

The City Record

Official Publication of the City of Cleveland

June the Ninth, 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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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
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	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	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.

MAYOR-Michael R. White
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy
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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George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch - Justice Center, 8th Flr., Court Towers, 1200 Ontario Street
Karen E. Martines, Law Librarian, Room 100

DEPT. OF FINANCE - Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit
DIVISIONS - Accounts - Gayle Goodwin Smith, Commissioner, Room 19
City Treasury - Mary Christine Jackman, Treasurer, Room 115
Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122
Purchases and Supplies - William A. Moon, Commissioner, Room 128
Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue
Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
Financial Reporting and Control - Robert Dolan, Controller, Room 18
Information Systems Services - Hamid Manteghi, Commissioner, 1404 E. 9th St.

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

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Burke Lakefront Airport - Michael C. Barth, Commissioner

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Streets - Randell T. Scott, Commissioner, Room 25
Engineering and Construction - JoMarie Wasik, Acting Commissioner, Room 518
Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards
Architecture - Paul Burik, Acting Commissioner, Room 517

DEPT. OF PUBLIC HEALTH - Michelle Whitlow, Acting Director, Mural Building, 1925 St. Clair Avenue
DIVISIONS - Health - Cheri Hahn, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Environment - Robin Puriani-Rogers, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Correction - Thomas Hardin, Commissioner, Cleveland House of Corrections, 4041 Northfield Road

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

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

Parking Facilities - Dennis Donahue, Acting Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
Park Maintenance and Properties - Richard L. Silva, Acting Commissioner, Public Auditorium - E. 6th & Lakeside.
Recreation - Michael Cox, Acting Commissioner, Room 8
Research, Planning & Development - Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT - Linda M. Hudecek, Director, 3rd Floor, City Hall.
DIVISIONS - Administrative Services - Terrence Ross, Commissioner.
Neighborhood Services - Louise V. Jackson, Commissioner.
Neighborhood Development - Donald T. Moss, Commissioner.
Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.

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

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

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

COMMUNITY RELATIONS BOARD - Room 11, Dennis D. Dove, Acting Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilmen Michael Polensek and Edward Rybka, City Council Representatives; Muqit Abdul Sabur, Louise Boddie, Charles E. McBee, Larry C. Liou, John Gallo, Emmett Saunders, Mary Jan Buckshot, Sr. Joaquina Carrion, Kathryn M. Hall, Hasan Muheisen, Barbara S. Rosenthal, Henry Simon.

CIVIL SERVICE COMMISSION - Room 119, Freddie J. Fenderson, President; Timothy J. Cosgrove, Vice President; Cynthia Sullivan, Secretary; Margaret Hopkins, Member, Earl Preston, Member.

SINKING FUND COMMISSION - Michael R. White, President; Betsy Hruby, Asst. Sec'y; _____, Director; President of Council Jay Westbrook.

BOARD OF ZONING APPEALS - Room 516, Carol Johnson, Chairman; Members; Chris Carmody, Anna Chatman, Ozell Dobbins, Tony Petkovsek, Eugene Cranford, Jr., Secretary.

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

BOARD OF REVISION OF ASSESSMENTS - Law Director Cornell P. Carter, President; Finance Director Martin L. Carmody, Jr., Secretary; Council President Jay Westbrook.

BOARD OF SIDEWALK APPEALS - Service Director Mark Ricchiuto; Law Director Cornell P. Carter; Councilman Roosevelt Coats.

BOARD OF REVIEW - (Municipal Income Tax) - Law Director Cornell P. Carter; Utilities Director Michael Konieck; Council President Jay Westbrook.

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

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

MORAL CLAIMS COMMISSION - Law Director Cornell P. Carter; Chairman; Finance Director Martin L. Carmody, Jr.; Council President Jay Westbrook; Councilman Roosevelt Coats; Councilman Martin J. Sweeney.

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

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

CLEVELAND LANDMARKS COMMISSION - Room 519 - Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; Paul Burik, James Gibans, Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Craig E. Willis, Councilman Joe Cimperman, Robert Keiser, Executive Secretary.

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

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	13C
Judge Ronald B. Adrine	15A
Judge Colleen C. Cooney	14A
Judge C. Ellen Connolly	15C
Judge Sean C. Gallagher	12B
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	14C
Judge Kathleen 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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Vol. 86

WEDNESDAY, JUNE 9, 1999

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CITY COUNCIL

MONDAY, JUNE 7, 1999

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Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

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

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.

TUESDAY—Alternating

1:00 P.M.—**Public Health Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Britt, Cintron, Dolan, Jackson, Robinson.

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

Cleveland, Ohio
Monday, June 7, 1999.

The meeting of the Council was called to order, the President, Jay Westbrook in the Chair.

Councilmen present: Cimperman, Cintron, Coats, Gordon, Jackson, Jones, Lewis, Melena, O'Malley, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis, Zone.

Also present were Mayor White and Directors Carmody, Konicek, Balraj, Ricchiuto, Guzman, Jackson, Hudecek, Patterson, Warren, Axelrod, Dove, Morrison and Acting Directors Whitlow and Milton.

Absent: Director Carter.
The Chair dispensed with the Prayer and Pledge of Allegiance.

MOTION

On the motion of Councilman Robinson, seconded by Councilman Zone, the reading of the minutes of the last meeting was dispensed with and the journal approved.

COMMUNICATIONS

File No. 1020-99.
From Forest City Enterprises re: Audited Financial Statements for Tower City Hotel Community Urban Redevelopment Corporation for the year ended January 31, 1999. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 1021-99.
Re: New Application - 2582050 - European Wine Imports, Inc., d.b.a. European Wine Imports, Inc., 1240 East 45th Street. (Ward 13). Received.

File No. 1022-99.
Re: Transfer of Location Application - 23943930005 - Eaman, Inc., d.b.a. Gas USA, 3101 Scranton Road. (Ward 14). Received.

File No. 1023-99.
Re: Stock Transfer Application - 6551176 - 1165 Hayden, Inc., d.b.a. Eddies Delicatessen, 1165 Hayden Avenue, first floor. (Ward 10). Received.

File No. 1024-99.
Re: Stock Transfer Application - 2600131 - F. N. G., Inc., 3486 West 25th Street. (Ward 14). Received.

STATEMENT OF WORK ACCEPTED

File No. 1025-99.
From the Department of Parks, Recreation and Properties re: Contract No. 53380B for Luke Easter Park Sidewalk Improvements. Received.

File No. 1026-99.
From the Department of Public Utilities re: Contract No. 50774 for the Harvard Yard Service Facility, Phase III and IV completed and accepted March 15, 1999. Received.

CONDOLENCES RESOLUTIONS

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

Res No. 1094-99—Carla Jean Johnson.

Res No. 1095-99—Dorothy Lee Dixon.

Res No. 1096-99—Estee William Hunter III.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 1097-99—Union Missionary Baptist District.

Res No. 1098-99—Essie Mae Daniels Ivory.

Res No. 1099-99—R.C. & Gloria Watson.

Res No. 1100-99—Tamera Anderson.

Res No. 1101-99—Sister Theresine Cregan.

Res No. 1102-99—The Churches of God and True Holiness.

Res No. 1103-99—Officer Rich Jackson.

Res No. 1104-99—Effie Benson.

Res No. 1105-99—G. Aron Weston III.

Res No. 1106-99—Rev. Dr. James J. Masek.

Res No. 1107-99—Debbie Kruse.

Res No. 1108-99—Fr. Joseph Boznar.

Res. No. 1109-99—Happy Endings/New Beginnings, Inc.

Res. No. 1110-99—Barbara Anderson.

Res. No. 1111-99—Reverend Joseph T. Hilinski.

Res. No. 1112-99—Ernestine E. Thomas.

Res. No. 1113-99—The Canaan Missionary Baptist Church.

Res. No. 1114-99—Anne Mikolmusil.

Res. No. 1115-99—Ron Cohen.

Res. No. 1116-99—Holy Redeemer Catholic Church.

Res. No. 1117-99—Carla R. Shannon.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1015-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contracts with various non-profit development corporations to provide grants to small, neighborhood-based street clubs, block clubs and other community improvement groups to implement the Cityworks Program.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contracts with various nonprofit development corporations to provide grants to small neighborhood based street clubs, block clubs and other community improvement groups to implement the Cityworks Program.

Section 2. That the aggregate cost of said contracts shall be in an amount not to exceed \$250,000.00, and shall be paid from Fund No. 14 SC 025, Request No. 1287.

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

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

Ord. No. 1016-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with various agencies to provide social service programs.

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

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

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

A Cultural Exchange
ACCESS-Ohio
Allegheny West Conference Corporation of Seventh-Day Adventists/Better Living Center
Alta Social Settlement House

American Sickle Cell Anemia Association

Bellflower Center For Prevention of Child Abuse, Inc.

Boys and Girls Clubs of Cleveland (Broadway)

Boys and Girls Clubs of Cleveland (Mt. Pleasant)

Boys and Girls Clubs of Cleveland (West Side)

Brooklyn Memorial Community Youth Center

Catholic Charities Services Corp./Hispanic Senior Center

Catholic Charities Services Corp./Martin DePorres Center

Catholic Youth and Community Service Corporation/Cleveland Mediation Center

Center for Families and Children Center for the Prevention of Domestic Violence

Cleveland Police Athletic League Cleveland Women, Inc.

Collinwood Community Services Center

Community Re-Entry (New Life Center)

Community Re-Entry, Inc.

Community Relations Board

Community Socialization Program Cornerstone Connection

Cory Senior Citizens Program, Inc.

Custom Enrichment

Delta Tutoring and Nutrition Program, Inc.

Department of Public Safety/Greater Cleveland Roundtable

East End Neighborhood House

EBC's Fery Development Corporation

El Barrio

Esperanza, Inc.

Garden Valley Neighborhood House

GLAD Center, Inc.

Golden Age Centers of Greater Cleveland, Inc.

Goodrich-Gannett Neighborhood Center

Greater Cleveland Neighborhood Centers Association

Greater Cleveland Neighborhood Centers Association/Schools as a Neighborhood Resource

Guardian House Shelter, Inc., ak.a. G.B.C.

Harambee: Services to Black Families

Harvard Community Services Center

Hijos de Borinquen Spanish American Center

Hunger Network of Greater Cleveland

Karamu House, Inc.

Lexington-Bell Community Center

M.C. Chatman Center for Humanitarian Services

Marotta Montessori Schools of Cleveland

Merrick House

Mum-Ford Incorporated

National Federation of the Blind of Ohio

Near West Side Multi-Service Corporation/May Dugan

New Cleveland Food Basket

Nottingham Youth Center, Inc.

Old Brooklyn United Services Assn., Inc.

Phillis Wheatley Association, Inc.

Senior Citizens Resources, Inc.

Senior Outreach Services

Services For Independent Living, Inc.

Spanish American Committee for a Better Community

Starting Point (Child Care Resource Center of Cuyahoga County)

The Chorale

The Neighborhood Counseling Service

The Salvation Army

The Salvation Army (Tremont)

Vietnamese Community

Vocational Guidance Services

Werner Community Outreach, Inc.

West Side Community House

West Side Ecumenical Ministry

West Side Multi Service Corporation-Consortium

YMCA - Broadway Branch

YMCA - Downtown/West Side Branches

YMCA - Glenville Branch

YMCA - Midtown East Branch

YMCA - West Park Branch

Section 2. That the City Departments implementing the Community Development Block Grant social service programs are hereby authorized to enter into contract with non-profit agencies providing social services.

Section 3. That the aggregate cost of the contracts authorized in Sections 1 and 2 of this ordinance shall be in an amount not to exceed \$3,000,000.00, and shall be paid from Fund No. 14 SC 024 and SC 025, Request No. 1293.

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

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

Ord. No. 1017-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contracts with various housing development entities, or their designees, to implement the Housing Trust Fund Program, for costs associated with various housing activities.

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

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

Section 1. That the Director of Community Development is hereby authorized to expend funds and to enter into contracts with various housing development entities, or their designees, including those listed below, for the purpose of implementing the Housing Trust Fund Program:

A.F.F.O.R.D., Inc.

Amistad Development Corporation

Buckeye Area Development Corporation

Cleveland Action to Support Housing

Charge Development Company

Cleveland Restoration Society

Detroit-Shoreway Community Development Organization

Fairfax Renaissance Development Corporation

FAMICOS Foundation

Glenville Development Corporation

Hough Area Partners in Progress

Multiple Sclerosis Association

New Village Corporation

Northeast Shores Development Corporation

Northeastern Neighborhood Development Corporation

Ohio City Near West Development Corporation

Old Brooklyn Community Development Corporation

Rysar Properties

Slavic Village Development
St. Clair Superior Coalition
Tremont West Development Corporation
Union Miles Development Corporation

Zaremba Cleveland Communities
Section 2. Eligible activities under the Housing Trust Fund Program include new construction, rehabilitation, site preparation, site acquisition, predevelopment activities and financial assistance to home buyers.

Section 3. That the cost of said contracts shall be in an amount not to exceed \$4,003,000.00, and shall be paid from Federal HOME Grant Fund No. 13 SC 885 and Community Development Block Grant Fund No. 14 SC 025, Request No. 1294.

Section 4. That the Director of Community Development is authorized to accept monies in repayment of loans authorized in this ordinance and to deposit those monies in Fund No. 14 and to utilize said repayments and other program income in a revolving fund for making additional expenditures under this program.

Section 5. That the City is hereby authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of fees under the City's Housing Trust Fund Program.

Section 6. That the Director of the Department of Community Development be and is hereby authorized to enter into forbearance agreements with any recipient of a validly existing loan, administered by the City under the City's Housing Trust Fund Program.

Section 7. That the Director of Community Development is hereby authorized to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited to and expended from Fund No. 14.

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

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

Ord. No. 1018-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with various agencies to provide housing, commercial, industrial and real estate development activities.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with the following agencies to provide housing, commercial, industrial and real estate development activities:

City-wide Development Assistance Program

Cleveland Neighborhood Development Corporation
Cleveland Housing Network: Receivership Project
Cleveland Restoration Society
Cleveland Tenants Organization
Hispanic Business Association
Living in Cleveland Center
Lutheran Housing Corporation:
Tool Loan Program
Lutheran Housing Corporation:
Furnace Repair Program
Neighborhood Housing Services of Cleveland, Inc.
United Labor Agency

CDC Competitive Grant Program

Amistad Development Corporation
Bellaire Puritas Development Corporation
Buckeye Area Development Corporation
Burten, Bell, and Carr Development Corporation
Clark Metro Development Corporation

Collinwood Community Services Center/Collinwood Area Development Corporation

Collinwood Village Development Corporation/Waterloo Trade Association

Cudell Improvement, Inc.
Detroit Shoreway Community Development Organization

Fairfax Renaissance Development Corporation

Famicos Foundation
Flats Oxbow Association
Glenville Development Corporation
Historic Gateway Development Corporation

Historic Warehouse District Development Corporation
Hough Area Partners in Progress, Inc.

Kamms Corner Development Corporation

Midtown Corridor, Inc.
Miles Ahead, Inc.

