

The City Record

Official Publication of the City of Cleveland

April the Seventh, Nineteen Hundred and Ninety-Nine

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

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1	Joseph T. Jones	15601 Lotus Drive	44128
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3032 Vega Avenue	44113
15	Merle R. Gordon	1813 Tampa Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

Clerk of Council - Cecelia R. Huffman, 216 City Hall, 664-2840.
First Assistant Clerk - Sandra Franklin.

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Barry Withers, Executive Assistant for Administration
Judith Zimomra, Executive Assistant for Service
Kenneth Silliman, Executive Assistant for Economic Development
Laura Ann Williams, Director, Office of Equal Opportunity
Milan T. Polacek, Executive Assistant for Legislative Affairs

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Karen E. Martines, Law Librarian, Room 100

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City Treasury - Mary Christine Jackman, Treasurer, Room 115
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Cleveland Hopkins International Airport - Mark D. Vanloh, Commissioner
Burke Lakefront Airport - Michael C. Barth, Commissioner

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Recreation - Michael Cox, Acting Commissioner, Room 8
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Neighborhood Development - Donald T. Moss, Commissioner.
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DEPT. OF ECONOMIC DEVELOPMENT - Christopher P. Warren, Director, Room 210

DEPT. OF AGING - Susan E. Axelrod, Director, Room 122

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

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

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

The City Record



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CITY COUNCIL

MONDAY, APRIL 5, 1999

The City Record

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Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY—Alternating

9:30 A.M.—**Public Parks, Property & Recreation Committee:** Jones, Chairman; White, Vice Chairman; Britt, Polensek, Sweeney, Willis, Zone.

9:30 A.M.—**Public Health Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Britt, Cintron, Dolan, Jackson, Robinson.

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Sweeney, Chairman; Melena, Vice Chairman; Britt, Cintron, Johnson, Jones, O'Malley, Patmon, Polensek.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** White, Chairman; Cintron, Vice Chairman; Gordon, Johnson, Lewis, O'Malley, Rybka.

MONDAY

2:00 P.M.—**Finance Committee:** Johnson, Chairman; Westbrook, Vice Chairman; Cintron, Coats, Gordon, Lewis, Melena, Patmon, Robinson, Sweeney, Willis.

TUESDAY

9:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; Robinson, Vice Chairman; Cimperman, Cintron, Coats, Gordon, Jones, Lewis, Rybka.

1:30 P.M.—**Legislation Committee:** Zone, Chairman; Johnson, Vice Chairman; Britt, Cimperman, Jackson, Rybka, Westbrook.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Cimperman, Dolan, Lewis, Patmon, White.

10:00 A.M.—**Public Safety Committee:** Coats, Chairman; Zone, Vice Chairman; Gordon, Jackson, Jones, Melena, O'Malley, White, Willis.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Willis, Chairman; Coats, Vice Chairman; Britt, Jones, Melena, O'Malley, Robinson, Rybka, Sweeney.

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

ORDINANCE

Ord. No. 1143-98.

By Mayor White.

An emergency ordinance authorizing the Mayor to enter into an agreement with The City of Cleveland and Omni Outdoor & Company Limited Partnership, or its designee, to develop a system of informational kiosks to assist both tourists and local residents visiting cultural and other attractions in Cleveland's neighborhoods and downtown, **designating the programs for royalties received from that kiosk system, granting encroachment permits and outlining other aspects of the kiosk system.**

Whereas, the number of cultural and other attractions to both tourists and local residents has increased in Cleveland's neighborhoods and downtown over the past decade, causing an increase in pedestrian and other traffic in these areas;

Whereas, directional and path-finding maps would be beneficial to these pedestrians and other travelers;

Whereas, City officials have been working with a company to develop a system of informational kiosks for Cleveland;

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

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

Section 1. That notwithstanding any other ordinance or Codified Ordinance to the contrary, the Mayor is hereby authorized to enter into an Agreement with Omni Outdoor & Company Limited Partnership, or its designee, for the design, construction, installation and maintenance of a network of kiosks providing directional and other information to be located throughout the City.

Section 2. That notwithstanding any other ordinance or Codified Ordinance to the contrary, the Agreement authorized by Section 1 of this ordinance shall be substantially in the form as follows:

AGREEMENT BY AND BETWEEN THE CITY OF CLEVELAND AND OMNI OUTDOOR & COMPANY LIMITED PARTNERSHIP

THIS AGREEMENT ("Agreement") is made this ____ day of _____, 1998, by and between THE CITY OF CLEVELAND ("City" or "Cleveland"), a municipal corporation organized and existing under Article XVIII of the Ohio Constitution, and OMNI OUTDOOR & COMPANY LIMITED PARTNERSHIP ("Company"), a duly organized limited partnership.

Whereas, Cleveland desires a network of directional and informational kiosks to be located throughout the City to provide information to pedestrians and other travellers about the City and its cultural and other attractions;

Whereas, the Company has proposed to develop, design, construct, install and maintain a network of directional and informational kiosks for the City of Cleveland;

Now therefore, in consideration of the mutual covenants contained herein, Cleveland and Company agree as follows:

1. PURPOSE

1.1 Cleveland shall allow, pending the appropriate permits, the Company to install on an exclusive basis in the City a network of a maximum of 195 kiosks, subject to the option set out in Section 2.4 herein ("Network"), at those locations agreed to by the City and Company that satisfy the location criteria stated in Section 4 herein. The initial locations shall be substantially in accordance with the locations identified in Exhibit "A." [Exhibit A is contained in Council File No. 1143-98-A.]

2. KIOSKS

2.1 The Company shall assume the costs of designing, manufacturing and installing the Network of kiosks (maximum of **195 kiosks or 295** if option exercised) at only the locations identified in attached Exhibit A, provided that each location shall satisfy the location criteria stated in section 4.3 herein.

2.2 The Company shall obtain all required permits from the City, prior to construction of the kiosks. The Company shall also obtain, prior to construction, approval of the drawings and the design of the kiosks. The City may require, at the Company's expense, reasonable and required changes to such drawings and design before their final approval.

2.3 The Company shall submit to the City, for approval a prototype of each type of kiosk.

2.4 The City acknowledges that the Company would like to expand the Network by one hundred (100) kiosks in the six (6) years following the execution of the Agreement. However, Company understands and agrees that any expansion whatsoever shall be subject to the approval of the City at the time of the proposed expansion. It is understood that any additional kiosk shall be located on a site which is mutually agreed to between the City and the Company, provided that each new location shall satisfy the location criteria stated in section 4.3 herein.

3. MATERIALS

3.1 The kiosks shall be manufactured and installed by suppliers and with materials selected by the Company but approved by the City. The Company shall use its best efforts to use Cleveland and local suppliers and materials. However, all suppliers shall be located in the United States and all materials shall be purchased in the United States.

3.2 The materials used in the construction process shall be new and according to the specifications contained in the drawings.

3.3 If the Company wishes to substitute materials used in the manufacturing of the principal components of the kiosks with other materials, the Company shall request the approval of the City and provide appropriate specifications and details. The City shall have final authority to approve or disapprove the substitutions of materials. The City shall inform the Company of its decision within thirty (30) days of the receipt of all the documents requested by the City.

4. INSTALLATION AND LOCATION

4.1 The kiosks shall be installed by the Company or its representatives in conformity with all municipal, state and federal regulations and laws.

4.2 The Company shall assume all of the installation costs and all other costs required to displace or alter the infrastructure in order to permit the Company to install a kiosk.

4.3 Kiosks shall be located so that there is a clear zone of four (4) feet around all sides of each kiosk, except for any side which faces a street. There must be a clear zone of two (2) feet from any curb, measured from the back of the curb. The width of unobstructed walkway around any kiosk shall be ten (10) feet in the Central Business District and six (6) feet in all other districts. The minimum distance of any kiosk from a handicap curb ramp, utility pole, tree, fire hydrant or stand pipe

shall be five (5) feet. Kiosks shall not be located on any existing utility chase. Kiosks must be located in, and centered in, the amenity strip where one exists. Kiosks shall not be located in curb radii at intersections. Kiosks shall not be located immediately in front of building entrances so as to impede ingress or egress. Kiosks shall not block motorist sight lines at intersections. Kiosks shall not block motorists' view of regulatory signs, traffic signals, or street name signs.

4.4 The Director of Public Service or the Director of Public Safety may vary any location requirement over which either may have jurisdiction so long as the variation will not compromise public safety.

4.5 At least three (3) kiosks shall be located in each ward of the City. The locations and designs of all kiosks located outside of the Central Business District shall be approved by the relevant ward's councilmember in writing prior to installation. Furthermore, a councilmember may waive the right to at least three (3) kiosks; however, the waived kiosks may not be thereafter located in the Central Business District.

5. ELECTRIFICATION

5.1 Each kiosk shall be lit up twenty four (24) hours a day.

5.2 The supply of electricity to each kiosk shall be underground.

5.3 The Company shall assume the costs of the installation of and charges for electrical service to each kiosk.

5.4 The City shall facilitate negotiations between the Company and the electric utilities to ensure that the kiosks can be properly electrified. The Company shall seek competitive proposals from Cleveland Public Power ("CPP") for electric service to the kiosks. The Company shall give due consideration to using the services of CPP for electricity whenever a CPP connection is available and its rates are equal to or lower than any other utility company providing the same services.

6. MAPS AND SIGNS

6.1 The Company shall finance up to fifty seven thousand dollars (\$57,000) of the costs associated with the printing of the maps and up to seventy-five thousand dollars (\$75,000) of the costs associated with the design and printing of the tourist orientation signs. If it appears either dollar amount will be exceeded for the design and printing of the required tourist orientation and public information signs, the Company shall notify the City. The City shall not be required to expend any funds to make the required tourist orientation and public information signs. The Company shall be entitled to deduct said amounts from the royalty payments to be made to the City.

6.2 The Company shall obtain the approval of the City of the proofs of each map and tourist orientation sign.

7. INSTALLATION TIMETABLE

7.1 The Company shall complete the installation of all or substantially all of the kiosks in the Network within six (6) months from the execution of the Agreement.

8. MAINTENANCE

8.1 The Company shall assume, during the term of the Agreement, the costs associated with the maintenance of the kiosks and in particular shall:

8.1.1 Verify periodically the state of construction and replace the damaged materials;

8.1.2 Clean the kiosks every fourteen (14) days.

8.1.3 Subject to the following, make any and all necessary repairs and maintenance to the kiosks caused by vandalism or otherwise. The Company shall budget an annual cumulative amount of four hundred dollars (\$400) for each kiosk for such repairs and maintenance. Should the amount incurred for maintenance and repairs for the Network exceed the total budgeted amount referred to above (\$56,000 @ \$400 per kiosk) for any two consecutive years during the term of the Agreement, as demonstrated by reasonable documentation provided to the City, the City agrees that, at the beginning of the subsequent year, it will allow the Company to relocate any kiosk or group of kiosks in the Network which incurred during said period maintenance costs substantially in excess of the average maintenance costs for other locations in the Network. Such relocation shall be solely funded by the Company. The City agrees to use its best efforts to find mutually acceptable sites for such relocations having at least the same commercial value to the Company. Relocation to the new sites shall be conditioned on the appropriate permits.

8.1.4 Paint the damaged parts of the kiosks at least twice a year.

8.1.5 Remove snow around a perimeter of at least twelve (12) inches around any kiosk within twenty four (24) hours of any snowfall of at least four (4) inches.

8.1.6 Maintain a twenty four (24) hour emergency service for the purpose of insuring the security of the public, **and display on each kiosk a telephone number, which number is in service twenty-four (24) hours, to which maintenance requests may be made.**

8.1.7 Make the following repairs within two (2) business days of a written notice from the City, which written notice need not be by regular mail:

8.1.7.1 replace all broken glass;

8.1.7.2 repair all lighting defects;

8.1.7.3 repair all structural defects.

8.2 In the event that the Company does not undertake such repairs within the delays, the City shall have the right to undertake such repairs at the Company's expense.

9. ACCESS TO INFRASTRUCTURE, MOVING OF KIOSKS

9.1 The City shall have the right, at all times to require a temporary displacement of a kiosk by giving a one (1) day written notice to the Company, which written notice need not be by regular mail, for normal repairs and maintenance of its infrastructure. In the case of an emergency, the City shall only be required to provide a four (4) hour notice to the Company, which notice may be oral or written and need not be by regular mail. The Company shall assume the costs of such temporary displacement and will deduct such costs from the royalties payable to the City under the Agreement.

9.2 The City shall have the right to request the permanent displacement of kiosks for the construction of streets, parks and public places and as may be legally necessary to preserve and maintain the public rights of way in trust for public purposes. The Company shall move the kiosks within thirty (30) days of a

written notice by the City. The Company shall assume the costs of such displacement and will deduct such costs from the annual royalties payable to the City under the Agreement.

9.3 In the case where a kiosk is relocated, the City shall use its best efforts to approve a new site that is of an equivalent or superior advertising value to the Company than the previous site.

9.4 In the case of any displacement requested by the City, the City shall use its best efforts to propose and find another site for such kiosk within two (2) months of the written notice by the City under section 9.2 hereof.

9.5 In the case of any displacement required by the Company, the Company shall assume all costs related to the displacement of the kiosks and repairs to the sites.

9.6 The Company shall assume the loss of income resulting from the displacement of a kiosk during the first ten (10) days following the date of such displacement. If the displacement is requested by the City, the City shall assume, as of the eleventh (11th) day and up to the reinstallation of the kiosk, the loss of income to be established at seventy (70%) of the advertising value of the removed kiosk. This loss of income shall be deducted from the royalties.

9.7 The Company shall assume all costs related to the displacement of kiosks for the Euclid Avenue Corridor Improvement Program and no deduction shall be made from the City's royalties for any costs or loss of advertising revenue.

10. SECURITY

10.1 The Company or an affiliate shall provide to the City and maintain in force an irrevocable letter of guarantee for an amount of one million dollars (\$1,000,000) upon execution of the Agreement and for the duration of the construction period of the kiosks.

10.2 The Company or an affiliate shall provide to the City and maintain in force an irrevocable letter of guarantee for an amount of one hundred thousand dollars (\$100,000) to secure the maintenance obligations of the Company. This amount will be increased each year in accordance with the cost of living index applicable to the Cleveland area.

10.3 The Company shall undertake to assume the defense of the City in respect of each claim or proceeding against it and indemnify, and hold the City harmless, from any liability relating to any accident or damage resulting from the kiosks, except if the accident or damage is caused by the sole negligence of the City.

10.4 The City will assume no responsibility as a result of any accident caused by a default in the construction or maintenance of a kiosk.

10.5 The Company shall maintain in force, for the duration of the Agreement, civil and property liability insurance in the amount set out in section 10.6. The City shall be named as an additional insured under such policies.

10.6 Such insurance policy shall provide a four million dollar (\$4,000,000) coverage per event or per accident.

10.7 The Company shall assume all the costs relating to the insurance.

11. USE OF KIOSKS

11.1 Each kiosk shall have a face **designated** for tourist orientation and public information. The City may make use of this face without charge for such purposes.

11.2 No elected official's name, picture or likeness shall appear on the kiosk structure or the face designated for tourist orientation or public information or on any other face, except as part of a paid advertisement, provided that it is in accordance with applicable laws.

12. TAXES AND ROYALTIES

12.1 The Company shall assume and pay all taxes (including property taxes) and royalties relating to the manufacturing, installation and maintenance of the kiosks and the sale of advertising or all obligations resulting directly or indirectly from the Agreement.

12.2 Each year, within three (3) months following the end of its financial year, the Company shall pay to the City the following royalties:

12.2.1 a ten percent (10%) royalty on all gross revenues generated from the Network throughout the term of the Agreement;

12.2.2 beginning year four (4), a further royalty equal to thirty five percent (35%) of all gross revenues in excess of one million dollars (\$1,000,000) gross revenue per annum provided that the one million dollars (\$1,000,000) will be increased each year to reflect the cost of living index applicable to the Cleveland area applied to seven hundred thousand dollars (\$700,000) of fixed costs.

12.3 The above royalties in section 12.2 are conditional upon having **195** kiosks, or a lesser mutually agreed upon number, of which it is contemplated there will be ___ kiosks of three (3) faces and ___ kiosks of two (2) faces, generating ___ advertising faces at a cost of \$ _____. Of said cost of \$ _____, \$ _____ would be recuperated by the Company from royalties payable to the City under the Agreement.

12.4 The Company shall provide access to the City to **ten percent (10%) of its kiosk advertising faces** for the City's own use and not for resale. The Company and the City shall mutually agree as to the location and use of such faces.

12.5 The Company shall maintain separate financial books and records for the Network.

12.6 The City's auditors shall have access to the books and records maintained by the Company required to determine the revenues generated by the Network. Such inspection shall occur during normal business hours and after having provided the Company with a reasonable prior written notice.

12.7 The Company's recourse for collection of any costs financed by it for the City shall be solely against the royalties. The City shall never be responsible to pay any money to the Company for costs financed by it for the City.

13. TERMINATION OF THE AGREEMENT

13.1 The City shall be entitled to terminate the Agreement if the Company is in default and has not remedied such default within thirty (30) days of a written notice from the City.

13.2 Without limiting the generality of the foregoing, the Company shall be in default if it:

13.2.1 does not respect the installation timetable for the kiosks,

except if the delays result from the fault or negligence of the City or of a public utility Company;

13.2.2 refuses or neglects to remove materials forming part of a kiosk not approved by the City or not in accordance with the Agreement;

13.2.3 becomes bankrupt or insolvent, which is determined to have happened upon the filing, execution or occurrence of (a) a petition or other proceeding by, or a finding against, it for its dissolution, reorganization or liquidation, (b) a petition in bankruptcy by it, (c) an adjudication of it as bankrupt or insolvent, or (d) an assignment or petition for assignment for the benefit of creditors;

13.2.4 does not meet its obligations provided for in the Agreement;

13.2.5 does not complete the installation of the Network;

13.2.6 transfers the rights to the Agreement without the consent of the City.

13.3 Upon the happening of any one or more of the events as set forth in section 13.2 or at any time thereafter during the continuance thereof, the City may, at its option, exercise concurrently or successively any one or more the following rights and remedies, in addition to its right to terminate as stated in section 13.1.

13.3.1 Without waiving any default, pay any sum required to be paid by Company to others than the City and which Company has failed to pay, and perform any obligation required to be performed by Company hereunder, and any amounts so paid or expended by the City in fulfilling the obligations of Company hereunder, including all interest, costs, damages, attorneys' fees and penalties, shall be repaid by Company to the City on demand with interest thereon at the rate of twelve percent (12%) per annum from the date of such payment or expenditure;

13.3.2 Enjoin any breach or threatened breach by Company of any covenants, agreements, terms, provisions or conditions hereof;

13.3.3 Sue for the collection of any amounts for which Company may be in default or for the performance of any other obligation, promise or agreement devolving upon Company for performance or damage therefor, all without terminating this Agreement;

13.3.4 Exercise any and all additional rights and remedies which the City may have at law or in equity.

13.4 All rights and remedies granted to the City herein and any other rights and remedies which the City may have at law and in equity are hereby declared to be cumulative and not exclusive and the fact that the City may have exercised any remedy without terminating this Agreement shall not impair the City's rights thereafter to terminate or to exercise any other remedy herein granted or to which it may be otherwise entitled.

13.5 At the termination of the Agreement, the City becomes owner of all the kiosks, the accessories, the maps and signs without any charge or indemnity payable to the Company.

14. DURATION OF THE AGREEMENT

14.1 The Agreement shall be for a term of twenty (20) years following its execution.

14.2 Unless directed otherwise by the City, the Company agrees to assign to the City all kiosks, the accessories and the plans and signs at the earliest of one or the other of the following events:

14.2.1 at the twentieth (20th) anniversary of the Agreement;

14.2.2 prior thereto, should the Company not remedy a default provided for in section 13 hereof.

14.3 At the termination of the Agreement, the Company shall have no further obligation towards the City, with the exception of any obligations arising out of the City's remedies for default or any obligations that are unfulfilled.

14.4 Upon an assignment pursuant to Section 14.2, the City shall take possession of the kiosks without any payment or monetary obligations toward the Company.

14.5 The City may choose to have the company remove any of the kiosks and restore the sidewalks, all at the Company's sole cost without deduction from royalties, at the happening of one of the events stated in Section 14.2. If the Company is required to remove a kiosk and restore the sidewalk, this must be completed within ninety (90) days after one of the events stated in Section 14.2.

15. POSTING

15.1 The Company shall be responsible for the entering into advertising contracts.

15.2 The Company acknowledges and agrees that it shall not post or allow to be posted any advertising of tobacco products on the Network. The Company agrees to comply with any municipal, state or federal legislation which imposes certain restrictions on the advertising of products, including the advertising of alcoholic beverage products. **Recognizing that there are select areas of the City in which advertising of alcoholic beverage products is allowed, the Company further agrees that no kiosk will contain more than one advertisement face for alcohol beverage products and that alcohol beverage product advertising will not dominate any group of kiosks in any given area. The Company and the City agree to work out an acceptable formula or ratio in connection with such advertising.**

15.3 The Company undertakes to take up the defense for the City in respect of any claims or proceedings against the City resulting from advertising contracts entered into by the Company.

16. ASSIGNMENT

16.1 The Company may not assign, transfer, convey, sell or pledge its rights or interests in this Agreement or any part thereof, or any right or privilege created hereunder, except that Company shall be allowed to assign its rights to execute this Agreement to an affiliate or subsidiary of the Company.

17. CURRENCY

17.1 All dollar amounts referred to herein are in United States dollars.

18. EQUAL EMPLOYMENT OPPORTUNITY AND CITY RESIDENTS

18.1 Company acknowledges that it is the policy of the City that business concerns owned and operated by minority persons and females shall have every practicable opportunity to participate in the performance of contracts awarded or

assisted by the City. Company shall use its best efforts to award **fifteen percent (15%)** of the construction contracts and supplier purchase orders for the Network to minority owned business enterprises and **five percent (5%)** of the construction contracts and supplier purchase orders for the Network to female owned business enterprises ("MBE/FBE"), as those phrases are defined in Section 187.01 of the Codified Ordinances of the City of Cleveland, that have been certified by the City's Office of Equal Opportunity ("MBE/FBE Participation Requirements"). Exemptions may be granted by the City on contracts for purchase and installation of specialized equipment or materials installed by the manufacturer. Company shall make a good faith effort to obtain any exemption from the City prior to the execution of the contract for the purchase and installation of such specialized equipment or materials, but in no event shall an exemption be obtained later than the commencement of construction of the Network component for which the exemption is being sought.

The MBE/FBE Participation Requirement shall be equal to the total dollar amount of construction contracts, and supplier purchase orders less approved exemptions multiplied by **fifteen percent (15%) and five percent (5%)**, respectively. To verify the award of MBE/FBE contracts, Company shall submit to the City copies of all contracts, subcontracts, purchase orders, lien waivers or other evidence of payment acceptable to the City.

Materials and supplies obtained from MBE/FBE suppliers and manufacturers may be counted towards fulfilling the MBE/FBE Participation Requirements if the MBE/FBE assumes the actual and contractual responsibility for the provision of the materials and supplies. The total dollar value will be counted in the case of MBE/FBE manufacturers and suppliers, provided that the MBE/FBE supplier performs a commercially useful function in the supply process. An MBE/FBE firm who performs a commercially useful function is one who supervises, manages or actually performs a distinct element of the work.

18.2 This Agreement is a "contract", within the meaning of Chapter 187 of the Codified Ordinances of Cleveland. During the term of this Agreement, Company shall comply with all terms, conditions and requirements imposed on a "contractor" in the Equal Opportunity Clause, Section 187.11(b), attached as Exhibit B and made a part hereof. A copy of the Equal Opportunity Clause shall be made a part of every subcontract or agreement entered into for goods or services, and shall be binding on all persons, firms and corporations with whom Company may deal.

18.3 Company shall, to the greatest extent feasible, hire and employ residents of the City of Cleveland to carry out its obligations under this Agreement and award contracts for work to carry out its obligations under this Agreement to businesses located in the City of Cleveland or owned in substantial part by persons residing in the City of Cleveland. Company shall strive to hire and employ minorities and females. City may refer potential employees to Company.

19. WORKERS' COMPENSATION: SOCIAL SECURITY ACT

19.1 Company shall at all times during the term of this Agreement subscribe to and comply with the Workers' Compensation Laws of the State of Ohio and pay such premiums as may be required thereunder and save the City harmless from any and all liability arising from or under said act.

19.2 Company shall be, and remain, an independent contractor with respect to all installations and services performed hereunder and shall accept full and exclusive liability for the payment of any and all contributions or taxes for social security, unemployment insurance, or old age retirement benefits, pensions, or annuities now or hereafter imposed under any State or Federal law which are measured by the wages, salaries or other remuneration paid to persons employed by Company or work performed under the terms of this Agreement. Company shall obey all rules and regulations which are now or hereafter issued or promulgated under said respective laws by any duly authorized State or Federal officials. Company shall indemnify and save harmless the City from any such contribution of taxes or liabilities therefor.

20. NOTICES

20.1 All notices shall be sent by regular mail, postage prepaid, to the following addresses.

20.2 Notices to the City shall be delivered or addressed to it at: or to such other person or place as the City may designate in writing.

20.3 Notices to the Company shall be delivered or addressed to it at:

or to such other person or place as the Company may designate in writing.

21. CONSTRUCTION OF AGREEMENT

21.1 All terms and words used in this Agreement, regardless of the number and gender in which they are used, shall be deemed and construed to include any other number, singular or plural, and any other gender, masculine, feminine or neuter, as the context or sense of this Agreement or any paragraph or clause herein may require, the same as if such words have been fully and properly written in the number and gender. Company agrees that no representation or warranties of any type shall be binding upon the City, unless expressly authorized in writing herein. The headings of sections and paragraphs, if any, to the extent used herein are used for reference only, and in no way define, limit or describe the scope or intent of any provision hereof. This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be deemed an original, but such counterparts together shall constitute but one and the same instrument. Exhibits A and B attached hereto are hereby incorporated in and made a part of this Agreement.

21.2 This Agreement supersedes all prior Agreements between the parties respecting the subject matter of this Agreement, both written and unwritten, and constitutes the entire Agreement between the parties as of the date hereof. Any provisions of prior Agreements which conflict in any manner with the

provisions of this Agreement are hereby specifically declared void and of no effect.

21.3 This Agreement shall not be changed, modified, discharged or extended except when authorized by an ordinance of the City and by written instrument executed by both parties pursuant to the laws of the State of Ohio and the ordinances and charter of the City.

21.4 If any term or provision of this Agreement is held invalid, illegal or unenforceable by any court of competent jurisdiction, the invalidity, illegality or unenforceability shall not affect any other term of provision hereof. This Agreement shall be interpreted and construed as if such term or provision, to the extent it has been held invalid, illegal or unenforceable, had never been contained herein.

23.5 Nothing contained in this Agreement shall be deemed to constitute the City and Company as partners in a partnership or joint venture for any purpose whatsoever.

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

24. REPORTS

24.1 Company must report annually on February 1 to the Clerk of the Council of the City (1) the royalties paid to the City in the prior year; (2) a listing of the location of each kiosk; (3) the number of Company employees and the City of residence, race and gender of each employee; and (4) a list of neighborhood or civil notices posted on the kiosks. A copy of this report shall be delivered to the City at the appropriate address.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed as of the day and year first above written.

