has been POSTPONED; to be rescheduled for October 9, 2002.

\* \* \*

#### **Docket A-122-02.**

RE: Appeal of Commissioners, Cuyahoga County of Ohio, Owner of the Regional Criminal Justice Center located on the premises known as 1215 West 3rd Street from a LIMITATION ON THE PERMIT — ELEVATOR CODE of the Commissioner of the Division of Building and Housing, dated August 7, 2001, 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 to require the Cuyahoga County of Ohio to put a water sensing alarm with proper posted notification as to the location and use of the temporary sump and pump that is to be brought to that location; this is in lieu of requiring a sump and a permanent installation of a pump. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

\* \* \*

#### **Docket A-139-02.**

RE: Appeal of Wendell Collins, Owner of the Property located on the premises known as 2177 West 15th Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing, dated April 1, 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 variances and permit the building to be constructed with a zero (0) hour fire rating wall, considering the deed restriction limiting any future building to the 30' distance from this building; the validity of the deed restriction is to be reviewed by the City of Cleveland Law Department prior to permit issuance. Motion so



in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

\* \* \*

**Docket A-144-02.**

RE: Appeal of Go Bop, Inc., Owner of the One Story 4,128 sq. ft. Bar/Restaurant located on the premises known as 2920 Detroit Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing, dated August 15, 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 required variances and permit the wall to be built with the window openings appearing on the drawings at this time, with the stipulation that sprinkler heads, 6' o.c., be installed along the interior of the walls and windows at the property line and windows at the property line. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

\* \* \*

**Docket A-146-02.**

RE: Appeal of Spanish American Community, Owner of the Property located on the premises known as 4407 Lorain Road from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing, dated August 7, 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 awnings to be erected as indicated on the drawings, noting the concurrence of the City Building Department and the Fire Prevention Bureau. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

\* \* \*

**Docket A-147-02.**

RE: Appeal of D-N-J Auto Sales, Owner of the Property located on the premises known as 11624 Madison Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing, dated September 5, 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 required and permit the awnings to be installed on the first and second floor as indicated, noting the concurrence of the City of Cleveland and the Fire Prevention Bureau. Motion so in order. Motioned

by Mr. Bradley and seconded by Mr. Saab.

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

\* \* \*

**APPROVAL OF RESOLUTIONS:**

Separate motions were entered by Mr. Saunders 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-98-02—Marvin Stover.
- A-103-02—Heritage Development Company.
- A-105-02—BL Wolstein.
- A-106-02—BL Wolstein.
- A-110-02—Sunoco Inc. (R&M).
- A-112-02—Nabil Amin Mishleh.
- A-113-02—Kamecor Realty Co.
- A-119-02—First National Acceptance Co.
- A-132-02—Angela Miller.
- A-133-02—Iglesia Cristiana Pentecostal A/D.

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

\* \* \*

**APPROVAL OF MINUTES:**

Separate motions were entered by Mr. Saab 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):

August 28, 2002

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

\* \* \*

EUGENE CRANFORD, JR.,  
Secretary

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS**

For All Departments

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

read in Room 128, City Hall, immediately thereafter.

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

**187.10 Negotiated contracts; Notice required in Advertisement for Bids.**

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

**THURSDAY, SEPTEMBER 26, 2002**

**2003 Criminal and Civil Filing System**, for the Division of Municipal Court, Department of Finance, as authorized by Ordinance No. 677-02, passed by the Council of the City of Cleveland, June 10, 2002.

THERE WILL BE A MANDATORY PRE-BID MEETING AT 9:30 A.M. ON FRIDAY, SEPTEMBER 20, 2002 AT CLEVELAND MUNICIPAL CLERK OF COURTS, LOCATED AT 1200 ONTARIO, LEVEL TWO, CLEVELAND, OHIO 44113. BID PACKAGES WILL BE GIVEN OUT AT THE PRE-BID MEETING.

September 18, 2002 and September 25, 2002

**WEDNESDAY, OCTOBER 9, 2002**

**Handheld Radar Units & Battery Handles and Chargers**, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1265-01, passed by the Council of the City of Cleveland, on June 19, 2001.

**Handheld Laser Units and Battery Modules**, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1265-01, passed by the Council of the City of Cleveland, on June 19, 2001.

**Water Tank Rehabilitation**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1881-98.

THERE WILL BE A **REFUNDABLE FEE OF ONE HUNDRED DOLLARS (\$100.00)**. A PRE-BID MEETING WILL BE HELD ON FRIDAY, OCTOBER 4, 2002 AT 10:00 A.M. AT THE DIVISION OF WATER, ENGINEERING CONFERENCE ROOM, CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 1ST FLOOR CONFERENCE ROOM, CLEVELAND, OHIO.

**City Council Office Renovations**, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 1391-02.

THERE WILL BE A **REFUNDABLE FEE OF FIFTY DOLLARS (\$50.00)**. A PRE-BID MEETING WILL BE HELD ON THURSDAY, SEPTEMBER 26, 2002 AT 2:00 P.M., LOCATED AT CITY OF CLEVELAND, CITY COUNCIL, 601 LAKESIDE AVENUE, ROOM 216, CITY HALL BUILDING, CLEVELAND, OHIO 44114.

September 18, 2002 and September 25, 2002

**FRIDAY, OCTOBER 11, 2002**

**Paint and Paint Removal on Roadways, Runways, and Other Paved Areas**, for the Division of Cleveland Hopkins Airport, Department of Port Control, as authorized by Ordinance No. 128-02.

THERE WILL BE A PRE-BID MEETING ON FRIDAY, OCTOBER 4, 2002, AT 1:00 P.M. AT CLEVELAND HOPKINS INTERNATIONAL AIRPORT, LOCATED AT 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.

September 18, 2002 and September 25, 2002

**WEDNESDAY, OCTOBER 16, 2002**

**Two (2) Continuous Particulate Monitors**, for the Division of Environment, Department of Public Health, as authorized by Ordinance No. 993-02, passed by the Council of the City of Cleveland, June 10, 2002.

**One (1) Speciation Aerosol Sampling Monitor**, Division of Environment, Department of Public Health, as authorized by Ordinance No. 993-02, passed by the Council of the City of Cleveland, June 10, 2002.

**12,000 Pound Lift Truck**, for the Division of Motor Vehicle Maintenance, Department of Public Safety, as authorized by Ordinance No. 1264-01 & 1068-02, passed by the Council of the City

of Cleveland, June 19, 2001 and July 17, 2002.

September 18, 2002 and September 25, 2002

**THURSDAY, OCTOBER 17, 2002**

**Front End Loaders and Roll-Off Containers**, for the Division of Waste Collection, Department of Public Service, as authorized by Ordinance No. 1424-02, passed by the Council of the City of Cleveland, July 17, 2002.

September 18, 2002 and September 25, 2002

**WEDNESDAY, OCTOBER 9, 2002**

**Barkwill Park Site Improvements**, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1013-02, as amended by Ordinance No. 1394-02.

THERE WILL BE A **REFUNDABLE FEE OF TWENTY-FIVE DOLLARS (\$25.00)** IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

**Exterminating Services**, for various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1065-02, (pending).

September 25, 2002 and October 2, 2002

**WEDNESDAY, OCTOBER 16, 2002**

**Paint and Paint Supplies**, for various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1264-02, (pending).

**Rock Salt & Chemical De-Icer**, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1374-02, passed by the Council of the City of Cleveland, August 14, 2002.

September 25, 2002 and October 2, 2002

**THURSDAY, OCTOBER 17, 2002**

**Fire Station #39**, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 838-02.

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

THERE WILL BE A PRE-BID MEETING ON TUESDAY, OCTOBER 8, 2002 AT 10:00 A.M., LOCATED AT FIRE STATION #39, 15637 LORAIN AVENUE, CLEVELAND, OHIO.

**Photo Lab Supplies (Photography Materials & Supplies)**, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1103-02, passed by the Council of the City of Cleveland, on June 17, 2002.

September 25, 2002 and October 2, 2002

**FRIDAY, OCTOBER 18, 2002**

**Fasteners**, for various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1065-02, (pending).

**Two (2) X-Ray System with Entrance/Exit Tables & Installation**, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 497-01, passed by the Council of the City of Cleveland, on May 21, 2001.

**Standard Wire**, for various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1070-02, passed by the Council of the City of Cleveland, on June 17, 2002.

September 25, 2002 and October 2, 2002

**WEDNESDAY, OCTOBER 23, 2002**

**Mowers Parts & Cutting Equipment**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 918-02, passed by the Council of the City of Cleveland, June 17, 2002.

**Two (2) Wheel Loaders & One (1) Backhoe Loader**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1262-02, passed by the Council of the City of Cleveland, July 17, 2002.

September 25, 2002 and October 2, 2002

**FRIDAY, NOVEMBER 15, 2002**

**Maintenance & Repair of Water Pumps Including Electric Motors, Controls & Appurtenances**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2360-01, passed by the Council of the City of Cleveland, March 8, 2002.

THERE WILL BE A **MANDATORY PRE-BID MEETING AT 10:00 A.M. ON WEDNESDAY, OCTOBER 9, 2002 IN THE CONFERENCE ROOM OF THE CROWN WATER PLANT, LOCATED AT 955 CLAGUE ROAD, WESTLAKE, OHIO 44145.**

September 25, 2002 and October 2, 2002

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 1733-02.**

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

**An emergency resolution to adopt and declare a Tax Budget for the year 2003, as required by State Law, Chapter 5705 of the Revised Code.**

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

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

**Section 1.** That the Council, pursuant to the provisions of Chapter 5705 of the Revised Code, after public hearings thereon as required by law, does hereby adopt the statements of the year 2003 requirements for the several funds of the City of Cleveland, as being the budget required by state law to be submitted to the County Budget Commission which requirements are as follows:

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

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

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

Current Expense Levy authorized by City Charter effective 11/21/67.	8.3 mills	
Current Expense Levy authorized by voters on __/__/__, not to exceed ____ years. Auth. under Sect. ____, R.C.		
Current Expense Levy authorized by voters on __/__/__, not to exceed ____ years. Auth. under Sect. ____, R.C.		
Current Expense Levy authorized by voters on __/__/__, not to exceed ____ years. Auth. under Sect. ____, R.C.		
Current Expense Levy authorized by voters on __/__/__, not to exceed ____ years. Auth. under Sect. ____, R.C.		
<b>TOTAL GENERAL FUND OUTSIDE 10 M.LIMITATION</b>	<b>8.3 mills</b>	

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>GENERAL FUND</b>				
<b>LOCAL TAXES</b>				
Property Tax	\$ 45,131,344	\$ 47,842,018	\$ 46,559,583	\$ 46,792,381
Income Tax	268,786,351	262,720,776	256,826,234	251,043,359
Admission Tax	13,361,814	12,236,767	11,425,000	10,250,000
Exhibition Tax	0	0	0	0
Video Game Tax	54,851	51,109	45,000	50,000
Motor Vehicle Lessor Tax	3,551,386	3,065,529	2,450,000	2,100,000
Parking Tax	11,053,740	10,011,279	9,800,000	9,600,000
<b>Total</b>	<b>\$ 341,939,486</b>	<b>\$ 335,927,478</b>	<b>\$ 327,105,817</b>	<b>\$ 319,835,740</b>

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>LICENSES &amp; PERMITS</b>				
Building Licenses and Permits	\$ 7,549,553	\$8,003,401.000	\$ 6,783,492	\$ 6,906,300
Other Licenses and Permits	1,789,294	883,302	819,600	820,000
Total	\$ 9,338,847	\$ 8,886,703	\$ 7,603,092	\$ 7,726,300
<b>INTERGOVERNMENTAL REVENUE</b>				
Local Government Fund	\$ 59,487,915	\$ 59,264,874	\$ 59,123,590	\$ 56,235,147
State Cigarette and Liquor Tax	957,931	803,195	773,000	788,460
Estate Tax	5,186,696	5,437,957	5,500,000	4,250,000
Excise Tax	0	0	1,386,148	924,098
Total	\$ 65,632,542	\$ 65,506,026	\$ 66,782,738	\$ 62,197,705
<b>SALES AND CHARGES FOR SERVICE</b>				
Misc. City Sales	\$ 502,875	\$ 167,021	\$ 2,998	\$ 2,998
Cable TV-Franchise Fees	1,480,399	1,723,230	1,698,806	1,500,000
Charges for Service	11,649,450	11,894,975	11,781,186	11,781,186
Commissions	36,310	35,825	35,975	35,975
Concession Revenue	139,777	101,582	80,444	80,444
Rental of City Property	680,764	726,252	708,804	708,804
Commercial Waste Collection	1,687,806	1,381,699	1,340,660	1,340,660
Total	\$ 16,177,381	\$ 16,030,584	\$ 15,648,872	\$ 15,450,066
<b>FINES AND FORFEITURES</b>				
Fines	\$ 16,115,686	\$ 14,993,766	\$ 15,990,298	\$ 15,990,298
Cash Bonds	136,334	137,250	135,800	135,800
Court Trustee	2,272	2,760	2,000	2,000
Court Costs	1,588,338	1,633,871	1,676,000	1,632,169
Criminal Bond Forfeiture	0	931	0	0
Total	\$ 17,842,631	\$ 16,768,578	\$ 17,804,098	\$ 17,760,267
<b>MISCELLANEOUS REVENUE</b>				
Sale of Capital Plant	\$ 0	\$ 0	\$ 0	\$ 0
Sale of Recyclable Waste	0	2,054	0	0
Refunds	0	0	0	0
Miscellaneous Revenue	5,428,013	18,656,732	13,620,082	3,521,082
Interest Income	2,519,155	1,604,000	1,251,000	1,000,000
Total	\$ 7,947,168	\$ 20,262,786	\$ 14,871,082	\$ 4,521,082
<b>REVENUE TRANSFERS</b>				
Revenue Transfers	\$ 0	\$ 0	\$ 21,843,000	\$ 14,000,000
<b>EXPENDITURE RECOVERIES</b>				
Damaged City Property				
Reimbursement	\$ 140,289	\$ 80,125	\$ 96,400	\$ 92,677
Expenditure Recoveries	17,591,024	10,979,720	21,367,118	20,370,841
Total	\$ 17,731,313	\$ 11,059,845	\$ 21,463,518	\$ 20,463,518
TOTAL	\$ 476,609,367	\$ 474,442,000	\$ 493,122,217	\$ 461,954,678
<b>GENERAL FUND</b>				
<b>EXPENDITURES</b>				
<b>Security of Persons and Property (Safety)</b>				
Salaries and Wages	\$ 185,354,294	\$ 189,544,649	\$ 204,246,089	\$ 204,475,280
Employee Benefits	59,377,384	64,331,109	65,833,852	72,936,227
Training and Professional Dues	105,151	74,381	112,091	116,014
Utilities	2,248,078	1,909,967	2,362,213	2,598,434
Contractual Services	2,594,985	2,688,935	1,921,874	1,989,140
Material and Supplies	2,500,156	1,782,983	1,526,616	1,580,048
Maintenance	1,322,352	1,024,061	651,379	674,177
Claims, Refunds and Misc.	164,315	165,900	180,000	186,300
Inter-Departmental Services	7,814,215	7,201,476	8,871,542	9,450,420
Capital Outlay	0	0	0	0
Total Security of Persons and Property	\$ 261,480,929	\$ 268,723,461	\$ 285,705,656	\$ 294,006,039