Mt. Pleasant Now Development Corporation

Nolasco Housing Corporation
Northeast Shores Development Corporation

Northeastern Neighborhood Development Corporation

Ohio City Near West Development Corporation

Old Brooklyn Community Development Corporation

Shaker Square Development Corporation

Slavic Village Development Corporation

Southeast Improvement Association
St. Clair-Superior Coalition

Tremont West Development Corporation

Union Miles Development Corporation

Westown Community Development Corporation

Section 2. That the cost of said contracts shall be in an amount not to exceed \$2,200,000.00, and shall be paid from Fund Nos. 14 SC 024 and 14 SC 025, Request No. 1291.

Section 3. That the Director of Community Development is authorized to accept program income and use this and other program income to finance additional housing, commercial, industrial and real estate development activities.

Section 4. That the Director of Community Development is authorized to enter into or amend contracts with the agencies administering the housing, commercial, industrial and real estate activities that generated program income in an amount not to exceed that generat-

ed program income and to be paid from the revolving fund in Fund 14.

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

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

Ord. No. 1019-99.

By Councilmen Jackson and Johnson (by departmental request).

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

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

Whereas, the Council of the City of Cleveland has approved the Year XXV Community Development Block Grant Plan as set forth in File No. 135-99-A, pursuant to Ordinance No. 135-99, passed March 15, 1999; and

Whereas, in prior Block Grant years, the Council has approved Block Grant Plans; and

Whereas, the Block Grant Plans as approved commit funds to Neighborhood Development Activities ("NDA"), which are CDBG eligible activities proposed by the various Council members; and

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

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

Section 1. That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to enter into or amend contracts with various social services agencies, community development or local development corporations and private for profit entities for activities and programs that are eligible under the Community Development Block Grant ("CDBG") Program and are consistent with the City's Community Development objectives and policies.

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

Section 3. That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to expend NDA funds for the operation of programs administered by the Department of Community Development, including all related services, and to

enter into contract under those programs.

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

Section 5. That the cost of the contracts, memorandums of understanding and expenditures for the programs administered by the Department of Community Development shall not exceed \$6,300,000 and shall be paid from Fund Nos. 14 SC 021, 14 SC 022, 14 SC 023, 14 SC 024 and SC 025.

Section 6. That the Director of Community Development is authorized to accept program income and to deposit that program income in Fund No. 14 to be used as a revolving fund to finance the eligible NDA programs that generated the program income.

Section 7. That the Director of Community Development is authorized to enter into or amend contracts with the entities administering the NDA program that generated the program income in an amount not to exceed that generated program income and to expend funds for the programs administered by the Department of Community Development that generated program income in an amount not to exceed that generated program income, all to be paid from the revolving fund in Fund 14.

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

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

Ord. No. 1055-99.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located on Engle Road to the Ohio Department of Transportation; and authorizing the Director of Public Utilities to execute a temporary construction easement granting certain temporary easement rights to the Ohio Department of Transportation in property located on Engle Road for a roadway improvement project.

Whereas, the Director of Public Utilities has requested the sale of City-owned property no longer needed for public use and located at Engle Road; and

Whereas, the Ohio Department of Transportation has requested the

Director of Public Utilities to convey certain rights regarding a temporary construction easement in property located at Engle Road; and

Whereas, the City of Cleveland entered into an Indenture of Mortgage agreement with National City Bank, known as the Trustee, for the issuance of Waterworks Improvement First Mortgage Revenue Bonds on November 1, 1977, as amended and supplemented from time to time; and

Whereas, there has been no default under the Indenture of Mortgage which has not been remedied; and

Whereas, Article VII of the Indenture of Mortgage provides the method of requesting from the Trustee a release of real property from the operation and lien of the Indenture of the Indenture of Mortgage; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer needed for public use:

PARCEL NO. 65WD

Situated in the City of Middleburg Heights, County of Cuyahoga, State of Ohio and in Section 13, Township 6, Range 14, and bounded and described as follows:

Being a parcel of land lying on the Westerly side of the centerline (Engle Road, S.R. 291) of a survey, made by the Department of Transportation, and recorded in Book _____, Page _____, of the records of Cuyahoga County and being located within the following described points in the boundary thereof:

Beginning at a point on the centerline of Engle Road (S.R. 291) at the Northwesterly corner of said Original Lot No. 4, said point being at station 40 + 65.63;

Thence North 02° 49' 32" East along the centerline of S.R. 291, 1214.38 feet to a point on the prolongation of the Southerly line of land conveyed to the City of Cleveland, a Municipal Corporation of the State of Ohio by deed recorded in Volume 9406, Page 122 of Cuyahoga County Deed Records and being the principal place of beginning at station 52 + 80.01;

Thence North 87° 10' 28" West along said Southerly line, 40.00 feet to a point;

Thence North 02° 49' 32" East parallel with the centerline of Engle Road, 100.00 feet to a point on the Northerly line of said parcel conveyed to City of Cleveland, a Municipal Corporation of the State of Ohio;

Thence South 87° 10' 28" East along said Northerly line, 40.00 feet to a point on the centerline of Engle Road;

Thence South 02° 49' 32" West along said centerline of Engle Road, 100.00 feet to a point and the

principal place of beginning and containing 0.0918 acres of land, said land contains 0.0688 acres of Present Road Occupancy (P.R.O.) and 0.0230 acres of present slope easement, being the same more or less, but subject to all legal highways.

The above described area is to be deleted out of the following Auditor's Permanent Parcel Number(s): Permanent Parcel No. 371-14-003, 0.4600 Ac.; Permanent Parcel No. 371-14-009, 4.2736 Ac.;

The description is based on a survey for the Ohio Department of Transportation prepared by Richard R. Mackay, P.S., Registered Surveyor No. 4195.

Grantor reserves the right of ingress and egress to and from S.R. 291.

Grantor claims title by instrument(s) of record in D.B. 9406/15018/15018, Page 122/543/545 County Recorder's Office.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to the Ohio Department of Transportation at a price not less than fair market value as determined by the Board of Control.

Section 3. That the City of Cleveland hereby requests pursuant to Article VII of the Indenture of Mortgage that National City Bank, Trustee, release from the operation and lien of that Mortgage the above-described property.

Section 4. That the Directors of Public Utilities and Finance are authorized to execute documents and sign such instruments and take such actions as may be requested by the Trustee to secure the release of the above-described property.

Section 5. That the conveyance shall be made by warranty deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the Board of Control or Director of Law protecting the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 6. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the below-described, non-exclusive, temporary construction easement interest to the Ohio Department of Transportation at a price not less than fair market value as determined by the Board of Control:

PARCEL NO. 65T

Being a parcel of land situated in The City of Middleburg Heights, Cuyahoga County, Ohio, Middleburg Township, Section 13, Township 6 North, Range 14 West and lying on the Westerly side of Engle Road (S.R. 291) of a survey, made by the Department of Transportation and recorded in Book _____, Page _____, of the records of Cuyahoga County and being located within the following described points in the boundary thereof:

Beginning at a point on the centerline of Engle Road at the Northwesterly corner of said Original Lot No. 4, said point being at station 40+65.63;

Thence North 02° 49' 32" East, along the centerline of S.R. 291, 1214.38 feet;

Thence North 87° 10' 28" West, 40.00 feet to the principal place of beginning at station 52+80.01, 40.00 feet left;

Thence North 87° 10' 28" West, 30.00 feet to a point;

Thence North 02° 49' 32" East, 19.97 feet to a point;

Thence South 87° 10' 28" East, 25.95 feet to a point;

Thence North 07° 22' 42" West, 50.55 feet to a point;

Thence North 02° 49' 32" East, 84.77 feet to a point;

Thence North 87° 10' 28" West, 24.00 feet to a point;

Thence North 02° 49' 32" East, 31.00 feet to a point;

Thence South 87° 10' 28" East, 24.00 feet to a point;

Thence North 02° 49' 32" East, 34.69 feet to a point;

Thence North 10° 13' 57" East, 52.34 feet to a point;

Thence North 03° 27' 23" East, 120.90 feet to a point;

Thence North 00° 32' 06" East, 34.09 feet to a point;

Thence North 02° 49' 32" East, 49.72 feet to a point;

Thence South 88° 44' 33" East, 6.29 feet to a point;

Thence South 02° 49' 32" West, 476.93 feet to the principal place of beginning and containing 0.1240 acres of land, more or less, but subject to all legal highways.

Section 7. That the temporary construction easement shall be non-exclusive and the purpose of the easement shall be for a roadway improvement project that includes pavement widening.

Section 8. That the duration of the temporary construction easement shall be as long as necessary to complete the roadway improvement project; that the temporary construction easement may include reasonable access rights; that the temporary construction easement shall be assignable; that the temporary construction easement shall require the grantee to indemnify the City, provide reasonable insurance, maintain any grantee improvements located with the temporary construction easement, and pay any applicable taxes and assessments.

Section 9. That the temporary construction easement referred to above shall be made by a temporary right-of-way agreement prepared by the Director of Law and executed by the Director of Public Utilities on behalf of the City of Cleveland. The temporary right-of-way agreement shall contain such additional terms and conditions as are required to protect the interests of the parties. The Directors of Public Utilities and Law are authorized to execute such other documents, including without limitation, contracts for right of entry, as may be necessary to effect the construction of the road improvements within the property described in Section 1 of this ordinance.

Section 10. That this ordinance is hereby declared to be an emergency

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

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

Ord. No. 1056-99.

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to employ one or more professional architects and engineers to prepare plans, specifications and other bidding documents for capital improvements to the West Side Market, its surrounding district, and the East Side Market.

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 architects and engineers or one or more firms of architects and engineers for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to prepare plans, specifications and other bidding documents for capital improvements to the West Side Market, its surrounding district, and the East Side Market.

The selection of said architects and engineers 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 consultants 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. 20 SF 320, Request No. 7617.

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

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

Ord. No. 1057-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of computers and related hardware equipment, for the various divisions of City government.

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 computers and computer related hardware equipment 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 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 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 3050)

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

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

Ord. No. 1058-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various on-road vehicles and off-road equipment, including labor and materials necessary for vehicle rehabilitation, for the various divisions of City government.

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 con-

tract 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 on-road vehicles and off-road equipment, including labor and materials necessary for vehicle rehabilitation, as such vehicles and equipment are described in File No. 1058-99-A, in the estimated sum of \$9,706,832.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire 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 1788)

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

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

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

Ord. No. 1059-99.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing by requirement contract the purchase, lease or lease with option to purchase of various electronic devices, including ancillary equipment, and materials for service and maintenance, for the Division of Information Systems Services, Department of Finance, for a period not to exceed three years.

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

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

Section 1. That the Director of Finance is hereby authorized to make a written requirement contract for the purchase, lease or lease with option to purchase, exercisable at the option of the Director of Finance, of various electronic devices necessary for voice data, audio, video products and services, including ancillary equipment, and materials for service and maintenance, in accordance with the Charter and the codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of three (3) years in the approximate amount as purchased during the preceding term, to be purchased or procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Information Systems Services, Department of Finance. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than three (3) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. 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 or procurement thereunder, which purchase or procurement, together with all subsequent purchases and procurements; 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 7802)

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

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

Ord. No. 1060-99.
By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the U.S. Environmental Protection Agency and the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment; and authorizing said director to enter into contracts for the purchase of services, equipment and supplies necessary 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 Health is hereby authorized to apply for and accept grants in the approximate amounts of \$697,054 from the U.S. Environmental Protec-

tion Agency and \$1,111,534 from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment in accordance with the purposes set forth in the respective grant contracts (the "Program"); that the Director of Public Health is hereby authorized to accept civil penalties up to the amount of \$30,000 which may be due to the City under the Program; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to apply for and receive the funds under said grants; and that said funds be appropriated for the purposes set forth in the proposed contracts for said grants.

Section 2. That the proposed contracts for said grants, File No. 1060-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the approximate sum of \$369,800, from Fund Nos. 01-500601-6090100, 01-500602-6090100, 01-500601-6090100, and 01-500602-6090100, in order to receive the grant from the U.S. Environmental Protection Agency and the Ohio Environmental Protection Agency.

Section 3. That the Director of Public Health is hereby authorized to enter into contracts for the purchase of services, equipment, and supplies necessary to implement the Program, and that said contracts are 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.

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

Ord. No. 1061-99.
By Councilmen Patmon, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1024, 1022, 1019, 1023-27, 1033 East 105th Street; 10511 Pasadena; 10511 Massie; 10524 and 10516 Morison Avenue to Cleveland Church of Christ.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-04-028 as more fully described in Section 2 below, to Cleveland Church of Christ.

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. 109-04-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 442 in B. Schatzinger's Superior Park Subdivision No. 1 of part of Original One Hundred Acre Lot No. 377, as shown by the recorded plat in Volume 35 of Maps, Page 20 of Cuyahoga County Records and being 45 feet front on the Westerly side of East 105th Street and extending back 115.86/100 feet on the Northerly line, 115.94/100 feet on the Southerly line and having a rear line of 45 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 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. 109-04-072 as more fully described in Section 4 below, to Cleveland Church of Christ.

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. 109-04-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 509 in B. Schatzinger's Superior Park Subdivision No. 3 of part of Original One Hundred Acre Lots Nos. 376 and 377, as shown by the recorded plat in Volume 37 of Maps, Page 17 of Cuyahoga County Records, and being 55.74 feet front on the Southerly side of Pierpont Avenue, N.E., 31.38 feet on the curved turnout between the Southerly line of Pierpont Avenue, N.E., and the Westerly line of East 105th Street, and extending back 87.50 feet on the Westerly line, 67.54 feet on the Easterly line, which is also the Westerly line of East 105th Street and having a rear line of 75.86 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Restrictions as contained in an instrument dated May 12, 1909 and recorded in Volume 1104, Page 442 of Cuyahoga County Records.

Subject to 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 Sup-

plies is hereby authorized to sell Permanent Parcel No. 109-14-008 as more fully described in Section 6 below, to Cleveland Church of Christ.

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. 109-14-008

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and described as follows.

Being a part of Sublot Nos. 4 and 5 in Morison and Massie's "Cottage Home" Allotment of part of Original One Hundred Acre Lot No. 378, as shown by the recorded plat of said Allotment in Volume 16 of Maps, Page 14 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of East 105th Street at a point 45-65/100 feet Southerly from the intersection of the Easterly line of East 105th Street, with the Southerly line of Morison Avenue, N.E.; thence Easterly parallel with the Southerly line Morison Avenue, N.E., 105 feet; thence Southerly parallel with the Easterly line of East 105th Street, 40 feet; thence Westerly parallel with the Southerly line of Morison Avenue, N.E., 105 feet to the Easterly line of East 105th Street; thence Northerly along the Easterly line of 105th Street, 40 feet to the place of the beginning, 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. 109-14-009 as more fully described in Section 8 below, to Cleveland Church of Christ.

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. 109-14-009

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot No. 4 in Morrison and Massie's "Cottage Home" Allotment of part of Original One Hundred Acre Lot No. 378, as shown by the recorded plat of said Allotment in Volume 16 of Maps, Page 14 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Easterly line of East 105th Street at a point 85 65/100 feet Southerly from the intersection of the Easterly line of East 105th Street with the Southerly line of Morrison Avenue, N.E.; thence Easterly parallel with the Southerly line of Morrison Avenue, N.E., 105 feet; thence Southerly parallel with the Easterly line of East 105th Street, 40 feet to the Southerly line of said Sublot No. 4, thence Westerly along the Southerly line of said Sublot No. 4, 105 feet to the Easterly line of East 105th Street; thence Northerly along the Easterly line of East 105th Street, 40 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 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. 109-14-010 as more fully described in Section 10 below, to Cleveland Church of Christ.