CITY OF CLEVELAND
By Michael R. White
Mayor
Date: _____

OMNI OUTDOOR & COMPANY
LIMITED PARTNERSHIP
By: _____
Date: _____

WITNESSES

The legal form and correctness of this instrument is approved.

CORNELL P. CARTER
Director of Law

By: _____
Assistant Director of Law
Date: _____

Section 3. That the Mayor and the Director of Law and other appropriate City officials are hereby authorized to file all papers and execute all documents and take such other actions as may be necessary for the purpose of implementing the terms and conditions of this Agreement authorized in Section 1 of this ordinance.

Section 4. That all royalties received by the City pursuant to the Agreement authorized by Section 1 of this ordinance shall be used for the City's Storefront Renovation Program, except that annually no greater than Ten Thousand Dollars (10,000) may be paid to the Downtown Development Partnership and no greater than Ten Thousand Dollars (10,000) may be paid to the Cleveland Neighborhood Develop-

ment Corp. from the royalties for their services to administer the tourist and public information aspects of the kiosk program. The maximum amount that may be paid to the Downtown Development Partnership and the Cleveland Neighborhood Development Corp. shall be adjusted each year by the annual percentage change in the Cleveland, Ohio Consumer Price Index for the twelve (12) month period ending the previous June 30, rounded to the nearest dollar. The revised maximum shall take effect on January 1 of each year.

Section 5. That no elected official's name, picture or likeness shall appear on the maps or tourist information signs or any other signs, except as part of a paid advertisement, provided that it is in accordance with applicable laws.

Section 6. That prior to the City agreeing to certain provisions in the Agreement authorized by Section 1 of this ordinance, the City Planning Committee of Council shall be consulted. Specifically, City Planning Committee approval is necessary for substantive, non-design-related issues such as Sections 2.4, 9.3, 9.4 and 14.5 of the Agreement described in Section 2 of this ordinance.

Section 7. That notwithstanding any other ordinance or Codified Ordinance to the contrary, the Director of Public Service is hereby authorized to issue a permit or permits to Omni Outdoor & Company Limited Partnership or its affiliate or subsidiary that may be a party to the Agreement authorized in Section 1 of this ordinance to erect, construct, replace and maintain various informational kiosks on the sidewalks and other public ways of the City of Cleveland at various locations throughout the City of Cleveland subject to all requirements, including the location, access and security requirements stated in the Agreement described in Section 2 of this ordinance.

Section 8. That the permit authorized in Section 7 of this ordinance shall be prepared by the Director of Law.

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

BOARD OF CONTROL

March 31, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 31, 1999, at 11:00 a.m., with Acting Mayor Carter presiding.

Present: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Absent: Mayor White, Director Balraj.

Others: William A. Moon, Commissioner, Purchases and Supplies. Laura A. Williams, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 148-99.

By Director Carmody.

Be it resolved, pursuant to Ordinance No. 1744-97, passed by the Council of the City of Cleveland October 20, 1997, New World Systems is hereby selected upon the nomination of the Director of Finance from a list of firms determined after a full and complete canvass by the Director of Finance, as the firm of computer system consultants to be employed by contract for the purpose of supplementing the regularly employed staff of the several departments of the City in order to provide project management, systems integration, application software support, end-user training and technical support personnel training, data conversion, acquisition of computer hardware, computer software and systems design, for the design, development, implementation, including installation, licensing and support of a Computer Aided Dispatch (CAD) system, for the Department of Public Safety; now, therefore,

Be it further resolved that the Director of Finance hereby is authorized to enter into a written contract with New World Systems for the Computer Aided Dispatch System for the Department of Public Safety, based upon its proposal dated January 18, 1999, which contract shall be prepared by the Director of Law and shall include such additional provisions as he deems necessary to benefit and protect public interest.

Be it further resolved that the costs of the aforementioned contract authorized hereby for the Computer Aided Dispatch System shall not exceed Two Million Two Hundred Thirty-Nine Thousand and Seven Hundred Twenty-One Dollars (\$2,239,721).

Yeas: None.

Nays: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Absent: None.

Resolution No. 149-99.

By Director Carmody.

Resolved by the Board of Control of the City of Cleveland, that all bids received on March 26, 1999 for Pre-Sort Mail Service (all items) for the Division of Various Divisions of City Government, Department of Finance, pursuant to the authority of Ordinance No. 272-99, passed by the Council of the City of Cleveland on March 22, 1999 be and the same are hereby rejected.

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 150-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 2012-97, passed by the Council of the City of Cleveland on February 2, 1998, Orion Consulting, Incorporated is hereby selected from the list of firms determined after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract for the production and distribution of the 1998 Water Quality Report, for

the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with Orion Consulting, Incorporated based upon its proposal dated January 29, 1999 and addendum thereto dated March 26, 1999, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal, for an aggregate fee not in excess of \$225,000.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Orion Consulting, Incorporated for the above mentioned professional service is hereby approved:

SUBCONTRACTOR WORK

Phifer LWD Printing
printing services

Kapp & Associates,
Incorporated
graphic design services

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 151-99.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Inframetrics, Inc. for an estimated quantity of test equipment, item nos. 3 and 4, for the Divisions of Cleveland Public Power, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on the 18th day of February 1999, pursuant to the authority of Ordinance No. 213-93, passed March 15, 1993 on the basis of the estimated quantity would amount to One Hundred Forty Five Thousand Eight Hundred and no/100 Dollars (\$145,800.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 21722
which shall be certified against such contract in the sum of Fifty Six Thousand and no/100 Dollars (\$56,000.00).

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: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 152-99.

By Director Konicek.
Be it resolved, by the Board of Control of the City of Cleveland that all bids received on January 28, 1999, for Streetlighting Materials item nos. 28, 52 and 53, for the Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority of Section 129.26 of the Codified Ordinances of the City of Cleveland 1976, be and the same are hereby rejected.

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 153-99.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Reed City Power Line Supply Co. for an estimated quantity of streetlighting materials, item nos. 27, 50, 51 alt., 54 thru 60, 63 thru 66 and 81, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on January 28, 1999, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Three Hundred Thirty One Thousand Two Hundred Eighty Six and 10/100 Dollars (\$331,286.10), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 21719
which shall be certified against such contract in the sum of Thirty Six Thousand Seven Hundred Twenty and no/100 Dollars (\$36,720.00).

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: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 154-99.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Leader Electric Supply Co. for an estimated quantity of streetlighting materials, item nos. 67 thru 77, 82 and 83, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on January 28, 1999, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the

basis of the estimated quantity would amount to One Hundred Seventy Two Thousand Eight Hundred and no/100 Dollars (\$172,800.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 21717
which shall be certified against such contract in the sum of One Hundred Twenty Six Thousand One Hundred Ninety and no/100 Dollars (\$126,190.00).

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: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 155-99.

By Director Konicek.
Be it resolved, by the Board of Control of the City of Cleveland that all bids received on February 18, 1999, for Labor and Material to Inspect, Test and Repair Bucket and Derrick Trucks, item nos. 1 and 3, for the Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority of Ordinance No. 1069-98, passed by the Council of the City of Cleveland on July 29, 1998, be and the same are hereby rejected.

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 156-99.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of American National Fleet Service, Inc. for an estimated quantity of labor and material to inspect, test and repair bucket and derrick trucks, item nos. 2 and 4 thru 7, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 18th day of February 1999, pursuant to the authority of Ordinance No. 1069-98, passed July 29, 1998 on the basis of the estimated quantity would amount to Two Hundred Thousand and no/100 Dollars (\$200,000.00), (5% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 21205 which shall be certified against such contract in the sum of Twenty Five Thousand and no/100 Dollars (\$25,000.00).

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.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by American National Fleet Service, Inc., for labor and material to inspect, test and repair bucket and derrick trucks for the above-mentioned requirement contract is hereby approved:

SUBCONTRACTOR	MBE/FBE
Jordan Distributors	13% (MBE)
Ultra Printing & Design	5% (FBE)
Lake Industrial Supply	2% (MBE)

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 157-99.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Wesco Distribution, Inc. for an estimated quantity of street-lighting materials, item nos. 5 thru 22, 25 and 29 thru 49, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on January 28, 1999, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Five Hundred Eighty Nine Thousand Eight Hundred Nineteen and 62/100 Dollars (\$589,819.62), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 21720 which shall be certified against such contract in the sum of Twenty Nine Thousand Nine Hundred Sixty Two and 84/100 Dollars (\$29,962.84).

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: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 158-99.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Pepco for an estimated quantity of streetlighting materials, item nos. 1 thru 4, 61, 62 and 79 alt., for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on January 28, 1999, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Sixty Nine Thousand Nine Hundred Twenty and 05/100 Dollars (\$69,920.05), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 21718 which shall be certified against such contract in the sum of Three Thousand Seven Hundred Twenty One and no/100 Dollars (\$3,721.00).

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: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 159-99.

By Director Ricchiutto.
Resolved, by the Board of Control of the City of Cleveland that the bid of Valley Ford Sterling Truck Sales, Inc. for an estimated quantity of various crew cab and chassis with dump body and additional equipment (all items) for various divisions of City Government, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on February 19, 1999, pursuant to the authority of Ordinance No. 1074-98, passed June 15, 1998, which on the basis of the estimated quantity would amount to approximately Three Hundred Thirty One Thousand Nine Hundred Twelve and no/100 Dollars (\$331,912.00), (Net 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service 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. 31368 which shall be certified against such contract in the sum of Three Hundred Thirty One Thousand Nine Hundred Twelve and no/100 Dollars (\$331,912.00).

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 esti-

mated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Valley Ford Sterling Truck Sales, Inc., for the purchase of various crew cab and chassis with dump body and additional equipment, (all items), is hereby approved:

Logical Services — MBE
\$700.00/unit — 2%

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 160-99.

By Director Jackson.
Whereas, pursuant to the authority of Ordinance No. 1955-98, passed December 14, 1998, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized by and at the direction of the Board of Control to sell certain City-owned, property, no longer needed for public use, described therein and located at the northwest corner of East 131st Street and Iroquois Avenue, Permanent Parcel Number 110-15-022, to Umstead Management & Construction Company; and

Whereas, said Ordinance No. 1955-98 provided that the consideration to be paid for the property shall be at a price not less than the fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 1955-98, passed by the Council of the City of Cleveland on December 14, 1998, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property, no longer needed for public use, described therein and located at the northwest corner of East 131st Street and Iroquois Avenue, Permanent Parcel Number 110-15-022, to Umstead Management & Construction Company. The consideration to be paid for said property is hereby fixed at One Hundred Dollars (\$100.00), which amount is determined to be not less than the fair market value.

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

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 161-99.

By Director Jackson.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of Able Contracting Group, Inc. for the public improvement of Maplewood Ball Diamond Complex Fence Improvements Project, for Base Bid Items 1 - 2 and 4 - 7, for the Division of Research, Planning

& Development, Department of Parks, Recreation & Properties, received on March 24, 1999, pursuant to the authority of Ordinance No. 1605-98, passed October 19, 1998, upon a unit basis for the improvement in the aggregate amount of Eighteen Thousand, Five Hundred Eighty Seven and 25/100 Dollars (\$18,587.25), is hereby affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractor to Able Contracting Group, Inc. on the public improvement for Maplewood Ball Diamond Complex Fence Improvements Project is hereby approved.

SUBCONTRACTOR RESPONSIBILITY

Crawford Fence & Guardrail (MBE)	Fence Work
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Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 162-99.

By Director Jackson.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. J. Platten Contracting Co. for the public improvement of Lonnie Burten Recreation Center Site Improvements Project, for Base Bid Items 1, 3-5, 7-11, 14-21, 24-30, 32, 34-37, 40, 42-43, 50-55, 63-64, 66-71 and 74-77 and Alternate Items 1-7, for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on January 13, 1999, pursuant to the authority of Ordinance No. 929-97, passed June 9, 1997, upon a unit basis for the improvement in the aggregate amount of Three Hundred Ninety Nine Thousand, Eight Hundred Sixty Two and 90/100 Dollars (\$399,862.90), is hereby affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractors for R. J. Platten Contracting Co. on the public improvement for Lonnie Burten Recreation Center Site Improvements are hereby approved.

SUBCONTRACTORS RESPONSIBILITY

Cook Paving (MBE)	Asphalt Work
United Ready Mix (MBE)	Concrete Work
Lito Trucking (MBE)	Trucking
Barrow Sign (FBE)	Signage

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens,

Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 163-99.

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 Nos. 142-25-047, 142-25-048, 142-27-021, 142-27-022, 142-27-104 and 142-27-105 under said Land Reutilization Program; and

Whereas, Ordinance No. 462-99 passed March 22, 1999, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Amistad Development Corporation or designee has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 462-99 passed March 22, 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 Amistad Development Corporation or designee for the sale and development of Permanent Parcel Nos. 142-25-047, 142-25-048, 142-27-021, 142-27-022, 142-27-104 and 142-27-105, 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 parcels shall be \$600 each, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 164-99.

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. 001-28-034 under said Land Reutilization Program; and

Whereas, Ordinance No. 104-99 passed March 22, 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, Revco Discount Drug Center 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. 104-99 passed March 22, 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 Revco Discount Drug Center for the sale and development of Permanent Parcel No. 001-28-034, 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 parcels shall be \$1,000, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 165-99.

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 Nos. 123-20-077, 123-21-121, 123-21-123, 125-27-048, and 125-27-049 under said Land Reutilization Program; and

Whereas, Ordinance No. 426-99 passed March 15, 1999, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Cleveland Housing Network, Incorporated has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 426-99 passed March 15, 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 Cleveland Housing Network, Incorporated for the sale and development of Permanent Parcel Nos. 123-20-077, 123-21-121, 123-21-123, 125-27-048, and 125-27-049, 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 parcels shall be \$100 (each) which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 166-99.

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, under said Program, the City has acquired Permanent Parcel No. 102-34-045 located at 1800 East 30th Street in Ward 13; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland,

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

Whereas, Frank Menge and Marcella Menge, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 13 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Frank Menge and Marcella Menge for the sale and development of Permanent Parcel No. 102-34-045 located at 1800 East 30th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1,050, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 167-99.

By Director Carmody.

Be it resolved, pursuant to Ordinance No. 1744-97, passed by the Council of the City of Cleveland October 20, 1997, New World Systems is hereby selected upon the nomination of the Director of Finance from a list of firms determined after a full and complete canvass by the Director of Finance, as the firm of computer system consultants to be employed by contract for the purpose of supplementing the regularly employed staff of the several departments of the City in order to provide project management, systems integration, application software support, end-user training and technical support personnel training, data conversion, acquisition of computer hardware, computer software and systems design, for the design, development, implementation, including installation, licensing and support of a Computer Aided Dispatch (CAD) system, for the Department of Public Safety; now, therefore,

Be it further resolved that the Director of Finance hereby is authorized to enter into a written contract with New World Systems for the Computer Aided Dispatch System for the Department of Public Safety,

based upon its proposal dated January 18, 1999, which contract shall be prepared by the Director of Law and shall include such additional provisions as he deems necessary to benefit and protect public interest.

Be it further resolved that the costs of the aforementioned contract authorized hereby for the Computer Aided Dispatch System shall not exceed One Million One Hundred Seventy Four Thousand Four Hundred and Twenty Nine Dollars (\$1,174,429.00).

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 168-99.

By Director Balraj.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 710-95, passed by the Council of the City on June 12, 1995, the Director of Port Control is hereby authorized to enter into a written agreement with Wendling Communications for production, completion and distribution of Horizons Newsletter for spring and summer, 1998 for the divisions of Cleveland Hopkins International Airport and Burke Lakefront Airport, Department of Port Control. Said agreement shall be in an amount not to exceed \$62,566.10 and shall be prepared by the Director of Law and shall contain such other terms and provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 169-99.

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland, that all bids received on March 12, 1999 for rebuilt Allison Transmissions for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance No. 2099-98, passed by the Council of the City of Cleveland on February 1, 1999 be and the same are hereby rejected.

Yeas: Acting Mayor Carter, Acting Director Marks, Directors Carmody, Konicek, Acting Director Owens, Director Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials may be obtained at the office of the

Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

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

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

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 19, 1999

9:30 A.M.

Calendar No. 99-33: 16501 Euclid Avenue (Ward 10)

Harold J. Stern, owner, and Gary Fishman, attorney, appeal to install approximately 200 linear ft. of 10' high chain link fencing to the north and west of an 80' x 240' corner parcel occupied by a one-story building to the west of the property, all located in split zoning between a Two-Family and Local Retail District at the corner of Alcoy Road and Euclid Avenue at 16501 Euclid Avenue; said installation being contrary to the Yards and Courts Regulations of Section 357.13(b)(3) where the maximum height of fencing along side street of the corner lot and 10% of the rear lot is 4'-6" and 10' is proposed along the rear yard of the corner lot and the maximum height permitted is 6' as stated in Section 337.23(a)(6) of the Codified Ordinances.

Calendar No. 99-54: 8204-8208 Medina Avenue, a.k.a. 1101 East 82nd Street (Ward 7)

Bonnie Jones, owner, appeals to install approximately 90 linear ft. of 5'-6" high wooden fencing to the north and west of a 60' x 72' corner parcel occupied by a one-story building to the west of the property, all located in a Two-Family District at the corner of East 82nd Street and Medina Avenue, a.k.a. 1101 East 82nd Street; said installation being contrary to the Yards and Courts Regulations where the proposed height of fencing is 5'-6" and the maximum height of fencing 30' deep and front corner lot angle is 2'-6" as stated in Section 357.13(b)(3) of the Codified Ordinances.

Calendar No. 99-56: 1946 St. Clair Avenue (Ward 13)

Seaway Acceptance Corporation, owner, and Code Blue Inc., tenant, appeal to install approximately 163 linear ft. of 6' high solid wooden fencing where 35 linear ft. are proposed to the east and the remaining proposed on the southerly portion of an approximate 28' x 135' parcel

located in a Semi-Industry District on the southerly side of St. Clair Avenue at 1946 St. Clair Avenue; said proposal being contrary to the Enforcement and Penalty Regulations where an incomplete permit application was submitted without the signatures of all relevant property owners and the owner of the easement must consent to and authorize installation of the proposed fencing as stated in Section 327.02 of the Codified Ordinances.

Calendar No. 99-57: 1743-1749 East 55th Street (Ward 7)

Charles S. Smith, owner, appeals to change the use of an existing 130' x 30' two-story masonry store building located in a Semi-Industry and Multi-Family District and situated on a 179' x 150' parcel, with an existing 54' x 27' one-story masonry storage building to the south of the proposed building in question, into a bar and lounge for assembly use and parking for 27 cars and located at the northeasterly corner of Lexington Avenue and East 55th Street at 1743-1749 East 55th Street; said change of use and proposed parking being contrary to Residential District Regulations of Section 337.08 where a bar and lounge are not permitted in a Multi-Family District and contrary to the Off-Street Parking and Loading Regulations of Section 349.08 where 75 spaces are required and 27 spaces are proposed, and the Landscaping and Screening Regulations of Section 352.10 where a 6' medium landscaping strip for screening of parking from street is required and Sections 352.08, 352.09 and 352.11 where an 8' heavy transition landscaping strip is required between the Semi-Industry and Multi-Family Districts and Section 352.12 where a landscaping plan is required and parking not permitted in the front building setback line established on Lexington Avenue as stated in Section 357.14 of the Codified Ordinances.

Calendar No. 99-58: 3767 West 130th Street (Ward 19)

Luther and Juanita Peters, owners, and Patio Enclosures, Inc., agent c/o Michael Shon, contractor, appeal to enclose the existing 6' x 25' front porch of an existing 25' x 34' two-dwelling house situated on a 40' x 105' parcel and located in a Two-Family District on the east side of West 130th Street at 3767 West 130th Street; said enclosure being contrary to the Yards and Courts Regulations where enclosed porches or vestibules do not project more than 4' and do not aggregate a vertical area in any story more than 20% of the area of the facade in that story as stated in Section 357.13(B)(4) of the Codified Ordinances.

Calendar No. 99-61: 1901 Eglindale Avenue (Ward 14)

County of Cuyahoga, owner, and Multiple Sclerosis Association of America/HUD, tenants c/o Nick Zarnas and Jennifer Wintner, attorney, appeal to erect a 153' x 49' two-story frame 17 dwelling units apartment building and accessory parking area, all on a 284' x 376' triangular shaped acreage corner parcel located in a Two-Family District at the corner of Ketteringham Road and Eglindale Avenue and to be known for the apartment building as 1901 Eglindale Avenue; said apartment building being totally within the residence district contrary to the residence limitations of

Section 337.03 and not in conformance with the Off-Street Parking and Loading Requirements of Section 349.04 where 17 parking spaces are required and 8 are proposed and contrary to the Yards and Courts Regulations of Section 357.04 where 15% of the average depth of the lot or 19' is required and 7.33' is provided and the Area Requirements of Section 355.04 where a 40,800 sq. ft. lot is required and 34,055 sq. ft. lot area is proposed and Section 337.06 where a minimum 2400 sq. ft. of lot area for each dwelling unit is required and two side yards each a minimum of 20' are required and 5' are provided and Section 347.08 where the trash and refuse areas shall be screened with an opaque fencing not lower than the height of the refuse containers and owner of property must consent to permit application as stated in Section 327.02 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, APRIL 5, 1999

At the Meeting of the Board of Zoning Appeals on Monday, April 5, 1999, the following appeals were heard by the Board:

The following appeals were **Approved**:

Calendar No. 99-44: 2421 Bridge Avenue

Michael Kaplan, owner, appealed to change use of an existing masonry welding building in a General Retail Business District into a light industrial building to accommodate art glass blowing.

Calendar No. 99-45: 5208 Memphis Avenue

Memphis Fulton Association, owner, and Metropolitan Health Medical Center, tenant, appealed to change use of an existing retail tenant space into a medical office with 4 physicians and 7 support staff members in the Memphis Fulton Shopping Center in a Local Retail Business District.

The following appeals were **Postponed**:

Calendar No. 99-46: 4190 Bradley Road postponed to May 3, 1999.

Calendar No. 99-47: Appeal of Chester P. Kuchinski postponed to April 3, 1999.

Calendar No. 99-53: 2925 East 75th Street, a.k.a. 7507-19 Kinsman Road postponed to May 10, 1999.

On Monday, March 29, 1999, in Executive Session:

The following appeal was heard on Monday, March 29, 1999, and said decision to **GRANT** was approved and adopted by the Board on April 5, 1999:

Calendar No. 99-60: 11225 Detroit Avenue

Kristen Kemper, owner c/o Paul Vernon, agent, appealed to construct a 4'-5" wide x 14' long approximately 7' high arbor/trellis with free standing wooden columns

to the west of a one-story office building and an 8'-10" wide 4'-6" long x 7" high like form to the south of said building in a Local Retail District.

The following appeals were heard on Monday, March 29, 1999, and said decisions to **DENY** were approved and adopted by the Board on April 5, 1999:

Calendar No. 99-19: 10201 Elk Avenue

J. C. Green, owner, and Eller Media Company c/o Scott Rowland, and Anthony Calabrese, attorney, appealed to install a 48' x 14' billboard sign on a single steel pole in a Semi-Industry District.

Calendar No. 99-40: 2261-2263 East 83rd Street

Yvonne Ball, owner, appealed from the refusal to approve a lot split for a 33' x 173' lot in a Limited Multi-Family District.

Calendar No. 99-42: 3843 Bosworth Avenue

Charlotte Mullican, owner, appealed to install 40 linear feet of 6' high stockade fencing on a 140' x 46' parcel in a Two-Family District.

EUGENE CRANFORD, JR.,
Secretary

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

Re: Report of the Meeting of
March 31, 1999

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-157-98.

RE: Appeal of V.G.U. Industries, Owner of the Property located on the premises known as 4747 Manufacturing Avenue (a.k.a. 4735-51 Manufacturing Avenue) from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated September 16, 1998, 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 accept the letter dated March 25, 1999 to the Fire Prevention Bureau from V.G.U. Industries as a resolution of the docket, noting that the terms and the conditions are fulfillment of the agreement between the City and the Appellant. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-229-98.

RE: Appeal of Rosie Bradley, Owner of the Seven Dwelling Unit Adult Group Home located on the premises known as 1934 East 90th Street from an ADJUDICATION ORDER of the Commissioner of the

Division of Building and Housing dated November 2, 1998, 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 find that the property located at 1934 East 90th Street is to be classified as R-2 based upon the comments rendered by the Appellant, and that the incorporation of smoke detectors throughout the building, heat detectors in the furnace and kitchen, and that limitation of the storage areas to 100 s.f. with one hour enclosures will be incorporated as life safety measures in the property. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-234-98.

RE: Appeal of Mike Sadowsky, Owner and Frank Maenza, Tenant, of the Night Club located on the premises known as 1628 Fall Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated November 25, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

The Board will take no action on Docket A-234-98 at this time, noting that the Appellant will resubmit plans to the Building Department; the docket will remain open.

* * *

Docket A-4-99.

RE: Appeal of William Gambatse, on behalf of the Sheet Metal Workers' Local Union No. 33, appellant, appeals the decision of the City of Cleveland's Division of Building and Housing Deputy Commissioner interpretation that the installation of the power exhaust ductwork off the surge tank at the Cleveland Browns Stadium Project falls under the Plumber Code is incorrect, appellant believes that the work in question should fall under the Ohio Mechanical Code.

BE IT RESOLVED, a motion is in order at this time to find that Mr. Robert Vilkas, Deputy Commissioner of the Division of Building and Housing acted properly in discharging his duties, and that the Board is not empowered to review, approve or disapprove jurisdiction of assignments. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-8-99.

RE: Appeal of Joan Mencini Ticconi, Owner of the Property located on the premises known as 16200 Mandalay Avenue from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated December 8, 1998.

Docket A-8-99 has been WITHDRAWN at the request of the Appellant on March 30, 1999.

* * *

Docket A-9-99.

RE: Appeal of Shirley A. Russell, Owner of the Property located on

the premises known as 10631-35 St. Clair Avenue from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing dated January 13, 1999, 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 require the Appellant to obtain mechanical permits within one month (1 mo.) and that the work commence within three months (3 mos.); and to REMAND the property at 10631-35 St. Clair Avenue to the Division of Building and Housing at this time for supervision and further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-13-99.

RE: Appeal of Eugene T. Baugh, Owner of the One Story Masonry Bar and Two Stores located on the premises known as 14501-07 Woodworth Avenue from a VACATE FORTHWITH / CONDEMNATION I-6 / ELECTRICAL / HVAC / CONDEMNATION SUPPLEMENT of the Commissioner of the Division of Building and Housing dated February 11th, 17th, 22nd and 23rd, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-13-99 has been POSTPONED; to be rescheduled for April 14, 1999.

* * *

Docket A-17-99.

RE: Appeal of Shirlye Morton, Owner, and Creative Home Improvements, Contractor of the Two Dwelling Frame Residential Property located on the premises known as 3401 East 143rd Street from a NOTICE OF VIOLATION/HVAC/PLUMBING of the Commissioner of the Division of Building and Housing dated January 26, 1999, 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 Appellant forty-five days (45 das.) in which to abate the violations; the property is REMANDED at this time to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-19-99.