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>Public Health Services (Health &amp; Aging)</b>				
Salaries and Wages	\$ 7,406,618	\$ 7,032,071	\$ 7,104,494	\$ 7,112,563
Employee Benefits	2,068,757	2,294,410	2,127,005	2,327,546
Training and Professional Dues	16,487	7,309	21,244	21,988
Utilities	327,125	442,900	443,092	487,401
Contractual Services	1,418,405	1,210,157	1,444,495	1,595,052
Material and Supplies	820,353	665,950	804,635	832,797
Maintenance	56,298	43,333	77,246	79,950
Claims	0	0	0	0
Inter-Departmental Services	621,069	449,984	829,531	\$829,069
Capital Outlay	0	0	0	0
<b>Total Public Health Services</b>	<b>\$ 12,735,113</b>	<b>\$ 12,146,114</b>	<b>\$ 12,851,742</b>	<b>\$ 13,286,366</b>
<b>Leisure Time Activities (Parks, Recreation &amp; Properties)</b>				
Salaries and Wages	\$ 21,816,814	\$ 22,161,785	\$ 23,034,866	\$ 23,060,985
Employee Benefits	6,017,377	7,103,736	6,684,967	7,355,102
Training and Professional Dues	24,719	4,971	7,271	7,525
Utilities	2,754,448	2,802,381	3,294,265	3,623,692
Contractual Services	2,278,518	2,768,598	2,354,851	2,437,271
Material and Supplies	1,846,117	1,593,230	807,886	836,162
Maintenance	189,478	289,785	251,233	260,026
Claims, Refunds and Misc.	9,625	7,061	0	0
Inter-departmental Services	2,611,146	2,387,204	3,270,230	3,509,624
Capital Outlay	25,000	12,511	0	0
<b>Total Leisure Time Activities</b>	<b>\$ 37,573,243</b>	<b>\$ 39,131,262</b>	<b>\$ 39,705,569</b>	<b>\$ 41,090,388</b>
<b>Community Environment (Service)</b>				
Salaries and Wages	\$ 15,216,018	\$ 17,580,143	\$ 18,531,205	\$ 18,552,182
Employee Benefits	4,802,475	6,981,382	5,920,133	6,953,662
Training and Professional Dues	26,180	10,302	17,089	17,687
Utilities	450,172	932,759	929,382	1,022,320
Contractual Services	9,181,118	8,485,628	7,950,594	8,228,865
Material and Supplies	288,015	445,648	315,477	326,519
Maintenance	77,302	130,246	88,501	91,598
Claims, Refunds and Misc.	1,039	4,111	3,500	3,623
Inter-departmental Services	3,531,468	2,692,293	3,637,141	3,954,610
Capital Outlay	5,555	0	0	0
<b>Total Community Environment</b>	<b>\$ 33,579,342</b>	<b>\$ 37,262,512</b>	<b>\$ 37,393,022</b>	<b>\$ 39,151,065</b>
<b>Legal/Financial Administration</b>				
Salaries and Wages	\$ 7,890,714	\$ 8,665,742	\$ 10,475,916	\$ 10,487,823
Employee Benefits	1,801,806	1,930,836	2,580,552	2,762,280
Training and Professional Dues	136,627	130,351	165,417	171,207
Contractual Services	2,503,843	2,052,926	3,193,870	3,305,655
Material and Supplies	188,989	141,450	193,735	200,516
Maintenance	303,362	299,204	347,000	359,145
Claims, Refunds and Misc.	5,974,206	1,251,442	820,000	848,700
Inter-departmental Services	361,116	411,582	822,855	803,847
<b>Total Legal/Financial Administration</b>	<b>\$ 19,160,663</b>	<b>\$ 14,883,533</b>	<b>\$ 18,599,345</b>	<b>\$ 18,939,173</b>
<b>Urban Planning &amp; Development (CD, ED, Harbors)</b>				
Salaries and Wages	\$ 8,623,034	\$ 12,582,376	\$ 9,034,245	\$ 9,730,901
Employee Benefits	2,341,058	3,361,786	2,502,393	3,309,020
Training and Professional Dues	82,205	59,667	49,000	68,777
Utilities	0	7,414	4,000	3,379
Contractual Services	1,870,698	1,199,254	404,910	379,886
Material and Supplies	146,979	121,195	89,633	110,927
Maintenance	82,166	54,258	65,607	75,514
Claims, Refunds and Misc.	1,177	706	6,000	6,211
Inter-departmental Services	441,061	365,686	516,907	467,721
Capital Outlay	8,586	0	0	0
<b>Total Urban Planning &amp; Development</b>	<b>\$ 13,596,965</b>	<b>\$ 17,752,342</b>	<b>\$ 12,672,695</b>	<b>\$ 14,152,336</b>
<b>General Government</b>				
Salaries and Wages	\$ 23,435,784	\$ 24,788,143	\$ 29,411,696	\$ 31,242,571
Employee Benefits	5,793,123	6,778,982	7,605,325	8,140,698
Training and Professional Dues	203,166	179,554	204,124	211,268
Utilities	0	0	0	0

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
Contractual Services	5,253,709	5,995,616	5,652,233	6,379,083
Material and Supplies	668,785	763,847	623,171	644,982
Maintenance	30,109	33,871	73,242	75,805
Claims, Refunds and Misc.	78	1,000	15,650	16,198
Inter-departmental Services	1,107,832	1,099,099	1,518,534	1,596,428
<b>Total General Government</b>	<b>\$ 36,492,585</b>	<b>\$ 39,640,112</b>	<b>\$ 45,103,975</b>	<b>\$ 48,307,034</b>
<b>Non-Departmental</b>				
Transfers (Interfund Subsidies)	\$ 39,464,914	\$ 0	\$ 24,951,926	\$ 24,589,728
Training and Professional Dues	309,779	256,059	250,360	259,123
Utilities	9,599,302	11,848,093	9,959,923	10,955,915
Contractual Services	6,711,515	7,056,703	5,892,000	6,098,220
Material and Supplies	119,134	0	0	0
Maintenance	938	0	0	0
Claims, Refunds and Misc.	863	0	0	0
Inter-departmental Services		39,401,879	4,500	4,635
<b>Total Other Uses of Funds</b>	<b>\$ 56,206,445</b>	<b>\$ 58,562,734</b>	<b>\$ 41,058,709</b>	<b>\$ 41,907,621</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 470,825,484</b>	<b>\$ 488,102,070</b>	<b>\$ 493,090,713</b>	<b>\$ 510,840,021</b>
Revenues over/(under) Expenditures	\$ 5,783,917	\$(13,660,070)	\$ 31,504	\$(48,885,342)
Decertifications	\$ 13,100,000	\$(9,779,000)	\$ 897,000	\$
Beginning Unencumbered Balance	\$ 3,660,000	\$ 22,543,917	\$(895,153)	\$ 33,351
Estimated Ending Unencumbered Fund Balance	\$ 22,543,917	\$(895,153)	\$ 33,351	\$(48,851,992)
<b>LEGISLATIVE BRANCH</b>				
Council and Clerk of Council	\$ 4,700,175	\$ 5,425,663	\$ 5,625,575	\$ 6,060,636
I Personnel	2,733,250	3,179,224	3,834,677	3,896,867
II Other	1,966,925	2,246,439	1,790,898	2,163,769
<b>Total Legislative Branch</b>	<b>\$ 4,700,175</b>	<b>\$ 5,425,663</b>	<b>\$ 5,625,575</b>	<b>\$ 6,060,636</b>
<b>MUNICIPAL COURT</b>				
Judicial Division	\$ 14,553,137	\$ 16,147,108	\$ 17,923,412	\$ 19,858,766
I Personnel	12,825,416	14,058,100	15,668,298	17,347,033
II Other	1,727,720	2,089,008	2,255,114	2,511,733
Clerks Division	7,858,806	8,567,294	9,441,809	10,024,585
I Personnel	5,748,961	6,350,543	7,334,958	7,838,311
II Other	2,109,845	2,216,751	2,106,851	2,186,274
Housing Division	1,936,524	2,216,229	2,796,897	2,831,255
I Personnel	1,842,911	2,083,540	2,579,175	2,600,609
II Other	93,613	132,689	217,722	230,646
<b>Total Municipal Court</b>	<b>\$ 24,348,466</b>	<b>\$ 26,930,631</b>	<b>\$ 30,162,118</b>	<b>\$ 32,714,606</b>
<b>EXECUTIVE BRANCH</b>				
Office of the Mayor	\$ 1,610,958	\$ 1,398,763	\$ 2,587,231	\$ 2,639,651
I Personnel	1,362,766	1,160,915	2,311,846	2,345,133
II Other	248,192	237,848	275,385	294,518
<b>Public Safety</b>				
Public Safety Administration	\$ 3,805,998	\$ 3,924,288	\$ 3,869,985	\$ 3,950,342
I Personnel	3,229,725	3,348,101	3,395,511	3,451,860
II Other	576,272	576,187	474,474	498,482
Division of Police	162,996,717	170,324,395	181,307,898	185,269,383
I Personnel	152,334,618	160,295,138	171,135,385	174,484,681
II Other	10,662,099	10,029,257	10,172,513	10,784,701

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
Division of Fire	73,743,482	75,758,616	80,694,456	84,384,446
I Personnel	70,454,366	72,797,817	77,576,548	81,041,431
II Other	3,289,116	2,960,799	3,117,908	3,343,015
Division of Emergency Medical Services	16,692,538	17,958,799	18,888,454	19,437,597
I Personnel	15,403,212	16,769,423	17,161,441	17,612,074
II Other	1,289,326	1,189,376	1,727,013	1,825,523
Division of Dog Pound	664,865	757,367	944,863	964,272
I Personnel	569,638	665,278	811,056	821,461
II Other	95,226	92,089	133,807	142,811
Total Public Safety	\$ 257,903,599	\$ 268,723,465	\$ 285,705,656	\$ 294,006,039
Community Relations Board	\$ 847,581	\$ 875,823	\$ 951,478	\$ 980,947
I Personnel	604,718	790,788	841,784	860,097
II Other	242,863	85,035	109,694	120,849
DEPARTMENT OF CONSUMER AFFAIRS				
Consumer Affairs	\$ 847,581	\$ 0	\$ 279,775	\$ 290,679
I Personnel and Related Expenses	604,718	0	218,075	216,924
II Other Expenses	242,863	0	61,700	73,755
Public Service				
Public Service Administration	\$ 428,794	\$ 407,334	\$ 488,268	\$ 493,121
I Personnel	410,107	387,577	455,418	459,867
II Other	18,687	19,757	32,850	33,254
Division of Architecture	570,953	651,856	760,660	767,699
I Personnel	538,228	629,547	720,928	728,376
II Other	32,725	22,309	39,732	39,323
Division of Waste Collection and Disposal	27,597,718	27,397,641	26,946,768	28,415,716
I Personnel	14,437,658	15,835,458	15,235,904	16,071,864
II Other	13,160,060	11,562,183	11,710,864	12,343,852
Division of Engineering and Construction	4,981,877	5,093,557	5,331,812	5,506,402
I Personnel	4,632,501	4,781,983	4,895,907	5,054,937
II Other	349,377	311,574	435,905	451,465
Division of Traffic Engineering	3,577,331	3,712,126	3,865,513	3,968,127
I Personnel	2,740,119	2,926,961	3,143,181	3,190,800
II Other	837,212	785,165	722,332	777,327
Total Public Service	\$ 37,156,673	\$ 37,262,514	\$ 37,393,021	\$ 39,151,065
Parks, Recreation and Properties				
Parks, Recreation, and Properties Admin.	\$ 743,647	\$ 718,508	\$ 842,441	\$ 866,750
I Personnel	571,562	525,104	635,171	651,046
II Other	172,085	193,404	207,270	215,704
Division of Research, Planning, and Dev.	691,825	683,035	751,558	768,583
I Personnel	624,035	604,575	655,559	670,872
II Other	67,790	78,460	95,999	97,711
Division of Recreation	11,772,487	11,900,535	13,058,358	13,520,714
I Personnel	8,772,895	9,088,965	9,850,661	10,087,518
II Other	2,999,592	2,811,570	3,207,697	3,433,195
Division of Parking Facilities	683,701	735,580	842,740	864,438
I Personnel	649,826	700,871	784,545	801,654
II Other	33,876	34,709	58,195	62,784
Division of Property Management	10,929,571	11,291,284	10,451,422	10,844,164
I Personnel	8,386,199	8,933,479	8,402,825	8,641,824
II Other	2,543,372	2,357,805	2,048,597	2,202,339

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
Division of Park Maintenance and Properties	12,752,012	13,802,325	13,759,050	14,225,739
I Personnel	8,829,674	9,412,527	9,391,072	9,563,173
II Other	3,922,338	4,389,798	4,367,978	4,662,566
<b>Total Parks, Recreation and Properties</b>	<b>\$ 37,573,243</b>	<b>\$ 39,131,267</b>	<b>\$ 39,705,569</b>	<b>\$ 41,090,388</b>
Boxing and Wrestling Commission	\$ 976	\$ 0	\$ 0	\$ 0
I Personnel	976	0	0	0
II Other	0	0	0	0
Urban Planning & Development Community Development				
Director's Office	\$ 263,648	\$ 437,452	\$ 179,068	\$ 165,261
I Personnel	263,648	437,452	179,068	165,261
Division of Administrative Services	1,368,348	1,615,220	641,257	993,338
I Personnel	1,368,348	1,334,648	548,143	814,537
II Other		280,572	93,114	178,801
Division of Building and Housing	8,970,549	10,644,546	9,373,513	9,984,963
I Personnel	6,934,782	10,166,276	8,609,303	9,286,016
II Other	2,035,767	478,270	764,210	698,947
Division of Neighborhood Services	957,049	2,144,442	589,368	492,722
I Personnel	957,049	2,144,442	589,368	492,722
Division of Neighborhood Development	1,022,775	1,812,938	497,439	1,098,868
I Personnel	823,634	1,612,712	297,439	967,004
II Other	199,141	200,226	200,000	131,864
<b>Subtotal Community Development</b>	<b>\$ 12,582,369</b>	<b>\$ 16,654,598</b>	<b>\$ 11,280,645</b>	<b>\$ 12,735,152</b>
Regulatory Boards & Commissions				
Landmarks Commission	\$ 100,869	\$ 101,760	\$ 156,679	\$ 157,208
I Personnel	94,729	98,037	142,212	143,126
II Other	6,139	3,723	14,467	14,082
Bd. of Bldg. Standards and Appeals	89,176	83,880	101,128	103,178
I Personnel	72,483	73,574	83,565	84,752
II Other	16,693	10,306	17,563	18,425
Board of Zoning Appeals	251,145	248,075	249,763	257,285
I Personnel	232,261	229,073	229,904	237,162
II Other	18,884	19,002	19,859	20,122
Bd. of Examiners of Plumbers and Elect.	78,278	79,400	106,726	112,047
I Personnel	75,453	77,297	101,914	107,278
II Other	2,825	2,103	4,812	4,769
Fair Campaign Finance Commission	0	1,285	9,852	10,197
II Other	0	1,285	9,852	10,197
<b>Total Regulatory Boards</b>	<b>\$ 519,467</b>	<b>\$ 514,400</b>	<b>\$ 624,148</b>	<b>\$ 639,914</b>
Economic Development	\$ 1,014,595	\$ 1,097,748	\$ 1,392,050	\$ 1,417,184
I Personnel	968,165	1,048,596	1,313,317	1,340,111
II Other	46,431	49,152	78,733	77,073
Office of Equal Opportunity	\$ 509,374	\$ 506,884	\$ 624,859	\$ 644,920
I Personnel	464,928	470,907	566,882	577,388
II Other	44,446	35,977	57,977	67,533
City Planning Commission	\$ 1,328,077	\$ 1,285,509	\$ 1,338,965	\$ 1,358,187
I Personnel	1,263,754	1,230,658	1,226,509	1,236,938
II Other	64,323	54,851	112,456	121,249
Port Control-Harbor Development	\$ 0	\$ 0	\$ 0	\$ 0
I Personnel	0	0	0	0
II Other	0	0	0	0
<b>Total Urban Planning &amp; Development</b>	<b>\$ 15,953,883</b>	<b>\$ 20,059,139</b>	<b>\$ 15,260,667</b>	<b>\$ 16,795,358</b>



	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>Public Health</b>				
Health Administration	\$ 877,678	\$ 827,283	\$ 911,536	\$ 916,277
I Personnel	741,159	775,687	797,851	800,812
II Other	136,519	51,596	113,685	115,465
Division of Correction	5,862,678	5,720,535	5,660,389	5,869,573
I Personnel	4,400,304	4,534,029	4,293,795	4,444,544
II Other	1,462,374	1,186,506	1,366,594	1,425,029
Division of Health	3,448,525	3,367,354	3,774,646	3,853,350
I Personnel	2,204,409	2,186,511	2,519,384	2,545,179
II Other	1,244,116	1,180,843	1,255,262	1,308,171
Division of The Environment	2,276,769	1,968,746	2,066,354	2,187,960
I Personnel	1,923,620	1,633,258	1,285,719	1,298,522
II Other	353,149	335,488	780,635	889,438
<b>Total Public Health</b>	<b>\$ 12,465,650</b>	<b>\$ 11,883,918</b>	<b>\$ 12,412,925</b>	<b>\$ 12,827,161</b>
<b>Aging</b>				
Aging	\$ 269,462	\$ 262,194	\$ 438,817	\$ 459,205
I Personnel	205,883	196,995	334,750	351,053
II Other	63,579	65,199	104,067	108,152
<b>SUPPORT FUNCTIONS</b>				
<b>Financial &amp; Legal Administration</b>				
<b>Finance Department</b>				
Director's Office	\$ 377,789	\$ 329,555	\$ 527,740	\$ 540,737
I Personnel	345,082	294,331	455,343	463,554
II Other	32,707	35,224	72,397	77,183
Division of Accounts	1,387,832	934,455	1,725,728	1,753,847
I Personnel	876,984	887,010	1,120,679	1,134,580
II Other	510,847	47,445	605,049	619,267
Division of Assessments and Licenses	1,073,856	1,112,622	1,383,618	1,406,412
I Personnel	891,134	942,958	1,119,976	1,136,477
II Other	182,722	169,664	263,642	269,934
Division of Treasury	470,281	505,465	645,230	656,249
I Personnel	402,360	429,802	530,777	538,527
II Other	67,922	75,663	114,453	117,723
Division of Purchases and Supplies	556,557	548,060	716,392	720,289
I Personnel	466,268	487,270	601,965	603,442
II Other	90,290	60,790	114,427	116,848
Bureau of Internal Audit	606,280	745,393	1,327,068	1,349,148
I Personnel	441,137	519,915	732,901	740,845
II Other	165,142	225,478	594,167	608,304
Division of Financial Reporting and Control	1,280,296	1,528,284	2,429,654	2,465,492
I Personnel	854,059	1,153,381	1,449,808	1,465,964
II Other	426,237	374,903	979,846	999,528
<b>Total Finance Department</b>	<b>\$ 5,752,891</b>	<b>\$ 5,703,834</b>	<b>\$ 8,755,430</b>	<b>\$ 8,892,175</b>
Office of Budget and Mgmt.- Budget Admin.	\$ 660,977	\$ 663,333	\$ 677,011	\$ 684,203
I Personnel	620,642	618,876	641,051	648,815
II Other	40,335	44,457	35,960	35,388
Law	12,746,795	8,516,370	9,166,906	9,362,795
I Personnel	4,794,854	5,259,057	6,403,970	6,517,900
II Other	7,951,941	3,257,313	2,762,936	2,844,895
<b>Total Finance &amp; Legal Administration</b>	<b>\$ 19,160,663</b>	<b>\$ 14,883,537</b>	<b>\$ 18,599,347</b>	<b>\$ 18,939,173</b>
<b>PERSONNEL ADMINISTRATION</b>				
Personnel	\$ 1,637,892	\$ 1,476,246	\$ 1,819,131	\$ 1,858,041
I Personnel	1,122,924	1,120,572	1,165,786	1,172,236
II Other	514,967	355,674	653,345	685,805