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. 109-14-010

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Westerly 100 feet of the Northerly 42 feet of Sublot No. 3 in The Cottage Home Allotment of part of Original One Hundred Acre Lot No. 378, as shown by the recorded plat in Volume 16 of Maps, Page 14 of Cuyahoga County Records, and being 42 feet front on the Easterly side of East 105th Street, (formerly Doan Street), and extending back of equal width 100 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 109-14-047 as more fully described in Section 12 below, to Cleveland Church of Christ.

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. 109-14-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 20 feet of Sublots Nos. 224, 225 and 226 and the Westerly 20 feet of Sublot No. 230 in the Deming Realty Company's Grantwood Allotment of part of Original One Hundred Acre Lot No. 378, as shown by the recorded plat in Volume 37 of Maps, Page 12 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Northerly line of Pasadena Avenue, N.E., at a point distant 20 feet Easterly from the Southwesterly corner of said Sublot No. 230; thence Northerly parallel with the Westerly line of said Sublot No. 230, 128 feet to the Northerly line of said Sublot No. 230; thence Westerly along a Northerly line of Sublot No. 230, 20 feet to the Northwesterly corner of said Sublot No. 230; thence Southerly along the Westerly line of said Sublot No. 230; 6-55/100 feet to the Northeasterly corner of said Sublot No. 226; thence Westerly along the Northerly line of said Sublot No. 226, 20 feet; thence Southerly and parallel with the Westerly line of said Sublot No. 230, 121-45/100 feet to the Northerly line of Pasadena Avenue, N.E.; thence Easterly along the Northerly line of Pasadena Avenue, 40 feet the place of beginning, as appears by said plat.

Also subject to all zoning ordinances, if any.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-14-077 as more fully described in Section 14 below, to Cleveland Church of Christ.

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. 109-14-077

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 1, 2, and 3 in Massie and Morrison's Cottage Home Allotment of part of Original One Hundred Acre Lot No. 378 as shown by the recorded plat in Volume 16 of Maps, Page 14 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Northerly line of Massie Avenue, N.E., at a point 100 feet Easterly from the intersection of said Northerly line with the Easterly line of East 105th Street (formerly Doan Street); thence Easterly along the Northerly line of Massie Avenue, N.E., 40 feet; thence Northerly parallel with the Easterly line of East 105th Street, 125.64 feet to the Northerly line of Sublot No. 3; thence, Westerly along the Northerly line of Sublot No. 3, 40 feet; thence Southerly parallel with the Easterly line of East 105th Street, 125.64 feet to the place of beginning, 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. 109-14-107 as more fully described in Section 16 below, to Cleveland Church of Christ.

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. 109-14-107

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 71 in the Cottage Home Allotment of part of Original One Hundred Acre Lot No. 378, as shown by the recorded plat in Volume 16 of Maps, Page 14 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Morison Avenue, N.E., at a point 10 feet Easterly (measured along said Southerly line) from the Northwest corner of Sublot No. 71; thence Easterly along the Southerly line of Morison Avenue, N.E. 40 feet to the Northeast corner thereof; thence Southerly along the Easterly line of said Sublot No. 71, 125.65 feet to the Southeast corner thereof; thence Westerly along said Southerly line of Sublot No. 71, 34 feet; thence Northerly on a line parallel to the Easterly line of said Sublot No. 71, 33 feet; thence Westerly on a line parallel to the Southerly line of Sublot No. 71, 6 feet; thence Northerly 92.65 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-14-108 as more fully described in Section 18 below, to Cleveland Church of Christ.

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. 109-14-108

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 72 and part of Sublot Nos. 4, 5, 6 and 71 in the Cottage Home Allotment of part of Original One Hundred Acre Lot No. 378, as shown by the recorded plat in Volume 16 of Maps, Page 14 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning on the Southerly line of Morison Avenue, N.E., at a point distant Easterly 105 feet measured along said Southerly line from its point of intersection with the Easterly line of Easterly 105th Street (formerly Doan Street) thence Easterly along the Southerly line of Morison Avenue, N.E., 105 feet; thence Southerly on a line parallel with the Westerly line of Sublot No. 71, 92.65 feet; thence Easterly on a line parallel with the Southerly line of Sublot No. 71, 6 feet; thence Southerly parallel with the Westerly line of Sublot No. 71, 33 feet to the Southerly line of said Sublot No. 71; thence Westerly along the Southerly line of Sublot Nos. 71, 72 and 4, 111 feet; thence Northerly parallel with the Westerly line of Sublot No. 71, 125.65 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 19. 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 20. 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 21. 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 22. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

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

Ord. No. 1062-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a Linked Deposit Loan Program Agreement with the Cuyahoga County Treasurer and other related matters.

Whereas, pursuant to Ohio Revised Code Section 135.80, the Cuyahoga County Treasurer (the "Treasurer") on behalf of Cuyahoga County, Ohio (the "County") has established a linked deposit low-interest loan program referred to as the Cuyahoga County Treasurer's Linked Deposit Program (the "County Treasurer's Linked Deposit Program") with local lending institutions for the purpose of enhancing housing of the residents of participating cities and member cities of the first suburbs consortium (the "Consortium"); and

Whereas, the City of Cleveland (the "City") has determined to participate in the County Treasurer's Linked Deposit Program; and

Whereas, through the County Treasurer's Linked Deposit Program, qualified financial institutions will provide low-interest rate loans to eligible borrowers for certain housing repairs and improvements (each a "Linked Deposit Loan"); and

Whereas, in order for dwellings in the City to be eligible to participate in the County Treasurer's Linked Deposit Program, the City must execute a Cuyahoga County Treasurer's Linked Deposit Loan Program Agreement (the "Loan Agreement") with the Treasurer whereby the City agrees to perform program monitoring for Linked Deposit Loans made to its residents; and

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

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

Section 1. That the Director of Community Development is hereby authorized to execute a Linked Deposit Loan Agreement pursuant to the Ohio Revised Code, whereby the City will perform program monitoring for Linked Deposit Loans made to its residents.

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

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

Ord. No. 1063-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to make alterations and modifications in Contract No. 51196, for asbestos abatement of the Speedwalk Building with Coleman Trucking, Inc. for the Department of Port Control.

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

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

Section 1. That the Director of Director of Port Control is hereby authorized to make the following alterations and modifications in Contract No. 51196 with Coleman Trucking, Inc. for asbestos abatement of the Speedwalk Building, for the Department of Port Control:

CONTRACT NO. 51196 - SUBSIDIARY NO. 1
ASBESTOS ABATEMENT OF THE SPEEDWALK BUILDING

SUBSIDIARY ADDITIONS

1. Removal of cementitious material underneath orange penny tile	\$ 10,709.00
2. Cutting of beams in order to remove asbestos laden fire-proofing	984.00
3. Removal of windows and sheet metal cladding to access asbestos containing fire-proofing	2,513.00
4. Removal of transite pipe	1,323.00
5. Removal of asbestos containing fire-proofing at Speedwalk Building lobby that was uncovered during demolition	4,471.00
6. Disposal of asbestos contaminated radiant heating panels	+ 1,000.00
Subsidiary Additions	<u>\$ 21,000.00</u>

Original Contract Amount	\$ 460,600.00
Subsidiary Additions	+ 21,000.00
REVISED CONTRACT AMOUNT	\$ 481,600.00

which alteration has been recommended in writing by the said Director of Port Control, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Port Control and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$21,000.00, to be paid from Fund Nos. 60 SF 114 and 60 SF 106.

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

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

Ord. No. 1064-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract for the layout, printing and distribution of online and printed publications, including the flight guide; and authorizing the Director to employ one or more professional consultants to provide services necessary for the design, layout, printing, and/or marketing, advertising and designing services for various publications for the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items for the layout, printing and distribution of online and printed publications, including the flight guide 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 Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereof 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 8208)

Section 3. That the Director of Port Control 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 for the design, layout, printing, and/or other marketing, advertising

and designing services for various publications, for the Department of Port Control.

The selection of said consultants for such services shall be made by the Board of Control from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Port Control 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 Port Control, and certified by the Director of Finance.

Section 4. That the costs for such service herein contemplated shall be paid from Fund No. 60 SF 001, Request No. 8208.

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

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

Ord. No. 1065-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of the rental of heavy duty equipment and operators, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of the rental of heavy duty equipment and operators in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. 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 8202)

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

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

Ord. No. 1066-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of bunker gear suits, suspenders, hood helmets, visors and bunker boots, for the various divisions of the Department of Port Control.

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

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

Section 1. That the Director of Port Control is 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 bunker gear suits, suspenders, hood helmets, visors and bunker boots 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 various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 8201)

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

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

Ord. No. 1067-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide accounting services necessary to conduct audits of various lessees and concessionaires.

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

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

Section 1. That the Director of Port Control is hereby authorized to employ by contract one or more certified public accountant or one or more firms of certified public accountants 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 accounting services necessary to conduct audits of various lessees and concessionaires.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Port Control from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Port Control 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 autho-

rized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 60 SF 001, Request No. 8209.

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

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

Ord. No. 1068-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of fire extinguishing agents, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of fire extinguishing agents in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. 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 24870)

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

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

Ord. No. 1069-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to apply asphalt, concrete and tack coat to repair roadways and runways, including delivery, spreading, grinding and compacting, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary to apply asphalt, concrete and tack coat to repair roadways and runways, including delivery, spreading, grinding and compacting, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. 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 8204)

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

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

Ord. No. 1070-99.
By Councilmen Gordon and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of pharmaceutical supplies, 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 pharmaceutical supplies 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 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 06756)

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

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

Ord. No. 1071-99.
By Councilmen Willis and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair or replace fire hydrants, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to repair or replace fire hydrants in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, 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 sep-

arate 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 24061)

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

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

Ord. No. 1072-99.
By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice; Office of Community Oriented Policing Services for the 1999 Troops to COPS 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 a grant in the amount of \$60,763.76, from the U.S. Department of Justice; Office of Community Oriented Policing Services, to conduct the 1999 Troops to COPS Program, for the purposes set forth in the application 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 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. 1072-99-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.

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

Ord. No. 1073-99.
By Councilmen Westbrook, Zone and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 183.044 thereof, relating to concession agreements with airlines for promotions of credit cards at Cleveland Hopkins International Airport and Burke Lakefront Airport.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 183.044 thereof to read as follows:

Section 183.044 Concession Agreements with Airlines for Promotions of Credit Cards at Cleveland Hopkins International Airport and Burke Lakefront Airport

Notwithstanding and as an exception to Section 183.04 and Section 185.041, the Director of Port Control may enter into concession agreements with any airline that has leased space at Cleveland Hopkins International Airport or Burke Lakefront Airport for promotions of credit cards from within the airline's exclusive leased space. The airline shall pay to the Department of Port Control a fee of one thousand dollars (\$1,000) per month for the privilege of using the airport for such promotional activity. In the conduct of such promotional activity, the airline shall adhere to all terms and conditions of its lease for use of space at the airport and shall abide by all rules and regulations as may be promulgated by the Director regarding promotional activities.

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

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

Ord. No. 1074-99.
By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Elgin sweeper parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement con-

tract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of Elgin sweeper parts, including labor to install if necessary, 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 Motor Vehicle Maintenance, 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 two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. 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 24171)

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

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

Ord. No. 1075-99.
By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of burials for indigent dead, for the Division of Health, Department of Public Health, for a period not to exceed two years.

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

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

Section 1. That the Director of Public 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 two (2) years for the necessary items of burials for indigent dead 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 Health, 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 two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. 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 06757)

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

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

Ord. No. 1076-99.
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 George Gund Foundation for the Workshops for Youth 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 \$18,000, from the George Gund Foundation, to conduct the Workshops For Youth Program, for the purposes set forth in the program description 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 program description for said grant.

Section 2. That the program description for said grant, File No. 1076-99-A, made a part hereof an if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 1077-99.**By Councilman Johnson (by departmental request).****An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.**

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 pay as Moral Claims the sums set forth opposite and names of the following claimants and charged against the fund numbers opposite the names of the claimants:

<u>Claimant</u>	<u>Claim No.</u>	<u>Amount</u>	<u>Division</u>	<u>Fund</u>
Allan J. Kovach	10635	\$ 40.00	Water Pollution Control	54 SF 001
Norma Stiner	10637	1,700.00	Water Pollution Control	54 SF 001
Debra Lee Hopkins	10646	532.50	Water Pollution Control	54 SF 001
Emil J. Nagy	10667	279.00	Water Pollution Control	54 SF 001
Ann M. Lazor	10676	149.00	Water Pollution Control	54 SF 001
Monica Crawley	10689	150.00	Water Pollution Control	54 SF 001
Hunt Products, Inc.	10701	809.00	Water Pollution Control	54 SF 001
Rosaline & Michael Darnell	10703	1,500.00	Water Pollution Control	54 SF 001
Ikram Syed, M.D.	10709	1,500.00	Water Pollution Control	54 SF 001
Jack Stanley	10726	1,500.00	Water Pollution Control	54 SF 001
Wiloma Minor	10732	290.00	Water Pollution Control	54 SF 001
Louise Penn	10727	900.00	Water Pollution Control	54 SF 001
Elinor Schambach	10738	185.00	Water Pollution Control	54 SF 001
Michael L. Davis	10626	263.80	Police	01-600202-672000
Eva Colon	10633	98.00	Police	01-600202-672000
Tyree M. McGee	10644	116.00	Police	01-600202-672000
Carmen & Elizabeth Rivera	10651	175.00	Police	01-600202-672000
Narbin Cross	10654	500.00	Police	01-600202-672000
Keith Ford	10664	45.00	Police	01-600202-672000
Tracy L. Mayfield	10708	68.00	Police	01-600202-672000
George Padgett	10711	606.00	Police	01-600202-672000
Pamela Gibson	10718	84.00	Police	01-600202-672000
Darlene & Bobby Sullen	10725	2,766.22	Police	01-600202-672000
Derrol McCladdie, Jr.	10733	620.52	Police	01-600202-672000
Charles Blakney	10741	603.00	Police	01-600202-672000
MBI Products Co.	10653	1,000.00	Fire	01-600302-672000
Doria R. Coleman	10670	250.00	Fire	01-600302-672000
Ossie Willform	10735	597.06	Fire	01-600302-672000
Solon Industrial Grinding	10723	300.16	Emergency	01-600402-672000
East Ohio Gas	10672	348.00	Medical Service	
Kenneth Dahl	10705	2,213.23	Park Maintenance (Urban Forestry)	01-701204-672000
Ameritech	10737	1,154.55	Park Maintenance (Urban Forestry)	01-701204-672000
William Rivera	10673	250.00	Property Management	01-701101-672000
Louis J. Zaleyel	10706	45.00	Convention Center & Stadium (West Side Market)	67 SF 500
Jerry C. Chucray	10707	43.96	Convention Center & Stadium (West Side Market)	67 SF 500
West Park Bakery	10660	250.00	Streets	10 SF 401
Deven Dukes	10686	337.92	Streets	10 SF 401
Fay Beltchen	10731	16.04	Waste Collection	01-400303-672000
Mary E. Williams	10641	1,000.00	Cleveland Municipal Court	01-011501-672000
Vicktor Askew	10743	124.00	Municipal Clerk of Courts	01-011601-672000
Charlene Meter	10679	287.73	Environment	01-500606-672000

Section 2. That the authority of the Director of Finance to pay the amounts set forth in Section 1 of this ordinance is conditioned upon a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance.