Re: Appeal of GMS Management Co., Inc., Owner of the Property located on the premises known as 2720 Van Aken Boulevard from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated February 3, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action, to be rescheduled for April 14, 1999.

* * *

Docket A-20-99.

RE: Appeal of Florine B. Anthony, Owner of the Two/one-half Story Frame Residential Property located on the premises known as 920 Stevenson Road from a NOTICE OF VIOLATION/EXTERIOR MAINTENANCE of the Commissioner of the Division of Building and Housing dated January 26, 1999, 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 Appellant one month (1 mo.) in which to abate the violation, the property is REMANDED at this time to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-25-99.

RE: Appeal of HBD Limited, Owner of the Sarah Bousfield House located on the premises known as 3804-06 Franklin Boulevard from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated March 4, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action, the docket will remain open until the Appellant request a rehearing.

* * *

Docket A-29-99.

RE: Appeal of City of Cleveland (Carl B. Stokes Public Utilities Building), Owner of the Property located on the premises known as 1201 Lakeside Avenue from a NOTICE OF VIOLATION/HVAC of the Commissioner of the Division of Building and Housing dated October 12, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action, the docket will remain open until the Appellant request a rehearing.

Docket A-33-99.

RE: Appeal of Equivantage, Inc., Mortgagee of the Two/one-half Story Frame Residential Property located on the premises known as 14528 Coit Road from a CONDEMNATION ORDER / MAIN STRUCTURE & SHED of the Commissioner of the Division of Building and Housing dated September 23, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-33-99 has been POSTPONED; to be rescheduled for April 28, 1999.

* * *

Docket A-43-99.

RE: Appeal of Greater Cleveland Regional Transit Authority (RTA), Owner of the Masonry Commercial Property located on the premises known as 10000 Detroit Avenue from a NOTICE OF VIOLATION/ELEVATOR CODE of the Commissioner of the Division of Building and Housing dated December 18, 1998 requiring compliance with the Codified

Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

There will be no action by the Board on Docket A-43-99, noting that the record stands that there is an agreement to be reached to provide access and abate the violations noted.

* * *

Docket A-51-99.

RE: Appeal of Primo Group, Owner of the Tremont Building located on the premises known as 2221 Professor Street from an ADJUDICATION ORDER (OBMC 06.17) of the Commissioner of the Division of Building and Housing dated March 2, 1999, 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 to OBMC 506.17 and permit the fan to be installed as indicated on the drawing, and to grant the variance to the ten feet (10 ft.) to the property line rule, noting that the Appellant agrees to relocate the fans should the adjacent property be developed within ten feet (10 ft.) of the property line. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None.

* * *

APPROVAL OF RESOLUTIONS:

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

A-232-98—Bridget Terese Stefen.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None.

* * *

Separate motions were entered by Mr. Sullivan and seconded by Mr. Saunders 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-6-99—Daniel Holub.

A-14-99—George Evans, Jr.

A-27-99—Ronald Jamison.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None.

* * *

APPROVAL OF AMENDED RESOLUTION:

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

A-12-99—Cynthia Carter.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None.

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Williams and seconded by Mr. Sullivan for Approval of the Minutes as presented by the Secretary respectively, subject to the Codified Ordinances of the City of Cleveland:

March 17, 1999

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None.

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

The following are in violation of C.O. 623.14:

Richard Alt, last known address, 1742 West 29th Street, Cleveland, Ohio 44113.

Richard Norris, last known address, 10127 South Blvd., Apartment 2, Cleveland, Ohio 44108.

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, APRIL 14, 1999

Northern Telecom Meridian 1 PBX - Upgrade - Expansion, for the various Divisions of City Government, Department of Finance, as

authorized by Ordinance No. 1174-97, passed by the Council of the City of Cleveland, July 16, 1997.

Pre-Sort Mail Services, for the various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 272-99, passed by the Council of the City of Cleveland, March 22, 1999.

March 31, 1999 and April 7, 1999

THURSDAY, APRIL 15, 1999

Continental Airlines - Cleveland 2000, Bid Package 19B, Hydrant Fuel System - Installation, for the Department of Port Control.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. DOCUMENTS ARE AVAILABLE THROUGH MORSE DIESEL INTERNATIONAL, CONTINENTAL AIRLINES, INC., CTC BUILDING, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135.

BIDS WILL BE RECEIVED AT THE SAME ADDRESS UNTIL 3:00 P.M. THURSDAY, APRIL 15, 1999. PLEASE REFER QUESTIONS TO MORSE DIESEL AT (216) 265-4880 OR FAX (216) 265-4908.

March 31, 1999 and April 7, 1999

WEDNESDAY, APRIL 21, 1999

Labor and Materials to Repair Tree Lawns, for the Divisions of Water and Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 809-97, passed by the Council of the City of Cleveland, June 9, 1997.

Large Water Meters, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

Small Water Meters, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

Labor and Materials Necessary to Fabricate Ring and Pinion Gears, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2164-98, passed by the Council of the City of Cleveland, February 1, 1999.

Rental of One (1) Concrete Rock Saw, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2168-98, passed by the Council of the City of Cleveland, February 1, 1999.

March 31, 1999 and April 7, 1999

THURSDAY, APRIL 22, 1999

Streetlighting Material, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, APRIL 8, 1999, 10:00 A.M. AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO.

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

Mobile Radar Units, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1954-98, passed by the Council of the City of Cleveland, December 14, 1998.

Maintenance, Repair and/or Replacement of HVAC Systems at Various Locations, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1943-98, passed by the Council of the City of Cleveland, December 14, 1998.

March 31, 1999 and April 7, 1999

FRIDAY, APRIL 23, 1999

Allison Transmission, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2099-98, passed by the Council of the City of Cleveland, February 1, 1999.

April 7, 1999 and April 14, 1999

THURSDAY, APRIL 29, 1999

Purchase and Repair of Electrical Motors and Pumps, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2055-98, passed by the Council of the City of Cleveland, December 14, 1998.

Labor and Materials to Maintain and Repair Air Conditioning Systems, for the various Divisions of the Department of Port Control, as authorized by Ordinance No. 2002-98, passed by the Council of the City of Cleveland, December 14, 1998.

Urban Forest Maintenance Service, as authorized by Ordinance No. 2054-98, passed by the Council of the City of Cleveland, December 14, 1998.

April 7, 1999 and April 14, 1999

THURSDAY, MAY 13, 1999

Continental Airlines - Cleveland 2000 - Main Terminal Expansion Bid Package 17 - Baggage Handling System, for the Department of Port Control.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. DOCUMENTS ARE AVAILABLE FROM MORSE DIESEL INTERNATIONAL, CONTINENTAL AIRLINES, INC., CTC BUILDING, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135.

BIDS WILL BE RECEIVED AT THE SAME ADDRESS UNTIL 3:00 P.M. THURSDAY, MAY 13, 1999. THE DIVISION OF PURCHASES AND SUPPLIES HAS NO FURTHER INFORMATION AVAILABLE ON THIS PROJECT. PLEASE ADDRESS ALL INQUIRIES/REQUESTS TO MORSE DIESEL AT (216) 265-4880 OR FAX (216) 265-4908.

April 7, 1999 and April 14, 1999

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1271-98.
By Councilman Jackson (by request).

An emergency resolution declaring the intention to vacate all that portion of East 53rd Street.

Whereas, this Council; is satisfied that there is good cause to vacate all that portion of East 53rd Street, as hereinafter described, and

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

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

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

Being all that portion of EAST 53RD STREET, (50.00 feet wide) extending Southerly from the Southerly line of Woodland Avenue S.E. (99.00 feet wide) to that portion of East 53rd Street vacated by the Council of the City of Cleveland by Ordinance Number 897-68, passed May 27, 1968.

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 March 29, 1999.
Awaiting the approval or disapproval of the Mayor.

Res. No. 1616-98.
By Councilman Cintron (by request).

An emergency resolution declaring the intention to vacate all that portion of Star Court S.W.

Whereas, this Council; is satisfied that there is good cause to vacate all that portion of Star Court S.W., as hereinafter described, and

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

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

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

Being all that portion of STAR COURT S.W., (12.00 feet wide) extending Easterly from the Easterly line of West 43rd Street (12.00 feet wide) to its Easterly terminus.

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

Adopted March 29, 1999.
Effective April 7, 1999.

Res. No. 36-99.
By Councilman Cimperman (by request).

An emergency resolution declaring the intention to vacate all that portion of Rockwell Avenue N.E.

Whereas, this Council; is satisfied that there is good cause to vacate all that portion of Rockwell Avenue N.E. as hereinafter described, and

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

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

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

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of ROCKWELL AVENUE N.E. (60.00 feet wide) extending Westerly from the Westerly line of East 21st Street (66.00 feet wide) to that portion of Rockwell Avenue N.E. vacated by the Council of the City of Cleveland by Ordinance Number 87-68, passed on January 8, 1968.

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 March 29, 1999.
Effective April 7, 1999.

Res. No. 340-99.
By Councilman Coats.

An emergency resolution urging HUD to demolish the Belvoir-Cliffs apartment building and to grant title to the property to the City of Cleveland for compatible neighborhood development.

Whereas, the U.S. Department of Housing and Urban Development (HUD) owns the Belvoir-Cliffs, a 160 unit apartment building, located at the intersection of Belvoir Blvd. and Cliffview Road in the Euclid Park community of the City of Cleveland; and

Whereas, HUD was forced to assume ownership and control of the building because its previous owner let the property fall into severe disrepair, as evidenced by numerous significant code violations and its very low occupancy rate; and

Whereas, Belvoir-Cliffs has become a haven for illegal drug activities and prostitution, presenting a profound safety risk to the surrounding neighborhood; and

Whereas, the configuration of the buildings lacks recreational and structural amenities and presents a barracks-like appearance, detracting from the aesthetic appearance of the neighborhood and making it markedly different from the surrounding ranch-style houses; and

Whereas, the citizens of the community, in the interest of safety and well-being of the neighborhood, have expressed their desire to have the facility demolished, as opposed to HUD performing a cosmetic alteration of the apartment building; now, therefore,

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

Section 1. That the Council of the City of Cleveland urges HUD to act in the best interest of the residents of the City of Cleveland and to demolish the Belvoir-Cliffs apartment building, as it unsafe and undesirable for low income housing.

Section 2. That, upon demolition of Belvoir-Cliffs, HUD grant title to the property to the City of Cleveland so that it may be developed in a use that is compatible with and meets the needs of the surrounding community.

Section 3. That the Clerk of Council is hereby requested to transmit a copy of this Resolution to Andrew Cuomo, Secretary of the U.S. Department of Housing and Urban Development; Mayor Michael White; and Linda Hudecek, Director of Community Development.

Section 4. 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 March 1, 1999.

Awaiting the approval or disapproval of the Mayor.

Res. No. 375-99.

By Councilman Cintron (by request).

An emergency resolution declaring the intention to vacate all that portion of Brough Court S.W.

Whereas, this Council; is satisfied that there is good cause to vacate all that portion of Brough Court S.W. as hereinafter described, and

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

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

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

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of: BROUGH COURT S.W. (14.00 feet wide) extending Westerly from the Westerly line of West 40th Place (width varies) to the Easterly line of West 41st Street (60.00 feet wide).

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.

Passed March 29, 1999.

Effective April 7, 1999.

Res. No. 533-99.

By Councilman Johnson (by departmental request).

An emergency resolution appointing an assessment equalization board to hear objections to estimated assessments with respect to the improvement of portions of the downtown area of the City of Cleveland by removing, planting, trimming, watering and creating or excavating cutouts for shade trees and other related activities in and along the streets of portions of the City of Cleveland.

Whereas, this Council did, on the 12th day of October, 1998, duly adopt Resolution No. 929-98, declaring therein the necessity of improving portions of the downtown area of the City of Cleveland by removing, planting, trimming, watering and creating or excavating cutouts for shade trees and other related activities in and along the streets of portions of the City of Cleveland; and

Whereas, pursuant to said resolution, the estimated assessments for said improvement have been prepared and placed on file in the office of the Clerk of this Council; and

Whereas, notice of the passage of said resolution and of the filing of said estimated assessments has been duly served upon all property owners to be assessed in the manner provided by law; and

Whereas, written objection to said estimated assessments have been filed by one or more such property owners; 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 Dorothy M. Miller, Jan Dean and Gladys Faye Callahan, three disinterested freeholders of said City, be and the same hereby are appointed as an assessment equalization board, to hear and determine all written objections filed in accordance with law to the estimated assessments heretofore filed with the Clerk of this Council

pursuant to Resolution No. 929-98 of this Council. Said board is hereby authorized and directed to equalize such assessments as it deems proper to conform to the standards prescribed by Resolution No. 929-98 and by law.

Section 2. That the assessment equalization board shall meet at 10:00 o'clock, a.m. on the 8th day of April, 1999, at the Cleveland Convention Center, 500 Lakeside Avenue, Third Floor Conference Room, for the purposes aforesaid, and upon completion of such hearing and any adjournments thereof, shall report its recommendations including any changes which should be made in the estimated assessments, to this Council.

Section 3. That the Clerk of Council be and she hereby is authorized and directed to notify, by certified mail, each person who has filed timely written objection to said estimated assessments of the time and place of the hearing of the assessment equalization board.

Section 4. 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 March 29, 1999.

Effective April 7, 1999.

Res. No. 534-99.

By Councilman Johnson.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 12301-03 Imperial Ave.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 7649699, Fares Saah, 12301-03 Imperial Ave., Cleveland, Ohio 44120, to Permit No. 5672504 Maysoun T. Inc., 12301-03 Imperial Ave., Cleveland, Ohio 44120; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 7649699, Fares Saah, 12301-03 Imperial Ave., Cleveland, Ohio 44120, to Permit No. 5672504 Mayssoon T. Inc., 12301-03 Imperial Ave., Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted March 29, 1999.

Effective April 7, 1999.

Res. No. 535-99.

By Councilman Patmon.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 1014 E. 105th St., Fl. Only.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 7999208, 7002 Market Inc. & Yunis M. Assad, 1014 E. 105th St. Fl. Only, Cleveland, Ohio 44108, to Permit No. 2485259, Akram Elkhatib, 1014 E. 105th St., Fl. Only, Cleveland, Ohio 44108; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 7999208, 7002 Market Inc. & Yunis M. Assad, 1014 E. 105th St. Fl. Only, Cleveland, Ohio 44108, to Permit No. 2485259, Akram Elkhatib, 1014 E. 105th St., Fl. Only, Cleveland, Ohio 44108 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted March 29, 1999.

Effective April 7, 1999.

Res. No. 536-99.

By Councilman Polensek.

An emergency resolution objecting to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 15601 Holmes Ave.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1, C2 and D6 Liquor Permit from Permit No.

8951077, Toczek & Forsell Inc., DBA The Corner Store, 15601 Holmes Ave., Cleveland, Ohio 44110, to Permit No. 4466992, Kamoe & Kulabah Place LLC, DBA Kamoe & Kulabah Place, 15601 Holmes Avenue, Cleveland, Ohio 44110; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit from Permit No. 8951077, Toczek & Forsell Inc., DBA The Corner Store, 15601 Holmes Ave, Cleveland, Ohio 44110, to Permit No. 4466992, Kamoe & Kulabah Place LLC, DBA Kamoe & Kulabah Place, 15601 Holmes Avenue, Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

Adopted March 29, 1999.
Effective April 7, 1999.

Res. No. 537-99.
By Councilman White.
An emergency resolution objecting to the stock transfer of a C1 and C2 Liquor Permit to 3705 E. 116th St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a C1 and C2 Liquor Permit to No. 7171120, Rahi Inc., 3705 E. 116th St., Cleveland, Ohio 44105; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the stock transfer of a C1 and C2 Liquor Permit to Permit No. 7171120, Rahi Inc., 3705 E. 116th St., Cleveland, Ohio 44105 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she hereby is directed to

transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted March 29, 1999.
Effective April 7, 1999.

Res. No. 548-99.
By Councilman Coats.
An emergency resolution withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit to 16420 Euclid Ave., 1st Fl. & Bsmt., and repealing Res. No. 1636-98 objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D5 and D6 Liquor Permit to 16420 Euclid Ave., 1st Fl. & Bsmt., by Res. No. 1636-98, adopted on September 14, 1998; and

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

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

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

Section 1. That objection to the transfer of ownership of a D5 and D6 Liquor Permit to 16420 Euclid Ave., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1636-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted March 29, 1999.
Effective April 7, 1999.

a municipal department; now, therefore,

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

Section 1. That the Director of Public Utilities is hereby authorized and directed 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 (1) year for the necessary items of labor and materials necessary to trim trees for clearance around electrical wires and street lights in the sum of not to exceed \$150,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one (1) 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. That the requirement contract authorized herein shall be used only for emergency situations, and upon each and every use of said requirement contract, the Director of Public Utilities shall notify the President of Council, the Chairman of the Public Utilities Committee, the Chairman of the Finance Committee, and the Clerk of Council.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22183)

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 1326-97.
By Councilmen Patton and Westbrook (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to trim trees, for the Division of Cleveland Public Power, Department of Public Utilities.

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

Ord. No. 1105-98.
By Councilmen White, Zone and Johnson (by departmental request).
An emergency ordinance to amend Section 171.371 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1605-90, passed June 18, 1990, relating to payment of costs of attracting directors and assistants.

Whereas, this Council finds that it will benefit the public and the City to attract the most qualified and

experienced candidates to move to the City and to serve the City in certain positions; and

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

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

Section 1. That Section 171.371 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1605-90, passed June 18, 1990, is hereby amended to read as follows:

Section 171.371 Payment of Costs of Attracting Certain Personnel

(a) When the Mayor or a designee deems it necessary for the successful recruitment of qualified persons for eligible positions in the service of the City of Cleveland, as eligible positions are defined below, he or she may authorize payment of costs to recruit such persons and may authorize payment of reasonable and necessary expenses incurred by applicants who live outside of the Cleveland metropolitan area for traveling to and from Cleveland for the purpose of being interviewed for employment by the City. Reasonable and necessary travel expenses shall include lodging, meals, incidentals, and transportation from the applicant's place of residence, or mileage, provided that payment for mileage shall not exceed the round-trip airfare of a common carrier and provided further that no payment shall be authorized for:

(1) Fines, penalties, and/or forfeitures;

(2) Tobacco, alcoholic beverages, entertainment, gratuities, personal telephone calls and telegrams, or other like personal items;

(3) First-class travel accommodations unless coach or economy accommodations were not available; or

(4) Meals in lieu of other meals or food services provided during the period of travel by a carrier and included in the fare charged.

(b) The Mayor or a designee may approve payment of costs to search for and recruit and travel expenses for applicants for eligible positions, which are positions that meet the following criteria:

(1) Director, Assistant Director, Secretary to the Director, Chief Counsel, Commissioner, Special Assistant to the Mayor, Executive Assistant to the Mayor and Secretary to the Mayor; or

(2) The following highly specialized technical personnel:

Air Pollution Control Engineer; Airport Chief Engineer; Airport Comptroller; Airport Safety Manager; Architect; Air Trade Development Manager; Assistant Director of Law; Assistant Superintendent of Electric Transmission and Distribution; Chief Air Pollution Inspector; Chief Architect; Chief Assistant Director of Law; Chief Building Official; Chief Engineer - Civil; Chief Engineer - Mechan-

ical; Chief of Environmental Health - Engineering; Chief Plan Examiner; Chief Traffic Engineer; Chief of Water Distribution and Water Plant Manager; City Budget Manager; City Comptroller; City Treasurer; Consulting Engineer; Deputy Commissioner of Cleveland Hopkins International Airport; Deputy Commissioner of Convention Center, Stadium and West Side Market; Electrical/Electronic Engineer; Engineer of Hydraulic Surveys; Manager of Data Processing Center; Manager of Parks and Urban Forestry; Manager of Electric System Operation; Secretary to the Civil Service Commission; Superintendent of Electric Transmission and Distribution.

(c) Payment of authorized travel expenses may be made directly to a vendor, or the applicant may be reimbursed for authorized expenses paid out of pocket. Claims for payment of authorized expenses, other than mileage and incidentals, shall be submitted to the Mayor or a designee and shall be accompanied by invoices and/or receipts showing payment of such claimed expenses. Invoices and/or receipts showing payment of overnight lodging expenses shall have clearly identified thereon the rate for the accommodations utilized.

The maximum amount that may be paid to any one person who is a candidate for one of the eligible positions for travel and related interview expenses shall be two thousand five hundred dollars (\$2500.00) per interview trip.

(d) The Director of Finance is authorized to pay funds or reimburse costs for the recruiting and travel expense payments authorized in this Section from funds appropriated for this purpose.

(e) If necessary to obtain the services of persons for eligible positions, as defined above, the City may pay moving expenses incurred by them in relocating to the City upon presentation of verifying documents, as long as those persons have moved from a distance consistent with the Internal Revenue Service distance test for moving expense deductions.

(f) The phrase "moving expenses" includes expenses incurred for transportation to Cleveland to secure housing, as well as food and lodging expenses for a period not to exceed five (5) days, incurred while engaged in securing housing. Moving expenses also shall include all lodging, food, and transportation expenses of family and household goods and personal effects which are incurred solely for the purpose of relocating, from departure of such family and goods from the place of current residence until the time that the family and possessions arrive in Cleveland, unless such expenses have been otherwise reimbursed.

The authorized maximum rate for moving expenses as defined herein

shall be ten thousand dollars (\$10,000).

(g) The Director of Finance is authorized to pay funds or reimburse costs for the moving expense payments authorized in this section from funds appropriated for that purpose.

(h) A person who receives moving expenses shall sign an agreement that should such person voluntarily leave the City's employ within one (1) year of initial appointment to a position, he or she shall reimburse the City for all moving expenses plus any applicable interest as calculated pursuant to relevant Internal Revenue Code provisions. The Mayor may waive or modify the repayment amount upon the showing of mitigating circumstances.

(i) The Director of Personnel and Human Resources shall notify the Clerk of Council, with a copy to each Council member, when any costs authorized by this section are paid.

(j) The authority granted in this section shall expire and be of no further force and effect two (2) years after the effective date of this section.

Section 2. That existing Section 171.371 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1605-90, passed June 18, 1990, is hereby repealed.

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

Passed March 29, 1999.

Effective April 7, 1999.

Ord. No. 1599-98.

By Councilman Sweeney (by departmental request).

An emergency ordinance to vacate a portion of Old (Relocated) Grayton Road hereinafter described.

Whereas, on the 15th day of June, 1998 the Council of the City of Cleveland adopted Resolution No. 1018-98 declaring its intention to vacate a portion of Old (Relocated) Grayton Road, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1018-98 has been served upon the owners of all the property abutting Old (Relocated) Grayton Road, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 3rd day of September, 1998, the Board of Revision of Assessments approved the vacation of Old (Relocated) Grayton Road, hereinafter described, in accordance with the provisions of

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

Whereas, this Council is satisfied that there is good cause for vacating Old (Relocated) Grayton Road, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of Old (Relocated) Grayton Road situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being all of that part of Old Grayton Road (60.00 feet wide), as shown by the Grayton Road Alteration and Improvement Plan No. M-4493 recorded in Volume 192, Page 41 of Cuyahoga County Map Records, and sometimes known as Relocated Grayton Road, lying Northerly of the Northeasterly prolongation of the most Southerly line of a parcel of land conveyed to Emerald Research Park Ltd. By deed dated April 24, 1997, and recorded in Volume 97-3626, Page 47 of Cuyahoga County Records, and lying Southwesterly of the following described line:

Commencing in the centerline of Old Grayton Road as aforesaid at a point of curvature therein at station 27+70.93; thence North 75°-08'-00" East, and at right angles to said centerline, 30.00 feet to the Easterly right-of-way thereof; thence Northeasterly along said right-of-way being the arc of a curve deflecting to the right, and having a radius of 5699.58 feet, a tangent of 109.74 feet, a chord bearing North 23°-40'04" East, 219.44 feet, an arc distance of 219.45 feet to the principal place of beginning of the following described line:

Thence Northeasterly along the arc of a curve deflecting to the right and having a radius of 1530.08 feet, a tangent of 149.81 feet, a chord bearing North 14°-37'-39" East, 298.20 feet, an arc distance of 298.67 feet to the Westerly right-of-way of Old Grayton Road as aforesaid and the Northwesterly terminus of said line, be and the same is hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Old (Relocated) Grayton Road, herein provided by sending him a copy of this Ordinance.

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

from and after the earliest period allowed by law.

Passed March 29, 1999.
Effective April 7, 1999.

Ord. No. 2101-98.
By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1999 State Child Lead Poison Prevention Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$75,884.00, and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the 1999 State Child Lead Poison Prevention Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 2101-98-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That, prior to spending any of the grant funds accepted pursuant to this ordinance, the Director of Public Health shall appear before the Council Committee on Public Health to identify how the funds will be used.

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 2114-98.
By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with the Center for Employment Training — Cleveland, Inc. to partially finance an employment training program which will offer job training and support services

to the long-term unemployed and will serve Empowerment Zone residents.

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 enter into a contract with the Center for Employment Training — Cleveland, Inc., in an amount not to exceed \$300,000, to partially finance an employment training program which will offer job training and support services to the long-term unemployed and will serve Empowerment Zone residents.

Section 2. That the contract authorized in Section 1 shall be paid from Fund No. 18 SF 007, Request No. 23761.

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 March 29, 1999.
Effective April 5, 1999.

Ord. No. 2167-98.
By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of upgrading the heating boilers at the Nottingham Waterworks Facility, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of upgrading the heating boilers at the Nottingham Waterworks Facility, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

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

or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund Nos. 52 SF 215, 52 SF 217 and 52 SF 219, Request No. 23424.

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 2183-98.
By Councilmen Sweeney, Rybka and Johnson (by departmental request).

An emergency ordinance appropriating funds obtained from Norfolk Southern; determining the method of making the public improvement of constructing railroad grade separations at Nottingham/Dille Road and London Road; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing the Director of Public Service to employ professional services necessary to perform architectural, engineering and other services necessary to design the public improvement; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.

Whereas, pursuant to Ordinance No. 978-98, passed June 8, 1998, this Council approved and ratified an agreement entered into by the Mayor with Norfolk Southern Corporation ("Norfolk Southern") which, among other things, required a financial contribution of up to \$1,500,000 to Cleveland from the railroad in order to construct two grade separation projects, one at Nottingham/Dille Road and one at London Road (the "Agreement"); and

Whereas, this Council wishes to appropriate funds received in accordance with the Agreement for the purpose of making the public improvement of constructing railroad grade separations at Nottingham/Dille Road and London Road; 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 hereby appropriates the funds received from Norfolk Southern pursuant to the Agreement in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00), from Fund No. 13 SF 212, for the purposes of constructing railroad grade crossings at Nottingham/Dille Road and London Road, retaining the services of professional consultants necessary to design the improvement, and the acquisition of real property for right-of-way purposes such real property, pursuant to the following schedule:

Personnel	-0-
Other Expenses	\$1,500,000

Section 2. That, it is hereby determined to make the public improvement of constructing railroad grade separations at Nottingham/Dille Road and London Road, including paving, grading, drainage, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement.