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
Civil Service Commission	989,617	1,226,195	1,090,695	1,119,453
I Personnel	620,504	643,897	711,436	719,324
II Other	369,113	582,298	379,259	400,129
Total Personnel Administration	\$ 2,627,509	\$ 2,702,441	\$ 2,909,826	\$ 2,977,494
NONDEPARTMENTAL				
County Auditor Deductions	\$ 646,531	\$ 767,455	\$ 1,192,000	\$ 1,233,720
II Other	646,531	767,455	1,192,000	1,233,720
Other Administrative	16,095,000	16,114,909	14,914,783	16,084,173
II Other	16,095,000	16,114,909	14,914,783	16,084,173
Total NonDepartmental	\$ 16,741,531	\$ 16,882,364	\$ 16,106,783	\$ 17,317,893
TOTAL SUPPORT FUNCTIONS	\$ 38,529,702	\$ 34,468,342	\$ 37,615,956	\$ 39,234,560
SUBSIDIES TO OTHER FUNDS	39,464,914	41,680,370	24,951,926	24,589,728
TOTAL GENERAL FUND EXPENDITURES	\$ 470,825,484	\$ 488,102,070	\$ 493,090,714	\$ 510,840,021
Excess (deficiency) of Revenues over Expenditures	5,783,917	(13,660,070)	31,503	(48,885,343)
Decertifications	13,100,000	(9,779,000)	897,000	
UNENCUMBERED CASH				
Beginning Balance	3,660,000	22,543,917	(895,153)	33,350
Ending Balance	\$ 22,543,917	\$ (895,153)	\$ 33,350	\$ (48,851,993)
SPECIAL REVENUE FUND GROUP RESTRICTED INCOME TAX FUND				
REVENUE				
LOCAL TAXES				
City Income Tax	\$ 30,806,000	\$ 32,838,000	\$ 30,166,637	\$ 30,980,117
Total Source	\$ 30,806,000	\$ 32,838,000	\$ 30,166,637	\$ 30,980,117
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 400,904	\$ 548,000	\$ 400,303	\$ 400,303
Total Source	\$ 400,904	\$ 548,000	\$ 400,303	\$ 400,303
Total Revenues	\$ 31,206,904	\$ 33,386,000	\$ 30,566,940	\$ 31,380,420
EXPENDITURES				
II Other Operating Costs	\$ 38,259,952	\$ 33,902,000	\$ 30,566,940	\$ 31,380,420
Total Expenditures	\$ 38,259,952	\$ 33,902,000	\$ 30,566,940	\$ 31,380,420
Excess (deficiency) of Revenues over Expenditures	\$ (7,053,048)	\$ (516,000)	\$ 0	\$ (0)
Decertifications	0	586,655	1,447,914	
UNENCUMBERED CASH				
Beginning Balance	5,534,479	(1,518,569)	(1,447,914)	0
Ending Balance	\$ (1,518,569)	\$ (1,447,914)	\$ 0	\$ (0)
STREET CONSTRUCTION MAINTENANCE AND REPAIR				
REVENUES				
LICENSES & PERMITS				
Other Licenses & Permits	\$ 100	\$ 0	\$ 0	\$ 0
Total Source	\$ 100	\$ 0	\$ 0	\$ 0

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>INTERGOVERNMENTAL REVENUE</b>				
Gasoline Excise Tax	\$ 6,018,192	\$ 6,458,538	\$ 6,380,000	\$ 6,380,000
Motor Vehicle License Tax	4,992,994	5,145,875	5,220,000	5,220,000
Total Source	\$ 11,011,186	\$ 11,604,413	\$ 11,600,000	\$ 11,600,000
<b>SALES AND CHARGES FOR SERVICE</b>				
Miscellaneous City Sales	\$ 0	\$ 6,925	\$	\$
Charges for Service	1,784,095	1,726,338	1,700,000	1,679,116
Commissions	0	0	0	0
Total Source	\$ 1,784,095	\$ 1,733,263	\$ 1,700,000	\$ 1,679,116
<b>MISCELLANEOUS REVENUE</b>				
Miscellaneous Revenue	\$ 18,611	\$ 164,770	\$ 165,000	\$ 20,884
Total Source	\$ 18,611	\$ 164,770	\$ 165,000	\$ 20,884
<b>TRANSFERS IN</b>				
Subsidies from Other Funds	\$ 6,536,450	\$ 5,226,395	\$ 6,383,085	\$ 7,156,815
Total Source	\$ 6,536,450	\$ 5,226,395	\$ 6,383,085	\$ 7,156,815
<b>EXPENDITURE RECOVERIES</b>				
Damaged City Property Reimbursement	\$ 4,436	\$ 0	\$ 4,687	\$ 5,000
Expenditure Recoveries	5,449,562	7,638,482	5,183,913	5,183,600
Total Source	\$ 5,453,998	\$ 7,638,482	\$ 5,188,600	\$ 5,188,600
Total Revenues	\$ 24,804,440	\$ 26,367,323	\$ 25,036,685	\$ 25,645,415
<b>STREET CONSTRUCTION MAINTENANCE AND REPAIR</b>				
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 13,366,240	\$ 14,297,718	\$ 15,196,515	\$ 15,419,524
II Other Operating Costs	11,577,972	12,520,604	9,840,170	10,225,891
Total Expenditures	\$ 24,944,212	\$ 26,818,322	\$ 25,036,685	\$ 25,645,415
Excess (deficiency) of Revenues over Expenditures	\$ (139,773)	\$ (450,999)	\$ 0	\$ 0
Decertifications	98,000			
<b>UNENCUMBERED CASH</b>				
Beginning Balance	(239,000)	(280,773)	(731,772)	(731,772)
Ending Balance	\$ (280,773)	\$ (731,772)	\$ (731,772)	\$ (731,772)
<b>SCHOOLS RECREATION AND CULTURAL ACTIVITIES FUND</b>				
<b>REVENUES</b>				
<b>REVENUE TRANSFERS</b>				
Revenue from other funds	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
Total Source	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
<b>MISCELLANEOUS REVENUE</b>				
Miscellaneous Revenue	\$ 36,677	\$ 15,000	\$ 0	\$ 0
Total Source	\$ 36,677	\$ 15,000	\$ 0	\$ 0
Total Revenues	\$ 2,036,677	\$ 2,015,000	\$ 2,000,000	\$ 2,000,000
<b>EXPENDITURES</b>				
II Other Operating Costs	\$ 4,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
Total Expenditures	\$ 4,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
Excess (deficiency) of Revenues over Expenditures	\$ (1,963,323)	\$ 15,000	\$ 0	\$ 0
Decertifications	323			

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>UNENCUMBERED CASH</b>				
Beginning Balance	2,000,000	36,677	51,502	51,502
Ending Balance	\$ 37,000	\$ 51,677	\$ 51,502	\$ 51,502
<b>DEBT SERVICE FUND</b>				
<b>REVENUES</b>				
<b>SALES AND CHARGES FOR SERVICE</b>				
Sales and Charges for Service	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
<b>REVENUE TRANSFERS</b>				
Revenue from Other Funds	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
<b>TRANSFERS IN</b>				
Subsidies from Other Funds	\$ 366,814	\$ 390,195	\$ 547,695	\$ 539,498
Total Source	\$ 366,814	\$ 390,195	\$ 547,695	\$ 539,498
<b>EXPENDITURE RECOVERIES</b>				
Expenditure Recoveries	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
Total Revenues	\$ 366,814	\$ 390,195	\$ 547,695	\$ 539,498
<b>DEBT SERVICE FUND</b>				
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 66,305	\$ 66,761	\$ 94,364	\$ 94,812
II Other Operating Costs	312,729	387,180	429,921	444,686
Total Expenditures	\$ 379,035	\$ 453,941	\$ 524,285	\$ 539,498
Excess (deficiency) of Revenues over Expenditures Decertifications	\$ (12,221)	\$ (63,746)	\$ 23,410	\$ 0
<b>UNENCUMBERED CASH</b>				
Beginning Balance	75,967	63,746	0	23,410
Ending Balance	\$ 63,746	\$ 0	\$ 23,410	\$ 23,410
<b>UNVOTED - TAX SUPPORTED OBLIGATIONS</b>				
<b>REVENUES</b>				
<b>LOCAL TAXES</b>				
Property Tax	\$ 22,907,411	\$ 24,320,908	\$ 24,245,875	\$ 24,488,334
Total Source	\$ 22,907,411	\$ 24,320,908	\$ 24,245,875	\$ 24,488,334
<b>INTERGOVERNMENTAL REVENUE</b>				
Grant Revenue	\$ 364,317	\$ 754,555	\$ 237,120	\$ 250,000
Total Source	\$ 364,317	\$ 754,555	\$ 237,120	\$ 250,000
<b>MISCELLANEOUS REVENUE</b>				
Interest Income	\$ 384,070	\$ 390,015	\$ 294,395	\$ 275,000
Revenue from Visitors Bureau	0	0	0	0
Total Source	\$ 384,070	\$ 390,015	\$ 294,395	\$ 275,000
<b>REVENUE TRANSFERS</b>				
Revenue from Bond Funds State Issue 2	\$ 97,908 0	\$ 0	\$ 134,000 0	\$ 0 0
Total Source	\$ 97,908	\$ 0	\$ 134,000	\$ 0

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>TRANSFERS IN</b>				
Subsidies from Other Funds	\$ 12,650,000	\$ 13,750,000	\$ 15,000,000	\$ 17,450,000
Total Source	\$ 12,650,000	\$ 13,750,000	\$ 15,000,000	\$ 17,450,000
Total Revenues	\$ 36,403,706	\$ 39,215,478	\$ 39,911,390	\$ 42,463,334
<b>EXPENDITURES</b>				
II Other Operating Costs	\$ 38,584,776	\$ 39,958,441	\$ 39,978,519	\$ 38,394,331
Total Expenditures	\$ 38,584,776	\$ 39,958,441	\$ 39,978,519	\$ 38,394,331
Excess (deficiency) of Revenues over Expenditures	(2,181,070)	(742,963)	(67,129)	4,069,003
<b>UNENCUMBERED CASH</b>				
Beginning Balance	3,697,925	1,516,855	773,892	706,763
Ending Balance	\$ 1,516,855	\$ 773,892	\$ 706,763	\$ 4,775,766

## STADIUM BOND FUND

<b>REVENUES</b>				
<b>MISCELLANEOUS REVENUE</b>				
Miscellaneous Revenue	\$ 0	\$ 0	\$ 0	\$ 0
Proceeds from Sale of Debt	0	0	0	0
Revenue Transfers	0	0	0	0
Interest Income	107	0	0	0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
<b>REVENUE TRANSFERS</b>				
Revenue from Bond Funds	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 107	\$ 0	\$ 0	\$ 0
Total Revenues	\$ 0	\$ 0	\$ 0	\$ 0
<b>EXPENDITURES</b>				
II Other Operating Costs	\$ 0	\$ 0	\$ 0	\$ 0
Total Expenditures	\$ 0	\$ 0	\$ 0	\$ 0
Excess (deficiency) of Revenues over Expenditures	\$ 107	\$ 0	\$ 0	\$ 0
<b>UNENCUMBERED CASH</b>				
Beginning Balance	2,233	2,340	2,340	2,340
Ending Balance	\$ 2,340	\$ 2,340	\$ 2,340	\$ 2,340

## SUBORDINATED INCOME TAX BOND FUND

<b>MISCELLANEOUS REVENUE</b>				
Miscellaneous Revenue				
Interest Income	\$ 39,743	\$ 30,000	\$ 0	\$ 0
Principal Payment	0	0	0	0
Total Source	\$ 39,743	\$ 30,000	\$ 0	\$ 0
<b>TRANSFERS IN</b>				
Subsidies from Other Funds	\$ 4,670,000	\$ 5,005,000	\$ 4,700,000	\$ 4,700,000
Total Source	\$ 4,670,000	\$ 5,005,000	\$ 4,700,000	\$ 4,700,000
Total Revenues	\$ 4,709,743	\$ 5,035,000	\$ 4,700,000	\$ 4,700,000

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>EXPENDITURES</b>				
II Other Operating Costs	\$ 4,713,290	\$ 4,415,000	\$ 4,700,000	\$ 4,700,000
Total Expenditures	\$ 4,713,290	\$ 4,415,000	\$ 4,700,000	\$ 4,700,000
Decertifications		(363,000)		
Excess (deficiency) of Revenues over Expenditures	(3,546)	620,000	0	0
<b>UNENCUMBERED CASH</b>				
Beginning Balance	1,324,957	1,321,411	1,578,411	1,578,411
Ending Balance	\$ 1,321,411	\$ 1,578,411	\$ 1,578,411	\$ 1,578,411

**DEPARTMENT OF PUBLIC UTILITIES  
UTILITIES GENERAL ADMINISTRATION**

<b>REVENUES</b>				
<b>SALES AND CHARGES FOR SERVICE</b>				
Vending Machine Concession	\$ 2,766	\$ 5,588	\$ 0	\$ 2,830
Total Source	\$ 2,766	\$ 5,588	\$ 0	\$ 2,830
<b>MISCELLANEOUS REVENUE</b>				
Interest Income	\$ 12,231	\$ 2,419,556	\$ 2,084,000	\$ 13,553
Total Source	\$ 12,231	\$ 2,419,556	\$ 2,084,000	\$ 13,553
<b>EXPENDITURE RECOVERIES</b>				
Expenditure Recoveries	\$ 3,043,335	\$ 597,005	\$ 1,047,100	\$ 3,114,717
Total Source	\$ 3,043,335	\$ 597,005	\$ 1,047,100	\$ 3,114,717
Total Revenues	\$ 3,058,332	\$ 3,022,149	\$ 3,131,100	\$ 3,131,100

**UTILITIES ADMINISTRATION**

<b>EXPENDITURES</b>				
I Personnel Costs	\$ 741,525	\$ 682,619	\$ 775,886	\$ 790,144
II Other Operating Costs	380,011	262,207	271,214	279,318
Total Division	\$ 1,121,536	\$ 944,826	\$ 1,047,100	\$ 1,069,462

**UTILITIES FISCAL CONTROL**

I Personnel Costs	\$ 1,524,359	\$ 1,674,510	\$ 1,922,307	\$ 1,942,873
II Other Operating Costs	115,803	92,871	239,081	243,709
Total Division	\$ 1,640,162	\$ 1,767,381	\$ 2,161,388	\$ 2,186,582
Total Expenditures	\$ 2,761,698	\$ 2,712,207	\$ 3,208,488	\$ 3,256,044
Excess (deficiency) of Revenues over Expenditures	\$ 296,634	\$ 309,942	\$ (77,388)	\$ (124,944)
Decertifications	356	0	0	

<b>UNENCUMBERED CASH</b>				
Beginning Balance	305,217	602,207	874,637	797,249
Ending Balance	\$ 602,207	\$ 912,149	\$ 797,249	\$ 672,305

**RADIO COMMUNICATION**

<b>REVENUES</b>				
<b>MISCELLANEOUS REVENUE</b>				
Interest Income	\$ 20,756	\$ 46,750	\$ 42,024	\$ 30,828
Total Source	\$ 20,756	\$ 46,750	\$ 42,024	\$ 30,828

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>EXPENDITURE RECOVERIES</b>				
Expenditure Recoveries	\$ 975,485	\$ 1,213,654	\$ 2,069,834	\$ 2,019,518
Total Source	\$ 975,485	\$ 1,213,654	\$ 2,069,834	\$ 2,019,518
Transfer in	0	0	452,887	0
Total Revenues	\$ 996,241	\$ 1,260,404	\$ 2,564,745	\$ 2,050,346
I Personnel Costs	\$ 36,109	\$ 41,051	\$ 45,741	\$ 46,753
II Other Operating Costs	1,582,928	1,490,520	1,938,380	2,003,594
Total Expenditures	\$ 1,619,038	\$ 1,531,571	\$ 1,984,121	\$ 2,050,346
Excess (deficiency) of Revenues over Expenditures	\$ (622,797)	\$ (271,167)	\$ 580,624	\$ 0
Decertifications	52,309			
<b>UNENCUMBERED CASH</b>				
Beginning Balance	900,089	329,601	(580,624)	0
Ending Balance	\$ 329,601	\$ 58,434	\$ 0	\$ 0

**DIVISION OF WATER  
WATER GENERAL OPERATIONS**

<b>REVENUES</b>				
<b>SALES AND CHARGES FOR SERVICE</b>				
Water Sales	\$ 201,357,647	\$ 212,022,428	\$ 191,750,128	\$ 181,502,600
Water-Other Operating Revenues	0		0	0
Total Source	\$ 201,357,647	\$ 212,022,428	\$ 191,750,128	\$ 181,502,600
<b>MISCELLANEOUS REVENUE</b>				
Interest Income	\$ 18,147,536	\$ 21,120,834	\$ 18,929,872	\$ 29,177,400
Total Source	\$ 18,147,536	\$ 21,120,834	\$ 18,929,872	\$ 29,177,400
Total Revenues	\$ 219,505,183	\$ 233,143,262	\$ 210,680,000	\$ 210,680,000
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 56,698,873	\$ 61,827,431	\$ 64,489,095	\$ 66,535,677
II Other Operating Costs	152,653,646	185,576,196	153,510,905	157,386,913
Total Expenditures	\$ 209,352,519	\$ 247,403,627	\$ 218,000,000	\$ 223,922,590
Excess (deficiency) of Revenues over Expenditures	\$ 10,214,168	\$ (14,260,365)	\$ (7,320,000)	\$ (13,242,590)
Decertifications	8,180,353			
<b>UNENCUMBERED CASH</b>				
Beginning Balance	77,596,372	95,929,389	70,911,268	63,591,268
Ending Balance	\$ 95,929,389	\$ 81,669,024	\$ 63,591,268	\$ 50,348,678