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

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

Ord. No. 1079-99.
By Councilmen O'Malley, Willis,
Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to execute an easement granting to Ameritech certain easement rights in property located on Schaaf Road, east of the Jennings Freeway and declaring said easement rights no longer needed for public use.

Whereas, Ameritech has requested the Director of Public Utilities to convey certain easement rights in property located on Schaaf Road, east of Jennings Freeway; and

Whereas, Ameritech requires the easement rights for the purposes of constructing a controlled environment vault which will house remote electronic equipment needed to upgrade telecommunications and to allow for the deployment of fiber optics in the vicinity of Schaaf Road; and

Whereas, the easement rights to be granted are no longer needed for public use; and

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that an easement interest in the following described property is no longer needed for public use:

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Original Brooklyn Township Lot No. 79;

Starting at a 5/8" iron pin in a monument box found in the centerline of Schaaf Road, 60.00 feet, said point being at the Northeastly corner of land conveyed to The City of Cleveland, (a municipal corporation) in deed dated November 3, 1961 and recorded in Volume 10317, Page 296 of Cuyahoga County Deed Records;

Thence South 29° 29' 21" West along the Easterly line of land so conveyed, 30.00 feet to a point in the Southerly line of said Schaaf Road;

Thence North 60° 37' 19" West along said Southerly line, 24.00 feet to the Principal Place of Beginning;

Thence South 29° 22' 41" West and perpendicular to said Southerly line, 30.00 feet;

Thence North 60° 37' 19" West and parallel with said Southerly line, 50.00 feet;

Thence North 29° 22' 41" East and perpendicular to said Southerly line, 30.00 feet to a point in said Southerly line;

Thence South 60° 37' 19" East along said Southerly line, 50.00 feet to the Principal Place of Beginning and containing 0.0344 acres of land as described on March 19, 1999 by R. M. Kole & Associates, Professional Land Surveyors.

Section 2. That the easement shall be non-exclusive and the purpose of the easement shall be to construct a controlled environment vault which will house remote electronic equipment needed to upgrade telecommunications and to allow for the deployment of fiber optics in the vicinity of Schaaf Road.

Section 3. That by and at the direction of the Board of Control, the Commissioner of Purchases and supplies is authorized to convey the above-described non-exclusive ease-

ment interest to Ameritech at a price of Five Thousand Dollars (\$5,000.00).

Section 4. That the duration of the easement shall be until such time as said easement should be abandoned by the Grantee by the removal of the controlled environment vault or cessation of use; that the easement may include reasonable access, ingress and egress rights; that the easement shall not be assignable without the consent of the director; that the easement shall require the grantee to indemnify the City, provide reasonable insurance, maintain any Grantee improvements located within the easement, and pay any applicable taxes and assessments.

Section 5. That the conveyance referred to above shall be made by Official Deed of Easement prepared by the Director of Law and executed by the director of Utilities on behalf of the City of Cleveland. The Deed of Easement shall contain such additional terms and conditions as are required to protect the interest of the parties. The Directors of Public Utilities and Law are authorized to execute such other documents, including without limitation, contracts for right of entry, as may be necessary to effect the construction of the controlled environment vault within the property described in Section 1.

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

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

Ord. No. 1080-99.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide professional services necessary to design, develop and implement a Geographic Information System; authorizing the procurement of data processing supplies and equipment, and respective systems equipment, software office equipment and other supplies and equipment necessary to implement the GIS; and authorizing the Director of Public Utilities to enter into agreements relative thereto.

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

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

Section 1. That the Director of Public Utilities 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 design, develop and implement a Geographic Information System ("GIS") including project management, field surveying, global positioning, data conversion, and software application development.

The selection of said consultants for such services shall be made by the Board of Control upon the nom-

ination of the Director of Public Utilities 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 Utilities 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 contracts herein authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 2. That the Director of Public Utilities is hereby authorized to employ by contract one or more software development and assistance firms for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to purchase, lease, or license computer software programs and other material and supplies as may be necessary for the design, development and implementation of a GIS and to provide professional data processing and software development assistance necessary to develop such software program.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Utilities 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 Utilities 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 contracts herein authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 3. That the Director of Public Utilities is hereby authorized to make a written agreement for the purchase, lease for a term up to six (6) years, or lease for a term up to six (6) years with an option to purchase exercisable by the Director of Public Utilities, in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: ancillary data processing supplies and equipment, data processing systems equipment, data processing software, office equipment and other material and supplies as may be necessary for the design, development and implementation of a GIS, to be procured by the Commissioner of Purchases and supplies upon a unit basis for the City of Cleveland.

Section 4. That the Director of Public Utilities is hereby authorized to enter into agreements with other government entities to coordinate the design and implementation of the GIS authorized herein.

Section 5. That the costs for such contracts authorized by this ordinance shall be paid from Fund Nos. 52 SF 001, 52 SF 223 and 52 SF 225, Request No. 3771.

Section 6. That each user Department and Division shall reimburse the Division of Water for each user's proportionate share of the cost of the GIS, which costs may include, but are not limited to, design, construction, operation and maintenance, and replacement costs of the GIS, and any debt service costs attributable to each user's proportionate share of said costs. Accordingly, the Director of Finance is hereby authorized to make payment in annual installments to the Division of Water on behalf of the

various City user Departments and Divisions in an amount equal to each user's proportionate share of said costs payable from Fund Nos. 11 SF 006, 54 SF 001, 58 SF 001, 60 SF 001, 60 SF 104, 60 SF 105 and 60 SF 106 or from funds appropriated by the Council for use by the various Departments and Divisions to pay for such expenses. The Director of Public Utilities and the Director of Finance are hereby authorized to memorialize the reimbursements authorized herein through a Memorandum of Understanding.

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.

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

Ord. No. 1081-99.

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

An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding of the Kerruish Park Stormwater Project and increase the capacity of the basin and repair of the spillway structure; to accept state funding from the Ohio Public Works Commission therefor; determining the method of making the public improvement of constructing the Project; authorizing the Director of Public Utilities to enter into contract for the making of such improvement; authorizing said director to employ one or more firms of engineers and other professional consultants to provide professional services for the implementation of the Project; authorizing said director to apply and pay for permits, licenses and other authorizations required for the Project; and authorizing said director to purchase, lease or otherwise acquire easements and other interests in real property as required for the Project.

Whereas, pursuant to Article VIII, Section 2k of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

Whereas, pursuant to Section 164.03 of the Revised Code, the District One Public Works Integrating Committee has been created to evaluate applications for state financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

Whereas, pursuant to Section 164.05 of the Ohio Revised Code, the Ohio Public Works Commission has been created to accept and approve applications for state financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; 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 Mayor is hereby authorized to apply to the District One Public Works Integrated Committee for Ohio Public Works

Commission grant and loan funds to finance the following infrastructure capital improvement project: Kerruish Park Stormwater Project and to increase the capacity of the basin and repair of the spillway structure (the "Project").

Section 2. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$2,430,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of the Project, including without limitation, all necessary appurtenances; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive said grant funds; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grants.

Section 3. That the Mayor is hereby authorized to accept loan funds from the Ohio Public Works Commission to finance the capital improvement of the Project, including without limitation, all appurtenances; that the Mayor is hereby authorized to enter into a loan agreement with the Ohio Public Works Commission for the repayment of said loan funds, which agreement shall be substantially in the same form as the agreement in File No. 1081-99-A and shall contain such additional terms as are acceptable to the Director of Law to protect the public interest. The Mayor is further authorized to file all papers to execute all documents necessary to receive the funds under said loan agreement; and said loan funds are hereby appropriated for the purposes set forth in the loan agreement.

Section 4. That upon execution of the loan agreement, the Director of Public Utilities is authorized to repay the loan funds to the Ohio Public Works Commission in accordance with the terms and conditions of the loan agreement, from the operating revenues of the Division of Water Pollution Control.

Section 5. That upon acceptance of said grant and loan funds from the Ohio Public Works Commission, the Director of Public Utilities may enter into agreements with the communities of Beachwood, Highland Hills, North Randall, Shaker Heights, Warrensville Heights, Garfield Heights, and Maple Heights for the reimbursement of funds to the City of Cleveland for each community's share of the cost of the Project.

Section 6. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing the Project, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 7. That the Director of Public Utilities is hereby authorized and directed to enter into a contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Notwithstanding any provisions in Chapter 185 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the contract shall contain such requirements as are contained in the Project grant agreement with the Ohio Public Works Commission which will finance the above public improvement.

Section 8. That the Director of Public Utilities is hereby authorized and directed to employ by contract one or more firms of engineers and other professional 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 make the above improvements.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Utilities 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 Utilities 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 hereby authorized shall be prepared by the Director of Public Utilities, and certified by the Director of Finance.

Section 9. That the Director of Public Utilities is hereby authorized and directed to apply and pay for such permits, licenses, or other authorizations required by any regulating entity or other public authority to perform the work authorized by this ordinance.

Section 10. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Utilities is hereby authorized to purchase, lease or otherwise acquire easements, fee interests, licenses, permits and other rights or interests in real property necessary for the public improvement authorized by Section 6 of this ordinance.

Section 11. That the Director of Public Utilities is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire said rights or interests in real property and to employ title companies, surveyors, escrow agents, appraisers, environmental consultants, field service consultants and other consultants necessary for the acquisition or use of the rights or interests in real property authorized by Section 10 of this ordinance.

Section 12. That the cost of said improvement and all other expenditures authorized by this ordinance shall be paid from Fund No. 54 SF 252, Request No. 1877, and from the fund and subfunds to which are credited the proceeds of grants and loans received from the Ohio Public Works Commission for the purpose of making the public improvement of constructing the Project.

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

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

Ord. No. 1082-99.
By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a First Amendment to Leases By Way of Concession with Host International, Inc. City Contract Nos. 42575 and 33958.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into a First Amendment to Leases by Way of Concession with Host International, Inc. City Contract Nos. 42575 and 33958 to provide that all employees working at Cleveland Hopkins International Airport, as determined by the City, shall receive a ten percent (10%) discount on food and beverage items specified in the lease purchased from Host vendors. The City shall receive five percent (5%) of gross revenues from the sale of these items to such employees.

Section 2. That the First Amendments shall be prepared by the Director of Law and shall contain other such terms and conditions as said director deems necessary to protect and benefit the public interest.

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

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

Ord. No. 1083-99.
By Councilman Cimperman.

An emergency ordinance authorizing the Director of Public Service to issue a permit to Felder Properties Limited to encroach into the right-of-way of West Lakeside Avenue N.W. with various streetscape improvements.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Felder Properties Limited, its successors and assigns, for the construction, use and maintenance of streetscape improvements which include planters, benches, curbs, walkways, bollards, decorative lights, gates and fencing, sidewalk improvements and parking within the right-of-way of West Lakeside Avenue at the locations more fully described herein:

LEGAL DESCRIPTION/SOUTH RAMP PCL. "A" PUBLIC AREA FELDER PROPS. LTD.

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and bounded and described as follows:

Beginning at the intersection of the centerlines of West Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence South 34°-05'-25" East along the centerline of West 6th Street, 49.50 feet to the easterly prolongation of the southerly line of West Lakeside Avenue;

Thence South 55°-59'-00" West along the easterly prolongation of the southerly line of West Lakeside Avenue, 14.50 feet to the principal point of beginning of the premises herein described;

Thence along the arc of a curve deflecting to the left, an arc of 54.36 feet, said curve having a radius of 40.45 feet and a chord that bears North 70°-59'-20" West, 50.36 feet to a point;

Thence South 68°-27'-38", West, 75.52 feet to a point;

Thence South 71°-57'-05", West, 8.19 feet to a point;

Thence South 68°-35'-45" West, 184.09 feet to a point on the northwesterly line of West Lakeside Avenue;

Thence South 55°-59'-00", West along the northwesterly line of West Lakeside Avenue, 250.35 feet to a point;

Thence South 34°-03'-55" East, 99.00 feet to a point on the westerly prolongation of the southerly line of West Lakeside Avenue;

Thence North 55°-59'-00" East along the westerly prolongation and the southerly line of West Lakeside Avenue, 541.81 feet to the principal point of beginning and containing 1.0075 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Section 2. That said streetscape improvements shall be placed within the public right-of-way as aforesaid in Section 1, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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

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

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

Ord. No. 1084-99.
By Councilmen Coats and Johnson.

An emergency ordinance to extend the retirement dates of Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor, for a one year period for the Division of Police, Department of Public Safety.

Whereas, Section 135.07 of the Codified Ordinances of Cleveland, Ohio, 1976, provides that members of the Division of Police in the Department of Public Safety, attaining the age of sixty-five years, upon written request of the Police Chief, shall continue on active duty on a year-to-year basis subject to the approval of the Department of Public Safety and this Council; and

Whereas, Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor, possess great wealth of knowledge and expertise and have proved invaluable in attaining the goals of the Division of Police, Department of Public Safety; and

Whereas, the Director of Public Safety has approved the continuation on active duty for Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor; 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 Officer Emil Cielec of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 20, 1999, and that such continuation is hereby approved by this Council.

Section 2. That Lieutenant Michael O'Malley of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on June 30, 1999, and that such continuation is hereby approved by this Council.

Section 3. That Lieutenant Edward Lentz of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 14, 1999, and that such continuation is hereby approved by this Council.

Section 4. That Detective Arssie Taylor of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 26, 1999, and that such continuation is hereby approved by this Council.

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

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

Ord. No. 1085-99.
By Councilmen Coats, Zone and Johnson (by departmental request).
An emergency ordinance to amend Section 135.50 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2752-91, passed January 27, 1992, relating to the application and acceptance of an annual Marine Patrol grant.

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

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

Section 1. That Section 135.50 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2752-91, passed January 27, 1992, is hereby amended to read as follows:

Section 135.50 Application and Acceptance of Annual Marine Patrol Grant

The Director of Public Safety is hereby authorized to apply for and accept annual grants from the Ohio Department of Natural Resources to conduct the City's marine patrol program, provided that the proceeds of each grant shall not exceed **fifty thousand dollars (\$50,000)** and provided further that the City is not obligated to provide in cash matching funds as a condition to receiving the grant. The Director is further authorized to file all papers and execute all documents necessary to receive the funds under said grants and, upon acceptance of said grants and grant funds shall be appropriated for the purposes set forth in the grant agreement. The Director shall notify the Clerk of Council of the making of any grant application or the acceptance of any grant pursuant to this section.

Section 2. That existing Section 135.50 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2752-91, passed January 27, 1992, is hereby repealed.

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

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

Ord. No. 1086-99.
By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice - Office of Community Oriented Policing Services (COPS) for the 1999 COPS - School Based Partnership Grant; and to enter into contract for professional services necessary for survey development and evaluation and for the purchase of equipment and supplies needed to implement the program.

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 Safety is hereby authorized to apply for and accept a grant in the amount of \$94,418.16, from the U.S. Department of Justice - Office of Community Oriented Policing Services (COPS), to conduct the 1999 COPS - School Based Partnership Grant, for the purposes set forth in the application 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 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. 1086-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Safety is hereby authorized to employ by contract one or more consultants or firm 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 for survey development and evaluation as described in the application contained in the File.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Safety 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 Safety 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 Public Safety, and certified by the Director of Finance.