Section 3. That the Director of Public Service is hereby authorized and directed to enter into contract for the making of the Improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 4. That the Director of Public Service is hereby authorized and directed to employ by contract one or more professional architects, engineers, one or more firms of architects and engineers, and other consultants necessary for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

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

Section 5. That the Director of Public Service is hereby authorized to enter into such other agreements

as are necessary to complete the planning and construction of the Improvement, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

Section 6. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the Improvement. The consideration to be paid for such property shall not exceed its appraised value.

Section 7. That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of such property.

Section 8. That the costs of the Improvement, services and property acquisition herein contemplated shall be paid from Fund No. 13 SF 212, Request No. 24556.

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

Passed March 29, 1999.
Effective April 7, 1999.

Ord. No. 99-99.
By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for a grant from the State of Ohio — Office of Criminal Justice Services for the Juvenile Accountability Incentive Block Grant Program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for a grant in the amount of \$540,546.73, from the State of Ohio — Office of Criminal Justice Services, to conduct the Juvenile Accountability Incentive Block Grant Program, for the purposes set forth in the application and according thereto.

Section 2. That the application for said grant, File No. 99-99-A, made a part hereof as if fully rewritten herein.

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 136-99.
By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract without competitive bidding with Compaq Computer Corporation, f.k.a. Digital Equipment Corp. for maintenance service on digital equipment and software, for the Department of Community Development.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Compaq Computer Corporation, f.k.a. Digital Equipment Corp. Therefore, the Director of Community Development is hereby authorized to make a written contract with said Compaq Computer Corporation, f.k.a. Digital Equipment Corp., for the period of March 1999 through February 2000, on the basis of its proposal dated September 15, 1998, for maintenance service of digital equipment and software, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Community Development.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund Nos. 14 SF 024 and 01-80-05-0380, Request No. 23120.

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 172-99.
By Councilman Johnson (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1065-98, passed July 29, 1998, relating to the procurement by requirement contract of the rental of digital multi-functional copier/printers and analog copiers for the various divisions of City government.

Whereas, this ordinance constitutes an emergency measure provid-

ing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the title and Section 1 of Ordinance No. 1065-98, passed July 29, 1998, is hereby amended to read, respectively, as follows:

An emergency ordinance authorizing and directing the procurement by requirement contract of the rental of digital multi-functional copier/printers and analog copiers for the various divisions of City government, for a period not to exceed three years, with two one-year options to renew.

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 three years with two (2) options, exercisable by the Director of Finance, to extend for one year each, for the necessary items of digital multi-functional copier/printers and analog copiers in the approximate amounts as procured during the preceding term, to be procured 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 existing title and Section 1 of Ordinance No. 1065-98, passed July 29, 1998, are hereby repealed.

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

Passed March 29, 1999.
Effective April 7, 1999.

Ord. No. 173-99.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to enter into contract with Cleveland Housing Network to provide various customer services to low income home owners or for rental property owners, for the Divisions of Water, Cleveland Public Power and Water Pollution Control, Department of Public Utilities.

Whereas, this ordinance constitutes an emergency measure provid-

ing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Director of Public Utilities is hereby authorized to enter into contract with Cleveland Housing Network to provide the following services, which services shall be made available to eligible persons in all neighborhoods of the City of Cleveland for low income home owners or for rental property owners whose owner meets the income guidelines and who are City of Cleveland Division of Water customers: provide wiring up-grades, install fluorescent bulb, replace refrigerator and remove the old ones, install water conservation devices, to correct minor plumbing problems; and to repair or replace roofs, water service lines or broken sewer lines. The Director of Public Utilities shall provide annual reports to the member or members of Council in whose ward services are rendered pursuant to the contract authorized herein.

Section 2. That the costs of the contract authorized by Section 1 herein shall be paid from Fund No. 52 SF 001 or from such other funds of the Divisions of Water Pollution Control, Cleveland Public Power and Water, Department of Public Utilities deemed appropriate by the Director of Finance. (RL 24046) For services performed pursuant to this contract by the Division of Cleveland Public Power, the funds shall be spent in accordance with the proposed budget contained in File No. 173-99-A.

Section 3. That the Director of Public Utilities shall provide information on a quarterly basis to Division of Water and Cleveland Public Power customers with respect to the services authorized pursuant to the above-authorized contracts.

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 178-99.
By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Aging to apply for and accept a grant from the Western Reserve Area Agency on Aging for the 1999 Title III-B G.O.W. / Supportive Services / Chore Worker Program.

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

a municipal department; now, therefore,

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

Section 1. That the Director of Aging is hereby authorized to apply for and accept a grant in the amount of \$114,855.00, from the Western Reserve Area Agency on Aging, to conduct the 1999 Title III-B G.O.W./Supportive Services, Chore Worker Program, for the purposes set forth in the application and according thereto; that the Director of Aging 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 application for said grant.

Section 2. That the application for said grant, File No. 178-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That, prior to spending any of the grant funds accepted pursuant to this ordinance, the Director of Aging shall appear before the Council Committee on Public Health to identify how the funds will be used.

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 181-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of meals for prisoners at the Police Justice Center and district jails, for the Division of Police, Department of Public Safety.

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

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

Section 1. That the Director of Public Safety 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 meals for prisoners at the Police Justice Center and district jails in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety. 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. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24390)

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 183-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept grants from the Department of Treasury, Bureau of Alcohol, Tobacco and Firearms for the Gang Resistance Education and Training Program; and to enter into contract for the purchase of equipment and supplies needed to implement the program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept grants for the Gang Resistance Education and Training ("GREAT") Program, each year for a period of five years, in the approximate amount of \$300,000 for the first project year, for the purposes set forth in the applications and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grants; and that said funds be and they hereby are appropriated for the purposes set forth in the applications for said grants.

Section 2. That the application for the first project year of the grants, File No. 183-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That for each of the project years described above, the Director of Public Safety is authorized to enter into contract for such materials and equipment necessary to implement the GREAT Program as described in the application contained in the File, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

Passed March 29, 1999.
Effective April 7, 1999.

Ord. No. 186-99.

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with Merrick House and Towards Employment, Inc. to provide services under Title II of the Job Training Partnership Act.

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

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

Section 1. That the Director of Personnel and Human Resources is authorized to enter into contract with Merrick House for the delivery of basic education skills and GED preparation training activities under the Job Training Partnership Act, in an amount not to exceed \$49,350.00.

Section 2. That the Director of Personnel and Human Resources is authorized to enter into contract with Towards Employment, Inc. for the delivery of central services under the Job Training Partnership Act, in an amount not to exceed \$297,650.00.

Section 3. That the cost of the contracts authorized above shall be paid from Fund No. 15 SF 081, Request Nos. 22973 and 22975.

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 191-99.

By Councilmen Sweeney, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Kennametal, Inc. to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to relocate and consolidate its operations to 18105 Cleveland Parkway, Cleveland, Ohio in the Cleveland Area Enterprise Zone.

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

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

Whereas, Kennametal, Inc. (the "Enterprise") has proposed to relocate and consolidate its operations to 18105 Cleveland Parkway in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property and real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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

Section 1. That this Council hereby approves the application of Kennametal, Inc. for enterprise zone incentives on the basis that Kennametal, Inc. is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Kennametal, Inc. to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to relocate and consolidate its operations to 18105 Cleveland Parkway in Cleveland, Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 191-99-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

Section 4. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from fund No. 17 SF 305, Loan Fees Fund.

Section 5. That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

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 March 29, 1999.

Effective April 7, 1999.

Ord. No. 192-99.

By Councilmen Cimperman, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept grants from the George Gund Foundation, the Cleveland Foundation, and Cleveland Tomorrow for the Cleveland Downtown Plan Implementation Studies Program; and authorizing the employment of consultants in conjunction with the Program.

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

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

Section 1. That the Director of the City Planning Commission is hereby authorized to apply for and accept grants in the total amount of \$200,000: \$75,000 from the George Gund Foundation, \$100,000 from the Cleveland Foundation, and \$25,000 from Cleveland Tomorrow, to conduct the Cleveland Downtown Plan Implementation Studies Program, for the purposes set forth in the applications and according thereto; that the Director of the City Planning Commission is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grants; and that said funds be and they hereby are appropriated for the purposes set forth in the applications for said grants.

Section 2. That the applications for said grants, File No. 192-99-A, made a part hereof as if fully rewritten herein, are hereby approved in all respects.

Section 3. That the Director of the City Planning Commission is hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the program.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of the City Planning Commission from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of the City Planning Commission for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control and shall not exceed the dollar amount of the grants received and appropriated for this purpose. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of the City Planning Commission, and certified by the Director of Finance. The Director of City Planning shall not present a resolution to the Board of Control for the selection of a consultant until the Director first reports to this Council on the proposals received, the proposed scope of work, the proposed compensation, and the Director's recommendation for a selection. Any contract entered into under this authority shall include a provision requiring that the consultant(s) report back to this Council at least quarterly.

Section 4. That the costs for such services herein contemplated shall be paid from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

Passed March 29, 1999.

Effective April 7, 1999.

Ord. No. 193-99.

By Councilmen Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept grants from the George Gund Foundation, the Cleveland Foundation, and from other public and private entities for the Census 2000 Complete Count Program; and to enter into contract with Neighborhood Centers Association of Cleveland to implement the program.

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

a municipal department; now, therefore,

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

Section 1. That the Director of the City Planning Commission is hereby authorized to apply for and accept grants in the amount of \$50,000 from the George Gund Foundation, \$50,000 from the Cleveland Foundation and any other grants or gifts from public and private entities, to conduct the Census 2000 Complete Count Program, for the purposes set forth in the application and according thereto; that the Director of the City Planning Commission 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 application for said grant. When grant funds are received, the City Planning Council Committee shall be notified via letter.

Section 2. That the application for said grant, File No. 193-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of the City Planning Commission is authorized to enter into contract with Neighborhood Centers Association of Cleveland to operate as the City's fiscal agent for the implementation of the program.

Section 4. That the cost of the agreement authorized above shall be paid from the fund or funds to which are credited the grant and gift proceeds accepted pursuant to Section 1 of this ordinance.

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

Passed March 29, 1999.
Effective April 7, 1999.

Ord. No. 241-99.
By Councilmen Jones and Johnson
(by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of de-icer, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties 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 de-icer in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of

Park Maintenance and Properties, Department of Parks, Recreation and Properties. 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 year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22426)

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 242-99.
By Councilmen Jones and Johnson
(by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to employ one or more physicians to provide physical examinations for children and staff attending overnight camp during the 1999 summer season.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to employ by contract one or more physicians for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide physical examinations for children and staff attending overnight camp during the 1999 summer season.

The selection of said physicians for such services shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified physicians available for such employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Parks, Recreation

and Properties, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 01-70-04-0380, Request No. 20291.

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 243-99.
By Councilmen Jones and Johnson
(by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into contract with the Cleveland Municipal Football Association to conduct a City-wide football program.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into contract with the Cleveland Municipal Football Association to conduct a City-wide football program, in an amount not to exceed \$43,000, payable from Fund No. 01-70-04-0380, Request No. 21118.

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 245-99.
By Councilmen Gordon and Johnson
(by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of inmate clothing, bedding and shoes, for the Division of Correction, Department of Public Health.

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

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

Section 1. That the Director of Public Health is hereby authorized to 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 inmate clothing, bedding and shoes in the estimated sum of \$34,000.00, to be purchased by the Commis-

sioner of Purchases and Supplies upon a unit basis for the Division of Correction, Department of Public Health. 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 year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24677)

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 246-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Solid Waste District for the 1999 Solid Waste Disposal Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$129,948 and such other funds as may become available during the grant period, from the Cuyahoga County Solid Waste District, to conduct the 1999 Solid Waste Disposal Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 246-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That, prior to spending any of the grant funds accepted pursuant to this ordinance, the Director of Public Health shall appear before the Council Committee on Public

Health to identify how the funds will be used.

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 255-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance to apply for and accept a grant from the Board of County Commissioners for the 1999 Second District Probation Program, on behalf of the Cleveland Municipal Court.

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 apply for and accept a grant in the amount of \$27,341, from the Board of County Commissioners, to conduct the 1999 Second District Probation Program, on behalf of the Cleveland Municipal Court for the purposes set forth in the application and according thereto; that the Director of Finance 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 application for said grant.

Section 2. That the application for said grant, File No. 255-99-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$9,115.00, payable from Fund No. 01-01-15-0901, is hereby approved in all respects.

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

Passed March 29, 1999.
Effective April 7, 1999.

Ord. No. 256-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance to apply for and accept a grant from the State of Ohio Office of the Governor's Highway Safety Representative for the 1999 Traffic Intervention Program, on behalf of the Cleveland Municipal Court.

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 apply for and accept a grant in the amount of \$72,000, from the State of Ohio Office of the Governor's Highway Safety Representative, to conduct the 1999 Traffic Intervention Program, on behalf of the Cleveland Municipal Court, for the purposes set forth in the application and according thereto; that the Director of Finance 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 application for said grant.

Section 2. That the application for said grant, File No. 256-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed March 29, 1999.
Effective April 7, 1999.

Ord. No. 259-99.

By Councilmen Coats, Polensek, Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with Salvation Army, for administering and facilitating recreational services in Ward 11, for the Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract with Salvation Army (Temple Corps), 17625 Groveswood Avenue, Cleveland, Ohio, or its designee, for professional services necessary to administer and facilitate recreational services in the Collinwood community in Ward 11 in the total sum of not exceed \$55,000 payable from Fund No. 01-70-04-0380, Request No. 21116, for the Department of Parks, Recreation and Properties.

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 260-99.

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with City Year to perform community service work and to collaborate with various non-profit agencies.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract with City Year to perform community service work and to collaborate with non-profit agencies, in an amount not to exceed \$100,000.00, payable from Fund No. 01-70-04-0380, Request No. 21119, for a period of year beginning June 1, 1999.

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 265-99.

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with Neighborhood Centers Association to implement educational, recreational and cultural programs in various school buildings during evening hours.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into an agreement with Neighborhood Centers Association to implement educational, recreational and cultural programs in various school buildings during evening hours in accordance with the recommendations and pilot program proposed by the Committee of the Cleveland Summit on Education, in an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00), payable from Fund No. 01-70-04-0380, Request No. 21117.

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 266-99.

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a contract with the National Junior Tennis League of Cleveland to provide a summer tennis program.

Whereas, the City does not provide a summer tennis program at its summer recreational centers, but desires to support such a program; and

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into a contract during June through August, 1999 with the National Junior Tennis League of Cleveland to provide youth tennis services. The program shall be conducted at various locations in the City which shall include without limitation, Warsaw Park, Forest Hills, and a location in Ward 1 acceptable to the Councilman.

Section 2. That the cost of such contract, not to exceed \$35,000, shall be paid from Fund No. 01-70-04-0380, Request No. 21115.

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 317-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of landfill, transfer station or material recovery facilities for the direct haul and disposal of solid waste, for the Division of Waste Collection and Disposal, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the provision of landfill, transfer station and/or material recovery facilities, in such combination as the Board of Control shall determine, to which the City will direct haul solid wastes for disposal, in the approximate amount for each year of the term as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. The contract or contracts hereby authorized shall have an initial term

of one (1) year. The City shall have one (1) one-year option, exercisable by the Director of Public Service, to renew and extend the term. Bids shall be taken in such manner as to permit an award to be made for all items of services as a single contract, or by separate contracts for each or any combination of said items as the Board of Control shall determine.

Bids shall also be taken so as to permit an award to be made for provision of such services citywide or by separate contracts for the districts determined by the Director of Public Service. Alternate bids for a period less than the initial term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire period.

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

Section 3. That the cost of such contract or contracts authorized hereby 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 23188)

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.

EXHIBIT A**BID GUARANTY AND CONTRACT BOND**

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned _____

(Name and Address)
as Principal and _____

(Name of Surety)
as Surety are hereby held and firmly bound unto the City of Cleveland,

hereinafter called the Obligee, in the penal sum hereinafter stated, pertaining to the bid submitted by the Principal to the Obligee on _____ (date) to undertake the project known as _____

The penal sum referred to herein shall be _____

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

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

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

IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Obligee against all damage suffered by failure to perform such contract according to the provisions thereof and in accordance with the plans, details, specifications, and bills of material therefor; and shall pay all lawful claims of subcontractors, materialmen, and laborers for labor performed and materials furnished in the carrying forward, performing, or completing said contract; we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim as well as for the Obligee herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

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

SIGNED AND SEALED this _____ day of _____, 19____.

PRINCIPAL: _____ SURETY: _____

BY: _____ BY: _____
Attorney-in-Fact

TITLE: _____

SURETY COMPANY'S ADDRESS: _____

Agency Name _____

Street _____

City _____ State _____ ZIP _____

SURETY AGENT'S ADDRESS: _____

Street _____

City _____ State _____ ZIP _____

Passed March 29, 1999.
Effective April 7, 1999.

**Ord. No. 318-99.
By Councilmen Sweeney, Robinson and Johnson (by departmental request).**

An emergency ordinance determining the method of making the public improvement of reconstructing the Ridge Road Transfer Station; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing the Director of Public Service to employ professional services necessary to perform architectural, engineering and other services necessary to design the public improvement; authorizing the purchase by requirement contract of equipment, furniture, communication and security systems, and other incidentals necessary for this improvement; and authorizing said director to apply for and accept grants from various entities necessary for this improvement.

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

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

Section 1. That, it is hereby determined to make the public improvement of reconstructing the Ridge Road Transfer Station including paving, grading, drainage, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the Improvement.

Section 2. That the Director of Public Service is hereby authorized and directed to enter into contract for the making of the Improvement

with the lowest responsible bidder after competitive bidding for a gross price for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the Director of Public Service is hereby authorized and directed to employ by contract one or more professional architects, engineers, one or more firms of architects and engineers, and other consultants necessary for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the Improvement.

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

Section 4. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of equipment, furniture, communication and security systems, and other incidentals necessary for the Improvement, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23253)

Section 5. That the Director of Public Service is hereby authorized to apply for and accept grants from various entities for the purpose of reconstructing the Ridge Road Transfer Station. The Director is further authorized to file all papers and execute all documents necessary to receive the funds accepted pursuant to this ordinance and, upon

acceptance of the funds by the Director, they shall be appropriated for the purposes set forth in this ordinance.

Section 6. That the costs of the Improvement and professional services herein contemplated shall not exceed an estimated amount of \$9.4 million dollars and shall be paid from Fund No. 20 SF 320, 20 SF 331, 20 SF 290, 20 SF 340, and 20 SF 295, Request No. 23253, and from any funds or subfunds to which are credited any grants received for this project.

Section 7. 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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 320-99.
By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Education for the 1999 Summer Food Program; authorizing the purchase by requirement contract of breakfasts, lunches and snacks for said Program and for food, food products, beverages, condiments and paper products needed for a food service operation to be served at Camp George L. Forbes as part of said Program, and for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing said Director to contract with various non-profit organizations for the implementation of said Program.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to apply for and accept a grant in the amount of \$250,000.00, from the Ohio Department of Education, to conduct the 1999 Summer Food Program for the purposes set forth in the application and according thereto; that the Director of Parks, Recreation and Properties 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 application for said grant.

Section 2. That the application for said grant, File No. 320-99-A, made a part hereof as if fully rewritten herein is hereby approved in all respects.

Section 3. That the Director of Parks, Recreation and Properties is hereby authorized and directed 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 three months (June, July and August, 1999) for the breakfast, lunch and snack program to be served at nineteen City recreation centers and various non-profit agencies and such other agencies or recreation facilities as determined by the Director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 4. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21113)

Section 5. That provided the agencies meet the eligibility requirements of the Ohio Department of Education, the Director of the Department of Parks, Recreation and Properties is hereby authorized to make written contracts with the following agencies and such additional agencies as determined by said Director for implementation of the 1999 Summer Food Program:

- Emile deSauze
- Community Faith Non-Denominational
- Greater Love Baptist Church
- Our Lady of Mt. Carmel
- Salvation Army
- Second Calvary
- St. Paul AME
- Broken Pieces Fellowship Church
- Christian Family Outreach
- Second New Hope Christian Academy

Section 6. That the Director of Parks, Recreation and Properties shall provide a list of sites where the 1999 Summer Food Program will be implemented within thirty (30) days of the effective date of passage of this ordinance.

Section 7. That the cost of said contract hereby authorized shall be paid from the fund or funds to which are credited the proceeds of the grant accepted pursuant to Section 1 of this ordinance, Request No. 21113.

Section 8. That the Director of Parks, Recreation and Properties is hereby authorized and directed 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 various natural foods, food products, beverages, condiments and paper products as set forth in detail on file in the Office of the Division of Purchases and Supplies and attached to Request No. 21112, to be served as part of the meal program at Camp George L. Forbes, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Prop-

erties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 9. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21112)

Section 10. That, notwithstanding the provisions of Section 181.24 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, bidders for the contracts authorized by Section 3 and 8 of this ordinance shall be required to submit a bid bond in the amount of five percent of the amount of the bid, as required by United States Treasury Circular 570.

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

Passed March 29, 1999.
Effective April 7, 1999.

Ord. No. 321-99.
By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with Parkworks, formerly Clean-Land, Ohio, to conduct a vacant lot maintenance program for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for a period of one year, with a one year option to renew.

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

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

Section 1. That, notwithstanding and as an exception to any ordinance of the City to the contrary, the Director of Parks, Recreation and Properties is hereby authorized to enter into a contract with Park-Works, formerly Clean-Land, Ohio, to conduct a vacant lot maintenance program with City residents on the basis of its proposal dated February 23, 1999, payable from Fund No. 01-70-12-0380, Request No. 22463, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, Department of Park, Recreation and Properties, for a period of one year, with one (1) option exercisable by the Director of Parks, Recreation and Properties, to renew for an additional one-year term, and cancellable upon thirty days written notice by said director, under the same terms and conditions with the compensation to

be fixed by the Board of Control. The cost of the initial 1-year term of the contract authorized by this ordinance shall not exceed two hundred and twenty-seven thousand dollars (\$227,000.00).

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 322-99.
By Councilmen Jones and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of various pool chemicals, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties 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 various pool chemicals in an amount not to exceed \$50,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. 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 year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24674)

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 325-99.
By Councilmen Cintron, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and bounded by Lorain Avenue on the North, I-90 on the South, West 44th Street on the West and Fulton Road on the East to Bailey Orchard Development Limited, LLC.

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. 007-01-058 as more fully described in Section 2 below, to Bailey Orchard Development Limited, LLC.

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

P.P. No. 007-01-058

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 84 and part of Sublot No. 83 in the Mueller and Meyer's Peach Orchard Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 3 of Maps, Page 7 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Westerly line of West 42nd Street (formerly Orchard Street) at the Northeasterly corner of land conveyed to Irme and Emilin Markovics by deed dated July 31, 1913 and recorded in Volume 1420, Page 412 of Cuyahoga County Records; thence Northerly along the said Easterly line of West 42 Street, 46.17 feet to its point of intersection with the Southeasterly line of Lorain Court, S.W.; thence Southwesterly along the said Southeasterly line of Lorain Court, S.W. 124.52 feet to a point of intersection with the Easterly line of a 12 foot alley (which is also the Westerly line of said Sublot No. 83); thence Southerly along said Westerly line of said Sublot No. 83, 23.33 feet to the Southwesterly corner thereof; thence Easterly along the Southerly line of said Sublot No. 83, 27 feet to the Southwesterly corner of land conveyed to Irme and Emilin Markovics as aforesaid; thence Northerly along the Westerly line of land so conveyed to Irme and Emilin Markovics 19 feet; thence

Northeasterly along the Northwest-erly line of land so conveyed to Irme and Emilin Markovics 22.59 feet; thence Easterly along the Northerly line of land conveyed to Irme and Emilin Markovics as aforesaid, 66 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-01-059 as more fully described in Section 4 below, to Bailey Orchard Development Limited, LLC.

Section 4. That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P.P. No. 007-01-059

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 83 in the Peach Orchard Subdivision of part of Original Brooklyn Township Lot No. 52 as shown by the recorded plat in Volume 3 of Maps, Page 7 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of West 42nd (formerly Orchard Street), at a point 0.5 feet Southerly from the Northeasterly corner of said Sublot No. 83; thence Southerly along said Westerly line of West 42nd Street, 29.50 feet to the Southeasterly corner of said Sublot; thence Westerly along the Southerly line of said Sublot, 86 feet; thence Northerly parallel with the said Westerly line of West 42nd Street, 19 feet; thence Northeasterly 22.59 feet to a point 66 feet Westerly from the place of beginning; thence Easterly 66 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-01-068 (Southerly half) as more fully described in Section 6 below, to Bailey Orchard Development Limited, LLC.

Section 6. That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P.P. No. 007-01-068 (Southerly half)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly one-half of Sublot No. 72 in Mueller and Myers Peach Orchard Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 3 of Maps, Page 7 of Cuyahoga County Records, and being 15 feet front on the Westerly side of West 42nd Street, (60 feet wide), and extending back between parallel lines, 113 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-01-069 as more fully described in Section 8 below, to Bailey Orchard Development Limited, LLC.

Section 8. That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P.P. No. 007-01-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 71 in Mueller and Meyers Peach Orchard Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 3 of Maps, Page 7 of Cuyahoga County Records, and forming a parcel of land 30 feet front on the Westerly side of West 42nd Street and extending back between parallel lines 113 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 007-01-070 as more fully described in Section 10 below, to Bailey Orchard Development Limited, LLC.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 007-01-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 70 in Mueller and Meyer's Peach Orchard Subdivision of part of Original Brooklyn Township Lot No. 52 as shown by the recorded plat in Volume 2 of Maps, Page 55 and re-allotted in Volume 3 of Maps, Page 7 of Cuyahoga County Records, and being 30 feet front on the Westerly side of West 42nd Street and extending back of equal width 113 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-02-019 as more fully described in Section 12 below, to Bailey Orchard Development Limited, LLC.

Section 12. That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P.P. No. 007-02-019

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 53 in Bennett Allotment of a part of Original Brooklyn Township Lots Nos. 52 and 53 as recorded in Volume 3 of Maps, Page 9 of Cuyahoga County Records and bounded and described as follows:

Beginning at a point in the Northerly line of said Sublot No. 53 distant 84.50 feet Easterly therein from the Northwesterly corner thereof; thence Southerly 30.04 feet parallel with the Easterly line of West 41st Place, 14.00 feet wide, to a point in the Southerly line of said Sublot No. 53; thence Easterly, along said Southerly line of Sublot No. 53, to the Southeasterly corner thereof being a point in the Westerly line of West 41st Street 60.00 feet wide; thence Northerly 30.04 feet along said Westerly line of West 41st Street, to the Northeast-erly corner of said Sublot No. 53; thence Westerly 90.71 feet along said Northerly line of Sublot No. 53 to the place of beginning according to a survey by Robert H. Krause, Registered Ohio Surveyor No. 2885, May 27, 1983, be the same more or less, but subject to all legal highways.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-016 as more fully described in Section 14 below, to Bailey Orchard Development Limited, LLC.

Section 14. That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P.P. No. 007-06-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 1/2 of Sublot No. 19 in Sarah A. Tyler's Allotment of part of Original Brooklyn Township Lot No. 52 as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records, and being 30 feet front on the Easterly side of West 41st Street, and extending back of equal width 112.5 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-019 as more fully described in Section 16 below, to Bailey Orchard Development Limited, LLC.