**DIVISION OF WATER POLLUTION CONTROL  
WATER POLLUTION GENERAL OPERATIONS**

<b>REVENUES</b>				
<b>SALES AND CHARGES FOR SERVICE</b>				
Water Pollution Control Sales	\$ 18,091,578	\$ 18,623,268	\$ 18,801,000	\$ 20,201,000
Total Source	\$ 18,091,578	\$ 18,623,268	\$ 18,801,000	\$ 20,201,000
<b>MISCELLANEOUS REVENUE</b>				
Sale of City Assets	\$ 0	\$	\$	\$
Interest Income	1,500,905	2,298,308	1,400,000	1,470,000
Total Source	\$ 1,500,905	\$ 2,298,308	\$ 1,400,000	\$ 1,470,000
Total Revenues	\$ 19,592,483	\$ 20,921,576	\$ 20,201,000	\$ 21,671,000

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 6,659,547	\$ 7,317,080	\$ 7,911,547	\$ 8,138,345
II Other Operating Costs	13,556,460	14,414,158	13,379,920	14,595,565
Total Expenditures	\$ 20,216,007	\$ 21,731,238	\$ 21,291,467	\$ 22,733,910
Excess (deficiency) of Revenues over Expenditures	\$ (623,523)	\$ (809,662)	\$ (1,090,467)	\$ (2,532,910)
Decertifications	(1,210,435)			
<b>UNENCUMBERED CASH</b>				
Beginning Balance	8,862,225	7,028,267	7,010,243	5,919,776
Ending Balance	\$ 7,028,267	\$ 6,218,605	\$ 5,919,776	\$ 3,386,866

**CLEVELAND PUBLIC POWER  
CLEVELAND PUBLIC POWER GENERAL OPERATIONS**

<b>REVENUES</b>				
<b>SALES AND CHARGES FOR SERVICE</b>				
C.P.P. Sales	\$ 134,118,111	\$ 124,275,056	\$ 126,827,000	\$ 142,593,987
Total Source	\$ 134,118,111	\$ 124,275,056	\$ 126,827,000	\$ 142,593,987
<b>MISCELLANEOUS REVENUE</b>				
Miscellaneous Revenue	\$ 0	\$ 2,762,200	\$ 3,000,000	\$ 2,138,333
Interest Income	2,497,915			
Total Source	\$ 2,497,915	\$ 2,762,200	\$ 3,000,000	\$ 2,138,333
Total Revenues	\$ 136,616,027	\$ 127,037,256	\$ 129,827,000	\$ 144,732,320
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 21,708,623	\$ 22,727,561	\$ 24,225,318	\$ 24,946,594
II Other Operating Costs	109,481,927	110,142,442	105,601,682	115,962,304
Total Expenditures	\$ 131,190,551	\$ 132,870,003	\$ 129,827,000	\$ 140,908,898
Excess (deficiency) of Revenues over Expenditures	\$ 5,425,476	\$ (5,832,747)	\$ 0	\$ 3,823,422
Decertifications	1,466,188			
<b>UNENCUMBERED CASH</b>				
Beginning Balance	24,294,551	31,186,215	14,301,281	14,301,281
Ending Balance	\$ 31,186,215	\$ 25,353,468	\$ 14,301,281	\$ 18,124,703

**DEPARTMENT OF PORT CONTROL  
AIRPORT GENERAL OPERATIONS**

<b>REVENUES</b>				
<b>INTERGOVERNMENTAL REVENUE</b>				
Grant Revenue	\$ 767,853	\$ (767,853)	\$ 2,417,739	\$ 2,417,739
Total Source	\$ 767,853	\$ (767,853)	\$ 2,417,739	\$ 2,417,739
<b>SALES AND CHARGES FOR SERVICES</b>				
Charges for Service	\$ 13,077	\$ 11,164	\$ 15,741	\$ 15,741
Airport Landing Fees	32,491,965	27,738,225	39,110,581	39,110,581
Airport Space Rentals	13,893,158	11,860,518	16,723,195	16,723,195
Airport Ground Rentals	12,065,538	10,300,288	14,523,289	14,523,289
Airport Concession Revenue	21,252,401	18,143,066	25,581,517	25,581,517
Airport Utility Sales	3,554,764	3,034,683	4,278,869	4,278,869
Airport Customs Fees	643,965	549,750	775,141	775,141
Total Source	\$ 83,914,868	\$ 71,637,694	\$ 101,008,333	\$ 101,008,333
<b>MISCELLANEOUS REVENUE</b>				
Sales of Capital Plant	\$ 0	\$ 0	\$ 0	\$ 0
Sale of City Assets	0			
Miscellaneous Revenue	3,021,230	4,078,865	5,748,141	5,748,141



	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
Small Claims	0		0	0
Interest Income	2,130,601	2,152,390	3,033,255	3,033,255
Total Source	\$ 5,151,831	\$ 6,231,255	\$ 8,781,396	\$ 8,781,396
<b>EXPENDITURE RECOVERIES</b>				
Damaged City Property Reimbursement	\$ 107,529	\$ 19,575	\$ 1,185,175	\$ 1,185,175
<b>EXPENDITURE RECOVERIES</b>				
Total Source	\$ 107,529	\$ 19,575	\$ 1,185,175	\$ 1,185,175
Total Revenues	\$ 89,942,081	\$ 77,120,671	\$ 113,392,643	\$ 113,392,643
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 18,048,218	\$ 19,321,727	\$ 22,345,605	\$ 22,731,617
II Other Operating Costs	74,769,975	77,423,490	86,043,963	88,095,386
Total Expenditures	\$ 92,818,193	\$ 96,745,217	\$ 108,389,568	\$ 110,827,002
Excess (deficiency) of Revenues over Expenditures Decertifications	\$ (2,876,112) 2,829,727	\$ (19,624,546)	\$ 5,003,075	\$ 2,565,641
<b>UNENCUMBERED CASH</b>				
Beginning Balance	100,000	53,615	(4,833,984)	169,091
Ending Balance	\$ 53,615	\$ (19,570,931)	\$ 169,091	\$ 2,734,732
<b>AIRPORT DEVELOPMENT FUND</b>				
<b>REVENUES</b>				
<b>MISCELLANEOUS REVENUE</b>				
Miscellaneous Revenue	\$ 0	\$ 0	\$ 60,000	\$
Interest Income	0			
Total Source	\$ 0	\$	\$ 60,000	\$ 60,000
Total Revenues	\$ 0	\$ 0	\$ 60,000	\$ 60,000
<b>EXPENDITURES</b>				
II Other Operating Costs	\$ 13,872	\$ 0	\$ 0	\$ 0
Total Expenditures	\$ 13,872	\$ 0	\$ 0	\$ 0
Excess (deficiency) of Revenues over Expenditures Decertifications	\$ (13,872) 0	\$ 0	\$ 60,000	\$ 60,000
<b>UNENCUMBERED CASH</b>				
Beginning Balance	106,233 128,802	221,163	(332,887)	(272,887)
Ending Balance	\$ 221,163	\$ 221,163	\$ (272,887)	\$ (212,887)
<b>DIVISION OF CEMETERIES CEMETERIES GENERAL OPERATIONS</b>				
<b>REVENUES</b>				
<b>SALES AND CHARGES FOR SERVICES</b>				
Cemetery Fees	\$ 2,167,669	\$ 1,652,530	\$ 2,470,182	\$ 2,470,182
Total Source	\$ 2,167,669	\$ 1,652,530	\$ 2,470,182	\$ 2,470,182
<b>MISCELLANEOUS REVENUE</b>				
Sale of City Assets	\$ 0	\$	\$	\$ 0
Endowment Income	256,898	495,200	497,500	497,500
Total Source	\$ 256,898	\$ 495,200	\$ 497,500	\$ 497,500

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>TRANSFERS IN</b>				
Subsidies from Other Funds	\$ 0	\$ 0	\$	\$ (401,718)
Total Source	\$ 0	\$ 0	\$	\$ (401,718)
Total Revenues	\$ 2,424,566	\$ 2,147,730	\$ 2,967,682	\$ 2,565,964
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 1,597,614	\$ 1,673,707	\$ 1,838,651	\$ 1,896,121
II Other Operating Costs	601,961	543,616	582,550	620,014
Total Expenditures	\$ 2,199,576	\$ 2,217,323	\$ 2,421,201	\$ 2,516,135
Excess (deficiency) of Revenues over Expenditures	\$ 224,990	\$ (69,593)	\$ 546,481	\$ 49,829
Decertifications	569			
<b>UNENCUMBERED CASH</b>				
Beginning Balance	866,064	1,091,623	(596,311)	(49,830)
Ending Balance	\$ 1,091,623	\$ 1,022,030	\$ (49,830)	\$ (1)

## GOLF COURSES

<b>REVENUES</b>				
<b>SALES AND CHARGES FOR SERVICES</b>				
Charges for Service	\$ 1,285,642	\$ 1,342,407	\$ 1,436,577	\$ 1,436,577
Concession Revenue	683,213	713,379	763,423	763,423
Total Source	\$ 1,968,855	\$ 2,055,786	\$ 2,200,000	\$ 2,200,000
<b>MISCELLANEOUS REVENUE</b>				
Miscellaneous Revenue	\$ 49,721	\$ (34,167)	\$ 349,206	\$ 349,206
Interest Income	41,118	86,127		
Total Source	\$ 90,839	\$ 51,960	\$ 349,206	\$ 349,206
Total Revenues	\$ 2,059,243	\$ 2,107,746	\$ 2,549,206	\$ 2,549,206
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 838,754	\$ 428,305	\$ 1,109,701	\$ 1,128,272
II Other Operating Costs	1,384,730	1,294,004	1,138,128	1,583,154
Total Expenditures	\$ 2,223,485	\$ 1,722,309	\$ 2,247,829	\$ 2,711,426
Excess (deficiency) of Revenues over Expenditures	\$ (163,792)	\$ 385,437	\$ 301,377	\$ (162,220)
Decertifications	501,194			
<b>UNENCUMBERED CASH</b>				
Beginning Balance	1,188,773	1,526,175	1,904,309	2,205,686
Ending Balance	\$ 1,526,175	\$ 1,911,612	\$ 2,205,686	\$ 2,043,466

## MUNICIPAL PARKING LOTS

<b>REVENUES</b>				
<b>LOCAL TAXES</b>				
Parking Tax	\$ 507,001	\$ 366,178	\$ 357,867	\$ 357,867
Total Source	\$ 507,001	\$ 366,178	\$ 357,867	\$ 357,867
<b>SALES AND CHARGES FOR SERVICES</b>				
Charges for Service	\$ 2,874,846	\$ 5,026,743	\$ 5,218,273	\$ 5,218,273
Concession Revenue	0		0	0
Rental of City Property	180,000		326,727	326,727
Total Source	\$ 3,054,846	\$ 5,026,743	\$ 5,545,000	\$ 5,545,000
<b>MISCELLANEOUS REVENUE</b>				
Miscellaneous Revenue	\$ 11,585	\$ 11,078	\$ 8,262	\$ 8,262
Interest Income	895,653	856,428	638,767	638,767
Total Source	\$ 907,238	\$ 867,506	\$ 647,029	\$ 647,029

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>REVENUE TRANSFERS</b>				
Revenue from General Fund	\$ 0	\$	\$	\$
Revenue from Bond Funds	2,077,189	1,904,152	2,000,000	2,000,000
Total Source	\$ 2,077,189	\$ 1,904,152	\$ 2,000,000	\$ 2,000,000
<b>EXPENDITURE RECOVERIES</b>				
Damaged City Property Reimbursement	\$ 1,104	\$	\$	\$
Expenditure Recoveries	772,685	602,032	480,350	480,350
Total Source	\$ 773,789	\$ 602,032	\$ 480,350	\$ 480,350
Total Revenues	\$ 7,320,063	\$ 8,766,611	\$ 9,030,246	\$ 9,030,246
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 749,888	\$ 809,516	\$ 958,919	\$ 976,509
II Other Operating Costs	7,314,241	5,894,059	7,390,629	7,443,655
	\$ 8,064,129	\$ 6,703,575	\$ 8,349,548	\$ 8,420,165
Excess (deficiency) of Revenues over Expenditures Decertifications	\$ (744,066) 2,121,854	\$ 2,063,036	\$ 680,698	\$ 610,081
<b>UNENCUMBERED CASH</b>				
Beginning Balance	1,401,362	2,779,150	3,333,576	4,014,274
Ending Balance	\$ 2,779,150	\$ 4,842,186	\$ 4,014,274	\$ 4,624,355
<b>CLEVELAND CONVENTION CENTER</b>				
<b>REVENUES</b>				
<b>LOCAL TAXES</b>				
Hotel Tax	\$ 3,881,796	\$ 3,444,341	\$ 3,700,000	\$ 3,700,000
Total Source	\$ 3,881,796	\$ 3,444,341	\$ 3,700,000	\$ 3,700,000
<b>SALES AND CHARGES FOR SERVICE</b>				
Charges for Service	\$ 44	\$	\$ 44	\$ 44
Commissions	225,172	204,747 + 7	228,499	228,499
Rental of City Property	88,191	500,000	89,494	89,494
Convention Center Ticket Receipts	1,903,832	1,963,515	1,931,962	1,931,962
Total Source	\$ 2,217,239	\$ 2,463,515	\$ 2,250,000	\$ 2,250,000
<b>MISCELLANEOUS REVENUE</b>				
Sale of City Assets	\$ 0	\$	\$	\$
Refunds	0	95,476		
Miscellaneous Revenue	0			
Interest Income	40,032	11,969	50,000	50,000
Total Source	\$ 40,032	\$ 107,445	\$ 50,000	\$ 50,000
<b>TRANSFERS IN</b>				
Subsidies from Other Funds	\$ 174,111	\$ 64,508	\$ 0	\$ 0
Total Source	\$ 174,111	\$ 64,508	\$ 0	\$ 0
<b>EXPENDITURE RECOVERIES</b>				
Damaged City Property Reimbursement	\$ 3,623	\$	\$	\$
Expenditure Recoveries	360,436	459,821	365,000	365,000
Total Source	\$ 364,059	\$ 459,821	\$ 365,000	\$ 365,000
Total Revenues	\$ 6,677,237	\$ 6,539,630	\$ 6,365,000	\$ 6,365,000

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 2,063,515	\$ 2,473,875	\$ 1,709,217	\$ 1,782,011
II Other Operating Costs	4,036,821	3,862,003	4,760,253	5,088,988
Total Expenditures	\$ 6,100,336	\$ 6,335,878	\$ 6,469,470	\$ 6,870,999
Excess (deficiency) of Revenues over Expenditures	\$ 576,901	\$ 203,752	\$ (104,470)	\$ (505,999)
Decertifications	0			
<b>UNENCUMBERED CASH</b>				
Beginning Balance	95,000	671,901	1,141,946	1,037,476
Ending Balance	\$ 671,901	\$ 875,653	\$ 1,037,476	\$ 531,477

## CLEVELAND WEST SIDE MARKET

<b>REVENUES</b>				
<b>SALES AND CHARGES FOR SERVICE</b>				
Rental of City Property	\$ 887,929	\$ 578,545	\$ 1,316,494	\$ 1,316,494
Total Source	\$ 887,929	\$ 578,545	\$ 1,316,494	\$ 1,316,494
<b>MISCELLANEOUS REVENUE</b>				
Miscellaneous Revenue	\$ 8,148	\$ 15,419	\$ 21,107	\$ 21,107
Interest Income	16,083	18,670	24,043	24,043
Total Source	\$ 24,231	\$ 34,089	\$ 45,150	\$ 45,150
<b>EXPENDITURE RECOVERIES</b>				
Expenditure Recoveries	\$ 15,531	\$ 6,980	\$ 22,830	\$ 22,830
Total Source	\$ 15,531	\$ 6,980	\$ 22,830	\$ 22,830
Total Revenues	\$ 927,691	\$ 619,614	\$ 1,384,474	\$ 1,384,474
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 296,769	\$ 345,580	\$ 397,194	\$ 411,453
II Other Operating Costs	843,782	754,477	760,836	797,321
Total Expenditures	\$ 1,140,550	\$ 1,100,057	\$ 1,158,030	\$ 1,208,774
Excess (deficiency) of Revenues over Expenditures	\$ (212,859)	\$ (480,443)	\$ 226,444	\$ 175,700
Decertifications	(8,416)			
<b>UNENCUMBERED CASH</b>				
Beginning Balance	482,616	261,341	(212,638)	13,806
Ending Balance	\$ 261,341	\$ (219,102)	\$ 13,806	\$ 189,506

## CLEVELAND EAST SIDE MARKET

<b>REVENUES</b>				
<b>SALES AND CHARGES FOR SERVICE</b>				
Charges for Services	\$ 54,653	\$ 27,384	\$ 78,400	\$ 78,400
Total Source	\$ 54,653	\$ 27,384	\$ 78,400	\$ 78,400
<b>MISCELLANEOUS REVENUE</b>				
Interest Income	4,892	8,355	0	0
Total Source	\$ 4,892	\$ 8,355	\$ 0	\$ 0
Total Revenues	\$ 59,545	\$ 35,739	\$ 78,400	\$ 78,400
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 27,159	\$ 30,359	\$ 54,511	\$ 55,162
II Other Operating Costs	30,828	34,102	17,670	18,288
Total Expenditures	\$ 57,987	\$ 64,461	\$ 72,181	\$ 73,450
Excess (deficiency) of Revenues over Expenditures	\$ 1,558	\$ (28,722)	\$ 6,219	\$ 4,950
Decertifications	13,199			