Section 4. That the Director of Public Safety is authorized to enter into contract for such computer equipment, software and related supplies necessary to implement the Program as described in the application contained in the File, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis.

Section 5. That the cost of the contracts authorized above are payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

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

Ord. No. 1088-99.
By Councilmen Sweeney, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Mayor and the Directors of Parks, Recreation and Properties and Economic Development to enter into a Purchase Agreement with Cartech Company, Ltd. for 10,593 acres of City-owned property located in the Village of Highland Hills, with an option to purchase an additional 5.16 acres within the first five years.

Whereas, the City of Cleveland ("City") desires to develop Cleveland Enterprise Park on approximately 120 acres of land ("Zone") situated in the Village of Highland Hills ("Village") along Harvard Road between Green and Northfield Roads ("Property"), in accordance with a Master Plan for the commercial development of the Property; and

Whereas, the City, pursuant to the authority of Ordinance No. 1235-95, passed October, 23, 1995, and the Village, pursuant to the authority of Ordinance Nos. 1995-20, passed August 14, 1995, and Ordinance No. 1995-28, passed December 13, 1995, entered into a Joint Development Economic Zone Agreement ("J.D.A.") for the Zone; and

Whereas, the J.D.A. requires the City and Village to share income tax revenue such that the City will receive seventy-five percent (75%) of net income taxes of employees relocated to the Zone from the City and fifty percent (50%) of net income taxes of all other employees within the Zone; and

Whereas, Cartech Company, Ltd. ("Cartech"), an Ohio Limited Liability Company, has proposed to purchase from the City 10,593 acres of land in order to construct a multi-story office building to serve as the corporate headquarters for Gliatech, Inc. ("Gliatech"), a Delaware Corporation, which Gliatech estimates will house 117 Gliatech employees; and

Whereas, Cartech, in consideration for payment of \$32,250.00 annually, plus other valuable consideration, will be granted an option to purchase an additional 5.16 acres of land on which it may construct a second multi-story office building to serve a similar purpose; and

Whereas, Gliatech projects a need to expand its operations within the Zone within the next three years, resulting in an estimated total of 252 Gliatech employees; and

Whereas, the portions of the Property to be sold or optioned for sale to Cartech are no longer needed for public use; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 1834 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor of the City of Cleveland and the Directors of Parks, Recreation and Properties and Economic Development are authorized to enter into a Project Agreement to sell the following described property (together, the

"Sale Parcels") to Cartech for development of an office building, to be leased to Gliatech, which property is determined to be no longer needed for public use:

All of Parcel No. 4 (8.953 acres) and all of Parcel No. 8 (1.640 acres), as shown on Cleveland Enterprise Park Re-Subdivision Phase I Plat recorded at Volume 295, pages 88 & 89 of Cuyahoga County Map Records.

The Project Agreement shall include the terms and conditions set forth in the Executive Summary contained in File No. 1088-99-A.

Section 2. That the Project Agreement shall provide that Cartech shall have an option to purchase the following described property ("Option Parcel"), which option expires at the end of the "Option Period" which shall be the first 5 years from the date of the recording of conveyance of the Sale Parcel from the City to Cartech ("Conveyance Date"), which property is determined to be no longer needed for public use:

All of Parcel No. 5 (5.16 acres), as shown on Cleveland Enterprise Park Re-Subdivision Phase I Plat recorded at Volume 295, pages 88 & 89 of Cuyahoga County Map Records.

Section 3. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the Sale Parcels described in Section 1 of this ordinance to Cartech, for development for Gliatech, at a price of not less than One Hundred Twenty-five Thousand Dollars (\$125,000.00) per acre of the Sale Parcels, which the Council determines to be the fair market value of the Sale Parcels, taking into account all restrictions, and encumbrances placed by the City in the deed of conveyance.

Section 4. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the Option Parcel to Cartech during the Option Period, for development for Gliatech, at a price of not less than One Hundred Twenty-five Thousand Dollars (\$125,000.00) per acre, which this Council determines to be the fair market value of the Option Parcel during the Option Period, taking into account all restrictions and encumbrances placed by the City of Cleveland in the deed of conveyance.

Section 5. That the conveyances to Cartech shall be made by official quitclaim deed to be prepared by the Director of Law and executed by the Mayor and the Commissioner of Purchases and Supplies on behalf of the City of Cleveland, which quitclaim deed shall contain such provisions as deemed necessary by the Director of Law to protect the public interest.

Section 6. That all proceeds from the sale of the Sale Parcels and the Option Parcel shall be paid into Fund No. 17 SF 684, to be credited toward costs of certain infrastructure, roads and utilities to the Zone and Property.

Section 7. That the Project Agreement shall be prepared by the Director of Law, and shall contain a provision requiring Cartech to complete construction of a multi-story office building to serve as Gliatech's cor-

porate headquarters on Parcel No. 4 of the Sale Parcels within three (3) years of the Conveyance Date, or the Sale Parcels shall revert to the City. The Project Agreement shall further contain a provision requiring Cartech to complete construction of a third multi-story office building to serve a similar purpose on the Option Parcel within five (5) years from the date of conveyance of the Option Parcel to Cartech, or the Option Parcel shall revert to the City.

Section 8. That the Project Agreement may also provide for the City to pay the cost of site preparation and the cost of installation of certain infrastructure, roads, and utilities, including relocation of utilities, within the Zone, which costs shall be paid out of Fund No. 17 SF 684.

Section 9. That it is hereby determined to make such public improvements to the Property and Zone as are necessary and desirable to prepare the same for proposed development as contemplated in the Project Agreement with Cartech, which public improvements may include, without limitation, building demolition, environmental testing and materials disposal, construction and installation of paving, curbing, gutters, grading, excavation, drainage, walls, sewers, piping, manholes, catch basins, lighting, utilities, landscaping, streetscaping, traffic signals, signage, sidewalks, erosion controls, subbases, bike paths, and spillways ("Improvements"), for the Department of Public Service Division of Engineering and Construction, and/or the Department of Economic Development, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis and/or gross-price basis for the Improvements.

Section 10. That the Director of Economic Development and/or Public Service are hereby authorized to enter into a contract or contracts for the making of the Improvements with the lowest responsible bidder or bidders after competitive bidding upon a unit basis and/or gross-price basis for the Improvements, provided, however, that each separate trade and each distinct components part of the Improvements 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 or gross-price basis.

Section 11. That the Mayor, and/or the Directors of Economic Development and/or Public Service are hereby authorized to enter into an agreement with the Village of Highland Hills within which the City of Cleveland agrees to pay the local matching share commitment for any grants or loans received from the Ohio Public Works Commission ("OPWC") and/or the Ohio Department of Development ("ODOD") for the financing of the Improvements to the Property and Zone, and in which the Village of Highland Hills and the City determine the administration of said grants or loans received from the OPWC and/or the ODOD. Said agreement shall be prepared by the Director of Law of the City of

Cleveland, and shall contain such terms and conditions as the Director of Law determines are necessary or appropriate to protect the interests of the City, including a provision whereby the City must approve all plans for the construction of the Improvements to be funded by the OPWC and/or the ODOD, and the local matching share commitment.

Section 12. That the Project Agreement shall require Cartech and/or Gliatech, as applicable, to use best efforts, consisting of their cooperation with programs offered by the City's Human Resources Division ("Division") of job openings and agreeing to receive and review resumes from applicants through the Division subject to economic restraints of the project and the right of Cartech and/or Gliatech, as applicable, to make final employment decisions, to achieve objectives related to construction and employment for City economic development initiatives, to include: awarding 15% of construction contracts and supplier and purchase orders to certified Minority Business Enterprises ("MBE"); awarding 5% of construction contracts and supplier purchase orders to certified Female Business Enterprises ("FBE"); hiring minorities for 16.1% of construction jobs; hiring women for 6.9% of construction jobs; hiring Cleveland residents for 50% of construction jobs; hiring minorities for 33% of the permanent jobs created at the Sale Parcels and Option Parcel; and hiring Cleveland residents for 50% of the permanent jobs created at the Sale Parcels and Option Parcel.

Section 13. That the Mayor and Directors of Law, Parks, Recreation and Properties, and Economic Development are authorized to prepare and execute easements to Cleveland Electric Illuminating Company, East Ohio Gas Company, Ameritech Ohio Corporations, and Viacom Cablevision of Cleveland, or Village designated successor cable television franchisee, their successors and assigns, to provide necessary services to the Zone, and a temporary easement for purposes of ingress and egress to the Sale Parcel to Cartech and Gliatech.

Section 14. That the Mayor, Directors of Law, Parks, Recreation and Properties and Economic Development are authorized to execute such documents, instruments, and certificates, including, without limitation, easements to Cartech and/or Gliatech, and take such other actions as are necessary or appropriate to effectuate and carry out the terms of the Project Agreement authorized pursuant to this ordinance.

Section 15. That the Mayor, Directors of Law, Parks, Recreation and Properties and Economic Development are authorized to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, engineering and architectural consultants, and other professional services necessary or appropriate to effectuate and carry out the terms of the Project Agreement authorized pursuant to this ordinance, and to effectuate site preparation and the installation of the infrastructure, roads and utilities, including utilities relocation,

associated with the Zone. These fees shall be paid from Fund No. 17 SF 305.

Section 16. That this ordinance is hereby declared to be an emergency measure and, provided its receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 1089-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at on scattered sites located on Elton Avenue, Dudley Avenue, West 76th Street, West 42nd Street, Seymour Avenue and West 33rd Street to Cleveland Housing Network Limited Partnership XVI.

Whereas, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the 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. 006-07-022 as more fully described in Section 2 below, to Cleveland Housing Network Limited Partnership XVI.

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. 006-07-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 589 in James M. Hoyt's Subdivision of part of Original Brooklyn Township Lots Nos. 28 and 33, as shown by the recorded plat in Volume 3 of Maps, Page 37 of Cuyahoga County Records, and forming a parcel of land 35 feet front on the Southerly side of Elton Avenue and extending back between parallel lines 126 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 006-05-082 as

more fully described in Section 4 below, to Cleveland Housing Network Limited Partnership XVI.

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. 006-05-082

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 697 in James M. Hoyt's Subdivision of part of Original Brooklyn Township Lots Nos. 28 and 33, as shown by the recorded plat in Volume 3 of Maps, Page 37 of Cuyahoga County Records and forming a parcel of land 35 feet front on the Northerly side of Dudley Avenue, N.W., and extending back between parallel lines 126 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 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. 002-02-037 as more fully described in Section 6 below, Cleveland Housing Network Limited Partnership XVI.

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. 002-02-037

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 116 in W.J. Gordon's Allotment of part of Original Brooklyn Township Lots Nos. 29 and 30, as shown by the recorded plat in Volume 17 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Westerly side of West 76th Street (formerly Salisbury Avenue), and extending back of equal width 110 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 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. 002-02-041 as more fully described in Section 8 below, to Cleveland Housing Network Limited Partnership XVI.

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. 002-02-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 112 in W.J. Gordon's Allotment of part of Original Brooklyn Township Lots Nos. 29 and 30, as shown by the recorded plat in Volume 17 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Westerly side of West 76th Street, and extending back of equal width 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 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and

Supplies is hereby authorized to sell Permanent Parcel No. 007-01-058 as more fully described in Section 10 below, to Cleveland Housing Network Limited Partnership XVI.

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. 007-01-058

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 42nd 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 Northwesterly 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 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. 007-01-059 as more fully described in Section 12 below, to Cleveland Housing Network Limited Partnership XVI.

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. 007-01-059

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 Southeastly 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 Northeastly 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 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. 007-19-031 as more fully described in Section 14 below, Cleveland Housing Network Limited Partnership XVI.

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. 007-19-031

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 330 in the H. Stone's Addition of part of Original Brooklyn Township Lots Nos. 53 and 68, as shown by the recorded plat in Volume 1 of Maps, Page 41 of Cuyahoga County Records and being 50 feet front on the Northerly side of Seymour Avenue and extending back of equal width, 132 feet deep to Mill Court, S.W. (14 feet wide) in the rear, 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. 007-19-032 as more fully described in Section 16 below, Cleveland Housing Network Limited Partnership XVI.

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. 007-19-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 23 feet front to rear of Sublot No. 331 in Hiram Stone's Addition Subdivision of part of Original Brooklyn Township Lot No. 53 and 68, as shown by the recorded plat in Volume 1 of Maps, Page 41 of Cuyahoga County Records and being 23 feet front on the Northerly side of Seymour Avenue and extending back of equal width 132 feet, and being 23 feet wide in the rear along the Southerly line of Mill Court, be the same more or less, but subject to all legal highways.

Easement recorded in Volume 6402, Page 321 of Cuyahoga County Records.

Easement recorded in Volume 6402, Page 325 of Cuyahoga County Records.

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. 007-24-093 as more fully described in Section 18

below, Cleveland Housing Network Limited Partnership XVI.

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. 007-24-093

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 174 in Hiram Stone's Additional of part of Original Brooklyn Township Lots Nos. 53 and 68, as shown by the recorded plat in Volume 1, Pages 41 and 42 of Cuyahoga County Records and being 50 feet front on the Northerly side of Seymour Avenue, S.W., and extending back of equal width 132 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

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. 007-24-094 as more fully described in Section 20 below, Cleveland Housing Network Limited Partnership XVI.

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. 007-24-094

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 30 feet of Sublot No. 173 in Hiram's Stone's Allotment by the recorded plat in Volume 1 of Maps, Page 41 of Cuyahoga County Records, and being 30 feet front on the Northerly side of Seymour Avenue, S.W., and extending back between parallel lines 132 feet to a 14 feet alley, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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. 007-08-071 (westerly half) and 007-08-173 as more fully described in Section 22 below, to Cleveland Housing Network Limited Partnership XVI.

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. 007-08-071 (Westerly part and all of P.P. No. 007-08-173)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 77.67 feet of the Southerly 32.00 feet of Sublot No. 267 in the Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70 as shown by the recorded plat in Volume 11 of Maps, Page 26 of Cuyahoga County Records and being 32.00 feet front on the Easterly line of West 34th Place (16 feet wide) and extending back between parallel lines, 77.67 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

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. 007-08-072 as

more fully described in Section 24 below, to Cleveland Housing Network Limited Partnership XVI.

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. 007-08-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northwesterly 1/2 of Sublot No. 268 in Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70 as shown by the recorded plat of said Subdivision in Volume 2 of Maps, Page 17 of Cuyahoga County Records and being 32 feet front on the Southwesterly side of West 33rd Street (formerly Green Street), and extending back between parallel lines 153 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 007-08-073 as more fully described in Section 26 below, to Cleveland Housing Network Limited Partnership XVI.

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. 007-08-073

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 32 feet of the Easterly 97 feet of Sublot No. 268 in Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70, as shown by the recorded plat in Volume 11 of Maps, Page 26 of Cuyahoga County Records and being 32 feet front on the Westerly side of West 33rd Street, (formerly Green Street) and extending back of equal width 97 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 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. 007-08-049 as more fully described in Section 28 below, to Cleveland Housing Network Limited Partnership XVI.