Section 16. That the real property to be sold pursuant to Section 15 of this Ordinance is more fully described as follows:

P.P. No. 007-06-019

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 130 feet of Sublot No. 22 in Sarah A. Tyler's Allotment of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records, and being 30 feet front on the Easterly side of West 41st Street (formerly Burton Street) and extending back of equal width 130 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the

Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-020 as more fully described in Section 18 below, to Bailey Orchard Development Limited, LLC.

Section 18. That the real property to be sold pursuant to Section 17 of this Ordinance is more fully described as follows:

P.P. No. 007-06-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 95 feet of Sublot No. 23 in J.H. Sargent Guardian's Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records, and 30 feet front on the Easterly side of West 41st Street (formerly Buton Street) and extending back of equal width 95 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-021 as more fully described in Section 20 below, to Bailey Orchard Development Limited, LLC.

Section 20. That the real property to be sold pursuant to Section 19 of this Ordinance is more fully described as follows:

P.P. No. 007-06-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 82 feet of Sublot No. 24 in John H. Sargent Guardian of Sarah A. Tyler's Allotment of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records and being 36 feet front on the Easterly side of West 41st Street and extending back of equal width 82 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-022 as more fully described in Section 22 below, to Bailey Orchard Development Limited, LLC.

Section 22. That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows:

P.P. No. 007-06-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 24 in Sarah A. Tyler's Allotment of part of Original Brooklyn Township Lot No. 52 as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the Southerly line of Brough Court, S.W., 14 feet wide, distant 55.50 feet Westerly therein from the North-easterly corner of said Sublot No. 24; thence Southerly 38.13 feet at right angles with said Southerly

line of Brough Court, S.W., to a point in the Southerly line of said Sublot No. 24; thence Westerly 87.50 feet along said Southerly line of Sublot No. 24 to a point; thence Northerly 37.05 parallel with the Easterly line of said Sublot No. 24 to a point in said Southerly line of Brough Court, S.W., thence Easterly 87.50 feet along said Southerly line of Brough Court, S.W., to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to restrictions and easement contained in deed recorded in Volume 7415, Page 441, Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-023 as more fully described in Section 24 below, to Bailey Orchard Development Limited, LLC.

Section 24. That the real property to be sold pursuant to Section 23 of this Ordinance is more fully described as follows:

P.P. No. 007-06-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 24 in Sarah A. Tyler's Allotment of a part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the Southerly line of Brough Court, S.W., 14 feet wide, distant 55.50 feet Westerly therein from the Northeastly corner of said Sublot No. 24, thence Southerly 38.13 feet at right angles with said Southerly line of said of Brough Court, S.W., to a point in the Southerly line of said Sublot No. 24, thence Easterly 55.50 feet along said Southerly line of Sublot No. 24, to the Southeastly corner thereof; thence Northerly 38.81 feet along said Easterly line of said Sublot No. 24 to the Northeastly corner thereof, being also its point of intersection with said Southerly line of Brough Court, S.W.; thence Westerly 55.50 feet along said Southerly line of Brough Court, S.W. to the place of beginning, according to survey made by the Robert H. Kauser Surveying Company, dated September 26, 1951.

Subject to Zoning Ordinances, if any.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-026 as more fully described in Section 26 below, to Bailey Orchard Development Limited, LLC.

Section 26. That the real property to be sold pursuant to Section 25 of this Ordinance is more fully described as follows:

P.P. No. 007-06-026

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly part of Sublot No. 20 in Levi F. Jackson's Allotment of part of Orig-

inal Brooklyn Township Lot No. 53, as shown by the recorded plat in Volume 2 of Maps, Page 46 of Cuyahoga County Records, bounded and described as follows:

Beginning at a point in the Easterly line of West 41st Street at its intersection with the Northerly line of said Sublot; thence Easterly along said Northerly line about 149 feet 4 inches to a point, 90 feet Westerly from the Westerly line of West 40th Street, said point being the Northwest corner of land conveyed by Edward Myers and wife to John Ruebensaal, by deed recorded in Volume 214, Page 391 of Cuyahoga County Records; thence Southerly along the Westerly line of land so conveyed 30 feet to the Southerly line of said Sublot; thence Westerly along said Southerly line, about 148 feet 8 inches to the Easterly line of West 41st Street; thence Northerly along said Easterly line, 30 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-027 as more fully described in Section 28 below, to Bailey Orchard Development Limited, LLC.

Section 28. That the real property to be sold pursuant to Section 27 of this Ordinance is more fully described as follows:

P.P. No. 007-06-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 92 feet of Sublot No. 21 in Levi F. Jackson's Allotment of part of Original Brooklyn Township Lots Nos. 52 and 53, as shown by the recorded plat in Volume 2 of Maps, Page 46 of Cuyahoga County Records and being 30 feet front on the Easterly side of West 41st Street, 60 feet wide (formerly Burton Street), (60 feet wide), and extending back between parallel lines 92 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

TOGETHER WITH and SUBJECT TO all of the Rights of Way, Easements, Restrictions, Covenants and Conditions created for the benefit of or imposed upon the about described premises in the Deed from Frank Mlazovsky and Wife, to John W. and Jeanette L. Herbster, dated November 1, 1948 and recorded in Volume 6648, Page 613 of Cuyahoga County Records.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-029 as more fully described in Section 30 below, to Bailey Orchard Development Limited, LLC.

Section 30. That the real property to be sold pursuant to Section 29 of this Ordinance is more fully described as follows:

P.P. No. 007-06-029

Situated in the City of Cleveland, County of Cuyahoga and State of

Ohio, and known as being the Westerly 110 feet of Sublot No. 23 in Levi F. Jackson's Allotment of part of Original Brooklyn Township Lots No. 52 and 53, as shown by the recorded plat in Volume 2 of Maps, Page 46 of Cuyahoga County Records, and forming a parcel of land 30 feet front on the Easterly side of West 41st Street, and extending back between parallel lines 110 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 31. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-045 as more fully described in Section 32 below, to Bailey Orchard Development Limited, LLC.

Section 32. That the real property to be sold pursuant to Section 31 of this Ordinance is more fully described as follows:

P.P. No. 007-06-045

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 16 in Levi F. Jackson Subdivision of part of Original Brooklyn Township Lots Nos. 52 and 53, as shown by the recorded plat in Volume 2 of Maps, Page 46 of Cuyahoga County Map Records, and further bounded and described as follows:

Beginning at a point where the Southerly line of said Sublot No. 16 intersects the Westerly line of West 40th Street, (formerly Frease Avenue).

Thence Northerly along the Westerly line of West 40th Street to the Northerly line of said Sublot No. 16 about 30 feet.

Thence Westerly along the Northerly line of said Sublot No. 16 about 100.00 feet to the Easterly line of a parcel of land conveyed to Leonard Schlather, by deed recorded in Volume 705, Page 86.

Thence Southerly 30 feet to the Southerly line of said Sublot No. 16.

Thence Easterly along the Southerly line of said Sublot No. 16, about 100 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 33. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-047 as more fully described in Section 34 below, to Bailey Orchard Development Limited, LLC.

Section 34. That the real property to be sold pursuant to Section 33 of this Ordinance is more fully described as follows:

P.P. No. 007-06-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 130 feet of Sublot No. 23 in J.H. Sargent Guardian's Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records, and being 30 feet front on the Westerly

side of West 40th Place, and extending back of equal width 130 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 35. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-048 as more fully described in Section 36 below, to Bailey Orchard Development Limited, LLC.

Section 36. That the real property to be sold pursuant to Section 35 of this Ordinance is more fully described as follows:

P.P. No. 007-06-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly part of Sublot No. 22 in Allotment of John H. Sargent as Guardian of Sarah A. Tyler, of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records, and being 30 feet front on the Westerly side of West 40th Place and extending back of equal width 95 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 37. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-061 as more fully described in Section 38 below, to Bailey Orchard Development Limited, LLC.

Section 38. That the real property to be sold pursuant to Section 37 of this Ordinance is more fully described as follows:

P.P. No. 007-06-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 2 in Jonah P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat of said Allotment in Volume 8 of Maps, Page 16 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of West 40th Street (formerly Freas Avenue) at the Southwest corner of said Sublot No. 2; thence Northerly 50 feet along the said Easterly line of West 40th Street to the Northwesterly corner of said Sublot No. 2; thence Easterly 73 feet along the Northerly line of said Sublot No. 2 to a point; thence Southerly about 50 04/100 feet parallel with the side Easterly line of West 40th Street to a point in the Southerly line of said Sublot No. 2, distant Easterly 73 feet from the Southwest corner thereof; thence Westerly 73 feet along the Southerly line of said Sublot No. 2 to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 39. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Sup-

plies is hereby authorized to sell Permanent Parcel No. 007-07-013 as more fully described in Section 40 below, to Bailey Orchard Development Limited, LLC.

Section 40. That the real property to be sold pursuant to Section 39 of this Ordinance is more fully described as follows:

P.P. No. 007-07-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 60 feet of Sublot No. 131 in Sargent and Dixon's Re-Subdivision of Sublots Nos. 313 and 324, in I.N.C.I. in Barber and Lord's Allotment of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70 as shown by the recorded plat in said Re-Subdivision in Volume 2 of Maps, Page 43 of Cuyahoga County Records and being 30 feet front on the Easterly side of West 38th Street, and extending back between parallel lines 60 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 41. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 007-07-015, 007-06-017 and 007-06-050 as more fully described in Section 42 below, to Bailey Orchard Development Limited, LLC.

Section 42. That the real property to be sold pursuant to Section 41 of this Ordinance is more fully described as follows:

P.P. No. 007-07-015

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 30 feet of Sublot No. 133 in Sargent and Dixon's Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 2 of Maps, Page 43 of Cuyahoga County Records, and being 30 feet front on the Easterly side of West 38th Street (formerly Mechanic Street) 105 feet deep on the Northerly line, about 105.3 feet deep on the Southerly line, and 30 feet wide in the rear, along the Westerly line of a 10 feet alley, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 007-06-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 112 feet 6 inches of Sublot No. 20 in John H. Sargent Guardian of Sarah A. Tyler's Allotment of part of Original Brooklyn Township Lot No. 52 as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records and being 30 feet front on the Easterly side of West 41st Street (formerly Burton Street) and extending back of equal width 112 feet 6 inches as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 007-06-050

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 112.50 feet of Sublot No. 20 in Sarah A. Tyler's Allotment of part of Original Brooklyn Township Lot

No. 52 as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records and being 30 feet front on the Westerly side of West 40th Place and extending back of equal width 112.50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 43. 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 44. 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 45. 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.

Section 46. 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 March 29, 1999.

Effective April 7, 1999.

Ord. No. 360-99.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various data entry services to convert 1997 and 1998 wage and tax statements from paper documents and magnetic tape to machine readable magnetic tapes, for the Division of Taxation, Department of Finance.

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

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

Section 1. That the Director of Finance is 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 keying and conversion of 1997 and 1998 wage and tax statements from paper documents and magnetic tape to machine readable magnetic tapes per CCA specifications, including furnishing media, transportation and security in the approximate amount as purchased during the

preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Taxation, 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 a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21212)

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 386-99.

By Councilmen Lewis, Patmon, Britt, Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to expend Economic Development Initiative Grant and Title 7 Grant funds for administration of the Empowerment Zone Program, as amended; and to enter into all contracts and related documents with Hough Area Partners in Progress, Glenville Development Corporation, Fairfax Renaissance Development Corporation, and Mid-Town Cleveland, or their designees, for implementation of the Empowerment Zone Program, as amended.

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 enter into and execute all contracts and all necessary documents with Hough Area Partners in Progress, Glenville Development Corporation, Fairfax Renaissance Development Corporation, and Mid-Town Cleveland, or their designees, for the purpose of implementing the Empowerment Zone Program, as amended, and in accordance with File No. 386-99-A.

Section 2. That the Director of Economic Development is hereby authorized to expend Economic Development Initiative Grant and Title 7 Grant funds for administration of the Program.

Section 3. That the aggregate costs of contracts and expenditures authorized by this ordinance shall not exceed Three Million Two Hundred Fifty Thousand Dollars (\$3,250,000.00), and shall be paid from Fund Nos. 18 SF 005, 18 SF 006 and 18 SF 008, Request No. 23769.

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 March 29, 1999.
Effective April 5, 1999.

Ord. No. 410-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Law to apply for and accept a grant from the State of Ohio Department of Education for the 1999 Team Approach to Violence Against Women Program.

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

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

Section 1. That the Director of Law is hereby authorized to apply for and accept a grant in the amount of \$306,064, from the State of Ohio Department of Education, to conduct the 1999 Team Approach to Violence Against Women Program, for the purposes set forth in the application and according thereto; that the Director of Law 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 application for said grant.

Section 2. That the application for said grant, File No. 410-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed March 29, 1999.
Effective April 7, 1999.

Ord. No. 424-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance to amend Sections 2 and 3 of Ordinance Nos. 938-97, 939-97, 1076-97 and 1181-97, passed June 16, 1997, relating to economic development assistance contracts with various entities.

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 and 3 of Ordinance No. 938-97, passed June 16, 1997, are hereby amended to read, respectively, as follows:

Section 2. That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 938-97-B.

Section 3. That the costs of said contract shall not exceed Two Million Dollars (\$2,000,000.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22296.

Section 2. That existing Section 2 and 3 of Ordinance No. 938-97, passed June 16, 1997, are hereby repealed.

Section 3. That Section 2 and 3 of Ordinance No. 939-97, passed June 16, 1997, are hereby amended to read, respectively, as follows:

Section 2. That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 939-97-B.

Section 3. That the costs of said contract shall not exceed Two Million Dollars (\$2,000,000.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22297.

Section 4. That existing Section 2 and 3 of Ordinance No. 939-97, passed June 16, 1997, are hereby repealed.

Section 5. That Section 2 and 3 of Ordinance No. 1076-97, passed June 16, 1997, are hereby amended to read, respectively, as follows:

Section 2. That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1076-97-B.

Section 3. That the costs of said contract shall not exceed Two Million Dollars (\$2,000,000.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22300.

Section 6. That existing Section 2 and 3 of Ordinance No. 1076-97, passed June 16, 1997, are hereby repealed.

Section 7. That Section 2 and 3 of Ordinance No. 1181-97, passed June 16, 1997, are hereby amended to read, respectively, as follows:

Section 2. That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1181-97-B.

Section 3. That the costs of said contract shall not exceed One Million Two Hundred Thousand Dollars (\$1,200,000.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22301.

Section 8. That existing Section 2 and 3 of Ordinance No. 1181-97, passed June 16, 1997, are hereby repealed.

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

Passed March 29, 1999.
Effective April 7, 1999.

Ord. No. 520-99.

By Councilman Johnson (by departmental request).

An emergency ordinance establishing salary and wage schedules for various classifications, effective as of April 1, 1999, and repealing existing Ordinance No. 436-97, passed April 14, 1997, as amended.

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 ordinance shall be known as the "General Salary Ordinance." Further, that except as otherwise herein provided, the schedules of compensation set forth in Sections 2 to 49, inclusive, hereof shall be effective as of April 1, 1999.

Section 2. Secretary to the Mayor, Directors of Departments, Planning Director, Executive Director Community Relations Board, four Executive Assistants to the Mayor.

(a) That the salary of the Secretary to the Mayor shall be fixed by the Mayor at not less than \$49,078.05 and not more than \$144,754.05 per annum.

(b) That the salary of the the Directors of Law, Finance, Public Utilities, Port Control, Economic Development, Public Safety, Parks, Recreation and Properties, Public Service, Public Health, Personnel and Human Resources, Community Development, Aging, the Planning Director, and the Executive Director of the Community Relations Board and four (4) Executive Assistants to the Mayor shall be fixed by the Mayor at not less than \$49,078.05 and not more than \$139,534.46 per annum.

Section 3. Clerk of Council.

That the salary of the Clerk of Council shall be fixed at not less than \$41,416.04 and not more than \$90,416.82 per annum.

Section 4. Employees of Council — Salary.

That the Clerk of Council, with the approval of the President of Council, shall fix the salary of the employees of Council within the limits established in the following schedule for each classification:

	Minimum	Maximum
1. Administrative Assistant.....	\$17,593.45	\$56,548.62
2. Archivist.....	15,525.00	56,548.62
3. Chief of Consumer Affairs.....	18,209.22	62,203.48
4. Chief Deputy Clerk — Administration.....	18,209.22	67,858.35
5. Chief Deputy Clerk — Finance/Operations.....	18,209.22	67,858.35
6. Chief Legislative Secretary.....	18,209.22	56,548.62
7. Clerk's Deputy Assistant.....	18,209.22	56,548.62
8. Clerk's Assistant.....	\$15.16 per hour	\$17.75 per hour
9. Councilmanic Assistants (Part-Time).....	\$5.97 per hour	\$12.18 per hour
10. Council Receptionist.....	15,525.00	33,929.17
11. Deputy Clerk.....	17,593.45	56,548.62
11a. Director of Communications.....	20,812.05	62,203.48
12. First Assistant Clerk.....	20,813.26	56,548.62
13. Fiscal Officer.....	\$25.85 per hour	\$41.81 per hour
14. Fiscal Secretary.....	15,525.00	53,613.73
15. Information Systems Coordinator.....	18,208.76	67,858.35
16. Information Systems Manager.....	18,208.76	61,748.82
17. Legislative Assistants.....	15,525.00	45,238.90
18. Legislative Assistant/Administrative Secretary.....	15,525.00	53,613.73
19. Legislative Secretary.....	15,525.00	45,238.90
20. Office Administrator — Staff Director.....	18,209.22	67,858.35
21. Research Assistant.....	18,208.76	67,858.35
22. Research Director.....	18,208.76	67,858.35
23. Sergeant-at-Arms.....	11,086.92	31,107.01

Section 5. Secretary of Civil Service Commission, Secretaries to Director, and Executive Assistants to the Mayor.

That the salary of the Secretary of the Civil Service Commission, the salary of the Secretary to each Director of a Department, and the salaries of four Executive Assistants to the Mayor shall be fixed by the Mayor in accordance with the following schedule:

	Minimum	Maximum
1. Four Executive Assistants to the Mayor.....	\$35,410.47	\$117,482.20
2. Special Assistant to the Mayor.....	20,410.00	74,951.45
3. Secretary to Directors of Departments.....	36,590.39	99,248.38
4. Secretary of the Civil Service Commission.....	25,011.85	70,000.00

Section 6. Department of Law.

That the Director of Law shall fix the salary of each member of his staff of lawyers in accordance with the following schedule:

CIVIL BRANCH	Minimum	Maximum
1. Chief Counsel.....	\$36,750.00	\$109,744.16
2. Chief Assistant Director of Law.....	31,500.00	85,247.95
3. Assistant Director of Law I.....	26,250.00	61,602.20

4.	Assistant Director of Law I(s).....	26,250.00	66,811.50
5.	Assistant Director of Law II.....	31,500.00	69,534.13
6.	Assistant Director of Law II(s).....	31,500.00	75,823.47

CRIMINAL BRANCH

1.	Chief Assistant Prosecutor.....	36,750.00	97,964.95
2.	First Assistant Prosecutor.....	31,500.00	77,137.92
3.	Assistant Prosecutor.....	23,100.00	61,230.70

Section 7. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Custodial Worker.....	\$ 7.83 per hour	\$11.80 per hour
2. Window Washer.....	\$11.76 per hour	\$16.01 per hour
3. Bridge Oiler.....	\$ 8.41 per hour	\$14.24 per hour

Section 8. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Accountant I.....	\$ 6.36 per hour	\$15.64 per hour
2. Accountant II.....	\$ 7.06 per hour	\$17.16 per hour
3. Accountant III.....	\$ 7.96 per hour	\$19.02 per hour
4. Accountant Clerk I.....	\$ 5.15 per hour	\$12.68 per hour
5. Accountant Clerk II.....	\$ 5.46 per hour	\$13.69 per hour
6. Activities Therapist.....	\$ 9.15 per hour	\$12.05 per hour
7. AIDS Support Services Coordinator	\$10.49 per hour	\$13.48 per hour
8. Air Pollution Control Engineer I	\$ 8.43 per hour	\$20.12 per hour
9. Air Pollution Control Engineer II	\$ 8.96 per hour	\$21.20 per hour
10. Air Pollution Control Engineer III	\$ 9.50 per hour	\$22.34 per hour
11. Air Pollution Engineer	\$12.04 per hour	\$15.70 per hour
12. Air Pollution Inspector I.....	\$10.99 per hour	\$16.18 per hour
13. Air Pollution Inspector II	\$ 7.76 per hour	\$18.05 per hour
14. Air Pollution Technician I	\$ 7.12 per hour	\$17.16 per hour
15. Air Pollution Technician II	\$ 7.53 per hour	\$18.05 per hour
16. Air Pollution Technician III	\$ 8.43 per hour	\$20.12 per hour
17. Airport Information Representative	\$ 9.40 per hour	\$13.14 per hour
18. Airport Operations Agent I	\$13.27 per hour	\$16.25 per hour
19. Airport Operations Agent II	\$16.67 per hour	\$19.13 per hour
20. Airport Safety Man	\$27,695.13	\$34,591.42
21. Architect	\$ 9.73 per hour	\$23.66 per hour
22. Assistant Buyer	\$ 6.71 per hour	\$16.42 per hour
23. Assistant City Planner	\$ 7.12 per hour	\$17.16 per hour
24. Assistant Civil Engineer	\$ 7.12 per hour	\$17.16 per hour
25. Assistant Electrical Engineer	\$ 7.12 per hour	\$17.16 per hour
26. Assistant Mechanical Engineer	\$ 7.12 per hour	\$17.16 per hour
27. Assistant Plan Examiner	\$12.54 per hour	\$18.05 per hour
28. Associate Programmer	\$ 7.55 per hour	\$18.39 per hour
29. Bacteriologist	\$ 7.96 per hour	\$19.02 per hour
30. Bill Collector	\$ 9.40 per hour	\$13.14 per hour
31. Building Inspector	\$12.98 per hour	\$17.45 per hour
32. Camera Room Operator	\$ 6.04 per hour	\$14.94 per hour
33. Caseworker I	\$ 5.73 per hour	\$14.27 per hour
34. Caseworker II	\$ 6.36 per hour	\$15.64 per hour
35. Cashier/Starter	\$ 6.36 per hour	\$15.64 per hour
36. Chemist	\$ 8.90 per hour	\$20.50 per hour
37. Chief Miscellaneous Investigator	\$ 7.53 per hour	\$18.05 per hour
38. Citizens Information Representative	\$ 6.04 per hour	\$14.94 per hour
39. Civil Engineer	\$ 9.50 per hour	\$23.66 per hour
40. Claims Examiner	\$ 7.53 per hour	\$18.05 per hour
41. Clerk Typist	\$ 7.62 per hour	\$ 9.80 per hour
42. Clinical Laboratory Assistant	\$ 6.36 per hour	\$14.94 per hour
43. Clinical Laboratory Technician I	\$ 7.12 per hour	\$17.16 per hour
44. Clinical Laboratory Technician II	\$ 7.37 per hour	\$18.39 per hour
45. Cocaine Treatment Counselor I	\$ 8.56 per hour	\$14.20 per hour
46. Cocaine Intake Specialist	\$ 9.95 per hour	\$12.78 per hour
47. Community Development Code Enforcement Inspector I	\$14.08 per hour	\$19.03 per hour
48. Community Development Code Enforcement Inspector II	\$14.89 per hour	\$20.12 per hour
49. Community Development Code Enforcement Inspector III	\$15.70 per hour	\$21.20 per hour
50. Community Development Code Enforcement Inspector/Heating I	\$14.08 per hour	\$19.03 per hour
51. Community Development Code Enforcement Inspector/Heating II	\$14.89 per hour	\$20.12 per hour
52. Community Development Code Enforcement Inspector/Heating III	\$15.70 per hour	\$21.20 per hour

53.	Community Development Code Enforcement Inspector/Refrigeration I	\$14.08 per hour	\$19.03 per hour
54.	Community Development Code Enforcement Inspector/Refrigeration II	\$14.89 per hour	\$20.12 per hour
55.	Community Development Code Enforcement Inspector/Refrigeration III	\$15.70 per hour	\$21.20 per hour
56.	Community Development Code Enforcement Inspector/Trainee	\$ 9.97 per hour	\$15.35 per hour
57.	Community Development Planner	\$ 9.87 per hour	\$22.75 per hour
58.	Community Health Aide	\$ 5.15 per hour	\$12.68 per hour
59.	Community Relations Representative I	\$ 6.04 per hour	\$14.94 per hour
60.	Community Relations Representative II	\$ 7.53 per hour	\$18.05 per hour
61.	Community Relations Representative III	\$ 9.51 per hour	\$22.34 per hour
62.	Composing Equipment Operator	\$ 6.71 per hour	\$16.42 per hour
63.	Computer Monitor Assistant	\$ 8.43 per hour	\$10.85 per hour
64.	Computer Operator	\$ 7.53 per hour	\$18.05 per hour
65.	Consumer Protection Specialist	\$ 5.73 per hour	\$14.27 per hour
66.	Cook	\$10.68 per hour	\$12.36 per hour
67.	Copy Center Operator	\$ 5.67 per hour	\$13.69 per hour
68.	Cost Construction Estimator	\$ 8.34 per hour	\$17.56 per hour
69.	Customer Service Representative	\$ 9.41 per hour	\$13.67 per hour
70.	Data Control Clerk	\$ 5.24 per hour	\$13.15 per hour
71.	Data Conversion Operator	\$ 9.30 per hour	\$11.91 per hour
72.	Dental Assistant	\$ 5.15 per hour	\$12.42 per hour
73.	Development Officer	\$ 8.96 per hour	\$21.19 per hour
74.	Dietician	\$ 9.08 per hour	\$15.63 per hour
75.	Drug and Alcohol Counselor	\$ 9.05 per hour	\$11.63 per hour
76.	Electrical Engineer	\$ 9.50 per hour	\$23.66 per hour
77.	Electronic Engineer	\$ 9.54 per hour	\$24.08 per hour
78.	Elevator Inspector	\$13.35 per hour	\$17.45 per hour
79.	Environmental Compliance — Specialist I	\$14.95 per hour	\$16.49 per hour
80.	Environmental Compliance — Specialist II	\$16.35 per hour	\$17.31 per hour
81.	Environmental Compliance — Specialist III	\$17.90 per hour	\$22.54 per hour
82.	Environmental Enforcement — Specialist I	\$14.95 per hour	\$17.22 per hour
83.	Environmental Enforcement — Specialist II	\$16.35 per hour	\$18.08 per hour
84.	Environmental Enforcement — Specialist III	\$17.90 per hour	\$18.99 per hour
85.	Environmental Monitoring — Specialist I	\$13.33 per hour	\$17.04 per hour
86.	Environmental Monitoring — Specialist II	\$14.18 per hour	\$17.89 per hour
87.	Environmental Monitoring — Specialist III	\$15.74 per hour	\$18.79 per hour
88.	Environmental Technician	\$11.99 per hour	\$14.28 per hour
89.	Family Planning Clerk	\$ 7.22 per hour	\$10.96 per hour
90.	Financial Analyst	\$ 7.12 per hour	\$17.16 per hour
91.	Financial Counselor	\$ 7.94 per hour	\$18.05 per hour
92.	Fuel System Technician	\$ 8.96 per hour	\$15.94 per hour
93.	General Health Aide	\$ 5.15 per hour	\$12.68 per hour
94.	General Storekeeper	\$ 7.96 per hour	\$19.02 per hour
95.	Geriatric Outreach Worker	\$ 7.12 per hour	\$17.16 per hour
96.	Head Cook	\$ 5.46 per hour	\$13.67 per hour
97.	Head Storekeeper	\$ 7.11 per hour	\$17.17 per hour
98.	Health Educator I	\$ 6.36 per hour	\$15.64 per hour
99.	Health Educator II	\$ 7.12 per hour	\$17.16 per hour
100.	Heating Inspector	\$13.35 per hour	\$17.45 per hour
101.	HIV Educator	\$ 8.17 per hour	\$ 9.98 per hour
102.	House Connection Inspector	\$11.91 per hour	\$14.59 per hour
103.	Housing Inspector	\$13.69 per hour	\$15.53 per hour
104.	Human Resources Contract Specialist	\$ 9.73 per hour	\$23.65 per hour
105.	Human Resources On-the-Job Training Specialist	\$10.21 per hour	\$20.11 per hour
106.	Human Resources Planner	\$10.74 per hour	\$24.97 per hour
107.	Human Resources Special Projects Coordinator	\$10.21 per hour	\$20.11 per hour
108.	Income Tax Tracer	\$ 6.36 per hour	\$15.64 per hour
109.	Industrial Hygiene Engineer	\$ 9.73 per hour	\$23.65 per hour
110.	Industrial Nuisance Inspector	\$ 6.36 per hour	\$15.64 per hour
111.	Information Control Analyst	\$ 6.81 per hour	\$16.38 per hour
112.	Inspector of Weights and Measures	\$ 5.73 per hour	\$14.27 per hour
113.	Instrument Repairman	\$ 8.21 per hour	\$15.63 per hour
114.	Instrumentation Technician I	\$15.83 per hour	\$16.80 per hour
115.	Instrumentation Technician II	\$17.66 per hour	\$18.51 per hour
116.	Intake Specialist	\$ 5.15 per hour	\$12.68 per hour
117.	Job Retraining Assistant	\$ 7.12 per hour	\$17.16 per hour
118.	Junior Cashier	\$ 5.24 per hour	\$13.14 per hour
119.	Junior Chemist	\$ 5.46 per hour	\$13.69 per hour
120.	Junior City Planner	\$ 6.36 per hour	\$15.64 per hour
121.	Junior Civil Engineer	\$ 6.36 per hour	\$15.64 per hour
122.	Junior Clerk	\$ 9.28 per hour	\$10.96 per hour
123.	Junior Draftsman	\$ 7.92 per hour	\$13.43 per hour
124.	Junior Engineering Aide	\$ 5.46 per hour	\$13.69 per hour
125.	Lab Coordinator	\$16.82 per hour	\$19.24 per hour