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>UNENCUMBERED CASH</b>				
Beginning Balance	268,800	283,558	232,266	238,485
Ending Balance	\$ 283,558	\$ 254,836	\$ 238,485	\$ 243,435
<b>INTERNAL SERVICE FUND GROUP TELEPHONE EXCHANGE</b>				
<b>REVENUES</b>				
<b>SALES AND CHARGES FOR SERVICE</b>				
Commissions	\$ 100,972	\$ 279,372	\$ 300,000	\$ 448,248
Total Source	\$ 100,972	\$ 279,372	\$ 300,000	\$ 448,248
<b>MISCELLANEOUS REVENUE</b>				
Interest Income	\$ 0	\$ 7,137	\$ 0	\$ 0
Total Source	\$ 0	\$ 7,137	\$ 0	\$ 0
<b>EXPENDITURE RECOVERIES</b>				
Expenditure Recoveries	\$ 6,141,887	\$ 3,321,845	\$ 5,593,857	\$ 5,410,703
Total Source	\$ 6,141,887	\$ 3,321,845	\$ 5,593,857	\$ 5,410,703
Total Revenues	\$ 6,242,859	\$ 3,608,354	\$ 5,893,857	\$ 5,858,951
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 287,063	\$ 329,725	\$ 271,329	\$ 284,842
II Other Operating Costs	4,727,494	4,185,475	4,821,575	5,274,620
Total Expenditures	\$ 5,014,558	\$ 4,515,200	\$ 5,092,904	\$ 5,559,461
Excess (deficiency) of Revenues over Expenditures	\$ 1,228,302	\$ (906,846)	\$ 800,953	\$ 299,490
Decertifications	(1,307,452)			
<b>UNENCUMBERED CASH</b>				
Beginning Balance	79,150	0	(800,443)	510
Ending Balance	\$ 0	\$ (906,846)	\$ 510	\$ 300,000
<b>INFORMATION SYSTEMS SERVICES</b>				
<b>REVENUES</b>				
<b>MISCELLANEOUS REVENUE</b>				
Miscellaneous Revenue	\$ 2,902	\$ 3,042	\$ 0	\$ 801,238
Interest Income	0			
Total Source	\$ 2,902	\$ 3,042	\$ 0	\$ 801,238
<b>TRANSFERS IN</b>				
Subsidies from other funds	\$ 0	\$	\$ 801,238	\$ 0
Total Source	\$ 0	\$	\$ 801,238	\$ 0
<b>EXPENDITURE RECOVERIES</b>				
Expenditure Recoveries	\$ 118,296	\$ 1,565,011	\$ 3,103,810	\$ 1,595,705
Total Source	\$ 118,296	\$ 1,565,011	\$ 3,103,810	\$ 1,595,705
Total Revenues	\$ 121,197	\$ 1,568,053	\$ 3,905,048	\$ 2,396,943
<b>INFORMATION SYSTEMS SERVICES</b>				
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 1,298,996	\$ 1,666,479	\$ 1,764,963	\$ 1,673,049
II Other Operating Costs	584,520	541,275	1,014,599	726,324
Total Expenditures	\$ 1,883,516	\$ 2,207,754	\$ 2,779,562	\$ 2,399,373
Excess (deficiency) of Revenues over Expenditures	\$ (1,762,319)	\$ (639,701)	\$ 1,125,486	\$ (2,430)
Decertifications	1,758,707			
Beginning Balance	8,455	4,843	(1,040,569)	84,917
Ending Balance	\$ 4,843	\$ (634,858)	\$ 84,917	\$ 82,487

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>MOTOR VEHICLE MAINTENANCE</b>				
<b>REVENUES</b>				
<b>SALES AND CHARGES FOR SERVICE</b>				
Miscellaneous City Sales	\$ 0	\$ 14,030	\$ 0	\$ 0
Total Source	\$ 0	\$ 14,030	\$ 0	\$ 0
<b>MISCELLANEOUS REVENUE</b>				
Sale of City Assets	\$ 0	\$	\$	\$
Miscellaneous Revenue	49,926	153,525	72,000	0
Interest Income	49,427	163,146	78,000	0
Total Source	\$ 99,353	\$ 316,671	\$ 150,000	\$ 0
<b>TRANSFERS IN</b>				
Recovery of past deficits	\$ 0	\$ 0	\$ 974,807	\$ 1,124,807
Total Source	\$ 0	\$ 0	\$ 974,807	\$ 1,124,807
<b>EXPENDITURE RECOVERIES</b>				
<b>Damaged City Property</b>				
Reimbursement	\$ 0	\$	\$	\$
Expenditure Recoveries	16,155,797	14,109,847	18,267,446	17,035,849
Total Source	\$ 16,155,797	\$ 14,109,847	\$ 18,267,446	\$ 17,035,849
Total Revenues	\$ 16,255,150	\$ 14,440,548	\$ 19,392,253	\$ 18,160,656
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 5,074,296	\$ 5,056,282	\$ 5,524,276	\$ 5,646,034
II Other Operating Costs	12,428,757	11,388,532	12,155,621	12,600,301
Total Expenditures	\$ 17,053,053	\$ 16,444,814	\$ 17,679,897	\$ 18,246,335
Excess (deficiency) of Revenues over Expenditures	\$ (1,247,903)	\$ (2,004,266)	\$ 1,712,356	\$ (85,679)
Decertifications	(1,410,987)			
<b>UNENCUMBERED CASH</b>				
Beginning Balance	2,733,314	74,424	(1,626,677)	85,679
Ending Balance	\$ 74,424	\$ (1,929,842)	\$ 85,679	\$ 0
<b>PRINTING AND REPRODUCTION</b>				
<b>REVENUES</b>				
<b>MISCELLANEOUS REVENUE</b>				
Miscellaneous Revenue	\$ 1,390	\$ 2,614	\$ 0	\$ 0
Interest Income	10,601	28,089	0	0
Total Source	\$ 11,991	\$ 30,703	\$ 0	\$ 0
<b>EXPENDITURE RECOVERIES</b>				
Expenditure Recoveries	\$ 1,284,712	\$ 1,411,094	\$ 1,238,964	\$ 809,332
Total Source	\$ 1,284,712	\$ 1,411,094	\$ 1,238,964	\$ 809,332
Total Revenues	\$ 1,296,703	\$ 1,441,797	\$ 1,238,964	\$ 809,332
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 500,792	\$ 524,604	\$ 559,951	\$ 567,599
II Other Operating Costs	697,009	536,111	678,105	702,136
Total Expenditures	\$ 1,197,802	\$ 1,060,715	\$ 1,238,056	\$ 1,269,736
Excess (deficiency) of Revenues over Expenditures	\$ 98,901	\$ 381,082	\$ 908	\$ (460,404)
Decertifications	8,716			
<b>UNENCUMBERED CASH</b>				
Beginning Balance	72,771	180,388	459,496	460,404
Ending Balance	\$ 180,388	\$ 561,470	\$ 460,404	\$ 0
<b>CITY STOREROOM &amp; WAREHOUSE CITY STOREROOM AND WAREHOUSE</b>				
<b>REVENUES</b>				
<b>EXPENDITURE RECOVERIES</b>				
Expenditure Recoveries	\$ 654,818	\$ 668,812	\$ 889,956	\$ 897,022
Total Source	\$ 654,818	\$ 668,812	\$ 889,956	\$ 897,022
Total Revenues	\$ 654,818	\$ 668,812	\$ 889,956	\$ 897,022

	2000 ACTUAL	2001 ACTUAL	2002 BUDGET	2003 TAX BUDGET
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 48,330	\$ 34,313	\$ 33,918	\$ 63,388
II Other Operating Costs	678,835	701,415	747,914	833,707
Total Expenditures	\$ 727,165	\$ 735,728	\$ 781,832	\$ 897,095
Excess (deficiency) of Revenues over Expenditures	\$ (72,347)	\$ (66,916)	\$ 108,124	\$ (73)
Decertifications	41,473			
<b>UNENCUMBERED CASH</b>				
Beginning Balance	35,878	5,004	(108,051)	73
Ending Balance	\$ 5,004	\$ (61,912)	\$ 73	\$ 0

CENTRAL COLLECTION AGENCY

<b>REVENUES</b>				
<b>LOCAL TAXES</b>				
City Income Tax	\$ 0	\$ 4,060,000	\$ 6,000,000	\$ 6,000,000
Total Source	\$ 0	\$ 4,060,000	\$ 6,000,000	\$ 6,000,000
<b>MISCELLANEOUS REVENUE</b>				
Miscellaneous Revenue	\$ 0	\$ 137,230	\$ 140,000	\$ 140,000
Total Source	\$ 0	\$ 137,230	\$ 140,000	\$ 140,000
<b>EXPENDITURE RECOVERIES</b>				
Expenditure Recoveries	\$ 6,722	\$ 1,753,181	\$ 1,809,000	\$ 1,809,000
Total Source	\$ 6,722	\$ 1,753,181	\$ 1,809,000	\$ 1,809,000
Total Revenues	\$ 6,722	\$ 5,950,411	\$ 7,949,000	\$ 7,949,000
<b>EXPENDITURES</b>				
I Personnel Costs	\$ 3,520,253	\$ 3,895,313	\$ 4,761,922	\$ 4,814,892
II Other Operating Costs	2,106,665	2,211,458	3,038,932	3,123,136
Total Expenditures	\$ 5,626,918	\$ 6,106,771	\$ 7,800,854	\$ 7,938,029
Excess (deficiency) of Revenues over Expenditures	\$ (5,620,195)	\$ (156,360)	\$ 148,146	\$ 10,971
Decertifications	7,295,868			
<b>UNENCUMBERED CASH</b>				
Beginning Balance	177,172	1,852,845	(141,799)	6,347
Ending Balance	\$ 1,852,845	\$ 1,696,485	\$ 6,347	\$ 17,318

STATEMENT OF PERMANENT IMPROVEMENT

Description	Estimated Cost of Permanent Improvement	Amount to be Budgeted During Current Year	Name of Paying Fund
Transportation Network	500,000	500,000	Restricted Income Tax
Vehicle Purchases & Leases	6,000,000	6,000,000	Restricted Income Tax
Major Equipment/Non-Vehicular Purchase & Lease	4,880,000	4,880,000	Restricted Income Tax
Public Buildings & Facilities	3,000,000	3,000,000	Restricted Income Tax
TOTAL	14,380,000	14,380,000	

STATEMENT OF AMOUNTS REQUIRED FOR PAYMENT OF FINAL JUDGMENTS

Description of Judgment	Amount of Judgment	Fund Paying Judgment
Employment	70,000	General Fund
Litigation	750,000	Enterprise Fund
TOTAL	820,000	

CITY OF CLEVELAND SINKING FUND COMMISSION  
 FUTURE DEBT SERVICE REQUIREMENTS  
 UNVOTED TAX SUPPORTED OBLIGATIONS

PURPOSE	MONTH DUE	ISSUE DATE	MATURITY DATE	INTEREST RATE	12/31/02 BALANCE	2003 PRINCIPAL	2003 INTEREST	TOTAL DUE
AUDITORIUM IMP.	FEB./AUG.	1977	2003	6.000%	60,000	60,000	3,600	63,600
BREAKWALL	FEB./AUG.	1977	2003	6.000%	80,000	80,000	4,800	84,800
BREAKWALL	FEB./AUG.	1977	2003	6.000%	50,000	50,000	3,000	53,000
BRIDGE IMP.	FEB./AUG.	1977	2003	6.000%	20,000	20,000	1,200	21,200
BRIDGE IMPROVEMENTS	JUNE*/DEC.	1976	2003	7.000%	60,000	60,000	2,100	62,100
BRIDGE & ROADWAY	APR/OCT	1998	2015	VAR	8,965,000	530,000	394,985	924,985
BRIDGE & ROADWAY	FEB./AUG.	1997	2014	VAR	8,100,000	500,000	450,038	950,038
BRIDGE & ROADWAY	JAN/JUL	1992	2009	VAR	755,000	755,000	46,055	801,055
BRIDGES & ROADS	MAR/SEP	1993	2009	VAR	4,860,000	595,000	253,149	848,149
BRIDGES & ROADS	MAY/NOV.	1994	2012	VAR	4,105,000	1,290,000	247,750	1,537,750
BRIDGES & ROADS	MAY/NOV.	1999	2016	VAR	13,415,000	695,000	681,250	1,376,250
BRIDGES & ROADS	MAR/SEP	1996	2013	VAR	13,140,000	920,000	690,571	1,610,571
BUILDINGS & FACILITIES	MAY/NOV.	1994	2018	VAR	975,000	305,000	58,845	363,845
CEMETERY IMPROVEMENT	APR/OCT	1998	2018	VAR	1,615,000	70,000	72,009	142,009
CITY'S PORTION CTS.	JUNE*/DEC.	1976	2003	7.000%	235,000	235,000	8,225	243,225
CITY'S PORTION CTS.	JUNE*/DEC.	1976	2003	7.000%	140,000	140,000	4,900	144,900
CONVENTION CENTER	JUNE/DEC.	1984	2003	6.000%	175,000	175,000	10,500	185,500
CONVENTION CENTER	MAR/SEP	1996	2015	VAR	1,565,000	90,000	83,026	173,026
FIRE APPARATUS	MAY/NOV.	1999	2009	VAR	625,000	80,000	29,190	109,190
FIRE STATION	FEB./AUG.	1977	2003	6.000%	40,000	40,000	2,400	42,400
FREEWAY	FEB./AUG.	1977	2003	6.000%	50,000	50,000	3,000	53,000
NEIGHBORHOOD DEV.	MAR/SEP	1996	2014	VAR	800,000	50,000	42,263	92,263
PARK ACQUISITION	FEB./AUG.	1977	2003	6.000%	10,000	10,000	600	10,600
PARKS & RECREATION	APR/OCT	1998	2018	VAR	3,105,000	140,000	138,446	278,446
PARKS & RECREATION	FEB./AUG.	1997	2017	VAR	2,495,000	110,000	136,502	246,502
PARKS & RECREATION	MAY/NOV.	1994	2018	VAR	625,000	195,000	37,720	232,720
PARKS & RECREATION	MAY/NOV.	1999	2019	VAR	3,080,000	120,000	158,692	278,692
PARKS & RECREATION	MAR/SEP	1996	2015	VAR	3,925,000	220,000	208,211	428,211
PUBLIC FACILITIES	APR/OCT	1998	2018	VAR	5,960,000	265,000	265,796	530,796
PUBLIC FACILITIES	FEB./AUG.	1997	2017	VAR	9,220,000	415,000	504,298	919,298
PUBLIC FACILITIES	JAN/JUL	1992	2012	VAR	265,000	265,000	16,165	281,165
PUBLIC FACILITIES	MAR/SEP	1993	2013	VAR	6,510,000	455,000	343,751	798,751
PUBLIC FACILITIES	MAR/SEP	1996	2020	VAR	2,160,000	75,000	116,170	191,170
PUBLIC FACILITIES	MAY/NOV.	1999	2019	VAR	4,140,000	160,000	213,276	373,276
PUBLIC FACILITIES	JUNE/DEC.	2000	2020	VAR	8,675,000	310,000	444,670	754,670
RECREATION FACILITIES	JAN/JUL	1992	2012	VAR	260,000	260,000	15,860	275,860
RECREATION FACILITIES	MAR/SEP	1993	2012	VAR	2,465,000	195,000	129,850	324,850
RECREATION FACILITIES	JUNE/DEC.	2000	2020	VAR	4,865,000	175,000	249,344	424,344
RESIDENTL.& REDVLPMT.	MAY/NOV.	1994	2018	VAR	100,000	30,000	6,035	36,035
RESIDENTIAL AREA IMP.	FEB./AUG	1997	2017	VAR	840,000	40,000	45,923	85,923
RESIDENT REDEVELOPMENT	JAN/JUL	1992	2012	VAR	40,000	40,000	2,440	42,440
RESIDENT DEVELOPMENT	JUNE/DEC.	2000	2020	VAR	2,010,000	70,000	103,043	173,043
RESIDENTIAL NEIGHBORHOOD	MAY/NOV.	1999	2019	VAR	1,945,000	75,000	100,181	175,181
RESIDENTIAL NEIGH.DEV.	APR/OCT	1998	2018	VAR	875,000	40,000	39,006	79,006
ROAD & BRIDGE IMP.	JUNE/DEC.	2000	2017	VAR	9,375,000	440,000	476,755	916,755
SERIES 1993 REFUNDING	MAR/SEP	1993	2011	VAR	71,340,000	7,165,000	3,725,040	10,890,040
SERIES 1997 REFUNDING	FEB./AUG.	1997	2018	VAR	45,585,000	235,000	2,538,203	2,773,203
SERIES 1998 REFUNDING	APR/OCT	1998	2007	VAR	17,990,000	6,015,000	800,525	6,815,525
URBAN RENEWAL	MAR/SEP	1993	2013	VAR	1,420,000	100,000	74,974	174,974
Total					269,110,000	24,410,000	13,984,332	38,394,332

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

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

Adopted September 16, 2002.

Effective September 16, 2002.



**Res. No. 1860-02.**

**By Council Member Cimperman.**  
**An emergency resolution withdrawing objection to the issuance of a New C2 Liquor Permit to 6313 St. Clair Avenue and repealing Resolution No. 439-02, objecting to said issuance.**

Whereas, this Council objected to the issuance of a New C2 Liquor Permit to 6313 St. Clair Avenue by Resolution No. 439-02 adopted by Council on March 11, 2002; and

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

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

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

**Section 1.** That objection to the issuance of a New C2 Liquor Permit to 6313 St. Clair Avenue be and the same is hereby withdrawn and Resolution No. 439-02, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance thereof.