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. 007-08-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 28 feet of Sublot No. 256 in Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70, as shown by the recorded plat in Volume 11 of Maps, Page 26 of Cuyahoga County Records, and being 28 feet front on the Easterly side of West 33rd Street, and extending back about 127 feet deep to the Westerly line of West 33rd Place, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 007-08-050 as more fully described in Section 30 below, Cleveland Housing Network Limited Partnership XVI.

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. 007-08-050

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 256 in Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 50, 69 and 70 in said City, as shown by the recorded plat in Volume 11 of Maps, Page 26 of Cuyahoga County Records and bounded and described as follows: Beginning at the Northwest corner of said Sublot No. 256; thence Southerly 36 feet along the Easterly line of West 33rd Street to a point 28 feet Northerly from the Southwesterly corner of said Sublot; thence Easterly and parallel with the Southerly line of said lot to the Easterly line of said lot, being also the Westerly line of West 33rd Place; thence Northerly along the Westerly line of West 33rd Place to the Northeast corner of said lot; thence Westerly 120 feet 9.5 inches to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 123-20-052 as more fully described in Section 32 below, to Cleveland Housing Network Limited Partnership XVI.

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. 123-20-052

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 12 in P.D. and N.P. Glazier's Allotment of part of Original One Hundred Acre Lot No. 324, as shown by the recorded plat of said Allotment in Volume 4 of Maps, Page 40 of Cuyahoga County Records, and being 33 feet front on the Westerly side of Nursery Avenue, N.E., (formerly Orchard Street), and extending back between parallel lines 133 feet, as appears by said plat.

Section 33. 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 34. 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 35. That the conveyance authorized hereby shall be made by official deed prepared by the Direc-

tor of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 36. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 1090-99.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Economic Development to enter into an Amendment to Lease Agreement No. 46890 between the City and the County of Cuyahoga to modify the leased premises; authorizing said director to enter into an Amendment to Lease Agreement No. 46861 between the City and Lakeside 425 Limited Partnership to modify the leased premises; and authorizing said director to enter into a lease with Felder Properties, Ltd. to lease a portion of the same premises to Felder Properties, Ltd.

Whereas, pursuant to Ordinance No. 1389-93, passed July 11, 1993, the Director of Economic Development, on behalf of the City of Cleveland, was authorized to lease from the County of Cuyahoga, certain property owned by the County of Cuyahoga, Permanent Parcel No. 101-08-009, and to lease to Lakeside 425 Limited Partnership that same property, which was no longer needed for any public use other than the provision of parking; and

Whereas, the City of Cleveland entered into a lease agreement, City Contract No. 46890, with the County of Cuyahoga; and

Whereas, the City of Cleveland entered into a lease agreement, City Contract No. 46861, with Lakeside 425 Limited Partnership; and

Whereas, the City desires to facilitate the provision of additional parking and the development of a hotel on those premises; and

Whereas, the City desires to enter into an amendment to Lease Agreement No. 46890 between the City and the County of Cuyahoga, to lease certain additional property from the County of Cuyahoga, and to enter into an amendment to Lease Agreement No. 46861 between the City of Cleveland and Lakeside 425 Limited Partnership, and to enter into a lease with Felder Properties, Ltd. to lease a portion of the same premises to Felder Properties, Ltd.; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Economic Development is hereby authorized to enter into an Amendment to Lease

Agreement No. 46890 between the City and the County of Cuyahoga to modify the leased premises to a revised parcel as described by the legal description as follows:

48 Space Secured Parking Area
("Parcel C")

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 34° 05' 25" West along the centerline of West 6th Street, 212.26 feet to a point;

Thence North 55° 54' 35" East, 37.55 feet to a point and the principal point of beginning of the premises herein described;

Thence North 35° 18' 04" East, 109.76 feet to a point;

Thence North 30° 05' 33" East, 128.52 feet to a point;

Thence North 80° 10' 48" East, 27.22 feet to a point;

Thence South 59° 54' 27" East, 27.10 feet to a point;

Thence South 06° 55' 52" East, 29.13 feet to a point;

Thence South 30° 05' 33" West, 111.67 feet to a point;

Thence South 33° 04' 20" West, 19.32 feet to a point;

Thence South 35° 18' 04" West, 96.82 feet to a point;

Thence South 55° 59' 00" West, 20.11 feet to a point;

Thence North 54° 41' 56" West, 36.12 feet to a point;

Thence North 34° 01' 00" West, 23.27 feet to the principal point of beginning and containing 0.3875 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc. in April of 1999, be the same more or less, but subject to all legal highways.

South Ramp Parking Area
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence South 55° 59' 00" West along the centerline of Lakeside Avenue, 305.98 feet to a point;

Thence North 34° 01' 00" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the principal point of beginning of the premises herein described;

Thence South 68° 35' 45" West, 256.59 feet to a point;

Thence South 34° 03' 55" East, 56.03 feet to a point on the Westerly prolongation of the Northwesterly line of Lakeside Avenue;

Thence North 55° 59' 00" East along the Northwesterly line of Lakeside Avenue, 250.35 feet to the principal point of beginning and containing 0.1610 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Northwest Building Corner
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence South 55° 59' 00" West along the centerline of Lakeside Avenue, 305.98 feet to a point;

Thence North 34° 01' 00" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the principal point of beginning of the premises herein described;

Thence South 68° 35' 45" West, 256.59 feet to a point;

Thence South 34° 03' 55" East, 56.03 feet to a point on the Westerly prolongation of the Northwesterly line of Lakeside Avenue;

Thence North 55° 59' 00" East along the Northwesterly line of Lakeside Avenue, 250.35 feet to the principal point of beginning and containing 0.1610 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 55° 59' 00" East along the centerline of Lakeside Avenue, 265.97 feet to a point;

Thence North 34° 05' 25" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the Southeasterly corner of land so conveyed to Felder Properties, Ltd. by deed dated January 12, 1999 and recorded in Document No. 19901121219 of Cuyahoga County Records;

Thence continuing North 34° 05' 25" West along the Northeastery line of land so conveyed to Felder Properties, Ltd., 132.00 feet to the Northeastery corner thereof and the principal point of beginning of the premises herein described;

Thence South 55° 59' 00" West along the Northwesterly line of land so conveyed to Felder Properties, Ltd., and the Southwesterly prolongation thereof, 126.04 feet to a point;

Thence North 35° 18' 04" East, 22.48 feet to a point

Thence North 33° 04' 20" East, 19.32 feet to a point;

Thence North 30° 05' 33" East, 96.86 feet to a point on the Northwesterly prolongation of the Southwesterly line of land conveyed to Felder Properties, Ltd., by deed dated January 6, 1999 and recorded in Document No. 19990106005 of Cuyahoga County Records;

Thence South 34° 05' 25" East along the Northwesterly prolongation and the Southwesterly line of land so conveyed to Felder Properties, Ltd., 57.76 feet to the principal point of beginning and containing 0.0800 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Hotel Drop-off Area

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 55° 59' 00" East along the centerline of Lakeside Avenue, 146.50 feet to a point;

Thence North 34° 05' 25" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the principal place of beginning of the premises herein described;

Thence South 55° 59' 00" West along the Northwesterly line of Lakeside Avenue; 81.66 feet to a point;

Thence South 79° 44' 23" West, 16.77 feet to a point on the Northeastery line of West 6th Street;

Thence North 34° 05' 25" West along the Northeastery line of West 6th Street, 98.99 feet to a point;

Thence North 55° 59' 00" East, 20.35 feet to a point;

Thence North 35° 18' 04" East, 74.34 feet to a point;

Thence North 55° 59' 00" East, 6.57 feet to a point on the Westerly line of land conveyed to Felder Properties, Ltd., by deed dated January 12, 1999 and recorded in Document No. 199901121219 of Cuyahoga County Records;

Thence South 34° 05' 25" East along the Westerly line of land so conveyed to Felder Properties, Ltd., 132.00 feet to the Southwesterly corner thereof and the principal place of beginning and containing 0.2592 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999; be the same more or less, but subject to all legal highways.

Summit Avenue Service Area
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 34° 05' 25" West along the centerline of West 6th Street, 223.99 feet to a point;

Thence North 55° 54' 35" East, 49.50 feet to a point on the Easterly line of West 6th Street;

Thence along the arc of a curve deflecting to the left an arc of 33.80 feet, said curve having a radius of 208.23 feet, and a chord that bears North 33° 17' 59" East, 33.77 feet to a point;

Thence North 28° 38' 57" East, 121.98 feet to a point;

Thence along the arc of a curve deflecting to the right, an arc of 87.76 feet, said curve having a radius of 278.51 feet, and a chord that bears North 37° 40' 34" East, 87.39 feet to a point of tangency and the principal point of beginning of the premises herein described;

Thence South 62° 39' 30" East, 74.91 feet to a point on the Northwesterly line of land conveyed to Felder Properties, Ltd., by deed dated January 6, 1999 and recorded in Document No. 199901060005 of Cuyahoga County Records;

Thence North 24° 59' 17" East along the Northwesterly line of land so conveyed, 54.49 feet to the Northeastery corner thereof;

Thence North 34° 05' 03" West, 14.53 feet to a point;

Thence South 55° 59' 00" West, 6.21 feet to a point;

Thence North 54° 27' 51" West, 27.69 feet to a point;

Thence along the arc of a curve deflecting to the left, an arc of 66.93 feet, said curve having a radius of 278.51 feet and a chord that bears South 53° 35' 16" West, 66.77 feet to the principal point of beginning and containing 0.0812 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Summit Avenue Sidewalk Area
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 34° 05' 25" West along the centerline of West 6th Street, 223.99 feet to a point;

Thence North 55° 54' 35" East, 49.50 feet to a point on the Easterly line of West 6th Street and the principal point of beginning of the premises herein described;

Thence South 34° 05' 25" East along the Easterly line of West 6th Street, 7.24 feet to a point;

Thence North 35° 18' 04" East, 96.99 feet to a point

Thence North 30° 05' 33" East, 128.52 feet to a point;

Thence North 80° 10' 48" East, 27.22 feet to a point;

Thence South 59° 54' 27" East, 27.10 feet to a point

Thence South 06° 55' 52" East, 29.13 feet to a point;

Thence South 30° 05' 33" West, 14.80 feet to a point;

Thence South 34° 05' 25" East, 9.48 feet to the Northwesterly corner of land conveyed to Felder Properties, Ltd., by deed dated January 6, 1999 and recorded in Document No. 199901060005 of Cuyahoga County Records;

Thence along the Northwesterly line of land so conveyed to Felder Properties, Ltd., along the arc of a curve deflecting to the right, an arc of 39.93 feet, said curve having a radius of 1037.50 feet and a chord that bears North 25° 12' 36" East, 39.93 feet to a point of tangency;

Thence North 24° 59' 17" East along the Northwesterly line of land so conveyed, 8.89 feet to a point;

Thence North 62° 39' 30" West, 74.91 feet to a point;

Thence along the arc of a curve deflecting to the left, an arc of 87.76 feet to a point, said curve having a radius of 278.51 feet, and a chord that bears South 37° 40' 34" West, 87.39 feet to a point of tangency;

Thence South 28° 38' 57" West, 121.98 feet to a point;

Thence along the arc of a curve deflecting to the right an arc of 33.80 feet, said curve having a radius of 208.23 feet, and a chord that bears South 33° 17' 59" West, 33.77 feet to a point on the Easterly line of West 6th Street and the principal point of beginning and containing 0.0923 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Lakeside Extension Parking Area
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 34° 05' 25" West along the centerline of West 6th Street, 28.03 feet to a point;

Thence South 55° 59' 00" West and parallel with the centerline of Lakeside Avenue, 21.60 feet to a point and the principal point of beginning of the premises herein described;

Thence South 69° 51' 30" West, 73.70 feet to a point;

Thence South 68° 38' 05" West, 474.66 feet to a point;

Thence North 33° 59' 23" West, 42.65 feet to a point;

Thence North 56° 02' 00" East, 269.24 feet to a point of curvature;

Thence along the arc of a curve deflecting to the right, an arc of 131.02 feet, said curve having a radius of 295.04 feet and a chord that bears North 68° 45' 17" East, 129.94 feet to a point of compound curvature;

Thence along the arc of a curve deflecting to the right, an arc of

106.30 feet, said curve having a radius of 1002.49 feet and a chord that bears South 84° 30' 49" East, 106.25 feet to a point of compound curvature;

Thence along the arc of a curve deflecting to the right, an arc of 61.95 feet, said curve having a radius of 160.32 feet and a chord that bears South 81° 22' 45" East, 61.56 feet to a point;

Thence South 34° 05' 25" East, 42.88 feet to the principal point of beginning and containing 1.0166 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in April of 1999, be the same more or less, but subject to all legal highways.

Section 2. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Economic Development is hereby authorized to enter into an Amendment to Lease Agreement No. 46861 between the City and Lakeside 425 Limited Partnership to modify the leased premises to a revised parcel as described by the legal description as follows:

48 Space Secured Parking Area
(*Parcel C*)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 34° 05' 25" West along the centerline of West 6th Street, 212.26 feet to a point;

Thence North 55° 54' 35" East, 37.55 feet to a point and the principal point of beginning of the premises herein described;

Thence North 35° 18' 04" East, 109.76 feet to a point;

Thence North 30° 05' 33" East, 128.52 feet to a point;

Thence North 80° 10' 48" East, 27.22 feet to a point;

Thence South 59° 54' 27" East, 27.10 feet to a point;

Thence South 06° 55' 52" East, 29.13 feet to a point;

Thence South 30° 05' 33" West, 111.67 feet to a point;

Thence South 33° 04' 20" West, 19.32 feet to a point;

Thence South 35° 18' 04" West, 96.82 feet to a point;

Thence South 55° 59' 00" West, 20.11 feet to a point;

Thence North 54° 41' 56" West, 36.12 feet to a point;

Thence North 34° 01' 00" West, 23.27 feet to the principal point of beginning and containing 0.3875 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc. in April of 1999, be the same more or less, but subject to all legal highways.