126.	Laboratory Assistant	\$ 6.04 per hour	\$14.94 per hour
127.	Laboratory Helper	\$ 5.15 per hour	\$11.80 per hour
128.	Landscape Architect	\$ 9.50 per hour	\$22.34 per hour
129.	Lead Pressman	\$ 8.93 per hour	\$17.40 per hour
130.	Life Guard	\$ 5.15 per hour	\$10.25 per hour
131.	Life Guard Captain	\$ 7.14 per hour	\$10.25 per hour
132.	Mechanical Engineer	\$ 9.50 per hour	\$23.65 per hour
133.	Messenger	\$ 5.15 per hour	\$11.80 per hour
134.	Meter Reader	\$12.03 per hour	\$14.91 per hour
135.	Minority Business Consultant	\$11.15 per hour	\$26.32 per hour
136.	Miscellaneous Investigator	\$ 5.46 per hour	\$13.69 per hour
137.	Monitoring, Auditing and Evaluation Coordinator	\$13.65 per hour	\$17.42 per hour
138.	Office Machine Operator	\$ 9.28 per hour	\$11.48 per hour
139.	Offset Duplicating Machine Operator	\$ 5.46 per hour	\$13.69 per hour
140.	On The Job Training Specialist	\$12.71 per hour	\$16.83 per hour
141.	Park and Recreation Planner	\$ 9.51 per hour	\$22.34 per hour
142.	Parking Attendant	\$ 6.31 per hour	\$12.68 per hour
143.	Parking Meter Collector	\$ 6.32 per hour	\$12.65 per hour
144.	Parking Meter Serviceman	\$12.78 per hour	\$13.30 per hour
145.	Permit Processing Specialist	\$ 7.00 per hour	\$10.61 per hour
146.	Pharmacist	\$10.74 per hour	\$24.97 per hour
147.	Pharmacodependent Rehabilitation Counselor I	\$ 6.49 per hour	\$12.12 per hour
148.	Pharmacodependent Rehabilitation Counselor II	\$ 7.57 per hour	\$14.32 per hour
149.	Photographer	\$ 9.08 per hour	\$17.16 per hour
150.	Photographic Laboratory Technician	\$ 6.80 per hour	\$14.94 per hour
151.	Photo-Litho Operator	\$ 5.48 per hour	\$13.69 per hour
152.	Physical Director	\$ 8.33 per hour	\$15.43 per hour
153.	Plan Examiner	\$ 7.96 per hour	\$20.42 per hour
154.	Play Director	\$ 5.15 per hour	\$10.81 per hour
155.	Police Radio Technician	\$15.36 per hour	\$16.26 per hour
156.	Pressman	\$ 7.89 per hour	\$16.84 per hour
157.	Preventive Health Counselor	\$13.59 per hour	\$17.46 per hour
158.	Preventive Health Educator	\$ 8.89 per hour	\$11.73 per hour
159.	Principal Cashier	\$ 7.24 per hour	\$18.39 per hour
160.	Principal Clerk	\$10.19 per hour	\$15.46 per hour
161.	Print Shop Helper	\$ 9.95 per hour	\$11.59 per hour
162.	Private Secretary	\$ 6.71 per hour	\$16.42 per hour
163.	Program Analyst	\$16.64 per hour	\$23.79 per hour
164.	Programmer	\$ 8.96 per hour	\$21.20 per hour
165.	Programmer Analyst	\$ 9.73 per hour	\$23.65 per hour
166.	Property Clerk	\$11.37 per hour	\$26.34 per hour
167.	Psychiatric Social Worker	\$12.48 per hour	\$17.11 per hour
168.	Psychologist I	\$10.74 per hour	\$22.76 per hour
169.	Psychologist II	\$12.88 per hour	\$26.84 per hour
170.	Public Health Nursing Aide	\$ 9.97 per hour	\$10.94 per hour
171.	Public Health Sanitarian I	\$11.99 per hour	\$14.61 per hour
172.	Public Health Sanitarian II	\$13.46 per hour	\$16.36 per hour
173.	Public Health Sanitarian III	\$14.53 per hour	\$17.07 per hour
174.	Public Health Sanitarian IV	\$ 8.78 per hour	\$21.19 per hour
175.	Public Information Officer	\$ 7.38 per hour	\$18.05 per hour
176.	Quality Assurance Analyst	\$ 8.96 per hour	\$21.19 per hour
177.	Quality Control Coordinator.....	\$16.82 per hour	\$19.24 per hour
178.	Radio Dispatcher	\$15.25 per hour	\$16.26 per hour
179.	Radio Technician	\$15.36 per hour	\$16.26 per hour
180.	Receptionist	\$ 6.06 per hour	\$12.08 per hour
181.	Records Manager	\$ 9.84 per hour	\$12.67 per hour
182.	Recreation Aide	\$ 5.15 per hour	\$ 8.44 per hour
183.	Recreation Instructor	\$ 5.15 per hour	\$12.68 per hour
184.	Recreation Instructor I	\$ 5.24 per hour	\$13.50 per hour
185.	Recreation Instructor II	\$ 5.46 per hour	\$14.02 per hour
186.	Recreation Instructor III	\$ 6.83 per hour	\$14.84 per hour
187.	Recreation Program Supervisor	\$ 6.83 per hour	\$13.79 per hour
188.	Redevelopment Advisor	\$ 7.96 per hour	\$19.02 per hour
189.	Redevelopment Coordinator	\$ 8.38 per hour	\$21.20 per hour
190.	Refrigeration Inspector	\$13.37 per hour	\$17.45 per hour
191.	Refugee Outreach Worker	\$ 8.40 per hour	\$11.79 per hour
192.	Registered Animal Health Technician	\$ 7.94 per hour	\$12.68 per hour
193.	Rehabilitation Advisor	\$ 6.71 per hour	\$16.42 per hour
194.	Sanitarian Aide	\$10.90 per hour	\$12.30 per hour
195.	Secretary	\$ 6.30 per hour	\$13.69 per hour
196.	Secretary to Director of Consumer Affairs	\$ 9.51 per hour	\$22.34 per hour
197.	Senior Assistant Architect	\$ 7.96 per hour	\$19.02 per hour
198.	Senior Assistant City Planner	\$ 7.96 per hour	\$19.02 per hour
199.	Senior Assistant Civil Engineer	\$ 7.96 per hour	\$19.02 per hour
200.	Senior Assistant Electrical Engineer	\$ 7.96 per hour	\$19.02 per hour
201.	Senior Assistant Mechanical Engineer	\$ 7.96 per hour	\$19.02 per hour
202.	Senior Assistant Traffic Engineer	\$ 7.96 per hour	\$19.02 per hour

203.	Senior Bacteriologist	\$ 6.71 per hour	\$16.42 per hour
204.	Senior Cashier	\$ 6.36 per hour	\$15.64 per hour
205.	Senior Chemist	\$ 7.53 per hour	\$18.05 per hour
206.	Senior Clerk	\$ 9.65 per hour	\$12.84 per hour
207.	Senior Computer Operator	\$ 8.96 per hour	\$21.20 per hour
208.	Senior Data Conversion Operator	\$ 5.73 per hour	\$14.27 per hour
209.	Senior Development Officer	\$12.63 per hour	\$27.81 per hour
210.	Senior Draftsman	\$ 9.05 per hour	\$15.34 per hour
211.	Senior Engineering Draftsman and Photographer	\$ 7.12 per hour	\$17.16 per hour
212.	Senior Information Control Analyst	\$ 7.38 per hour	\$18.05 per hour
213.	Senior Laboratory Technician	\$10.86 per hour	\$13.96 per hour
214.	Senior Landscape Architect	\$ 9.73 per hour	\$23.65 per hour
215.	Senior Site Inspector — Demolition	\$ 8.43 per hour	\$20.11 per hour
216.	Sewer Service Man	\$14.06 per hour	\$14.92 per hour
217.	Site Inspector	\$ 7.53 per hour	\$18.05 per hour
218.	Social Worker for Homeless	\$13.82 per hour	\$17.76 per hour
219.	Starter (Golf)	\$ 5.15 per hour	\$10.49 per hour
220.	S.T.D. Clerk	\$ 7.88 per hour	\$10.14 per hour
221.	Stenographer I	\$ 9.17 per hour	\$11.51 per hour
222.	Stenographer II	\$10.11 per hour	\$12.84 per hour
223.	Stenographer III	\$ 7.37 per hour	\$14.27 per hour
224.	Stock Clerk	\$ 5.46 per hour	\$14.11 per hour
225.	Storekeeper	\$ 6.36 per hour	\$16.07 per hour
226.	Street Obstruction Inspector	\$ 6.04 per hour	\$14.94 per hour
227.	Surveyor	\$ 8.96 per hour	\$21.20 per hour
228.	Tax Auditor I	\$ 7.12 per hour	\$17.16 per hour
229.	Tax Auditor II	\$ 7.96 per hour	\$19.02 per hour
230.	Technical Specialist	\$ 7.53 per hour	\$18.05 per hour
231.	Technical Specifications Writer	\$ 9.08 per hour	\$19.03 per hour
232.	Telephone Operator	\$ 5.24 per hour	\$13.14 per hour
233.	Telephone Supervisor	\$ 5.46 per hour	\$13.69 per hour
234.	Timekeeper	\$ 5.46 per hour	\$13.69 per hour
234a.	Traffic Engineer	\$ 9.50 per hour	\$22.34 per hour
235.	Traffic Sign and Marking Technician	\$12.83 per hour	\$13.69 per hour
236.	Typist	\$ 9.30 per hour	\$11.91 per hour
237.	Urban Planning and Development Technician	\$ 5.73 per hour	\$14.27 per hour
238.	Utility Adjuster	\$ 9.98 per hour	\$12.84 per hour
239.	Vector Control Assistant	\$ 8.90 per hour	\$11.43 per hour
240.	Veteran's Counselor	\$ 7.38 per hour	\$15.54 per hour
241.	Water Hydraulic Repairman	\$14.06 per hour	\$14.92 per hour
242.	Water Meter Repairman	\$14.06 per hour	\$14.92 per hour
243.	Water Pipe Repairman.....	\$12.73 per hour	\$14.92 per hour
244.	Water Serviceman	\$ 9.05 per hour	\$12.73 per hour
245.	Water System Construction Inspector	\$14.70 per hour	\$19.02 per hour

Section 9. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Guard.....	\$ 6.55 per hour	\$11.88 per hour
2. House of Correction Guard	\$12.18 per hour	\$12.63 per hour
3. Institutional Guard	\$12.18 per hour	\$12.63 per hour

Section 10. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Bilingual Communication Specialist	\$20,739.17	\$28,212.65
2. Police Radio Dispatcher	20,741.97	30,897.95
3. Police Safety Aide	17,590.83	21,992.05
4. Safety Telephone Operator	19,273.89	23,885.43

Section 11. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Assistant Superintendent of Distribution	\$29,828.64	\$36,972.47
2. Chief Meter Reader	26,776.62	33,275.61
3. Chief Radio Dispatcher — Water	30,533.44	37,850.38
4. Data Conversion Supervisor	24,070.17	29,997.38
5. Engineer of Hydraulic Surveys	37,550.06	46,824.30
6. Meter Reader Supervisor	29,215.14	37,102.75
7. Sewer Construction Unit Leader	31,650.11	39,178.77
8. Sewer Maintenance Unit Leader	23,962.24	33,914.15
9. Sewer Maintenance Unit Leader Operator	28,605.94	35,491.42
10. Supervisor of Radio Service	30,553.44	40,021.26
11. Unit Supervisor	26,835.06	37,500.22

12.	Water Hydraulic Unit Leader	28,446.57	35,797.50
13.	Water Hydraulic Supervisor	32,237.05	40,395.52
14.	Water Meter Department Unit Leader	28,446.55	35,797.50
15.	Water Meter Department Supervisor	32,237.05	40,395.52
16.	Water Pipe Repair Unit Leader.....	28,446.57	36,670.91
17.	Water Pipe Repair Supervisor	32,242.61	41,268.93

Section 12. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum	
1.	Building Stationary Engineer	\$10.14 per hour	\$15.67 per hour
2.	Chief Building Stationary Engineer	\$12.37 per hour	\$16.75 per hour
3.	Chief Stationary Engineer	\$ 9.18 per hour	\$18.31 per hour
4.	First Assistant Stationary Engineer	\$12.15 per hour	\$16.67 per hour
5.	Purification Plant Operator I	\$ 9.43 per hour	\$12.76 per hour
6.	Purification Plant Operator II	\$10.83 per hour	\$14.53 per hour
7.	Purification Plant Operator III	\$11.36 per hour	\$15.18 per hour
8.	Second Assistant Stationary Engineer	\$10.83 per hour	\$15.57 per hour
9.	Stationary Boiler Room Operator	\$12.29 per hour	\$16.25 per hour
10.	Water Plant Operator I	\$15.70 per hour	\$17.16 per hour
11.	Water Plant Operator II	\$17.73 per hour	\$18.38 per hour

Section 13. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum	
1.	Traffic Sign and Marking Supervisor	\$12.89 per hour	\$19.80 per hour
2.	Traffic Sign Process Operator	\$12.89 per hour	\$19.80 per hour

Section 14. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum	
1.	Security Officer	\$ 9.78 per hour	\$15.18 per hour

Section 15. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum	
1.	Airport Maintenance Man	\$11.97 per hour	\$13.74 per hour
2.	Concrete Mixer Driver	\$14.82 per hour	\$17.39 per hour
3.	Dog Warden	\$11.04 per hour	\$12.67 per hour
4.	Ground Maintenance Truck Driver II	\$12.34 per hour	\$14.54 per hour
5.	Hostler	\$ 9.80 per hour	\$11.26 per hour
6.	Parking Enforcement Officer	\$ 9.74 per hour	\$11.17 per hour
7.	Street Carry-all Driver	\$15.55 per hour	\$18.50 per hour
8.	Street Maintenance Equipment Leader	\$16.15 per hour	\$18.54 per hour
9.	Street Equipment Maintenance Specialist	\$15.55 per hour	\$17.84 per hour
10.	Tanker Truck Driver	\$15.55 per hour	\$18.41 per hour
11.	Tow Truck Operator	\$11.80 per hour	\$13.93 per hour
12.	Traffic Controller	\$ 9.73 per hour	\$11.17 per hour
13.	Truck Driver	\$12.50 per hour	\$14.73 per hour
14.	Waste Collection Driver	\$12.33 per hour	\$14.54 per hour
15.	Waste Collection Roll-Off Driver.....	\$15.52 per hour	\$18.19 per hour

Section 16. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum	
1.	Machinist	\$14.23 per hour	\$17.44 per hour
2.	Machinist Unit Leader	\$13.86 per hour	\$19.74 per hour
3.	Machinist Helper	\$12.80 per hour	\$14.72 per hour

Section 17. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum	
1.	Auto Body Repair Unit Leader.....	\$12.44 per hour	\$18.03 per hour
2.	Auto Body Repair Worker	\$10.49 per hour	\$14.99 per hour
3.	Automobile Repair Helper	\$ 9.73 per hour	\$13.43 per hour
4.	Automobile Repair Worker	\$11.03 per hour	\$14.86 per hour
5.	Automobile Repairman Unit Leader	\$12.44 per hour	\$18.03 per hour
6.	Blacksmith	\$10.71 per hour	\$17.56 per hour
7.	Garage Worker	\$ 9.20 per hour	\$12.64 per hour
8.	Heavy Duty Mechanic	\$10.71 per hour	\$17.81 per hour
9.	Small Equipment Repair Worker	\$ 9.93 per hour	\$13.43 per hour
10.	Tire Repair Worker	\$10.23 per hour	\$13.54 per hour
11.	Welder	\$12.17 per hour	\$17.31 per hour

Section 18. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Bridge Attendant.....	\$ 7.82 per hour	\$12.53 per hour
2. Electric Bridge Operator.....	\$ 9.39 per hour	\$15.13 per hour

Section 19. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Assistant Chief Electrical Inspector	\$30,822.89	\$39,601.07
2. Community Development Code Enforcement Inspector/Electrical I	\$14.40 per hour	\$19.03 per hour
3. Community Development Code Enforcement Inspector/Electrical II	\$15.20 per hour	\$20.12 per hour
4. Community Development Code Enforcement Inspector/Electrical III	\$16.01 per hour	\$21.19 per hour
5. Electrical Inspector	\$29,217.91	\$37,539.03

Section 20. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Assistant Chief Plumbing Inspector	\$30,822.89	\$39,601.07
2. Assistant Plumbing Inspector	\$18,839.70	\$32,506.45
3. Community Development Code Enforcement Inspector/Plumbing I	\$14.40 per hour	\$19.03 per hour
4. Community Development Code Enforcement Inspector/Plumbing II	\$15.20 per hour	\$20.12 per hour
5. Community Development Code Enforcement Inspector/Plumbing III	\$16.01 per hour	\$21.19 per hour
6. Plumbing Inspector	\$29,217.91	\$37,539.03

Section 21. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Emergency Medical Dispatcher (Probationary)	\$ 8.50 per hour	\$ 8.50 per hour
2. Emergency Medical Dispatcher	\$23,928.02	\$32,938.76
3. Emergency Medical Technician	\$25,445.75	\$35,931.55

Section 22. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Nurse II	\$19,049.10	\$39,130.14
2. Public Health Nurse	19,049.10	39,130.14
3. Public Health Nurse I	23,146.64	38,099.16
4. Public Health Nurse II	34,673.49	36,795.71
5. Public Health Nurse III	37,776.57	40,609.81
6. Public Health Nurse IV	28,151.33	44,317.93
7. Public Health Nurse V	30,653.67	48,721.43
8. Public Health Nurse VI	35,658.35	56,313.80
9. Supervising Public Health Nurse	23,647.11	42,708.61

Section 23. That the salaries and the compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Apprentice Cable Splicer	\$14.35 per hour	\$19.84 per hour
2. Apprentice Lineman	\$14.46 per hour	\$20.01 per hour
3. Cable Foreman	\$20.31 per hour	\$26.09 per hour
4. Cable Splicer	\$16.95 per hour	\$21.80 per hour
5. Cable Splicer I	\$18.17 per hour	\$23.35 per hour
6. Cable Splicer II	\$16.64 per hour	\$21.37 per hour
7. Cable Splicer Helper	\$12.25 per hour	\$16.63 per hour
8. Dispatcher Electric System Operator	\$17.13 per hour	\$22.00 per hour
9. Electric Meter Industrial Installer	\$18.10 per hour	\$23.27 per hour
10. Electric Meter Instrument Specialist and General Tester	\$18.31 per hour	\$23.53 per hour
11. Electric Meterman Apprentice	\$14.13 per hour	\$19.56 per hour
12. Electric Meter Service Foremen	\$20.31 per hour	\$26.09 per hour
13. Electric Meter Service Installer I	\$16.87 per hour	\$21.66 per hour
14. Electric Meter Service Installer II	\$15.71 per hour	\$20.19 per hour
15. Electric Motor and Transformer Repairman	\$16.87 per hour	\$21.68 per hour
16. Electric Switchboard Operator Foreman	\$20.31 per hour	\$26.09 per hour

17.	Electric Transmission and Distribution Inspector	\$18.17 per hour	\$23.35 per hour
18.	Foreman Low Tension	\$19.95 per hour	\$25.63 per hour
19.	Gas Turbine Mechanic	\$16.87 per hour	\$21.66 per hour
20.	Gas Turbine Mechanic Apprentice	\$14.35 per hour	\$19.84 per hour
21.	Junior Electric Switchboard Operator	\$14.43 per hour	\$18.54 per hour
22.	Leader Lineman Low-Tension	\$19.35 per hour	\$24.87 per hour
23.	Line Foreman	\$20.31 per hour	\$26.09 per hour
24.	Line Clearance Man	\$14.19 per hour	\$19.29 per hour
25.	Line Helper Driver	\$12.08 per hour	\$18.90 per hour
26.	Lineman	\$18.17 per hour	\$23.35 per hour
27.	Lineman Leader	\$19.48 per hour	\$25.02 per hour
28.	Line Switchman	\$19.48 per hour	\$25.02 per hour
29.	Low Tension Lineman	\$16.95 per hour	\$21.80 per hour
30.	Low Tension Lineman Apprentice	\$13.95 per hour	\$19.29 per hour
31.	Low Tension Trouble Lineman	\$17.77 per hour	\$24.28 per hour
32.	Police Division Trouble Lineman	\$18.63 per hour	\$23.94 per hour
33.	Safety Signal Trouble Lineman	\$18.63 per hour	\$23.94 per hour
34.	Senior Electric Switchboard Operator	\$15.91 per hour	\$20.45 per hour
35.	Senior Lineman	\$19.14 per hour	\$24.59 per hour
36.	Signal System Powerman	\$18.97 per hour	\$24.38 per hour
37.	Telecommunications Technician	\$18.97 per hour	\$24.38 per hour
38.	Traffic Signal Control Technician	\$20.09 per hour	\$25.81 per hour
39.	Transformer Repairman Foreman	\$20.31 per hour	\$26.09 per hour
40.	Trouble Lineman	\$19.14 per hour	\$24.59 per hour
41.	Underground Conduit Foreman	\$20.31 per hour	\$26.09 per hour

Section 24. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum	
1.	Accident and Safety Inspector	\$15.29 per hour	\$17.29 per hour
2.	Airport Field Foreman	\$15.18 per hour	\$17.18 per hour
3.	Arborist I	\$13.31 per hour	\$15.31 per hour
4.	Arborist II	\$15.45 per hour	\$17.45 per hour
5.	Arborist III	\$17.45 per hour	\$19.45 per hour
6.	Assistant Gardener	\$10.42 per hour	\$12.42 per hour
7.	Assistant Manager of Parks and Urban Forestry	\$16.99 per hour	\$18.99 per hour
8.	Assistant Superintendent of Waste Collection	\$17.46 per hour	\$19.46 per hour
9.	Cemetery Foreman	\$15.18 per hour	\$17.19 per hour
10.	Cemeteries Maintenance Man I	\$11.90 per hour	\$13.90 per hour
11.	Cemeteries Maintenance Man II	\$18.63 per hour	\$20.63 per hour
12.	Cemetery Supervisor	\$17.46 per hour	\$19.46 per hour
13.	Chief Engineering and Construction Inspector	\$19.20 per hour	\$21.20 per hour
14.	Chief Horticulturist	\$22.95 per hour	\$24.95 per hour
15.	Cold Patch and Cracksealing Foreman	\$17.56 per hour	\$19.56 per hour
16.	Cold Patch and Crack Sealing Worker	\$13.09 per hour	\$15.09 per hour
17.	Crematory and Mausoleum Operator	\$13.31 per hour	\$15.31 per hour
18.	District Paving Repair Foreman	\$23.87 per hour	\$25.87 per hour
19.	Engineering and Construction Inspector	\$14.28 per hour	\$16.29 per hour
20.	Gardener	\$11.41 per hour	\$13.41 per hour
21.	General Construction Foreman	\$24.09 per hour	\$26.09 per hour
22.	General Shop Foreman	\$17.46 per hour	\$19.46 per hour
23.	Greenskeeper	\$15.79 per hour	\$17.79 per hour
24.	Ground Maintenance Crew Foreman	\$12.86 per hour	\$14.86 per hour
25.	Ground Maintenance Foreman	\$15.19 per hour	\$17.19 per hour
26.	Ground Maintenance Man	\$11.90 per hour	\$13.90 per hour
27.	Horticulturist	\$20.09 per hour	\$22.09 per hour
28.	Horticulturist Maintenance Foreman	\$15.19 per hour	\$17.19 per hour
29.	Labor Foreman	\$15.18 per hour	\$17.18 per hour
30.	Lead Program Assistant	\$12.93 per hour	\$14.93 per hour
31.	Mechanical Handyman	\$12.41 per hour	\$14.41 per hour
32.	Maintenance Foreman	\$14.51 per hour	\$16.51 per hour
33.	Municipal Service Laborer	\$11.90 per hour	\$13.90 per hour
34.	Parking Coordinator	\$16.05 per hour	\$18.05 per hour
35.	Practical Nurse	\$11.84 per hour	\$13.84 per hour
36.	Radio Operator	\$13.67 per hour	\$15.67 per hour
37.	Real Estate Maintenance Man	\$12.61 per hour	\$14.61 per hour
38.	Set-Up Foreman	\$12.68 per hour	\$14.68 per hour
39.	Shop Foreman	\$15.18 per hour	\$17.18 per hour
40.	Sidewalk Inspector	\$13.04 per hour	\$15.04 per hour
41.	Street Cleaning District Foreman	\$15.18 per hour	\$17.18 per hour
42.	Street Maintenance Foreman	\$15.18 per hour	\$17.18 per hour
43.	Street Maintenance General Foreman	\$17.47 per hour	\$19.47 per hour
44.	Street Permit Supervisor	\$11.86 per hour	\$13.86 per hour
45.	Street Sweeper-Waste Collection	\$11.56 per hour	\$13.56 per hour
46.	Tire Shredder	\$12.50 per hour	\$14.50 per hour
47.	Transfer Station Attendant.....	\$16.05 per hour	\$18.05 per hour