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

Adopted September 16, 2002.  
 Effective September 24, 2002.

**Res. No. 1861-02.**

**By Council Members Coats and Britt.**

**An emergency resolution recognizing the accomplishments and value of the Clean Water Act and declaring October 18, 2002 to be "Clean Water Act Day" in the City of Cleveland.**

Whereas, maintaining and improving water quality is essential to protect public health, fisheries, wildlife and watersheds and to ensure abundant opportunities for public recreation and economic development; and

Whereas, Cleveland's beaches, streams and Lake Erie are an invaluable natural resource benefiting local residents and contributing to a flourishing recreation and tourism industry; and

Whereas, due to pollution, 53% of Ohio's lakes, rivers and coastal areas are unfishable and unswimmable; and

Whereas, wetlands continue to be lost at an alarming rate within the State of Ohio and within the City of Cleveland; and

Whereas, raw sewage discharges still flow through communities across the United States, including Cleveland; and

Whereas, it is the responsibility of the government and of all American citizens to provide and protect clean water for future generations; and

Whereas the Clean Water Act is the primary federal law that protects our nation's lakes, rivers, aquifers and coastal areas and seeks to ensure Americans will enjoy clean water safe for swimming and fishing; and

Whereas, the quality of our waters has improved dramatically as a result of cooperative efforts by federal, state, tribal and local governments to implement the pollution control programs established in 1972 by the Clean Water Act, as well as tireless efforts by other non-governmental organizations and citizens; and

Whereas, serious water pollution problems still persist throughout Cleveland and Ohio and significant challenges lie ahead in the effort to protect water resources from point and nonpoint sources of pollution including raw sewage discharges and contaminated storm water discharges and in the effort to clean up those water resources that are already polluted beyond standards; and

Whereas, the Clean Water Act continues to provide a clear path for clean water and a solid foundation for an effective national clean water program; and

Whereas, enforcement of the Clean Water Act is tantamount to realization of the goals of fishable and swimmable waters for all; and

Whereas, the 30th anniversary of the enactment of the Clean Water Act in October, 2002 is a prime opportunity to recommit to meeting the goals of the Clean Water Act; and

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

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

**Section 1.** That this Council hereby recognizes the accomplishments and value of the Clean Water Act and declares October 18, 2002 to be "Clean Water Act Day" in the City of Cleveland.

**Section 2.** That the Clerk of Council is hereby directed to transmit copies of this resolution to appropriate members of the Ohio Environmental Council.

**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 September 16, 2002.  
 Effective September 24, 2002.

**Res. No. 1862-02.**

**By Council Member Conwell.**  
**An emergency resolution withdrawing objection to the stock transfer of a D5 Liquor Permit to 11239-43 Superior Avenue and repealing Resolution No. 952-02, objecting to said stock transfer.**

Whereas, this Council objected to the issuance of a stock transfer of a D5 Liquor Permit to 11239-43 Superior Avenue by Resolution No. 952-02 adopted by Council on May 13, 2002; and

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

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

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

**Section 1.** That objection to the issuance of a stock transfer of a D5 Liquor Permit to 11239-43 Superior Avenue be and the same is hereby withdrawn and Resolution No. 952-02, containing said 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 September 16, 2002.  
 Effective September 24, 2002.

**Ord. No. 1060-02.**

**By Councilman Jackson (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of paint and paint supplies, for the various divisions of the City government, for a period not to exceed one year.**

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

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

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

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall not exceed \$185,000 and 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 104719)

**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 September 16, 2002.  
 Effective September 24, 2002.

**Ord. No. 1061-02.**  
**By Councilman Jackson (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of labor and material necessary to maintain typewriters, for the various divisions of City government, for a period not to exceed one year.**

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

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

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

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall not exceed \$30,000 and 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 104727)

**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 September 16, 2002.  
 Effective September 24, 2002.

**Ord. No. 1063-02.**  
**By Councilman Jackson (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of lamps, for the various divisions of City government, for a period not to exceed one year.**

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

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

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

**Section 2.** That the cost of said contract shall not exceed \$175,000 and shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 104724)

**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 September 16, 2002.  
 Effective September 24, 2002.

**Ord. No. 1064-02.**  
**By Councilman Jackson (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of paper and cloth wipers, for the various divisions of City government, for a period not to exceed one year.**

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

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

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

combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall not exceed \$50,000 and 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 104729)

**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 September 16, 2002.  
 Effective September 24, 2002.

**Ord. No. 1065-02.**  
**By Councilman Jackson (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of fasteners, for the various divisions of City government, for a period not to exceed one year.**

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

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

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

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall not exceed \$100,000 and 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 104720)

**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 September 16, 2002.

Effective September 24, 2002.

**Ord. No. 1543-02.**

**By Council Members Gordon and Jackson (by departmental request).**

An emergency ordinance to amend the title and Sections 1 and 2 of Ordinance No. 219-01, passed March 19, 2001, relating to the rehabilitation of the Fries & Schuele Building and the construction of a mixed-use condominium and parking structure.

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

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

**Section 1.** That the title and Sections 1 and 2 of Ordinance No. 219-01, passed March 19, 2001, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Directors of Economic Development and Community Development to enter into Neighborhood Development Investment Fund contracts with Fries & Schuele, Ltd. and New Village Corporation to provide economic development assistance to partially finance the rehabilitation of the Fries & Schuele Building and the construction of a mixed-use condominium and parking structure adjacent to the Fries & Schuele Building, located in Cleveland, Ohio.

Section 1. That, subject to the provisions of Section 8 of this ordinance, the Directors of Economic Development and Community Development are authorized to enter into Neighborhood Development Investment Fund contracts with Fries & Schuele, Ltd. and New Village Corporation to provide economic development assistance to partially finance the rehabilitation of the Fries & Schuele Building into a mixed use apartment structure and the construction of a mixed-use condominium and parking structure adjacent to the Fries & Schuele Building, located in Cleveland, Ohio.

Section 2. That the terms of said contracts shall comply with the requirements of the neighborhood Development Investment Program and NDIF, as set forth in Section 1 of Ordinance No. 56-94, passed June 13, 1994, as amended by Ordinance No. 2123-96, passed February 10, 1997, and shall be in accordance with the terms as set forth in the Summary contained in File No. 219-01-B.

**Section 2.** That the existing title and Sections 1 and 2 of Ordinance No. 219-01, passed March 19, 2001, are hereby 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 September 16, 2002.

Effective September 24, 2002.

**Ord. No. 1549-02.**

**By Council Members Coats, Gordon, Cimperman and Jackson (by departmental request).**

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a grant from the Clean Ohio Assistance Fund, for a Clean Ohio assessment Grant for Phase II remediation on property located at 1088 Ivanhoe Road and 1050 Ivanhoe Road to be used for the future development of a 40-acre industrial park to be located at Five Points; and authorizing said Director to enter into contracts with Second Growth to implement the 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 Economic Development is hereby authorized to apply for and accept a grant in the amount of \$198,650, from the Clean Ohio Assistance Fund, for a Clean Ohio Assessment Grant to conduct the Phase II remediation on property located at 1088 Ivanhoe Road and 1050 Ivanhoe Road to be used for the future development of a 40-acre industrial park to be located at Five Points, for the purposes set forth in the summary and according thereto; that the Director of Economic Development is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the summary for said grant.

**Section 2.** That the summary for said grant, File No. 1549-02-A, in the revised version submitted on September 10, 2002, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**Section 3.** That the Director of Economic Development is hereby authorized to enter into contracts with Second Growth to implement the brownfield remediation project as described in the summary.

**Section 4.** That the contract or contracts authorized by this ordinance shall be prepared by the Director of Law and shall contain such terms and conditions as the Director deems necessary to protect and benefit the public interest.

**Section 5.** That the cost of said contracts authorized herein shall be paid from the fund or funds which are credited the proceeds of the grant accepted pursuant to this ordinance.

**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 September 16, 2002.

Effective September 24, 2002.

**Ord. No. 1709-02.**

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

An emergency ordinance providing for the issuance and sale of Taxable Urban Renewal Temporary Refunding Bonds in the principal amount not to exceed \$4,350,000 for the purpose of (1) refunding outstanding Taxable Urban Renewal Notes, Series 2001 issued for the purpose of acquiring property for Urban Renewal Project Activities and (2) paying certain costs of issuance of said Refunding Bonds; and authorizing related matters.

Whereas, under Article VIII, Section 13 of the Ohio Constitution and Chapter 725 of the Ohio Revised Code (the "Act"), the City has the power to undertake and carry out urban renewal projects pursuant to urban renewal plans approved by the City from time to time, and the City has undertaken and carried out and intends to undertake and carry out urban renewal activities for the elimination of blight and for the prevention of the development and spread of blight and deterioration within its designated urban renewal areas; and

Whereas, the City has undertaken a program for the clearance and reconstruction of blighted areas within its boundaries and, in connection therewith, is engaged in carrying out the following development projects: (a) the Erieview II Neighborhood Development Plan No. Ohio A-8 (the "Erieview II Development Plan") in an area bounded generally on the north by Lakeside Avenue, on the east by East 17th Street, on the south by Superior Avenue, and on the west by East 12th Street (the "Erieview II Plan Area") and (b) the Erieview I Renewal Project No. Ohio R-36 (the "Erieview I Development Plan") in an area bounded generally on the north by Lakeside Avenue, on the east by East 14th Street on the south by Chester Avenue and on the west by East 6th Street (the "Erieview I Plan Area"), which Erieview I Development Plan and Erieview II Development Plan (together the "Development Plans") remain in force and effect; and

Whereas, the Council of the City, by Ordinance Nos. 1634-73 and 2428-60, passed on April 8, 1974, and December 12, 1960, respectively, as amended from time to time, designated the Erieview II Plan Area and the Erieview I Plan Area (collectively, the "Plan Areas") as blighted areas and encouraged the redevelopment of certain parcels within the Plan Area in accordance with the requirements of the Development Plans in order to prevent the recurrence or spread of conditions of blight; and

Whereas, pursuant to Ordinance No. 1108-87, passed June 8, 1987, as

amended by Ordinance No. 3012-88, passed February 6, 1989, and Ordinance No. 1374-91, passed June 17, 1991, and Ordinance No. 1713-91, passed August 21, 1991, the Director of Community Development entered into certain agreements (the "Agreements") with Jacobs, Visconsi & Jacobs Co. and its assignees (the "Redeveloper"), relating to the redevelopment of certain real property in the Plan Areas; and

Whereas, the Agreements, as amended, provide that in the event of a default under the Agreements, the City is entitled to repurchase Parcels 22-A-2, 9-B, and the Additional Properties (collectively, the "Properties"), as defined in and pursuant to the terms and conditions set forth in the Agreements; and

Whereas, pursuant to Ordinance No. 168-A-01, passed August 15, 2001, the City: (1) exercised its rights to repurchase the above-referenced Properties as provided in the Agreements and purchased the Properties; and (2) pursuant to Article VIII, Section 13 of the Ohio Constitution and the Act, and particularly Section 725.05(C) of the Revised Code, the City issued Urban Renewal Temporary Bonds captioned \$4,200,000 City of Cleveland, Ohio Taxable Urban Renewal Notes, Series 2001 (the "Prior Bonds"), dated November 1, 2001 and maturing on November 1, 2002, in the principal amount of \$4,200,000 for the purpose of paying costs of carrying out urban renewal project activities in the Plan Areas in accordance with the Development Plans and the Act, including without limitation, direct and indirect costs of acquiring the Properties, preparing the Properties for redevelopment, title, appraisal, planning, engineering and legal costs related thereto, and paying Financing Costs (as defined below) related to issuing the Prior Bonds (the "Project"); and

Whereas, the City now has determined to issue Temporary Bonds to refund the Prior Bonds and to pay Financing Costs; and

Whereas, it is necessary to issue the Urban Renewal Temporary Refunding Bonds (the "Temporary Bonds") herein authorized and to do so as soon as possible in order to timely retire the Prior Bonds and to take advantage of current market interest rates thereby preserving the credit of the City and reducing debt service payable by the City, and, as a result, this Ordinance constitutes an emergency measure providing for the immediate preservation of the public property, health, and safety and for the usual and daily operation of a municipal department; now, therefore,

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

**Section 1. Definitions.** In addition to the words and terms elsewhere defined in this Ordinance including its preambles, unless the context or use clearly indicates another or different meaning or intent:

"Book entry form" or "Book entry system" means a form or system under which (a) the ownership of book entry interests in the Temporary Bonds and the principal of and interest on the Temporary Bonds may be transferred only through a book entry, and (b)

physical Bond certificates in fully registered form are issued only to a Depository or its nominee as registered owner, with the physical Bond certificates "immobilized" in the custody of the Depository or its agent. The book entry system is maintained by and is the responsibility of the Depository and not the City or the Bond Registrar. The book entry is the record that identifies, and records the transfer of the interests of, the owners of beneficial (book entry) interests in the Temporary Bonds.

"Certificate of Award" means the certificate authorized by Section 3, to be executed by the Director of Finance, setting forth and determining those terms or other matters pertaining to the Temporary Bonds and their amount, issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined in it.

"Continuing Disclosure Certificate" means the certificate authorized by Section 12 which together with the agreements of the City set forth in that Section, shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the Temporary Bonds in accordance with the Rule.

"Credit Support Instrument" means a letter of credit, an insurance policy, or other credit enhancement or liquidity device provided to enhance the security or liquidity of the Temporary Bonds.

"Debt Retirement Fund" means the Urban Renewal Debt Retirement Fund established pursuant to Section 10.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its participants or otherwise, a book entry system to record ownership of book entry interests in Temporary Bonds or the principal of and interest on the Temporary Bonds, and to effect transfers of Temporary Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Financial Advisor" means either or both of Government Capital Management and Columbia Equity Financial Corp.

"Financing Costs" has the meaning provided in Section 133.01 of the Revised Code.

"Nontax Revenues" means all moneys of the City which are not moneys raised by taxation, to the extent available for the purpose of paying debt charges on the Temporary Bonds, including, but not limited to the following: (a) grants from the United States of America and the State; (b) payments in lieu of taxes now or hereafter authorized by State statute; (c) fines and forfeitures which are deposited in the City's General Fund; (d) fees deposited in the City's General Fund for services provided and from properly imposed licenses and permits; (e) investment earnings on the City's General Fund; (f) investment earnings on other funds of the City that are credited to the City's General Fund; (g) proceeds from the sale of assets which are deposited in the City's General Fund; (h) gifts and donations; and (i) all rental payments

which are deposited in the City's General Fund.

"Original Purchaser" means the original purchasers of the Temporary Bonds: SBK-Brooks Investment Corp. and A.G. Edwards & Sons, Inc.

"Proceedings" means collectively, this Ordinance, the Certificate of Award, the Continuing Disclosure Certificate and such other proceedings of the City, including the Temporary Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Temporary Bonds.

"Revenues" means, to the extent not otherwise pledged for the repayment of the City's Parking Facilities Refunding Revenue Bonds, Series 1996, and to the extent available to pay debt charges on the Temporary Bonds, any rentals received under leases made by the City with respect to the Project properties, all proceeds from the sale or other disposition of the Project properties and any urban renewal service payments collected from any of the Project properties.

"Rule" means SEC Rule 15c2-12.

"State" means the State of Ohio.

"Temporary Bonds" means the Temporary Bonds authorized by this Ordinance.

Unless otherwise indicated, any reference to a Section is a reference to a Section of this Ordinance.

**Section 2. Authorized Principal Amount and Purpose.** This Council determines that (i) the Project is consistent with the purposes of Section 13 of Article VIII of the Ohio Constitution; (ii) the Project is in furtherance of the purposes of the Act and will benefit the people of the City and of the State by creating and preserving jobs and employment opportunities and improving the economic welfare of the people of the City and of the State; and (iii) it is necessary for the City to issue the Temporary Bonds pursuant to Section 13 of Article VIII of the Ohio Constitution and Sections 725.05(C) and 725.07 of the Act in the principal amount not to exceed \$4,350,000 to retire the Prior Bonds originally issued and to pay costs of the Project.

**Section 3. Terms of Temporary Bonds.** The Temporary Bonds shall be dated the date of issuance or such other date as is designated in the Certificate of Award but not later than November 1, 2002. The Temporary Bonds shall mature on a date to be determined by the Director of Finance in the Certificate of Award in accordance with the Director of Finance's determination of the best interest of and financial advantages to the City, provided that such date shall not be later than five years from the date of issuance of the Temporary Bonds. The Temporary Bonds shall bear interest from their date at the rate or rates per annum set forth in the Certificate of Award, or if any Temporary Bonds bear interest at a variable rate, at the rate determined pursuant to the method set forth in the Certificate of Award. Interest on the Temporary Bonds shall be payable on the dates determined by the Director of Finance in the Certificate of Award and until the principal amount is paid or payment is provided for. If

any Temporary Bonds bear interest at a fixed rate or rates, those rates shall not exceed eight percent (8%) per year (computed on the basis of a 360-day year consisting of twelve 30-day months) and interest shall be payable not more often than every six months and at maturity or at any earlier redemption date. If any Temporary Bonds bear interest at a variable rate or rates, those rates shall not exceed that set forth below, and interest shall be payable not more often than once a month and following purchase and at maturity or at any earlier redemption date.