South Ramp Parking Area

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence South 55° 59' 00" West along the centerline of Lakeside Avenue, 305.98 feet to a point;

Thence North 34° 01' 00" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the principal point of beginning of the premises herein described;

Thence South 68° 35' 45" West 256.59 feet to a point;

Thence South 34° 03' 55" East, 56.03 feet to a point on the Westerly prolongation of the Northwesterly line of Lakeside Avenue;

Thence North 55° 59' 00" East along the Northwesterly line of Lakeside Avenue, 250.35 feet to the principal point of beginning and containing 0.1610 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Section 3. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Economic Development is hereby authorized to lease to Felder Properties, Ltd. the real property as described by the legal description as follows:

South Ramp Parking Area

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence South 55° 59' 00" West along the centerline of Lakeside Avenue, 305.98 feet to a point;

Thence North 34° 01' 00" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the principal point of beginning of the premises herein described;

Thence South 68° 35' 45" West, 256.59 feet to a point;

Thence South 34° 03' 55" East, 56.03 feet to a point on the Westerly prolongation of the Northwesterly line of Lakeside Avenue;

Thence North 55° 59' 00" East along the Northwesterly line of Lakeside Avenue, 250.35 feet to the principal point of beginning and containing 0.1610 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Northwest Building Corner

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 55° 59' 00" East along the centerline of Lakeside Avenue, 265.97 feet to a point;

Thence North 34° 05' 25" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the Southeastern corner of land so conveyed to Felder Properties, Ltd. by deed dated January 12, 1999 and recorded in Document No. 19901121219 of Cuyahoga County Records;

Thence continuing North 34° 05' 25" West along the Northeastern line of land so conveyed to Felder Properties, Ltd., 132.00 feet to the Northeastern corner thereof and the

principal point of beginning of the premises herein described;

Thence South 55° 59' 00" West along the Northwesterly line of land so conveyed to Felder Properties, Ltd., and the Southwesterly prolongation thereof, 126.04 feet to a point;

Thence North 35° 18' 04" East, 22.48 feet to a point;

Thence North 33° 04' 20" East, 19.32 feet to a point;

Thence North 30° 05' 33" East, 96.86 feet to a point on the Northwesterly prolongation of the Southwesterly line of land conveyed to Felder Properties, Ltd., by deed dated January 6, 1999 and recorded in Document No. 19990106005 of Cuyahoga County Records;

Thence South 34° 05' 25" East along the Northwesterly prolongation and the Southwesterly line of land so conveyed to Felder Properties, Ltd., 57.76 feet to the principal point of beginning and containing 0.0800 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Hotel Drop-off Area

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 55° 59' 00" East along the centerline of Lakeside Avenue, 146.50 feet to a point;

Thence North 34° 05' 25" West, 49.50 feet to a point on the Northwesterly line of Lakeside Avenue and the principal place of beginning of the premises herein described;

Thence South 55° 59' 00" West along the Northwesterly line of Lakeside Avenue, 81.66 feet to a point;

Thence South 79° 44' 23" West, 16.77 feet to a point on the Northwesterly line of West 6th Street;

Thence North 34° 05' 25" West along the Northeastern line of West 6th Street, 98.99 feet to a point;

Thence North 55° 59' 00" East, 20.85 feet to a point;

Thence North 35° 18' 04" East, 74.34 feet to a point;

Thence North 55° 59' 00" East, 6.57 feet to a point on the Westerly line of land conveyed to Felder Properties, Ltd., by deed dated January 12, 1999 and recorded in Document No. 199901121219 of Cuyahoga County Records;

Thence South 34° 05' 25" East along the Westerly line of land so conveyed to Felder Properties, Ltd., 132.00 feet to the Southwesterly corner thereof and the principal place of beginning and containing 0.2592 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999; be the same more or less, but subject to all legal highways.

Summit Avenue Service Area

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street);

Thence North 34° 05' 25" West along the centerline of West 6th Street, 223.99 feet to a point;

Thence North 55° 54' 35" East, 49.50 feet to a point on the Easterly line of West 6th Street;

Thence along the arc of a curve deflecting to the left an arc of 33.80 feet, said curve having a radius of 208.23 feet, and a chord that bears North 33° 17' 59" East, 33.77 feet to a point;

Thence North 28° 38' 57" East, 121.98 feet to a point;

Thence along the arc of a curve deflecting to the right, an arc of 87.76 feet, said curve having a radius of 278.51 feet, and a chord that bears North 37° 40' 34" East, 87.39 feet to a point of tangency and the principal point of beginning of the premises herein described;

Thence South 62° 39' 30" East, 74.91 feet to a point on the Northwesterly line of land conveyed to Felder Properties, Ltd., by deed dated January 6, 1999 and recorded in Document No. 199901060005 of Cuyahoga County Records;

Thence North 24° 59' 17" East along the Northwesterly line of land so conveyed, 54.49 feet to the North-easterly corner thereof;

Thence North 34° 05' 03" West, 14.53 feet to a point;

Thence South 55° 59' 00" West, 6.21 feet to a point;

Thence North 54° 27' 51" West, 27.69 feet to a point;

Thence along the arc of a curve deflecting to the left, an arc of 66.93 feet, said curve having a radius of 278.51 feet and a chord that bears South 53° 35' 16" West, 66.77 feet to the principal point of beginning and containing 0.0812 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Summit Avenue Sidewalk Area

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street):

Thence North 34° 05' 25" West along the centerline of West 6th Street, 223.99 feet to a point;

Thence North 55° 54' 35" East, 49.50 feet to a point on the Easterly line of West 6th Street and the principal point of beginning of the premises herein described;

Thence South 34° 05' 25" East along the Easterly line of West 6th Street, 7.24 feet to a point;

Thence North 35° 18' 04" East, 96.99 feet to a point;

Thence North 30° 05' 33" East, 128.52 feet to a point;

Thence North 80° 10' 48" East, 27.22 feet to a point;

Thence South 59° 54' 27" East, 27.10 feet to a point;

Thence South 06° 55' 52" East, 29.13 feet to a point;

Thence South 30° 05' 33" West, 14.80 feet to a point;

Thence South 34° 05' 25" East, 9.48 feet to the Northwesterly corner of land conveyed to Felder Properties, Ltd., by deed dated January 6, 1999 and recorded in Document No. 199901060005 of Cuyahoga County Records;

Thence along the Northwesterly line of land so conveyed to Felder

Properties, Ltd., along the arc of a curve deflecting to the right, an arc of 39.93 feet, said curve having a radius of 1037.50 feet and a chord that bears North 25° 12' 36" East, 39.93 feet to a point of tangency;

Thence North 24° 59' 17" East along the Northwesterly line of land so conveyed, 8.89 feet to a point;

Thence North 62° 39' 30" West, 74.91 feet to a point;

Thence along the arc of a curve deflecting to the left, an arc of 87.76 feet to a point, said curve having a radius of 278.51 feet, and a chord that bears South 37° 40' 34" West, 87.39 feet to a point of tangency;

Thence South 28° 38' 57" West, 121.98 feet to a point;

Thence along the arc of a curve deflecting to the right an arc of 33.80 feet, said curve having a radius of 208.23 feet, and a chord that bears South 33° 17' 59" West, 33.77 feet to a point on the Easterly line of West 6th Street and the principal point of beginning and containing 0.0923 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in May of 1999, be the same more or less, but subject to all legal highways.

Lakeside Extension Parking Area
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, bounded and described as follows:

Beginning at the intersection of the centerlines of Lakeside Avenue (99 feet wide) (formerly Lakeside Street) and West 6th Street (99 feet wide) (formerly Bank Street):

Thence North 34° 05' 25" West along the centerline of West 6th Street, 28.03 feet to a point;

Thence South 55° 59' 00" West and parallel with the centerline of Lakeside Avenue, 21.60 feet to a point and the principal point of beginning of the premises herein described;

Thence South 69° 51' 30" West, 73.70 feet to a point;

Thence South 68° 38' 05" West, 474.66 feet to a point;

Thence North 33° 59' 23" West, 42.65 feet to a point;

Thence North 56° 02' 00" East, 269.24 feet to a point of curvature;

Thence along the arc of a curve deflecting to the right, an arc of 131.02 feet, said curve having a radius of 295.04 feet and a chord that bears North 68° 45' 17" East, 129.94 feet to a point of compound curvature;

Thence along the arc of a curve deflecting to the right, an arc of 106.30 feet, said curve having a radius of 1002.49 feet and a chord that bears South 84° 30' 49" East, 106.25 feet to a point of compound curvature;

Thence along the arc of a curve deflecting to the right, an arc of 61.95 feet, said curve having a radius of 160.32 feet and a chord that bears South 81° 22' 45" East, 61.56 feet to a point;

Thence South 34° 05' 25" East, 42.88 feet to the principal point of beginning and containing 1.0166 acres of land as calculated and described by The North Coast Engineering and Surveying Co., Inc., in April of 1999, be the same more or less, but subject to all legal highways.

Section 4. That the rent for the real property described in Section 3 shall be for One Dollar (\$1.00) per year; that the lease shall be for a term not to exceed fifty (50) years as determined by the Director of Economic Development; that the lease shall be for a term equal to the term of the leases described in Sections 1 and 2; that the lease shall be for the purpose of the provision of a public open space and the provision of parking; and that the lease shall contain any other provisions that the Director of Economic Development and Director of Law deem necessary to protect the public interest and effect the purpose of hotel development.

Section 5. That the Directors of Economic Development and Law, and other appropriate City officials, are hereby authorized to execute any other documents and certificates, and take any other actions as may be necessary or appropriate to effect the Amendments to Leases and lease authorized pursuant to this ordinance.

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

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

Ord. No. 1091-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with the Cleveland Neighborhood Development Corporation to continue the administration of the Cleveland Industrial Retention Initiative.

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 contract with the Cleveland Neighborhood Development Corporation ("CNDC") to provide the professional services necessary to administer the Cleveland Industrial Retention Initiative ("CIRI") for CIRI participants, in the total sum of Two Hundred Eighty Thousand Dollars (\$280,000.00), payable from Fund No. 17 SF 008, Request No. 1009, for the Department of Economic Development.

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

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

Ord. No. 1092-99.

By Councilman O'Malley.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 347.16 thereof, relating to drive-through establishments.

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 Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 347.16 thereof, to read as follows:

Section 347.16 Drive-Through Establishments

(a) Purpose. This section establishes regulations concerning the location and operation of drive-through establishments to achieve the following:

- (1) promote safe and efficient vehicular and pedestrian circulation at drive-through establishments to protect the health and safety of patrons, employees and nearby residents;
- (2) protect adjacent properties from the adverse effects of drive-through operations; and
- (3) prohibit the placement of drive-through establishments in locations which could be hazardous.

(b) Definitions.

(1) For purposes of this section, "drive-through establishment" means any business establishment which engages in the retail sale of products through a drive-through window or other device to motorists in their vehicles.

(2) For purposes of this section, "bypass lane" means a lane allowing motor vehicle traffic to enter and exit the site without using the drive-through lane.

(c) Location. To prevent conditions hazardous to pedestrian children, no drive-through establishment shall be erected on any lot that abuts an elementary or junior high school, park, playground or public library.

(d) Lane Requirements.

(1) All drive-through establishments shall have no fewer than the following number of off-street stacking spaces for customer vehicles in each drive-through lane at the locations indicated:

<u>Number of Spaces</u>	<u>Required Between: (location)</u>	<u>And: (location)</u>
5	Entrance Street [a]	First Station [b]
2[e]	First Station [b]	Last Station [c]
1	Last Station [c]	Exit Street [d]

[a] The right-of-way of the street from which vehicles enter the drive-through lane

[b] The drive-through station abutting each drive-through lane closest to the entrance to the such lane from the street.

[c] The drive-through station abutting each drive-through lane closest to the exit from such lane to the street.

[d] The right-of-way of the street onto which vehicles exit from the drive-through lane

[e] Requirement shall not apply to establishments having only one drive-through station

(2) Drive-through establishments shall provide a bypass lane. This requirement shall not apply; however, to establishments designed to permit motor vehicle access only by using the drive-through facilities, such as double drive-through restaurants having no customer parking.

(3) All drive-through and bypass lanes shall have a minimum width of ten (10) feet and shall be striped or marked.

(4) Pedestrian routes between the entrances to the principal structure and any parking area or sidewalk which require the crossing of drive-through lanes shall either be avoided or shall be clearly identified to pedestrians and motorists by pavements markings or signage.

(e) Litter Control. The operator of a drive-through establishment shall keep the premises free of excess litter originating from the use and shall have refuse containers readily available for use by customers.

(f) Lot Size. Drive-through establishments shall have a minimum lot width of 80 feet and a lot area of not less than 12,000 square feet.

(g) Abutting Residential Use. Drive-through establishments abutting any residential use shall conform to the applicable requirements of this division in addition to the other divisions of this Section.

(1) No drive-through establishment shall cause or create any sound at any lot line of an abutting residential use that is greater than 70 dBA.

(2) Drive-through establishments shall be landscaped and screened in conformance with Chapter 352 of the Codified Ordinances of Cleveland, Ohio, 1976.

(3) No drive-through establishment or any signage located on the site shall produce direct or indirect illumination greater than 0.5 footcandles above the level of background effect at the boundaries of any residential use.

(4) Sources of light from a drive-through establishment shall be directed, shaded, shielded or otherwise arranged so as not to produce glare in an abutting residential use.

(5) No alley between a drive-through establishment and abutting residential use shall be used for circulation of customer traffic or as a bypass lane.

(6) Retail sales from drive-through lanes of a drive-through establishment abutting a residential use shall be prohibited from 11:00 p.m. to 6:00 a.m. daily.

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

Referred to Directors of City Planning Commission, Law; Committees on City Planning, Legislation.

**FIRST READING ORDINANCE
REFERRED**

Ord. No. 1093-99.

By Councilman Dolan.

An ordinance to change the Use District for the land area south of Old Lorain Road in the proposed expanded Fairview Hospital Riveredge parking facility to a Parking District and a 'C' Area District (Map Change No. 1993, Sheet No. 12).

Whereas, Fairview Hospital has recently completed an updated campus plan which addresses the hospital's near term physical expansion and parking needs, and

Whereas, the subject property contains an existing parking lot and a wooded vacant tract of land owned by the hospital, and

Whereas, this Campus Plan recommends expansion of the existing surface lot and construction of a two-level parking deck on this property, and

Whereas, the Cleveland City Planning Commission accepted the updated campus plan by Resolution 981106 on November 6, 1998, and

Whereas, the property is bordered by the hospital, public park land and single family housing, and

Whereas, any non-residential development occurring on the subject property must be sited and designed in a manner which is not detrimental to the nearby residential and open space uses, and

Whereas, special land use, site planning, and traffic and design controls will be necessary to ensure proper development of the site, now therefore,

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

Section 1. That the Use and Area Districts of the lands bounded and described as follows,

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Rockport Township Section No. 8 and Section No. 13 and more fully described as follows: Beginning at a point on the Westerly line of Riveredge Avenue (60 feet wide) at the Southeastern corner of Sublot No. 12 in Barthelman and Colbrunn Subdivision of part of Original Rockport Township Section No. 8 as shown by the recorded plat of said Subdivision in Volume 39, Page 28 of Cuyahoga County Map Records; thence North 12°-20'-02" East along the Westerly line of Riveredge Avenue, as aforesaid, 49.99 feet to a point; thence North 77°-39'-58" West 156.00 feet to a point and the principal place of beginning; thence continuing North 77°-39'-58" West 314.34 feet to a point; thence North 01°-20'-40" East 110.19 feet to a point; thence North 08°-22'-12" East 439.59 feet to a point on the Southerly line of Old Lorain Road (60 feet wide); thence North 80°-11'-38" East along the Southerly line of Old Lorain Road, as aforesaid, 60.25 feet to a point; thence North 85°-56'-10" East along the Southerly line of Old Lorain Road, as aforesaid, 105.65 feet to a point; thence South 71°-56'-24" East along the Southerly line of Lorain Road, as aforesaid, 94.44 feet to a point; thence South 78°-24'-28" East along the Southerly line of Old Lorain Road, as aforesaid, 213.74 feet to a point; thence North 62°-50'-42" East along the Southerly line of

Old Lorain Road, as aforesaid, 147.22 feet to a point; thence North 71°-32'-42" East along the Southerly line of Old Lorain Road, as aforesaid, 131.91 feet to a point on the Westerly prolongation of the Northerly line of Fernshaw Avenue (50 feet wide); thence South 32°-55'-41" East along the Westerly prolongation of the Northerly line of Fernshaw Avenue, as aforesaid, 14.00 feet to a point; thence by the arc of a curve bearing to the left: Radius = 200.00 feet, Delta = 6°-56'-02", Arc = 24.20 feet, Chord = 24.19 feet, and Chord Bearing South 14°-26'-32" West to a point of reverse curve; thence by the arc of a curve bearing to the right: Radius = 91.00, Delta = 69°-00'-23", Arc = 109.60 feet, Chord = 103.09 feet and Chord Bearing South 45°-13'-34" West to a point and P.T. of said curve; thence South 79°-43'-46" West 43.99 feet to a point; thence by the arc of a curve bearing to the left: Radius = 284.00 feet, Delta = 24°-41'-27", Arc = 122.39 feet, Chord = 121.44 feet and Chord Bearing South 67°-23'-02" West to a point; thence by the arc of a curve bearing to the right: Radius = 166.00 feet, Delta = 30°-55'-51", Arc = 89.61 feet, Chord = 88.53 feet and Chord Bearing South 70°-30'-15" West to a point; thence North 77°-39'-58" West 63.75 feet to a point; thence South 12°-20'-02" West 499.96 feet to a point and the principal place of beginning and containing 5.3057 acres of land according to a survey by The Western Reserve Surveying Company in May, 1999, be the same more or less but subject to all legal highways. This legal is based on a map prepared by The Western Reserve Surveying Company dated May, 1999 and written by Richard F. Hantel, P. S. #5128.