48.	Waste Collection Foreman	\$15.18 per hour	\$17.18 per hour
49.	Waste Collection Foreman I	\$16.69 per hour	\$18.69 per hour
50.	Waste Collection Transfer Foreman	\$17.32 per hour	\$19.32 per hour
51.	Waste Collector	\$11.90 per hour	\$13.90 per hour
52.	Waste Collector — Cushman Operator	\$12.23 per hour	\$14.23 per hour
53.	Watchman	\$ 9.97 per hour	\$11.97 per hour
54.	Watchman Supervisor	\$12.56 per hour	\$14.56 per hour

Section 25. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Fingerprint Examiner	\$18,885.58	\$29,156.08

Section 26. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Budget Analyst	\$16,760.96	\$41,854.49
2. Buyer	17,705.24	38,265.54
3. Civil Service Examiner I	12,983.84	32,081.84
4. Civil Service Examiner II	15,344.54	34,503.31
5. Civil Service Examiner III	18,885.58	39,604.83
6. Civil Service Examiner IV	23,606.98	49,151.61
7. Court Stenographer	15,344.54	32,146.94
8. Docket Clerk	16,043.58	28,679.20
9. Junior Personnel Assistant	12,983.84	31,081.86
10. Law Librarian	16,524.89	30,991.95
11. Legal Secretary	17,189.55	32,509.53
12. Office Manager	14,700.00	30,794.79
13. Parking Enforcement Analyst	18,385.50	35,185.10
14. Paralegal	16,043.58	34,503.43
15. Personnel Assistant	16,524.89	35,711.05
16. Private Secretary to Director	15,344.54	37,542.38
17. Scientific Examiner	22,575.00	46,454.95
18. Senior Personnel Assistant	17,705.24	39,604.83
19. Tape Librarian	14,164.19	32,928.85

Section 27. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Administrative Officer	\$17,705.24	\$41,830.50
2. Cable Protection Specialist	18,529.41	30,428.07
3. Case Worker Supervisor	20,065.93	35,711.05
4. Chief Air Pollution Inspector	20,065.93	40,415.94
5. Chief Caseworker Supervisor	22,426.64	36,273.02
6. Chief Clerk	22,050.00	37,542.58
7. Chief Photographer	20,065.93	40,415.94
8. Chief Radio Dispatcher	25,377.50	37,810.47
9. Chief Telephone Operator	17,611.99	39,509.77
10. Cocaine Treatment Supervisor.....	22,426.64	37,542.58
11. Composing Supervisor	20,065.93	34,503.43
12. Consumer Protection Supervisor	18,885.58	36,273.02
13. Custodial Worker Supervisor	17,705.24	33,367.48
14. Personnel Analyst I	21,000.00	37,312.49
15. Secretary to Board of Examiner of Plumbers Board of Review (Electrical)	18,885.58	31,410.17
16. Secretary — Boxing and Wrestling Commission	18,885.58	28,679.20
17. Superintendent of Maintenance	23,606.98	45,180.50
18. Superintendent of Street Cleaning	25,967.68	36,858.25
19. Superintendent of Waste Collection	29,508.73	45,180.50
20. Supervisor of Income Tax Files	18,885.58	31,410.17
21. Supervisor of Storeroom and Mailing	16,524.89	28,679.20

Section 28. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Airport Maintenance Supervisor	\$21,019.66	\$41,830.52
2. Airport Safety Supervisor	21,019.66	40,946.44
3. Assistant Chief Building Inspector	17,705.24	41,829.35
4. Assistant Chief Housing Inspector	17,705.24	40,414.83
5. Assistant Custodian	16,559.28	38,264.37
6. Assistant Superintendent of Electrical Generation	21,019.66	44,786.47
7. Bridge Inspector	13,958.10	32,928.96
8. Bureau Manager — Housing	26,797.11	64,862.82

9.	Bureau Manager — Demolition	26,797.11	64,862.82
10.	Bureau Manager — Building	26,797.11	64,862.82
11.	Cable Production Manager	20,410.00	73,481.81
12.	Chief Bridge Operator	16,559.28	39,603.62
13.	Chief of Electric Meter Bureau	26,274.57	55,906.32
14.	Chief Guard	15,764.74	32,747.82
15.	Chief Safety Signal System	\$18.60 per hour	\$29.06 per hour
16.	Chief Sidewalk Inspector	15,641.78	36,276.04
17.	Chief Street Permit Inspector	14,790.48	34,503.43
18.	Chief of Traffic Signal Unit	\$18.60 per hour	\$29.06 per hour
19.	Community Development Code Enforcement Inspector Supervisor	34,464.91	44,884.01
20.	Coordinator of Parking Enforcement	18,627.62	41,341.23
21.	Correctional Supervisor	17,543.01	40,415.94
22.	District Forester	31,043.38	46,065.90
23.	Electric Bridge Operator Leader	\$ 8.55 per hour	\$14.33 per hour
24.	Environmental Assistant	17,705.24	40,415.94
25.	Field Operations Forester	32,445.00	47,805.98
26.	General Superintendent Waste Collection	30,473.96	50,347.87
27.	House Sergeant	13,137.29	28,928.93
28.	Instrumentation Supervisor	29,200.50	42,030.72
29.	Parking Meter Foreman	24,679.38	32,552.82
30.	Printing Foreman	28,404.92	41,130.46
31.	Supervisor of Landscape Construction	17,078.47	36,858.25
32.	Supervisor of Parking Enforcement Unit	18,262.21	32,108.72
33.	Supervisor of Markets	14,790.48	35,711.05
34.	Supervisor of Weights and Measures	14,790.48	34,503.43
35.	Survey Party Chief	18,099.87	44,470.78
36.	Tunnel Maintenance Foreman	17,078.47	30,155.23
37.	Tunnel Maintenance Man	15,764.72	27,532.64

Section 29. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum	
1.	Accountant IV.....	\$18,627.62	\$42,557.04
2.	Airport Operations Agent III.....	18,627.62	44,046.54
3.	Assistant Bureau Chief — Demolition.....	18,627.62	42,557.04
4.	Assistant Financial Systems Coordinator.....	18,627.62	42,557.04
5.	Assistant Personnel Administrator.....	18,627.62	44,046.54
6.	Budget and Management Analyst.....	18,627.62	44,046.54
7.	Chief Dog Warden.....	18,627.62	53,712.78
8.	Labor Relations Assistant.....	18,627.62	42,557.04
9.	Rehabilitation Supervisor.....	18,627.62	42,557.04
10.	Superintendent of Sewer Maintenance.....	18,627.62	42,557.04
11.	Supervisor of Architectural Construction.....	18,627.62	44,046.54
12.	Supervisor of Personnel Records.....	18,627.62	42,557.04
13.	Supervisor of Site Development.....	18,627.62	42,557.04
14.	Supervisor of Vital Statistics.....	18,627.62	44,046.54
15.	Systems Analyst.....	18,627.62	42,557.04
16.	Water Plant Shift Supervisor.....	\$8.96 per hour	\$21.18 per hour
17.	Water Plant Shift Supervisor — Parma Control.....	\$8.96 per hour	\$21.18 per hour
18.	Water System Construction Inspector Supervisor.....	18,627.62	44,046.54

Section 30. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum	
1.	Airport Maintenance Superintendent.....	\$19,784.74	\$46,454.98
2.	Assistant Commissioner of Recreation.....	19,784.74	56,649.76
3.	Assistant Contract Compliance Officer.....	19,784.74	44,884.04
4.	Assistant Director of Public Health Nurses.....	19,784.74	44,884.04
5.	Assistant Income Tax Financial Supervisor.....	19,784.74	44,884.04
6.	Assistant Manager of Audit Control and Personnel....	19,784.74	46,454.98
7.	Assistant Manager of Recreation.....	19,784.74	44,884.04
8.	Assistant Superintendent of Pumping.....	19,784.74	44,884.04
9.	Assistant Superintendent of Purification.....	19,784.74	44,884.04
10.	Auditor.....	19,784.74	46,454.98
11.	Chief Alcoholism Coordinating Service.....	19,784.74	44,884.04
12.	Chief of the Demolition Bureau.....	19,784.74	44,884.04
13.	Chief Plan Examiner.....	19,784.74	46,454.98
14.	City Planner.....	19,784.74	46,454.98
15.	Deputy Commissioner of Recreation — Fiscal Control	19,784.74	56,649.76
16.	Deputy Project Director.....	19,784.74	46,454.98
17.	District Supervisor — Environmental Health.....	19,784.74	44,884.04
18.	Emergency Medical Technician Supervisor.....	19,784.74	46,454.98
19.	Income Tax Supervisor.....	19,784.74	44,884.04

20.	Office of Professional Standards Investigative Auditor.....	19,784.74	44,884.04
21.	Office of Professional Standards Research/Analyst.....	19,784.74	44,884.04
22.	Project Program Director of Consumer Affairs.....	19,784.74	44,884.04
23.	Recreation Center Manager.....	32,500.00	56,649.76
24.	Superintendent of Light Equipment Maintenance.....	19,784.74	44,884.04
25.	Superintendent of Vehicle Administrative Services.....	19,784.74	44,884.04
26.	Supervisor Administrative Services — Data Processing Center.....	19,784.74	44,884.04
27.	Supervisor of Milk Program.....	19,784.74	44,884.04
28.	Supervisor of Vector Control.....	19,784.74	44,884.04
29.	Welfare Liaison.....	19,784.74	44,884.04

Section 31. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Air Pollution Control, Engineer IV.....	\$20,231.40	\$47,489.48
2. Airport Safety Shift Commander.....	20,231.40	47,489.48
3. Assistant Administrator.....	20,231.40	49,151.61
4. Assistant Health Center Director.....	20,231.40	47,489.48
5. Assistant Manager of Marketing.....	20,231.40	47,489.48
6. Central Payroll Supervisor.....	20,231.40	47,489.48
7. Chief Building Inspector.....	20,231.40	49,151.61
8. Chief Electrical Inspector.....	20,231.40	47,489.48
9. Chief Elevator Inspector.....	20,231.40	47,489.48
10. Chief Environmental Health — Engineering.....	20,231.40	47,489.48
11. Chief Heating Inspector.....	20,231.40	49,151.61
12. Chief Housing Inspector.....	20,231.40	49,151.61
13. Chief Plumbing Inspector.....	20,231.40	47,489.48
14. Chief Rehabilitation Supervisor.....	20,231.40	49,151.61
15. Contract Supervisor — Division of Purchases and Supplies.....	20,231.40	47,489.48
16. Data Processing Supervisor.....	20,231.40	47,489.48
17. Human Resources Contract Administrator.....	20,231.40	63,385.82
18. Manager of Public Utilities Building Maintenance.....	20,231.40	58,509.98
19. Senior Systems Analyst.....	20,231.40	49,151.61
20. Shift Supervisor Operations.....	20,231.40	47,489.48
21. Superintendent of Distribution.....	20,231.40	47,489.48
22. Superintendent of Pumping.....	20,231.40	47,489.48
23. Superintendent of Purification.....	20,231.40	47,489.48
24. Supervising Tax Auditor.....	20,231.40	47,489.48
25. Supervisor of Civil Service Records.....	20,231.40	47,489.48

Section 32. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Airport Operations Superintendent.....	\$22,333.40	\$51,978.80
2. Airport Security Coordinator.....	22,333.40	50,221.06
3. Assistant Airport Safety Chief/Training Officer.....	22,333.40	50,221.06
4. Assistant Chief of Pumping.....	22,333.40	50,221.06
5. Assistant Chief of Purification.....	22,333.40	50,221.06
6. Assistant Manager of Box Office.....	22,333.40	50,221.06
7. Assistant Manager — Human Resources Planning and Management.....	22,333.40	50,221.06
8. Assistant Manager of Stage.....	22,333.40	50,221.06
9. Chief of Bureau of Accounts and Collections.....	22,333.40	50,221.06
10. Chief of Bureau of Industrial Air Pollution.....	22,333.40	50,221.06
11. Chief of Bureau of Smoke Abatement.....	22,333.40	50,221.06
12. Chief Engineer — Traffic.....	22,333.40	58,509.98
13. Chief Senior Electric Switchboard Operator.....	22,333.40	51,978.80
14. Chief of Tax Auditing Bureau.....	22,333.40	51,978.80
15. Chief of Tax Records Bureau.....	22,333.40	50,221.06
16. Deputy Commissioner of Purchases and Supplies.....	22,333.40	58,509.98
17. Health Center Director.....	22,333.40	58,509.98
18. Human Resources Fiscal Administrator.....	22,333.40	50,221.06
19. Income Tax Financial Supervisor.....	22,333.40	50,221.06
20. Manager of Assigned Maintenance.....	22,333.40	58,509.98
21. Manager of Parks and Recreation Research and Planning.....	22,333.40	58,509.98
22. Manager of Parks and Urban Forestry.....	22,333.40	58,509.98
23. Manager of Shops and Field Equipment.....	22,333.40	58,509.98
24. Manager of Site Development.....	22,333.40	58,509.98
25. Project Director.....	22,333.40	63,385.82
26. Programming Supervisor.....	22,333.40	50,221.06
27. Superintendent of Sidewalks.....	22,333.40	50,221.06
28. Superintendent of Water Plant Maintenance.....	22,333.40	50,221.06
29. Warehouse Inventory Manager.....	22,333.40	63,385.82

Section 33. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Accountant Supervisor.....	\$23,647.11	\$52,914.21
2. Assistant Chief of Water Distribution.....	23,647.11	54,766.21
3. Assistant Commissioner of Assessments and Licenses.....	23,647.11	52,914.21
4. Assistant Commissioner, Division of Printing and Reproduction.....	23,647.11	66,784.93
5. Assistant Commissioner of Engineering and Construction.....	23,647.11	66,784.93
6. Building Manager.....	23,647.11	61,647.62
7. Chief Architect.....	23,647.11	66,784.93
8. Chief Auditor — Utilities.....	23,647.11	66,784.93
9. Chief City Planner.....	23,647.11	54,766.21
10. Chief, Computer Operations.....	23,647.11	66,784.93
11. Chief Engineer — Civil.....	23,647.11	66,784.93
12. Chief Engineer — Mechanical.....	23,647.11	66,784.93
13. Chief Legal Investigator — Civil Branch.....	23,647.11	52,914.21
14. Chief of Street Lighting and Electrical Services.....	23,647.11	54,766.21
15. Chief of Laboratories.....	23,647.11	52,914.21
16. Chief of Purification.....	23,647.11	54,766.21
17. Chief Surveyor.....	23,647.11	52,914.21
18. Convention Manager.....	23,647.11	61,647.62
19. Financial Systems Coordinator.....	23,647.11	52,914.21
20. Fiscal Manager.....	23,647.11	66,784.93
21. Investment Manager.....	23,647.11	66,784.93
22. Manager of Enterprise Unit.....	23,647.11	61,647.62
23. Manager of Events.....	23,647.11	61,647.62
24. Manager of General Maintenance.....	23,647.11	61,647.62
25. Manager of Markets.....	23,647.11	61,647.62
26. Manager of Parking.....	23,647.11	61,647.62
27. Manager of Production Power Generation.....	23,647.11	61,647.62
28. Manager of Recreation.....	40,000.00	61,647.62
29. Purchasing Supervisor — Division of Purchases and Supplies.....	23,647.11	52,914.21
30. Secretary to the Board of Building Standards and Building Appeals.....	23,647.11	52,914.21
31. Secretary to the Board of Zoning Appeals.....	23,647.11	52,914.21
32. Security Manager — Convention Center.....	23,647.11	61,647.62
33. Senior Internal Auditor.....	23,647.11	52,914.21
34. Senior Programmer Analyst.....	23,647.11	54,766.21
35. Supervisor of Food and Drug Administration.....	23,647.11	52,914.21
36. Supervisor — Information Control.....	23,647.11	52,914.21
37. Theatrical Manager.....	23,647.11	52,914.21
38. Water Plant Manager.....	23,647.11	66,784.93

Section 34. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Airport Maintenance Manager.....	\$26,273.96	\$70,559.87
2. Airport Operations Manager.....	26,273.96	70,559.87
3. Airport Safety Chief.....	26,273.96	70,559.87
4. Assistant Commissioner of Administrative Services.....	26,273.96	70,559.87
5. Assistant Commissioner of Building and Housing.....	26,273.96	70,559.87
6. Assistant Commissioner of Cleveland Public Power.....	26,273.96	70,559.87
7. Assistant Commissioner of Motor Vehicles Maintenance.....	26,273.96	70,559.87
8. Assistant Commissioner of Neighborhood Development.....	26,273.96	70,559.87
9. Assistant Commissioner of Neighborhood Revitalization.....	26,273.96	70,559.87
10. Assistant Commissioner of Neighborhood Services.....	26,273.96	70,559.87
11. Assistant Commissioner of Streets.....	26,273.96	70,559.87
12. Assistant Commissioner of Waste Collection and Disposal.....	26,273.96	70,559.87
13. Assistant Commissioner of Water Pollution Control.....	26,273.96	70,559.87
14. Assistant Director of Community Relations Board.....	26,273.96	70,559.87
15. Assistant Income Tax Administrator.....	26,273.96	57,861.80
16. Assistant Superintendent of Electric Transmission and Distribution.....	26,273.96	57,861.80
17. Chief of Air Pollution Enforcement.....	22,333.40	63,385.82
18. Chief of Air Pollution Engineering.....	22,333.40	63,385.82
19. Chief of Air Pollution Information Systems.....	22,333.40	63,385.82
20. Chief of Air Pollution Monitoring.....	22,333.40	63,385.82

21.	Chief of Civil Service Examiner.....	26,273.96	55,905.12
22.	Chief of Pharmacy Services.....	26,273.96	70,559.87
23.	Chief of Pumping.....	26,273.96	55,905.12
24.	Chief of Water Distribution.....	26,273.96	57,861.80
25.	Chief Training Officer.....	26,273.96	55,905.12
26.	City Hall Custodian.....	26,273.96	55,905.12
27.	Community Development Executive Assistant.....	26,273.96	70,559.87
28.	Contract Compliance Officer.....	26,273.96	55,905.12
29.	Deputy Commissioner of Accounts.....	26,273.96	65,132.18
30.	Deputy Commissioner of Air Pollution Control.....	26,273.96	65,132.18
31.	Deputy Commissioner of Airports.....	26,273.96	65,132.18
32.	Deputy Commissioner of Convention Center and Stadium.....	26,273.96	65,132.18
33.	Deputy Commissioner of Convention Center and Stadium/West Side Market.....	26,273.96	65,132.18
34.	Deputy Commissioner of Maintenance.....	26,273.96	65,132.18
35.	Deputy Commissioner of Parks and Urban Forestry.....	26,273.96	65,132.18
36.	Deputy Commissioner of Parks and Urban Forestry/Golf Courses and Cemeteries.....	26,273.96	65,132.18
37.	Deputy Commissioner of Recreation.....	26,273.96	65,132.18
38.	Director of Public Health Nurses.....	26,273.96	65,132.18
39.	General Manager of Administrative Services.....	26,273.96	70,559.87
40.	Office of Professional Standards Administrator.....	26,273.96	55,905.12
41.	Manager of Human Resources Program Planning and Management.....	26,273.96	65,132.18
42.	Personnel Administrator.....	26,273.96	65,132.18
43.	Senior Budget and Management Analyst.....	26,273.96	57,861.80
44.	Superintendent of Industrial Claims.....	26,273.96	55,905.12
45.	Superintendent of Motorized Equipment.....	26,273.96	55,905.12
46.	Utilities Comptroller.....	26,273.96	70,559.87

Section 35. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

		Minimum	Maximum
1.	Assistant Commissioner of Water.....	\$27,325.56	\$77,232.81
2.	Assistant Secretary of Sinking Fund Commission.....	27,325.56	77,232.81
3.	Chief of Health Planning and Evaluation.....	27,325.56	61,192.14
4.	Chief — Systems Analysis.....	27,325.56	77,232.81
5.	Consulting Engineer.....	27,325.56	77,232.81
6.	Harbor Manager.....	27,325.56	77,232.81
7.	Labor Relations Officer.....	27,325.56	61,192.14
8.	Manager of Architecture.....	27,325.56	71,291.82
9.	Manager of Compensation and Classifications.....	27,325.56	71,291.82
10.	Manager of Education and Research.....	27,325.56	71,291.82
11.	Manager of Employee Accident Control.....	27,325.56	71,291.82
12.	Manager of Employee Relations.....	27,325.56	71,291.82
13.	Manager of Equal Employment Opportunity.....	27,325.56	71,291.82
14.	Manager of Recruitment.....	27,325.56	71,291.82
15.	Minority Business Development Administrator.....	27,325.56	61,192.14
16.	Project Coordinator.....	27,325.56	71,291.82
17.	Risk Manager.....	27,325.56	77,232.81
18.	Superintendent of Electric Trouble Operations.....	27,325.56	61,192.14

Section 36. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

		Minimum	Maximum
1.	Administrator of Engineering and Planning.....	\$30,214.95	\$88,843.46
2.	Airport Chief Engineer.....	30,214.95	88,843.46
3.	Airport Planning Environmental Officer.....	30,214.95	70,391.35
4.	Air Trade Development Manager.....	30,214.95	82,009.34
5.	Assistant Director of Human Resources and Economic Development.....	30,214.95	88,843.46
6.	Budget Administrator.....	30,214.95	82,009.34
7.	Chief of Personnel Management.....	30,214.95	82,009.34
8.	Comptroller-Airports.....	30,214.95	88,843.46
9.	Data Base Analyst.....	30,214.95	70,391.35
10.	Deputy Commissioner of Building and Housing.....	30,214.95	82,009.34
11.	Deputy Commissioner of Cleveland Hopkins International Airport.....	30,214.95	82,009.34
12.	Deputy Commissioner of Parks, Maintenance and Properties.....	30,214.95	82,009.34
13.	Deputy Commissioner of Water.....	30,214.95	82,009.34
14.	Deputy Commissioner of Water Pollution Control.....	30,214.95	82,009.34
15.	Executive Commissioner for Administration of Department of Finance.....	30,214.95	82,009.34

16.	Executive Commissioner of Parks and Urban Forestry.....	30,214.95	82,009.34
17.	Field Manager.....	35,000.00	45,000.00
18.	Hardware Analyst.....	30,214.95	82,009.34
19.	Labor Relations Manager.....	30,214.95	88,843.46
20.	Manager of Electric System Operation.....	30,214.95	82,009.34
21.	Manager of Human Resources Monitoring and Evaluation.....	30,214.95	82,009.34
22.	Manager of Marketing.....	30,214.95	82,009.34
23.	Manager of Properties.....	30,214.95	82,009.34
24.	Manager of Public Service Operations.....	30,214.95	82,009.34
25.	Manager of Telecommunications.....	30,214.95	82,009.34
26.	Permit Review Manager.....	35,000.00	50,000.00
27.	Project Leader/Applications.....	30,214.95	70,391.35
28.	Software Analyst.....	30,214.95	70,391.35
29.	Superintendent of Electric Transmission and Distribution.....	30,214.95	70,391.35
30.	Supervisor of Computer Operations.....	30,214.95	70,391.35
31.	Supervisor Hardware Evaluation.....	30,214.95	70,391.35
32.	Telecommunications Analyst.....	30,214.95	70,391.35
33.	Veterinarian in Charge of Spay and Neuter Clinic.....	30,214.95	70,391.35

Section 37. That the appointing authority shall fix the salaries in the following classifications in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. City Comptroller	\$41,312.22	\$108,845.80
2. City Treasurer	41,312.22	100,473.05
3. Commissioner of Accounts	38,951.52	104,266.80
4. Commissioner of Administrative Services — Community Development	38,951.52	104,266.80
5. Commissioner of Architecture	41,312.22	116,584.69
6. Commissioner of Assessments and Licenses.....	38,951.52	96,246.28
7. Commissioner of Building and Housing.....	43,672.91	115,714.26
8. Commissioner of Burke Airport.....	38,951.52	96,246.28
9. Commissioner of Cleveland Hopkins International Airport	41,312.22	116,584.69
10. Commissioner of Cleveland Public Power.....	43,672.91	115,714.26
11. Commissioner of Convention Center	43,672.91	106,813.16
12. Commissioner of Emergency Medical Services	41,312.22	108,845.80
13. Commissioner of Engineering and Construction	43,672.91	115,714.26
14. Commissioner of Environment	41,312.22	108,845.80
15. Commissioner of Health	43,672.91	115,714.26
16. Commissioner of House of Corrections	38,951.52	96,246.28
17. Commissioner of Information Systems Services.....	50,400.00	115,714.26
18. Commissioner of Motor Vehicle Maintenance	38,951.52	104,266.80
19. Commissioner of Neighborhood Development	38,951.52	96,246.28
20. Commissioner of Neighborhood Revitalization	41,312.22	100,473.05
21. Commissioner of Neighborhood Services	41,312.22	100,473.05
22. Commissioner of Park Maintenance and Properties	41,312.22	116,584.69
23. Commissioner of Parking Facilities	38,951.52	104,266.80
24. Commissioner of Printing and Reproduction	38,951.52	104,266.80
25. Commissioner of Property Management	43,672.91	115,714.26
26. Commissioner of Purchases and Supplies	41,312.22	100,473.05
27. Commissioner of Recreation	41,312.22	116,584.69
28. Commissioner of Research/Planning and Development	38,951.52	104,266.80
29. Commissioner of Streets	38,951.52	104,266.80
30. Commissioner of Traffic Engineering and Parking ...	41,312.22	100,473.05
31. Commissioner of Utilities Engineering	41,312.22	96,246.28
32. Commissioner of Utilities Fiscal Control	38,951.52	96,246.28
33. Commissioner of Waste Collection and Disposal	38,951.52	104,266.80
34. Commissioner of Water	43,672.91	115,714.26
35. Commissioner of Water Pollution Control	38,951.52	104,266.80
36. Income Tax Administrator	41,312.22	108,845.80
37. Manager of Internal Audit	38,951.52	96,246.28

Section 38. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Assistant Manager — Applications Development and Technical Support.....	\$46,224.91	\$98,555.96
2. Assistant Manager — Data Processing Operations.....	46,224.91	90,974.74
3. Assistant to Manager of Planning.....	46,224.91	90,974.74
4. Deputy Commissioner of Cleveland Public Power.....	46,224.91	90,974.74

Section 39. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Data Base Administrator.....	\$39,937.34	\$86,684.04
2. Supervisor Applications Development.....	39,937.34	68,680.43
3. Supervisor Software Support.....	39,937.34	68,680.43
4. Supervisor Quality Assurance.....	39,937.34	68,680.43

Section 40. That the appointing authority shall fix the salary of the Manager, Data Processing Center, at not less than \$50,540.00 per annum and not more than \$101,779.10 per annum. Moreover, not more than one person shall be appointed to such classification.