In the event that the Director of Finance determines that the City's best interests will be served by causing all or a portion of the Temporary Bonds to be obligations bearing interest at variable rates, redeemable by the City without penalty or premium on interest adjustment dates, then the Director of Finance is authorized to so specify in the Certificate of Award. If the Director of Finance so determines, then the Director of Finance shall specify in the Certificate of Award the method and procedure by which the variable rate of interest to be borne by the variable rate Temporary Bonds shall be determined, whether by reference to a market index, by a remarketing agent or otherwise; provided that the variable rate Temporary Bonds shall not bear interest at a rate in excess of sixteen percent (16%) per annum; provided further that the maximum interest rate for variable rate Temporary Bonds during any period those Temporary Bonds are held by a provider of a Credit Support Instrument because they could not be remarketed shall be twenty-five percent (25%). Holders of variable rate Temporary Bonds may be given the right to tender their variable rate Temporary Bonds for purchase by the City at the times, on the terms, and subject to the conditions set forth in the Certificate of Award and any tender agreement; provided that tender rights shall be exercisable only at such times as a Credit Support Instrument is in place that provides for the payment of the purchase price payable to the tendering holder of a variable rate Temporary Bond. If the Director of Finance designates any Temporary Bonds as variable rate Temporary Bonds, and if the holders of the variable rate Temporary Bonds are to be entitled to tender the variable rate Temporary Bonds for purchase, then the Director of Finance shall also designate in the Certificate of Award for those variable rate Temporary Bonds the provider or providers for any Credit Support Instrument, 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 variable rate Temporary Bonds, and from time to time

thereafter so long as the variable rate Temporary Bonds are outstanding with providers of Credit Support Instruments, tender agents (which may be the Registrar), remarketing agents (which may be the Original Purchaser), 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, providing for liquidity or credit support for the payment of the variable rate Temporary Bonds upon tender for purchase or redemption, and providing for the repayment by the City of any amounts drawn under the Credit Support Instrument.

The Director of Finance, in connection with the original issuance of the Temporary Bonds, and regardless of the Temporary Bonds bearing 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 Temporary Bonds, if the Director of Finance determines that the Credit Support Instrument will result in a savings in the cost of this financing to the City.

#### **Section 4. Payment of Debt Charges on the Temporary Bonds.**

The debt charges on the Temporary Bonds shall be payable in lawful money of the United States of America, or in Federal Reserve funds of the United States of America as determined by the Director of Finance in the Certificate of Award, and shall be payable, without deduction for the services of the Registrar as the City's paying agent. If agreed to by the Original Purchaser, the Temporary Bonds shall be subject to redemption without penalty or premium at the option of the City in whole or in part at any time prior to maturity as provided in this Ordinance and the Certificate of Award.

If fewer than all of the Temporary Bonds of a single maturity are to be redeemed, the selection of Temporary Bonds of that maturity to be redeemed, or portions thereof in amounts of the minimum authorized denomination (as set forth in Section 8 hereof) or any integral multiple thereof, shall be made by lot in a manner determined by the Registrar. In the case of a partial redemption of Temporary Bonds by lot when Temporary Bonds of denominations greater than the minimum authorized denomination are then outstanding, each unit of principal thereof in the amount of the minimum authorized denomination shall be treated as if it were a separate Temporary Bond of the denomination of the minimum authorized denomination. If it is determined that one or more, but not all, of the units of principal amount in the amount of the minimum authorized denomination represented by a Temporary Bonds are to be called for redemption, then, upon notice of redemption of such unit or units, the registered owner of that Temporary Bond shall surrender the Temporary Bond to the Registrar (i) for payment of the redemption price of such unit or units of principal amount called for redemption (including, without limitation, the interest

accrued to the date fixed for redemption), and (ii) for issuance, without charge to the registered owner, of a new Temporary Bond or Temporary Bonds of any authorized denomination or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Temporary Bond surrendered.

The notice of the call for redemption of Temporary Bonds shall identify (i) by designation, letters, numbers, or other distinguishing marks, the Temporary Bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Temporary Bond subject to redemption in whole or in part at the registered owner's address shown on the Register (as defined in Section 5) maintained by the Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Temporary Bond, however, shall not affect the validity of the proceedings for the redemption of any Temporary Bond.

In the event that notice of redemption shall have been given by the Registrar to the registered owners as provided above, there shall be deposited with the Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefore and held by the Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Temporary Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Temporary Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Temporary Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Registrar on the redemption date, so as to be available therefore on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Temporary Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been

called for redemption. All moneys held by the Registrar for the redemption of particular Temporary Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Temporary Bonds.

**Section 5. Registrar.** The Director of Finance shall designate a bank or trust company to act as the authenticating agent, registrar, transfer agent and paying agent for the Temporary Bonds after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose (the "Registrar"). The Director of Finance shall sign and deliver, in the name and on behalf of the City, a registrar agreement or agreements between the City and the Registrar (the "Registrar Agreement") in a form consistent with this Ordinance and as approved by the Director of Law. In the event that a trust agreement secures the Temporary Bonds, as provided in Section 10, the Registrar Agreement may be incorporated in such trust agreement. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement from the proceeds of the Temporary Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

The Temporary Bonds shall be issued only as fully registered Temporary Bonds. Principal on the Temporary Bonds shall be payable when due upon presentation and surrender of the Temporary Bonds at the designated office of the Registrar designated in the Registrar Agreement. Interest on each Temporary Bond shall be paid on each interest payment date by check or draft mailed to the person in whose name the Temporary Bond was registered, and to that person's address appearing on the Register (defined below in this Section) at the close of business on the 15th day of the calendar month next preceding that interest payment date or such other date established in the Certificate of Award if variable rate Temporary Bonds are issued. The City will cause the Registrar to maintain and keep all books and records necessary for the registration, exchange, and transfer of Temporary Bonds as provided in this Section (the "Register") so long as any of the Temporary Bonds remain outstanding. Subject to the provisions of this Section, the person in whose name a Temporary Bond is registered on the Register shall be regarded as the absolute owner of that Temporary Bond for all purposes of the Proceedings (except as may otherwise be required with respect to the City's continuing disclosure agreement pursuant to the Rule). Payment of or on account of the debt charges on any Temporary Bond shall be made only to or upon the order of that person; neither the City nor the Registrar shall be affected by any notice to the contrary, but the registration may be

changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Temporary Bond, including interest, to the extent of the amount or amounts so paid.

Notwithstanding the foregoing, if and so long as the Temporary Bonds are issued in a book entry system, principal of and interest on the Temporary Bonds shall be payable in the manner provided in any agreement entered into by the Director of Finance, in the name and on behalf of the City, in connection with the book entry system.

**Section 6. Transfer and Exchange of Certain Temporary Bonds.** Temporary Bonds may be exchanged for Temporary Bonds of any authorized denomination upon presentation and surrender at the office designated by the Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Registrar. A Temporary Bond may be transferred only on the Register, upon presentation and surrender of the Temporary Bond at the office designated by the Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Registrar. Upon exchange or transfer, the Registrar shall complete, authenticate, and deliver a new Temporary Bond or Temporary Bonds, of any authorized denomination or authorized denominations requested by the owner equal in the aggregate to the unmaturing principal amount of the Temporary Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Registrar shall undertake the exchange or transfer of Temporary Bonds only after the new Temporary Bonds are signed by the authorized officers of the City. In all cases of Temporary Bonds exchanged or transferred, the City shall sign and the Registrar shall authenticate and deliver Temporary Bonds in accordance with the provisions of the Proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Temporary Bonds issued and authenticated upon any exchange or transfer shall be valid special obligations of the City, evidencing the same obligation, and entitled to the same security and benefit under the proceedings, as the Temporary Bonds surrendered upon that exchange or transfer. Neither the City nor the Registrar shall be required to make any exchange or transfer of a Temporary Bond during the period beginning at the opening of business 15 days before the day of the mailing of a notice of redemption of Temporary Bonds and ending at the close of business on the day of such mailing or to

transfer or exchange any Temporary Bond selected for redemption in whole or in part.

**Section 7. Book Entry.** Notwithstanding any other provisions of this Ordinance, if it is determined by the Director of Finance to be in the best interest of and financially advantageous to the City, the Temporary Bonds may be issued in book entry form in accordance with the provisions of this Section.

The Temporary Bonds may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Temporary Bonds may be issued in the form of a single, fully registered Temporary 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 book entry interest owners of Temporary Bonds in book entry form shall have no right to receive Temporary Bonds in the form of physical securities or certificates; (iii) ownership of book entry 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 book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Temporary 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 Temporary Bonds for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Temporary Bonds from the Depository, and authenticate and deliver certificates in registered form 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 Director of Finance also is hereby 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 Temporary Bonds, after determining that the signing thereof will not endanger the funds or securities of the City and after the approval of the form of any such agreement by the Director of Law.

**Section 8. Execution of Temporary Bonds.** Temporary Bonds shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile, and shall bear the seal of the City or a facsimile thereof; provided that no

Temporary Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Proceedings unless and until the certificate of authentication printed on the Temporary Bond is signed by the Registrar as authenticating agent, and authentication by the Registrar shall be conclusive evidence that the Temporary Bond so authenticated has been duly issued, signed and delivered under and is entitled to the security and benefit of the Proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Registrar or by any other person acting as an agent of the Registrar and approved by the Director of Finance on behalf of the City. The same person need not sign the certificate of authentication on all of the Temporary Bonds.

Pursuant to Section 83 of the City's Charter, the Director of Law shall prepare the Temporary Bonds and shall endorse thereon his approval of the form and correctness thereof by his manual or facsimile signature. The Temporary Bonds shall be issued in the denominations as requested by the Original Purchaser and approved by the Director of Finance, in conformity with this Ordinance. The entire principal amount may be represented by a single bond certificate and may be issued as fully registered securities and in book entry or other uncertificated form if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Temporary Bonds. The Temporary Bonds may be issued in the authorized denominations of either (a) \$100,000 each or in any denomination that is the sum of (i) \$100,000 and (ii) \$5,000 or any integral multiple thereof, and not exchangeable for other Temporary Bonds in denominations less than \$100,000, or (b) \$5,000 or any integral multiple thereof, as determined by the Director of Finance in the Certificate of Award to be in the best interest of the City. The Temporary Bonds shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance.

**Section 9. Sale of Temporary Bonds.** The Temporary Bonds shall be sold at not less than 97% of par plus accrued interest at private sale by the Director of Finance to the Original Purchaser in accordance with law and the provisions of this Ordinance. If, in the reasonable opinion of the Director of Finance, an underwriter is incapable of fully performing its duties or meeting its obligations in its capacity as Original Purchaser with respect to the Temporary Bonds, the Director of Finance is hereby authorized and directed, in the name of and on behalf of the City, to take whatever action may be necessary to terminate that underwriter's standing as Original Purchaser. The Director of Finance shall sign the Certificate of Award referred to in this Ordinance, evidencing that sale to the Original Purchaser, cause the Tem-

porary Bonds to be prepared, and have the Temporary Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Temporary Bonds if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Director of Finance is authorized to sign and deliver, in the name and on behalf of the City, a bond purchase agreement between the City and the Original Purchaser, or representative thereof (the "Purchase Agreement"), in substantially the form submitted to this Council with such changes therein not inconsistent with the terms of this Ordinance and not substantially adverse to the City as approved by the Director of Finance and Director of Law, such approval to be conclusively evidenced by the execution of the Purchase Agreement by such officers. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Purchase Agreement from the proceeds of the Temporary Bonds to the extent available and then from other money lawfully available and appropriated or as may be appropriated for that purpose. The Mayor, the Director of Finance, the Clerk of Council, the Director of Law, and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

**Section 10. Security for the Temporary Bonds.** The Temporary Bonds shall be special obligations of the City, and the debt charges on the Temporary Bonds shall be payable solely from the Revenues and the Nontax Revenues. The Payment of debt charges on the Temporary Bonds is secured by a pledge of and lien on (i) the Revenues and (ii) the Nontax Revenues which are on deposit in the Urban Renewal Debt Retirement Fund created below. The Temporary Bonds are not and shall not be secured by an obligation or pledge of any money raised by taxation. The Temporary Bonds do not and shall not represent or constitute a debt or pledge of the faith and credit or taxing power of the City, and the owners thereof have and shall have no right to have taxes levied by the City for the payment of debt charges thereon. The Temporary Bonds shall contain a statement to that effect and to the effect that the Temporary Bonds are payable solely from the Revenues and the Nontax Revenues and are not secured by an obligation or pledge of any money raised by taxation.

The City covenants and agrees that while the Temporary Bonds are outstanding, it will appropriate and maintain Nontax Revenues at such times and in such amounts as will be sufficient, together with the Revenues and any other funds available or to be available for the purpose (including proceeds of refunding obligations), to pay the debt charges on the Temporary Bonds

and will so restrict other obligations payable from Nontax Revenues prior to or on a parity with the Temporary Bonds as will ensure the continuing availability for appropriation of sufficient Nontax Revenues to pay debt charges when due, which Nontax Revenues are hereby selected by the City pursuant to Section 725.05(C) of the Revised Code as moneys that are not raised by taxation.

There is hereby created by the City a separate fund or account designated as the "Urban Renewal Debt Retirement Fund" (the "Debt Retirement Fund") into which shall be deposited (i) the Revenues upon receipt, and (ii) other Nontax Revenues, and any other funds available for the purpose, on or prior to the date debt charges on the Temporary Bonds are due, in an amount sufficient to pay those debt charges. Any Revenues remaining after payment or provision for payment, of all debt charges on the Temporary Bonds shall be deposited to the extent not otherwise pledged or encumbered, as follows: half in the Housing Trust Fund (Fund No. 14 SF 027) and half in the Neighborhood Development Investment Fund (Fund No. 10 SF 501).

Nothing herein shall be construed as requiring the City to use or apply to the payment of debt charges on the Temporary Bonds any funds or revenues from any source other than the Revenues and the Nontax Revenues. Nothing herein, however, shall be deemed to prohibit the City, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Ordinance or of the Temporary Bonds.

The City will, solely from the proceeds of the Temporary Bonds or from the Revenues or the Nontax Revenues, pay or cause to be paid the debt charges on the Temporary Bonds on the dates, at the places and in the manner provided herein and in the Temporary Bonds. For that purpose, in each year while the Temporary Bonds are outstanding, this Council, after providing for the payment of debt charges payable on the City's general obligation securities in that year from sources available for that purpose, will appropriate Nontax Revenues required to pay, and for the purpose of paying the debt charges due in that year on the Temporary Bonds and any outstanding parity obligations payable from Nontax Revenues. Further, this Council will give effect to such appropriations in all ordinances it passes thereafter in that year appropriating money for expenditure and encumbrance and limit the other appropriations of Nontax Revenues in that year to the amount available after deducting the amount required for the payment of debt charges payable on the City's general obligation securities and to pay those debt charges. The City covenants that, so long as any of the Temporary Bonds are outstanding, it shall not issue any additional obligations payable from the Nontax Revenues on a parity with the Temporary Bonds and any outstanding parity obligations payable from Nontax Revenues, unless, prior to passage

of the ordinance authorizing such parity obligations, the Director of Finance shall have certified to this Council that the Nontax Revenues during the preceding calendar year, adjusted to reflect, if necessary, changes in the rates or charges resulting in the Nontax Revenues, aggregate in amount not less than 100% of the highest amount of (a) debt charges on the Temporary Bonds to be paid from Nontax Revenues and (b) required payments on such proposed parity obligations and any outstanding parity obligations due in any succeeding calendar year.

Each obligation of the City required to be undertaken pursuant to this Ordinance and the Temporary Bonds is binding upon the City, and upon each officer or employee of the City as may from time to time have the authority under law to take any action on behalf of the City as may be necessary to perform all or any part of such obligation as a duty of the City and of each of those officers and employees resulting from an office, trust or station within the meaning of Section 2731.01 of the Revised Code, providing for enforcement by writ of mandamus.

In the event that the interest on the Temporary Bonds is to be provided for from Temporary Bond proceeds, or if in the judgment of the Director of Finance, after consultation with the Financial Advisor, a debt service reserve to secure the Temporary Bonds is in the best interest of and financially advantageous to the City, the City shall enter into a trust agreement with the bank or trust company serving as Registrar for the Temporary Bonds and providing for the Debt Retirement Fund or a debt service reserve fund, as applicable, to be held by that bank or trust company, in its capacity as trustee, and such fund or funds are hereby authorized. The Director of Finance shall sign and deliver, in the name and on behalf of the City, the trust agreement in a form consistent with this Ordinance and approved by the Director of Law. The Mayor and the Director of Finance and other City officials, as appropriate, are authorized to take such actions as are necessary or appropriate to consummate such additional security for the Temporary Bonds. The City hereby covenants and agrees to appropriate annually from the Revenues and the Nontax Revenues into any such funds amounts sufficient to maintain the balances required by the trust agreement and to restore any deficiency therein.

**Section 11. Deposit of Proceeds.** The proceeds from the sale of the Temporary Bonds are appropriated and shall be used for the purpose for which the Temporary Bonds are being issued. The proceeds from the sale of the Temporary Bonds (exclusive of amounts to be used to pay Financing Costs which shall be deposited in a separate Costs of Issuance Account) shall be deposited in the Debt Retirement Fund to be used to refund the Prior Bonds and, if applicable, to pay interest on the Temporary Bonds; provided that any portion of the proceeds of the Temporary Bonds to be used to

make a required deposit to a debt service reserve fund shall be paid into the debt service reserve fund created pursuant to Section 10. Any premium not used to pay costs of issuance and accrued interest received from the sale of the Temporary Bonds shall be deposited in the Debt Retirement Fund.

**Section 12. Disclosure.** If, in the judgment of the Director of Finance, after consultation with the Financial Advisor and the Original Purchaser, an official statement or other disclosure document is appropriate relating to the initial offering of the Temporary Bonds, 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 to 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 Temporary Bonds, (iv) notwithstanding the requirements of, and as an exception to, Codified Ordinance 177.01(a), contract with a printer to print the Official Statement, and (v) sign certificates, statements or other documents in connection with the finality, accuracy, and completeness of that disclosure document.

For the benefit of the holders and beneficial owners from time to time of the Temporary Bonds, the City agrees, as the only obligated person with respect to the Temporary Bonds under the Rule, to provide or cause to be provided such financial information and operating data, audited financial statements and notices, in such manner as may be required for purposes of paragraph (b)(5)(i) of the Rule. 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 Director of Finance is authorized and directed to sign and deliver, in the name and on behalf of the City, and if required under the Rule, a Continuing Disclosure Certificate or Certificates in conformance with the reporting requirements of the Rule. The agreement formed collectively, by this paragraph and that Certificate, shall be the City's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the annual appropriation of any funds that may be necessary to perform it.

The Director of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with that agreement or providing notice of the occurrence of any other events, the Director of Finance shall consult with, as appropriate, the legal counsel and bond or other qualified

independent special counsel to the City. The Director of Finance, acting in the name and on behalf of the City, shall be entitled to rely upon any legal advice provided by any such counsel in determining whether a filing should be made.

**Section 13. Ratings, Insurance, and Other Credit Enhancement.** If, in the judgment of the Director of Finance after consultation with the Financial Advisor, the filing of an application for a rating on the Temporary Bonds by one or more nationally recognized rating agencies or a Credit Support Instrument is in the best interest of, and financially advantageous to the City, the Director of Finance is authorized to prepare and submit those applications, to provide to each such agency, company or credit provider such information as may be required for the purpose. The cost of obtaining each rating and Credit Support Instrument, except to the extent paid by the Original Purchaser in accordance with the Purchase Agreement, shall be paid from the proceeds of the Temporary Bonds.

**Section 14. Interest Rate Swaps, Hedges and Caps.** For the purpose of achieving the optimal available debt structure for the Temporary Bonds, the Director of Finance may, based on the written advice of the Financial Advisor, enter into one or more agreements in connection with or subsequent to the issuance of the Temporary Bonds for an interest rate swap, an interest rate cap or other such arrangement to lower the effective interest rate on the obligation to the City or, to hedge the exposure of the City against fluctuations in prevailing interest rates, provided, however, that: (i) the debt structure that is simulated through the combination of the Temporary Bonds with any such agreements shall comply with the restrictions of this Ordinance on the terms of and security for the Temporary Bonds applied to that structure as though it consisted solely of Temporary Bonds; (ii) the counterparty to any swap agreement and the provider of any interest rate cap shall have a rating of at least "A" by either Moody's Investors Service, Inc. or Standard & Poor's Corporation; (iii) no such agreement shall purport to entitle the counterparty to the agreement to payment by the City from any source other than the sources which secure the Temporary Bonds as described in this Ordinance; and (iv) the cost of obtaining any such interest rate cap or other such arrangement shall have been determined by the Director of Finance, based on the written advice of the Financial Advisor, to be justified by the corresponding benefit to the City and to be commercially reasonable based on then current market conditions. The notional amount on which any such agreement is based shall not be subject to the limitations set forth herein on the maximum principal amount of the Temporary Bonds.

**Section 15. Covenants.** In the event that the Temporary Bonds are issued and sold as obligations bearing interest that is excluded from



gross income for federal income tax purposes, the covenants in this Section 15 shall govern. However, if the Temporary Bonds are issued and sold as obligations bearing interest that is included in gross income for federal income tax purposes, the City shall not be bound by the covenants of this Section with respect to the Temporary Bonds.

Subject to the foregoing, the City covenants that it will use and will restrict the use and investment of, the proceeds of the Temporary Bonds in such manner and to such extent as may be necessary so that (a) the Temporary Bonds 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 bonds to which Section 103(a) of the Code applies, and (b) the interest on the Temporary Bonds 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 Temporary Bonds to be and 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 Temporary Bonds to the governmental purpose 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 Temporary 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 Temporary Bonds 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 the favorable tax treatment or status of the Temporary 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 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 Temporary Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Temporary Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Temporary 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 Temporary Bonds.

**Section 16. Captions, Headings, and Section References.** The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit, or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs, or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

**Section 17. Interpretation.** Any provisions of the Codified Ordinances of the City which are inconsistent with the provisions of this Ordinance shall not apply to the Temporary Bonds authorized herein. Nothing in this Ordinance is intended to, and no provision hereof shall be applied in any manner as would impair the obligation of contract of the City with respect to any outstanding bonds, Temporary Bonds, certificate of indebtedness, other obligations, trust indentures, trust agreements, or other agreements or contracts made or entered into by the City.

**Section 18. Satisfaction of Conditions.** 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 Temporary Bonds 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 deliver of the Temporary Bonds have been performed and have been met, in regular and due form as required by law, and that no limitation of indebtedness or taxation, either statutory or constitutional, is applicable to the issuance of the Temporary Bonds.

**Section 19. Compliance with Open Meeting Requirements.** This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

**Section 20. Bond Counsel.** That Bond counsel for the bond issuance and sale authorized herein shall be Climaco, Lefkowitz, Peca, Wilcox & Garofoli Co., L.P.A.

**Section 21. Emergency.** 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 September 16, 2002.  
Effective September 16, 2002.

**Ord. No. 1713-02.**  
**By Council Member Jackson (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more requirement contracts of maintenance for telephones, products and ancillary equipment, for the Division of Information Systems Services, Department of Finance for a period of one year.**

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

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

**Section 1.** That the Director of Finance is authorized to make one or more written requirement contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year of the necessary items of maintenance for telephones, products and ancillary equipment, in the approximate amount as purchased during the preceding term, and cancellable upon thirty days written notice by said Director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Information Systems Services, Department of Finance. 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. Prior to the expiration of the contract or contracts authorized by this ordinance, the Director of Finance shall provide a report to this Council, including a description of the services performed, the amount paid for those services, and recommendations as to the best manner of accomplishing the work after the expiration of the contract(s).

**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 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 112111)

**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 September 16, 2002.  
Effective September 24, 2002.

**Ord. No. 1714-02.**  
**By Council Member Jackson (by departmental request).**

**An emergency ordinance authorizing the purchase by contract or contracts of City-wide paging and wireless service, for the Division of Information Systems Services, Department of Finance, for a period of one year.**

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

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

**Section 1.** That the Director of Finance is authorized to make one or more written contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: City-wide paging and wireless service, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Information Systems Services, Department of Finance, for a period of one year, and cancellable upon thirty days written notice by said Director.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund No. 70 SF 101, Request No. 112112.

**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 September 16, 2002.  
Effective September 24, 2002.

**Ord. No. 1716-02.**  
**By Council Members Westbrook, Cimperman and Jackson (by departmental request).**

**An emergency ordinance approving the terms and conditions for the transfer of City-owned property located at 20900 Brookpark Road to the National Aeronautics and Space Administration.**

Whereas, Ordinance No. 1089-02, passed July 17, 2002, as amended by Ordinance No. 1598-02, passed August 14, 2002, authorized a fee simple transfer of all or part of a City-owned property located at 20900 Brookpark Road to the United States of America, National Aeronautics and Space Administration; and

Whereas, Ordinance No. 1598-02, passed August 14, 2002, included a provision that Cleveland City Council must approve the terms and conditions of the property transfer; 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, or any other ordinance, this Council authorizes the Commissioner of Purchases and Supplies to enter into a written contract for the transfer of the property described in Section 1 of Ordinance No. 1089-02, passed July 17, 2002, as amended by Ordinance No. 1598-02, passed August 14, 2002, to the United States of America, National Aeronautics and Space Administration ("NASA"), subject to the following terms and conditions:

A. Prior to the transfer of the property, the property shall be divided and the City shall retain the following lots, the dimensions of which shall be determined by the Director of Port Control:

- i) a parcel containing the existing Federal Aviation Administration RTR antenna facility;
- ii) a parcel at the northwest corner of Brookpark Road and relocated Old Grayton Road;
- iii) the right-of-way for relocated Old Grayton Road; and
- iv) a remainder parcel located east of newly relocated Old Grayton Road and north of the property to be transferred to NASA.

B. The City shall reserve an easement for the underground utilities to the existing FAA RTR antenna facility. NASA shall agree to grant the City the following easements, including temporary construction access, across the property:

- i) an easement for utilities between the existing FAA RTR antenna facility and a proposed FAA radar site north of the property;
- ii) an easement for a proposed FAA antenna facility and related utilities; and
- iii) easements for future connections to and use of the existing storm sewer system on the property.

C. NASA shall use the property only for the purpose of governmental aeronautical and space research.

D. The deed shall contain an aviation easement granting the City all necessary rights to use the airspace above the property for aviation purposes.

E. The consideration for the transfer of property authorized in this ordinance shall be NASA's transfer of certain real property known as the "South 40" to the City for airport expansion purposes, this Council expressly finding that the fair market value of the South 40 is not less than the value of the property to be transferred under this ordinance.

F. The deed shall include the right to seek an injunction if NASA does not timely cure any violations of the aviation easement or other restrictions, and to terminate NASA's interest in the property if NASA uses the property for unauthorized purposes, or if NASA does not transfer the South 40 property to the City within a time period to be agreed upon by the Director of Port

Control and NASA and included in the deed to the property.

G. NASA shall consult with the Director of Port Control prior to using the property for other than parking purposes.

**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 September 16, 2002.  
Effective September 24, 2002.

**Ord. No. 1717-02.**  
**By Council Members Westbrook and Jackson (by departmental request).**

**An emergency ordinance determining the necessity of the emergency upgrade and relocation of the security checkpoints at Cleveland Hopkins International Airport; and authorizing the Director of Port Control to enter into an agreement with Continental Airlines Inc. for the design and installation of the security checkpoint entrances.**

Whereas, the U.S. Department of Transportation, Transportation Safety Administration has mandated that the security checkpoint entrances to the three concourses at Cleveland Hopkins International Airport must be upgraded by November 18, 2002; and

Whereas, the security checkpoint entrances are currently controlled and staffed by the Transportation Safety Administration; and

Whereas, prior to federal control of these checkpoints, the airlines configured, controlled and staffed all of the airport's security checkpoint entrances; and

Whereas, the airport has not historically configured or controlled these security entrances and has limited expertise in designing and configuring these checkpoints; and

Whereas, the Department of Port Control has determined that relocating the security checkpoint entrances to the three concourses will provide more convenient passenger flow and increased revenue; and

Whereas, Continental Airlines has the expertise to complete the design and installation of the new security checkpoints within the time frame mandated by the Transportation Safety Administration; 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 it is hereby determined that the emergency upgrade and relocation of the security checkpoints at Cleveland Hopkins International Airport is necessary to protect the public health, safety and welfare of passengers using the airport terminal. Therefore, this Council authorizes the Director of Port Control to enter into an agreement with Continental Airlines Inc. for the design and instal-

lation of upgraded and relocated security checkpoint entrances for the three concourses in the terminal building at Cleveland Hopkins International Airport. Consistent with legislation previously passed by this Council relating to expansion and improvements of facilities at Cleveland Hopkins International Airport, the Director of Port Control shall include in the agreement authorized by this ordinance a requirement that Continental Airlines, Inc. use best efforts to meet the following employment goals: For all design and construction contracts, 30% minority business enterprises and 10% female business enterprises, and for new construction hires, 35% City of Cleveland residents. The cost of the contract shall be paid from Fund No. 60 SF 119. (RL 118285).

**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 September 16, 2002.  
Effective September 24, 2002.

**Ord. No. 1853-02.**

**By Council Member Cimperman.**  
**An emergency ordinance authorizing the Director of Parks, Properties, and Recreation to enter into an agreement with Goodrich-Gannett Neighborhood Center for the Flower Power Program through the use of Ward 13 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Parks, Properties, and Recreation is authorized to enter into an agreement with the Goodrich-Gannett Neighborhood Center for the Flower Power Program for the public purpose of providing beautification of green space in the City of Cleveland for City residents through the use of Ward 13 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$10,000 and shall be paid from Fund No. 10 SF 166.

**Section 3.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed September 16, 2002.  
Effective September 24, 2002.

**Ord. No. 1854-02.**

**By Council Member Conwell.**  
**An emergency ordinance authorizing certain persons to engage in peddling in Ward 9. (Sharlene Miller).**

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to mobile peddling upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business district, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 9; 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 consents, as required by, Section 675.08 of the Codified Ordinances to allow each persons named below to engage in mobile peddling in the public rights of way of Ward 9: Sharlene Miller.

**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

**Section 3.** That the privilege granted may be revoked at any time by this Council.

**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 September 16, 2002.  
Effective September 24, 2002.

**Ord. No. 1855-02.**

**By Council Members Coats and Jackson (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with SCT to provide financial reports from Cleveland Public Power's banner billing system, for the Department of Public Utilities.**

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

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

**Section 1.** That the Director of Public Utilities is authorized to enter into one or more contracts with SCT for professional services necessary to provide financial reports from Cleveland Public Power's banner billing system on the basis of their proposal dated September 3, 2002, in the total sum of \$127,440.00, payable from Fund No. 58 SF 001, Request No. 122426, for the Division of Cleveland Public

Power, Department of Public Utilities.

**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 September 16, 2002.  
Effective September 24, 2002.

**Ord. No. 1856-02.**

**By Council Member Jackson.**  
**An emergency ordinance authorizing the Clerk of Council to enter into an agreement with SBC Global Services, Inc. for materials and services necessary to provide dedicated Internet access and security monitoring for the computer Network 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 the Clerk of Council is hereby authorized to enter into an agreement with SBC Global Services, Inc. for materials and services necessary to provide dedicated Internet access and security monitoring for the computer Network for Cleveland City Council on the basis of its proposal dated September 11, 2002.

**Section 2.** That the cost for such services and purchases contemplated herein shall be paid from Fund No. 01, Subfund No. 001.

**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 September 16, 2002.  
Effective September 24, 2002.

**Ord. No. 1857-02.**

**By Council Member Jackson.**  
**An emergency ordinance authorizing the Clerk of Council to cause payment of registration fees, travel expenses, hotel expenses and other expenses necessary for members and employee's of Cleveland City Council to attend National League of Cities.**

Whereas, National League of Cities coordinates an annual convention to assist municipal legislators in serving their constituents; and

Whereas, members and employees of Cleveland City Council have traditionally attended this annual convention; 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 Clerk of Council is hereby authorized to cause payment of registration fees, travel expenses, hotel expenses and other expenses necessary for members and employees of Cleveland City Council to attend National League of Cities.

**Section 2.** That the payments hereby authorized shall be paid from Fund No. 01 SF 001.

**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 September 16, 2002.

Effective September 24, 2002.

**Ord. No. 1858-02.**

**By Council Member Westbrook.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9901 Madison Avenue to Trinity Methodist Church.**

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). 005-23-079, as more fully described below, to Trinity Methodist 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. 005-23-079

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 74 and 75, (excepting the Southerly 2.50 feet of each of said Sublots) in the Fliedner and Schmidt Subdivision of part of Original Brooklyn Township Lot No. 13, as shown by the recorded plat in Volume 31 of Maps, Page 16 of Cuyahoga County Records, and together forming a parcel of land 79.02 feet front on the Southerly side of Madison Avenue, N.W., and extending back 111.50 feet to the Westerly line,

and 111.50 feet on the Easterly line (which said also the Westerly line of West 99th Street) and having a rear line of about 79.82 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

**Section 5.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest 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 September 16, 2002.

Effective September 24, 2002.

**Ord. No. 1859-02.**

**By Council Member Pierce-Scott.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Cleveland Cultural Garden Federation to use Cleveland Public Power utility poles (by separate permission) to stretch one (1) banner publicizing "Teachers Day" for the period of September 13, 2002 to September 30, 2002, inclusive.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Cleveland Cultural Garden Federation to install, maintain and remove one (1) banner to be placed on Cleveland Public Power utility poles, (by separate permission), for the period of September 13, 2002 to September 30,

2002, inclusive, publicizing a "Teachers Day" event, and which banner is to be placed at the following pole locations and on the following pole numbers: at Martin Luther King Jr. Drive at the Chinese Garden (West side), No Tag or Number; and at the 1st pole North of the Chinese Garden (East side), No Tag or Number, and said banner shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be placed must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

Passed September 16, 2002.

Effective September 24, 2002.

**COUNCIL COMMITTEE MEETINGS**

**Monday, September 23, 2002  
9:30 A.M.**

**Public Parks, Property & Recreation Committee:** Present: Johnson, Chair; White, Vice Chair; Cimperman, Rybka, Sweeney, Jones, Dolan.

**Legislation Committee:** Present: White, Chair; Scott, Vice Chair; Gordon, Dolan, Westbrook, Johnson, Rybka.

**Monday, September 23, 2002  
11:00 A.M.**

**Public Service Committee:** Present: Sweeney, Chair; Jones, Vice Chair; Polensek, White, O'Malley, Zone, Cimperman, Brady, Johnson.

**Monday, September 23, 2002  
2:00 P.M.**

**Finance Committee:** Present: Jackson, Chair; Sweeney, Vice Chair; Gordon, Reed, White, O'Malley, Coats, Britt, Brady, Scott. Excused: Westbrook.

**Tuesday, September 24, 2002  
9:30 A.M.**

**Community and Economic Development Committee:** Present: Gordon, Chair; Reed, Scott, Cintron, Zone, Lewis, Jones, Coats. Excused: Cimperman, Vice Chair.

**Wednesday, September 25, 2002  
10:00 P.M.**

**Aviation & Transportation Committee:** Present: Westbrook, Chair; Sweeney, Vice Chair; Dolan, Rybka, Gordon, Reed. Excused: Britt.

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O—Ordinance; R—Resolution; F—File  
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
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