Section 41. 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:

	Minimum	Maximum
1. Box Office Cashier	\$10.30 per hour	\$12.66 per hour
2. Chaplain	\$ 6.74 per hour	\$10.67 per hour
3. Checker	\$ 5.15 per hour	\$ 6.71 per hour
4. Conservation Aide	\$ 5.15 per hour	\$ 5.44 per hour
5. Dentist	\$13.38 per hour	\$26.55 per hour
6. Head Usher	\$ 5.15 per hour	\$10.54 per hour
7. Medical Examiner	\$21.40 per hour	\$54.45 per hour
8. Organ Tuner	\$ 9.63 per hour	\$23.29 per hour
9. Park Maintenance Aide	\$ 5.15 per hour	\$ 7.97 per hour
10. Ranger	\$ 5.15 per hour	\$10.41 per hour
11. School Crossing Guard	\$16.50 per day	\$20.18 per day
12. Section Supervisor.....	\$ 5.50 per hour	\$ 6.40 per hour
13. Snow Removal Vehicle Operator	\$10.40 per hour	\$12.72 per hour
14. Stage Hand	\$18.55 per hour	\$23.73 per hour
15. Stage Hand Casual	\$20.00 per hour	\$24.01 per hour
16. Stage Hand — Show Rate	\$63.00 per show	\$78.28 per show
17. Student Aide	\$ 6.00 per hour	\$ 8.05 per hour
18. Student Assistant	\$ 5.15 per hour	\$ 7.09 per hour
19. Usher	\$ 5.15 per hour	\$ 6.14 per hour
20. Usher Captain	\$ 5.89 per hour	\$ 7.42 per hour

Section 42. Hourly Rate — Crafts.

Compensation for all persons employed by the hour in any of the following classifications shall be fixed by the appointing authority within the limits established in the following schedule for each classification:

	Effective Date	Minimum	Maximum
1. Asbestos Worker	5-1-98	\$27.42	\$34.28
2. Asphalt Construction Foreman	5-1-99	19.42	29.13
3. Asphalt Raker	5-1-99	18.62	27.93
4. Asphalt Tamper	5-1-99	18.62	27.93
5. Boiler Maker	5-1-98	28.34	35.67
	10-1-97	27.74	34.67
6. Bricklayer	5-1-98	24.32	30.40
7. Bricklayer Foreman	5-1-98	25.32	31.40
8. Bricklayer Helper	5-1-99	19.13	28.69
9. Carpenter	5-1-98	24.12	30.14
10. Carpenter Foreman	5-1-98	25.12	31.94
11. Carpenter Apprentice	5-1-92	5.97	16.43
12. Cement Finisher	5-1-98	24.47	30.59
13. Cement Finisher Foreman	5-1-98	25.47	31.59
14. Construction Equipment Operator — Group A	5-1-98	25.17	28.78
15. Construction Equipment Operator — Group B	5-1-98	25.02	28.63
16. Construction Equipment Operator — Group C	5-1-98	24.32	27.93
17. Construction Equipment Operator — Group D	5-1-98	23.54	27.15
18. Construction Equipment Operator — Group E	5-1-98	23.22	26.83
19. Construction Equipment Operator — Oiler — Group F	5-1-98	17.24	20.85
20. Curb Cutter	5-1-99	19.03	28.55
21. Electrical Worker	5-1-98	27.54	34.42
22. Electrical Worker Foreman	5-1-98	28.54	35.42
23. Glazier	5-1-98	24.38	30.47
24. Ironworker	5-1-98	27.50	34.38
25. Ironworker Foreman	5-1-98	28.50	28.50
26. Jackhammer Operator	5-1-99	18.62	27.93
27. Master Mechanic	5-1-98	25.67	29.28
28. Overhead Floodlight Maintenance Man	5-1-92	21.19	26.49

29.	Painter	5-1-98	23.55	29.44
30.	Painter — Apprentice	5-1-92	6.95	14.89
31.	Painter Foreman	5-1-98	24.55	30.44
32.	Paver	5-1-99	18.88	28.32
33.	Paving Foreman	5-1-99	19.42	29.13
34.	Pipefitter (Welder)	5-1-98	28.54	35.68
35.	Pipefitter Foreman	5-1-98	29.54	36.68
36.	Plasterer	5-1-98	24.02	30.03
37.	Plasterer Foreman.....	5-1-98	25.02	31.03
38.	Plumber (Welder)	5-1-98	28.03	35.04
39.	Plumber Foreman	5-1-98	29.03	36.04
40.	Roofer	5-1-98	24.78	30.97
41.	Sheet Metal Worker	5-1-98	27.07	33.84
42.	Sheet Metal Worker Foreman	5-1-98	28.07	34.84
43.	Sign Painter	5-1-94	22.55	25.61
44.	Sign Painter Unit Leader	5-1-94	23.55	26.61
45.	Spray Painter	5-1-94	20.22	23.34
46.	Superintendent of Construction Equipment	5-1-99	19.42	29.13

Section 43. Municipal Court Employees.

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

		Minimum	Maximum
1.	Associate Director.....	\$37,783.00	\$68,085.41
2.	Bailiff.....	36,085.00	61,110.54
3.	Chief Deputy Bailiff.....	37,569.00	69,929.78
4.	Chief Magistrate.....	48,620.00	75,514.64
5.	Chief Probation Officer.....	50,395.00	75,514.64
6.	Clinical Director.....	37,783.00	68,085.41
7.	Deputy Bailiff.....	21,424.00	47,610.00
8.	Deputy Bailiff Administrative Assistant — Finance.....	39,173.00	58,208.40
9.	Deputy Bailiff Administrative Assistant — Operations....	39,173.00	58,208.40
10.	Deputy Bailiff Assistant Director of Data Processing....	22,223.00	54,901.58
11.	Deputy Bailiff Assistant Jury Commissioner.....	21,907.00	49,943.93
12.	Deputy Bailiff Central Scheduling Director.....	41,755.17	69,955.65
13.	Deputy Bailiff Chief Court Reporter.....	41,755.00	65,789.78
14.	Deputy Bailiff Clerk Typist.....	19,526.00	29,249.10
15.	Deputy Bailiff — Court Administrator.....	62,624.00	84,870.00
16.	Deputy Bailiff — Court Reporter.....	22,914.00	50,936.49
17.	Deputy Bailiff Data Processor.....	21,100.00	47,145.29
18.	Deputy Bailiff Deputy Court Administrator.....	45,486.00	72,953.01
19.	Deputy Bailiff/Deputy Court Administrator Chief Information Officer.....	45,486.00	84,870.00
20.	Deputy Bailiff Deputy Chief Court Reporter.....	22,923.00	52,450.70
21.	Deputy Bailiff Director of Data Processing.....	58,349.00	87,870.00
22.	Deputy Bailiff Finance Officer.....	39,173.00	58,208.40
23.	Deputy Bailiff General.....	21,424.00	50,715.00
24.	Deputy Bailiff Jury Commissioner.....	37,783.00	59,875.79
25.	Deputy Bailiff Law Clerk.....	21,250.00	44,519.49
26.	Deputy Chief Magistrate.....	40,752.00	66,794.76
27.	Deputy Bailiff — Office Manager.....	39,827.00	69,641.01
28.	Deputy Bailiff Private Secretary.....	20,112.00	31,629.60
29.	Deputy Bailiff Public Information Officer.....	\$18.47 per hour	\$34.74 per hour
30.	Deputy Bailiff Scheduler I.....	22,284.00	44,752.37
31.	Deputy Bailiff Session Room Supervisor.....	22,284.00	49,957.38
32.	Deputy Bailiff — Special Projects Officer.....	30,000.00	58,995.00
33.	Deputy Bailiff Supervisor.....	41,368.00	61,110.54
34.	Deputy Bailiff Systems Analyst.....	35,000.00	56,925.00
35.	Deputy Bailiff Training Officer.....	31,000.00	58,995.00
36.	Deputy Chief Probation Officer.....	42,318.00	67,409.55
37.	Immobilization Officer.....	\$15.60 per hour	\$24.69 per hour
38.	Magistrate.....	40,752.00	66,794.76
39.	Municipal Court Psychologist.....	\$47.74 per hour	\$93.15 per hour
40.	Personal Bailiff.....	43,285.00	60,030.00
41.	Probation Officer General.....	28,585.00	51,139.35
42.	Probation Officer Supervisor.....	48,616.00	67,908.42
43.	Psychiatric Case Worker.....	21,681.00	51,139.35
44.	Psychiatric Social Worker.....	21,907.00	50,978.93
45.	Psychologist II.....	\$60.00 per hour	\$86.94 per hour
46.	Small Claims Magistrate.....	20,687.00	50,223.38
47.	Student Aide.....	\$5.15 per hour	\$8.80 per hour
48.	Traffic Court Magistrate.....	40,752.00	65,944.00

Section 44. Division of Police; Chief of Police and Deputy Chief of Police.

The annual salaries of persons appointed to the following ranks of the Division of Police shall be fixed by the appointing authority within the limits established in the following schedules:

	Rank	Minimum	Maximum
1.	Chief of Police	\$69,682.20	\$139,534.46
2.	Deputy Chief of Police	63,966.00	117,556.56

Notwithstanding the provisions of Section 171.05 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Chief of Police shall not be entitled to receive any overtime compensation while serving as Chief of Police.

Section 45. Division of Police; Supervisory Ranks.

The annual salaries of persons appointed to the following ranks of the Division of Police shall be fixed by the appointing authority within the limits established in the following schedules:

	Rank	Minimum	Maximum
1.	Commander of Police	\$75,763.08	\$76,263.08
2.	Deputy Inspector	75,763.08	76,263.08
3.	Captain	65,243.30	65,743.30
4.	Lieutenant	56,175.48	56,675.48
5.	Sergeant	48,358.14	48,858.14

Section 46. Division of Police, Patrol Officers.

The annual salaries of persons appointed to the ranks of patrol officer shall be fixed by the appointing authority within the limits established in the following schedules:

		Minimum	Maximum
1.	Patrol Officer I	\$41,619.65	\$42,119.65
2.	Patrol Officer II	38,197.95	38,197.95
3.	Patrol Officer III	37,664.92	37,664.92
4.	Patrol Officer IV	36,598.87	36,598.87
5.	Trainee	\$8.50 per hour	\$8.50 per hour

Section 47. Division of Police, Various Positions.

The annual salaries of persons appointed to the following classifications within the Division of Police shall be fixed by the Director of Public Safety within the limits established in the following schedules:

		Minimum	Maximum
1.	Junior Assistant Secretary of Police	\$26,213.25	\$50,183.80
2.	Surgeon of Police	43,107.75	67,569.79
3.	Superintendent of Criminalistics	30,086.70	61,297.84
4.	Superintendent of Safety Buildings	30,086.70	59,224.97

Section 48. Division of Fire; Fire Chief and Assistant Fire Chief

The annual salaries of persons appointed to the following ranks of the Division of Fire shall be fixed by the appointing authority within the limits established in the following schedules:

		Minimum	Maximum
1.	Fire Chief	\$64,407.00	\$139,534.46
2.	Assistant Fire Chief	56,790.30	104,649.47

Section 49. Division of Fire; Various Positions.

The annual salaries of persons appointed to the following ranks of the Division of Fire shall be fixed by the appointing authority within the limits established in the following schedules:

		Minimum	Maximum
1.	Battalion Chief	\$63,177.39	\$63,677.39
2.	Captain	56,176.20	56,676.20
3.	Lieutenant	48,358.79	48,858.79
4.	Firefighter		
	Journeyman	41,619.65	42,119.65
	Apprentice — Medic III	37,697.95	38,197.95
	Apprentice — Medic II	37,164.92	37,664.92
	Apprentice — Medic I	36,098.87	36,598.87
	Trainee	\$ 8.50 per hour	\$ 8.50 per hour

Section 50. That existing Ordinance No. 436-97, passed April 14, 1997, as from time to time amended, be and the same is hereby repealed, effective April 1, 1999.

Section 51. 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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 521-99.
By Councilman Johnson (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1744-97, passed October 20, 1997, in conjunction with the Year 2000 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 title and Section 1 of Ordinance No. 1744-97, passed October 20, 1997, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing and directing the purchase by requirement contract or various written standard purchase contracts of computer hardware, software and supplies, office furniture, equipment, data processing services, employee training, and building equipment and maintenance for various division of City government and authorizing said director

to employ one or more computer consultants and data processors to provide professional services, in conjunction with the Year 2000 project.

Section 1. That the Director of Finance is hereby authorized and directed to make 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 or written standard purchase contracts, as determined by the Director of Finance, for the necessary items of computer hardware, software and supplies, office furniture, equipment, data processing services, employee training, and building equipment, including parts and maintenance, in conjunction with the Year 2000 computer compliance project, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government, City Council and Cleveland Municipal Court. For requirement contracts, 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 year. The Year 2000 project authorized by this ordinance shall be conducted in accordance with the document contained in File No. 1744-97-B.

Section 2. That the existing title and Section 1 of Ordinance No. 1744-97, passed October 20, 1997, are hereby repealed.

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

Passed March 29, 1999.
 Effective April 7, 1999.

Ord. No. 522-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept allocations of grants from the State of Ohio Bureau of Employment Services under Titles II and III of the Job Training Partnership Act and to appropriate such funds to provide for administration of the JTPA program by the Department of Personnel and Human Resources.

Whereas, the Job Training Partnership Act of 1982, Public Law 97-300, as amended by the Job Training Reform Amendments of 1992, Public Law 102-367 ("JTPA"), is a New Federalism program, the purpose of which is to ". . . establish programs to prepare youth and adults facing serious barriers to employment for participation in the labor force by providing job training and other services that will result in increased employment and earnings, increased educational and occupational skills, and decreased welfare dependence, thereby improving the quality of the workforce and enhancing the productivity and competitiveness of the Nation"; and

Whereas, in accordance with the JTPA, the Governor of the State of Ohio has designated service delivery and substate areas for the JTPA throughout Ohio and the Governor has designated the geographic boundaries of the City of Cleveland ("City") as Service Delivery Area ("SDA") and Substate Area ("SSA") No. 20; and

Whereas, in accordance with the agreement required by the JTPA and approved by the Governor, for the JTPA Program Years ("PY") '99 for the period of July 1, 1999 through June 30, 2000, between the Chairman of the Private Industry Council of Cleveland ("PICC") and the City, the City has been designated the JTPA grant recipient; administrative entity; and, substate grantee in SDA/SSA No. 20; and

Whereas, the Secretary of the United States Department of Labor has issued allotments of the JTPA funds to the Ohio Bureau of Employment Services which has issued allocations under JTPA Titles II and III to the City for PY '99 subject to the approval of the comprehensive job training and substate plan; and

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to accept the following allocations of grants from the State of Ohio Bureau of Employment Services under the JTPA, Title II - Training Services For The Disadvantaged, and Title III, for the delivery of allowable program services to eligible individuals, and to credit said grants to the fund and subfunds designated herein:

GRANT NAME	FUND	AMOUNT
Title II Part A 77% Adult Training Program	15 SF 091	\$ 3,938,517.00
Title II Part A 5% Services for Older Individuals	15 SF 092	\$ 261,990.00
Title II Part C 8% State Education Coordination and Grants	15 SF 096	\$ 374,672.00
Title II Part C 82% Youth Training Program	15 SF 095	\$ 576,295.00
Title II Part B Summer Youth Employment and Training Program	15 SF 094	\$ 4,541,538.00
Title III Employment and Training Assistance for Dislocated Workers	15 SF 093	\$ 1,250,722.00
TOTAL		\$10,943,734.00

The Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to accept and receive the funds under said grants.

Section 2. That the following sums from each grant specified in Section 1 herein are hereby appropriated as follows to provide for administration of the JTPA program:

A. Adult Training Program		
Personnel and Related Expenses		\$ 1,339,095.00
Other Expenses		<u>2,599,422.00</u>
	Total	\$ 3,938,517.00
B. Services for Older Individuals		
Personnel and Related Expenses		\$ 89,076.00
Other Expenses		<u>172,914.00</u>
	Total	\$ 261,990.00
C. State Education, Coordination and Grants		
Personnel and Related Expenses		\$ 127,389.00
Other Expenses		<u>247,283.00</u>
	Total	\$ 374,672.00
D. Youth Training Program		
Personnel and Related Expenses		\$ 195,941.00
Other Expenses		<u>380,354.00</u>
	Total	\$ 576,295.00
E. Summer Youth Employment and Training Program		
Personnel and Related Expenses		\$ 794,769.00
Other Expenses		<u>3,746,769.00</u>
	Total	\$ 4,541,538.00
F. Employment and Training Assistance For Dislocated Workers		
Personnel and Related Expenses		\$ 425,245.00
Other Expenses		<u>825,477.00</u>
	Total	\$ 1,250,722.00

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 523-99.
By Councilman Johnson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with Ohio Nurses Association.

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

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

Section 1. That in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with Ohio Nurses Association which contains the terms set forth in File No. 523-99-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 524-99.
By Councilman Johnson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with Association of Cleveland Firefighters, Local 93.

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

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

Section 1. That in accordance with division (B) of Section 4117.10 of the Revised Code and subject to an arbitration award, this Council hereby approves a collective bargaining agreement with Association of Cleveland Firefighters, Local 93 which contains the terms set forth in File No. 524-99-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 525-99.
By Councilman Johnson (by departmental request).

An emergency ordinance to amend Section 171.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 712-83, passed March 28, 1983, relating to longevity pay.

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 171.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 712-83, passed March 28, 1983, is hereby amended to read as follows:

Section 171.07 Longevity Pay

Beginning in 1999 and continuing each calendar year thereafter, all regular full-time employees of the City, when the agreement includes a longevity payment schedule, except employees covered by a collective bargaining, where the agreement includes a longevity payment schedule, members of boards and commissions, members of the building trades paid on the basis of building trades' prevailing wages and employees whose longevity pay is established by other sections of the Codified Ordinances, shall receive longevity pay on or before March 31 of the current year in the amount set forth below, based upon the length of the person's service with the City on or before March 1 of the current year, as follows:

Years	Annual Payment
5 through 9	\$200.00
10 through 14	375.00
15 through 19	475.00
20 through 24	600.00
Over 24	700.00

Section 2. That existing Section 171.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 712-83, passed March 28, 1983, is hereby repealed.

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

Passed March 29, 1999.
Effective April 7, 1999.

Ord. No. 526-99.
By Councilman Johnson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with Cleveland Police Patrolmen's Association.

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

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

Section 1. That in accordance with division (B) of Section 4117.10 of the Revised Code and subject to an arbitration award, this Council hereby approves a collective bargaining agreement with Cleveland Police Patrolmen's Association which contains the terms set forth in File No. 526-99-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

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 March 29, 1999.
Effective April 7, 1999.

Ord. No. 527-99.
By Councilmen Cintron and Melena.

An emergency ordinance consenting and approving the issuance of a permit for a WSEM's Kilometers for Kids, on May 16, 1999, sponsored by the West Side Ecumenical Ministry.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the WSEM's Kilometers for Kids sponsored by the West Side Ecumenical Ministry, on May 16, 1999, starting at the West Side Market lot at the south-west corner, proceeding west on Lorain to West 25th Street, Crossing West 25th and turning right to Market Square, proceed west on Market Square, across West 26th, through the lot to West 28th, take a right on west 28th to Lutheran Hospital, then cross Fulton to Franklin Circle Christian Church, make a right on Bridge to West 38th, then take a right from West 38th to Franklin Blvd., take Franklin and make a left on West 65th, make a right on West Clinton and then make a right on West 58th, make a left onto Detroit Avenue and proceed to 5209, WSEM's new Administrative Center, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinance of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland, shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed March 29, 1999.
Effective April 7, 1999.

Ord. No. 528-99.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for a City Ride 99 on June 5, 1999, sponsored by Ohio Motorist Safety Foundation.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a City Ride '99 sponsored by Ohio Motorist Safety Foundation, on June 5, 1999, starting at the North Coast Harbor (parcel H) go to E. 9th south to Eagle, Eagle to Ontario, Ontario to Lakeside, Lakeside to E. 9th, E. 9th to finish at the North Coast Harbor (parcel H), provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinance of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed March 29, 1999.
Effective April 7, 1999.

Ord. No. 529-99.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Americas Walk For Diabetes (WALKTOBERFEST) on October 3, 1999, sponsored by American Diabetes Association.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Americas Walk For Diabetes (WALKTOBERFEST), sponsored by American Diabetes Association, on October 3, 1999, starting at Nautica Stage/Power House, West Banks of the Flats, west on Main Ave. to Center St., east on Center St. to Columbus Rd., east on Columbus Rd. to Merwin Ave., north on Merwin Ave. to W. Superior Ave., east on W. Superior to Public Square, south on Public Square to Ontario Ave., south on Ontario Ave. to Huron Rd., east on Huron Rd. to Prospect to E. 14th, north on E. 19th St. to Euclid Ave., west on Euclid Ave. to E. 9th St., north on E. 9th St. to Erieside Ave., west on Erieside Ave. to W. 3rd St., south on

W. 3rd St. to Lakeside Ave., west on Lakeside Ave. to W. 9th St., north on E. 9th St. to Front Ave., west on Front Ave. to Old Rover Rd., south on Old River Rd. to Merwin Center St., south on Merwin to Columbus Rd., west on Columbus Rd. to Center Rd., west on Center Rd. to Main Ave., east on Main Ave. to the Boardwalk, east on the Boardwalk and back to the Nautica Stage/Power House, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed March 29, 1999.

Effective April 7, 1999.

Ord. No. 530-99.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the March of Dimes WalkAmerica (3 or 6 miles) on April 25, 1999, sponsored by Finast, KeyBank, Meridia, MBNA, TV-19 and Q104.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the March of Dimes WalkAmerica (3 or 6 miles), sponsored by Finast, KeyBank, Meridia, MBNA, TV-19 and Q104, on April 25, 1999, starting from the southwest quadrant of Public Square cross Superior on the west side of the quadrant. Turn west on the north side of Superior and go down into the Flats on Superior at the north side of the Veterans Memorial Bridge. At the base of the hill cross the tracks for the Waterfront Line to the open area of the station. From the Waterfront Line Station go north on the sidewalk between the tracks and the river to Old River Road. Go north on the west side of Old River Road to Dick's Last Resort which would be check point 1. Continue north on the west side of Old River Road to Fagans at the corner of Old River Road and Front St., which will be check point 2. Go east on the north side of Front Street to West Ninth Street and go south on the east side of that street to St. Clair Ave. and turn east on the north side of St. Clair. Go east on the north side of St. Clair to West Third Street. Cross West Third Street to the east side of the street, turn left on West Third Street and go north on the east side of the Street to check point 3 on the sidewalk along Lakeside at the park

at the northeast corner of Lakeside and West Third. Go east on the north side of Lakeside to East Ninth Street. Go south, crossing Lakeside on the west side of East Ninth Street to check point 4 at the Federal Office Building at the corner of Lakeside and East Ninth Street. Continue south on the west side of East Ninth Street to St. Clair, and cross St. Clair to the south side of the street. Go west on the south side of St. Clair to Memorial Plaza, entering at the northeast corner of the Plaza and cross the northeast quadrant of Public Square to the start finish at the southwest quadrant at this time. Full route. Exit Memorial Plaza at the southern ante room, passing between the Federal Court House and the Public Library. Cross Superior to the south side of the street and go east to check point 6 at 800 Superior, which is McDonald and Co. Continue east on the south side of Superior to the east side of East Twelfth St. Turn right on the east side of East Twelfth St. and cross to the south side of Chester Ave. Go east on the south side of Chester to East Twenty Second Street and turn north on the west side of the street. Go south on the south side of Chester to East Twenty Second Street to the intersection of Euclid and East Twenty Second. Cross Euclid to the south side of the street and go east to check point 7 at Rascal House. From Rascal House go west on the south side of Euclid to check point 8 at Star Plaza. From Star Plaza continue west on the south side of Euclid to Public Square, crossing Ontario to the end of the walk at the southwest quadrant of Public Square, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed March 29, 1999.

Effective April 7, 1999.

Ord. No. 531-99.

By Councilman Jones.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 1. (Anthony Jones).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon the 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 1; 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 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 1: Anthony Jones.

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 herein may be revoked at any time by this Council.

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 March 29, 1999.

Effective April 7, 1999, without the signature of the Mayor.

Ord. No. 532-99.

By Councilman Westbrook.

An emergency ordinance to permit parking in Willard Garage for attendees of the Neighborhood Leadership Cleveland reception on April 22, 1999.

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 Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, attendees of the reception in honor of Neighborhood Leadership Cleveland to be held in Cleveland City Hall on the evening of April 22, 1999, shall be permitted to park free of charge in Willard Garage after 6:00 on April 22, 1999.

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 March 29, 1999.

Effective April 7, 1999.

Ord. No. 549-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the City of Cleveland to implement a plan to allow certain City employees to purchase additional service credit from the Police and Fire Disability and Pension Fund, tax-deferred by payroll deduction.

Whereas, Internal Revenue Service ("IRS") Code Section 414(h)(2) permits employer "pick-up" of the

employee contributions to a retirement plan, thereby resulting in tax deferral of such contributions; and

Whereas, pursuant to Revised Code Chapter 742 and Police and Fire Disability and Pension Fund ("PFDPF") plan conditions, members may be allowed to (1) redeposit contributions previously withdrawn, plus interest, and/or (2) purchase additional forms of permissive service credit; and

Whereas, the City of Cleveland has no current plan authorizing the purchase of additional service credit from PFDPF on a pre-tax basis; 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 effective April 1, 1999, members of the PFDPF who are eligible under IRS Code Section 414(h)(2) and Revised Code Chapter 742 may purchase additional service credit tax deferred and the City shall withhold the authorized service credit deduction from the gross pay of each person who elects to purchase additional service credit and pay the deduction from the PFDPF. A person electing this pick up deduction shall not have the option of choosing to receive the payroll deduction directly instead of having this deduction picked up by the City and paid to the PFDPF.

Members who have elected to participate in this plan cannot increase, decrease or terminate the amount of the pick up deduction.

Section 2. That the Director of Finance is hereby authorized to take all necessary procedural and administrative action to implement the provisions of this ordinance to effect the pick up of the payroll deduction for the purchase of addi-

tional service credit to the PFDPF, including entering into irrevocable salary reduction agreements with eligible employees. The form of such agreement shall contain such terms and conditions as are acceptable to the Director of Law.

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 March 29, 1999.
Effective April 7, 1999.

REPRINT

Ord. No. 185-99.
By Councilmen Jones, White and Johnson (by departmental request).
An emergency ordinance authorizing the Directors of Parks, Recreation and Properties and Personnel and Human Resources to employ one or more temporary employment agencies, to provide professional services to supply temporary and seasonal personnel for the Department of Parks, Recreation and Properties 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 Directors of Parks, Recreation and Properties and Human Resources are hereby authorized and directed to employ by contract one or more temporary employment agency or agencies for the purpose of supplementing the

regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to supply temporary and seasonal personnel for a period of one year for the Departments of Parks, Recreation and Properties and Personnel and Human Services from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Directors of Parks, Recreation and Properties and Personnel and Human Resources for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Directors of Parks, Recreation and Properties and Personnel and Human Resources, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund Nos. 13 SF 708, 13 SF 800, 62 SF 001, 63 SF 001, 01-70-12-0380, Request No. 22473.

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 March 22, 1999.

Awaiting the approval or disapproval of the Mayor.

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