And as outlined in red on the map hereto attached, be and the same are hereby changed to a Parking District and a 'C' Area District.

Section 2. That said changed designation of lands described in Section 1, shall be conditioned upon a site development plan, submitted and approved in accordance with the provisions of Section 333.02 of the Codified Ordinances and shall be subject to such terms, conditions and provisions as shall satisfy all agreements regarding the subject property entered into between Fairview Hospital, the City of Cleveland and Cleveland Metropolitan Parks.

Section 3. That the time period within which a Building Permit for such development must be issued, as established in division (b) of Section 333.02 is six (6) months for the expansion of the surface parking lot and new entrance roadway, and is hereby extended from six (6) months to twenty-four (24) months following the effective date of the Zoning Map amendment for permits for the planned parking deck.

Section 4. If the expansion of the surface lot has not been initiated within six (6) months and the parking deck has not been initiated within twenty-four (24) months following the effective date of the Zoning Map amendment, City Council may act to cause the zoning of subject property to revert to the classification that existed prior to the approval of the Zoning Map amendment.

Section 5. Notwithstanding the provisions of Chapter 352 - Land-

scaping and Screening of the codified ordinances of the City of Cleveland, the landscaped transition strip along the southern lot line of the parking facility shall be a minimum of five (5) feet in width and shall be supplemented by an additional landscaped strip a minimum of five (5) feet in width on the adjacent property, to be installed and maintained by Fairview Hospital through an easement agreement with the adjacent property owner.

Section 6. That amendments to the site development plan may be approved by the City Planning Commission and City Council if, in the determination of the Commission and Council, such amendments are generally consistent with the initial Plan and will not adversely affect nearby properties or other properties within the site development plan area.

Section 7. That no building permit shall be issued for construction within the site development plan area as described in Section 1 without administrative approval by the City Planning Commission. The City Planning Commission shall review all permit applications on the basis of the approved site development plan, as well as in accordance with general principles of site planning and architectural design.

Section 8. That no Certificate of Occupancy shall be issued for the expanded surface lot or the parking deck until the traffic generated by the expanded facility is separated from the adjacent residential neighborhood by the construction and dedication of the cul-de-sacs on Riveredge and Fernshaw as illustrated in the site development plan and as approved by the City Planning Commission, City Council and the Division of Engineering & Construction.

Section 9. That said changed designation of lands described in Section 1 shall be identified as Map Change 1993, Sheet No. 12 and shall be made upon the Building Zone Maps of the City of Cleveland along with a notation regarding the "site development plan" and shall be on file in the office of the Clerk of Council and in the office of the City Planning Commission by the appropriate person designated for such purpose with the City Planning Commission.

Section 10. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of City Planning Commission, Law; Committee on City Planning.

**FIRST READING EMERGENCY
RESOLUTION REFERRED**

Res. No. 1078-99.

By Councilman Dolan (by request).

An emergency resolution declaring the intention to vacate all that portion of Groveland Avenue.

Whereas, this Council; is satisfied that there is good cause to vacate all that portion of Groveland Avenue, 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 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: GROVELAND AVENUE (60.00 feet wide) extending West-ly from Lorain Avenue (width varies) and Riveredge Road (60.00 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.

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1027-99.

By Councilman Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Open Door Missionary Baptist Church to hang four vertical banners on utility poles (by separate permission) between 8215 and 8231 Woodland Avenue and East 82nd Street for the period of June 1, 1999 to July 30, 1999 inclusive, publicizing the Church's 75th Anniversary Celebration.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Open Door Missionary Baptist Church, 8215 Woodland Avenue, to hang four vertical banners on utility poles (by separate permission) at 8215 Woodland Avenue on Pole Numbers E/4-18-29 and E/4-18-31, and at 8231 Woodland and East 82nd Street on Pole Numbers E/4-18-32 and E/4-18-30 from the period of June 1, 1999 to July 1, 1999, publicizing the Church's 75th Anniversary Celebration, and which banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

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

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

Ord. No. 1028-99.

By Councilman Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the God's House of Prayer and Deliverance to stretch two banners on utility poles (by separate permission) on Woodland Avenue, between E. 110 & E. 111 Streets, and Woodhill Road between Kennedy & Cumberland from the period of June 10, 1999 to June 30, 1999, inclusive, publicizing a special event for the church.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the God's House of Prayer and Deliverance to stretch two banners on utility poles (by separate permission) at Woodland Avenue between East 110th and East 111th Streets, Pole Number E/4-30, and at Woodhill Road between Kennedy and Cumberland Pole Number E/4-18A-5; from the period of June 10, 1999 to June 30, 1999, publicizing a special event for the Church, and which banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 1029-99.

By Councilman Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the American Red Cross to stretch a banner on Cleveland Clinic's Overhead Pedestrian Bridge (by separate permission) at Carnegie Avenue between East 93rd and East 96th Streets for the period of June 8, 1999 to June 30, 1999 inclusive, publicizing a charitable raffle.

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

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to The American Red Cross, to stretch a banner on Cleveland Clinic's Overhead Pedestrian Bridge at Carnegie Avenue between East 93rd and East 96th Street (by separate permission), for a charitable raffle sponsored by various other organizations for the benefit of The American Red Cross, for the period of June 8, 1999 through June 30, 1999, inclusive, and which banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 1030-99.

By Councilman Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the True Holiness Temple to stretch a banner on utility poles (by separate permission) at 7710 Euclid Avenue for the period of June 5, 1999 to June 29, 1999 inclusive, publicizing a special event for the temple.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the True Holiness Temple to stretch a banner on utility poles (by separate permission) at 7710 Euclid Avenue, on pole numbers E-4-30 and K-16-23, for the period of June 5, 1999 to June 29, 1999, inclusive, publicizing a special event for their temple, and which banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 1031-99.

By Councilman O'Malley.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to our Lady of Good Counsel Church to stretch two banners on utility poles (by separate permission) on east and west sides of their parking lot on Pearl Road and on the east and west side of State Road at Mobile Court period of May 24, 1999 to June 30, 1999, inclusive, publicizing a special event for the church.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Our Lady of Good Counsel, 4423 Pearl Road, to stretch two banners on utility poles (by separate permission) on the east and west sides of their parking lot at Pearl Road, on pole numbers (CEI) 260093, (CPP) GOM 15-1, and at the east and west side of State Road at Mobile Court on two CEI poles with no numbers for the period of May 24, 1999 to June 30, 1999, inclusive, publicizing a special event for the Church, and which banners shall be approved by the Director of Public Service in consultation with the

Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 1032-99.

By Councilman Patmon.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Glenville Health Center to hang 14 vertical banners on utility poles (by separate permission) on the south side of St. Clair Ave. beginning at E. 105th St. and ending at E. 107th St. for the period of August 1, 1999 to September 1, 1999 inclusive, publicizing their service and location to the community.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Glenville Health Center, 10640 St. Clair Avenue, to hang fourteen (14) vertical banners on utility poles (by separate permission) on the south side of St. Clair Avenue beginning at East 105th Street and ending at East 107th Street, on poles that have no numbers but do have tag identification beginning at M-7-23 through and including M-7-35; for the period of August 1, 1999 to September 1, 1999 inclusive to publicize the Center's service and locations to the community, and which banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

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

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

Ord. No. 1033-99.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Public Service to issue a permit to Cleveland-Cuyahoga County Port Authority to encroach into the right-of-way of the West 9th Street Bridge with an ornamental iron security fence and gate.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to the Cleveland-Cuyahoga County Port Authority, 101 Erieside Avenue, Cleveland, Ohio 44114, its successors and assigns, for the construction, use and maintenance of an ornamental iron security fence and gate to be installed on West 9th Street Bridge into the Port of Cleveland, and which security fence and gate will encroach into the public right-of-way of the West 9th Street Bridge into the Port of Cleveland at the location more fully described in the Plans filed in the Office of the Clerk of the Council of the City of Cleveland and known as File No. 1033-99-A.

Section 2. That said ornamental iron security fence and gate shall be placed within the public right-of-way as aforesaid in Section 1, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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

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

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

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

Ord. No. 1034-99.
By Councilman Cintron.
An emergency ordinance authorizing certain persons to engage in peddling in Ward 14. (Dino Constantino).

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 14; 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 14: Dino Constantino.

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.

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

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

Ord. No. 1035-99.
By Councilman Lewis.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7721 and 7715-17 Decker Avenue to Virgil B. Long.

Whereas, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 106-05-078 and 106-05-079, as more fully described in Section 2 below, to Virgil B. Long.

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. 106-05-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 12 in Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 10 of Maps, Page 19 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Decker Avenue, now known as Decker Avenue, N.E., 183 feet 1-3/8 inches deep on the Easterly line, 183 feet 1-1/2 inches deep on the Westerly line and 35 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P.P. No. 106-05-079

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in Dinceman Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 10 of Maps, Page 19 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Decker Avenue, and extending back 183 feet 1-5/8 inches on the Westerly line 183 feet 1-1/2 inches on the Easterly line, and having a rear line of 35 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 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

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.

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

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

Ord. No. 1036-99.
By Councilmen Rybka, Sweeney and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of reconstructing War Avenue; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to employ professional design consultants; and authorizing the said director to enter into any agreements relative thereto necessary to implement the project.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of reconstructing War Avenue between East 71st Street to the westerly end thereof, for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the Director of Public Service is hereby authorized and directed to employ by contract one or more design consultants or one or more firms of design 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 public improvement authorized above.

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 compen-

sation 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 Public Service, and certified by the Director of Finance.

Section 4. That the Director of Public Service is hereby authorized to enter into such agreements as are necessary to complete the planning and construction of the Improvement.

Section 5. That the cost of the public improvement and the cost of the professional services authorized herein shall be paid from Fund No. 11 SF 401, Request No. 4305.

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.

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

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

Ord. No. 1037-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of reconstructing West 32nd Street; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to employ professional design consultants; and authorizing the said director to enter into any agreements relative thereto necessary to implement the project.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of reconstructing West 32nd Street between Walbrook Avenue to Oak Park Avenue, for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the Director of Public Service is hereby authorized and directed to employ by contract

one or more design consultants or one or more firms of design 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 public improvement authorized above.

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 fixed by the Board of Control. The contract herein authorized 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 enter into such agreements as are necessary to complete the planning and construction of the Improvement.

Section 5. That the cost of the public improvement and the cost of the professional services authorized herein shall be paid from Fund No. 11 SF 401, Request No. 4310.

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.

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

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

Ord. No. 1038-99.

By Councilman White.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Mystic Knights to stretch two (2) banners on utility poles (by separate permission) on Miles Avenue for the period of May 30, 1999 to June 30, 1999, inclusive.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Mystic Knights, 11417 Miles Avenue, Cleveland, Ohio 44105, to install, maintain and remove two (2) banners on Miles Avenue at 11407 Miles Avenue, no tag; and at 11404 Miles Avenue, no tag; to be attached to Cleveland Public Power Company utility poles, (by separate permission) for the period of May 30, 1999 to June 30, 1999, inclusive, and which banners shall be approved by

the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 1039-99.

By Councilman White.
An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contracts with the Cleveland Municipal School District and Cleveland Initiative for Education for delivery of the Summer Youth Employment Program under 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 hereby authorized to enter into contracts with the following service deliverers in amounts not to exceed those listed below, for the administration and delivery of the Summer Youth Employment Program, Title II Part B:

Cleveland Municipal School District
\$2,784,000

Cleveland Initiative for Education
\$146,000

Section 2. That the cost of the contracts authorized above shall not exceed \$2,930,000.00, and shall be paid from Fund No. 15 SF 064, Request No. 08994.

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

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

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

Ord. No. 1040-99.**By Councilman Westbrook.****An emergency ordinance to amend Section 2 of Ordinance No. 804-99, passed May 3, 1999 relating an agreement with VERIO for materials and services necessary to provide Internet access for Cleveland City Council.**

Whereas, on May 3, 1999, Council passed legislation, Ordinance No. 804-99, authorizing an agreement for Internet access for Cleveland City Council; and

Whereas, the amount of the agreement is Five Hundred Dollars (\$500.00) greater than the amount stated in the previous legislation; 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 2 of Ordinance No. 804-99, passed May 3, 1999, is hereby amended to read as follows:

Section 2. That total cost for such services and purchases herein contemplated shall not exceed Twenty-Eight Thousand Seven Hundred Ninety Dollars (**\$28,790.00**) and shall be paid Fund No. 01 SF 001.

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

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

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

Ord. No. 1041-99.**By Councilmen Cimperman and Cintron.****An emergency ordinance consenting to and approving the issuance of a permit for the 5K Run and Walk on June 26, 1999, sponsored by Lutheran SportsHealth.**

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 5K Run and Walk sponsored by Lutheran SportsHealth Center, on June 26, 1999, the route of the 5K Run & Walk will start at W. 25th and Franklin, proceed east on Franklin to W. 25th, proceed south on W. 25th to Lorain Rd., proceed east on Lorain and over the Lorain/Carnegie Bridge, proceed north on Ontario to Huron, west on Huron to the Superior/Carnegie Bridge and west on the bridge to W. 25th then

south on West 25th back to Franklin, 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 or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

Ord. No. 1042-99.**By Councilman Jackson.****An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to The MetroHealth System to stretch a banner 30 feet north of Platt, in the vicinity of MetroHealth's Clement Center for the period from July 1, 1999 to August 31, 1999, inclusive, publicizing Around the World with Health and Safety for All Ages.**

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1979, the Director of Public Service is hereby authorized and directed to issue a permit to The MetroHealth System to install, maintain and remove a banner 30 feet north of Platt, in the vicinity of MetroHealth's Clement Center for the period from July 1, 1999 to August 31, 1999, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

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

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

Ord. No. 1043-99.**By Councilman Polensek.****An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Northeast Shores Development Corporation to stretch four (4) banners, on Cleveland Public Power utility poles (by separate permission), on E. 185th St. & Neff Rd., Lake Shore Blvd. & E. 185th St., LaSalle at E. 185th St. & Pawnee at E. 185th for the period of July 13, 1999 to August 6, 1999, inclusive, to publicize their street festival.**

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1979, the Director of Public Service is hereby authorized and directed to issue a permit to the Northeast Shores Development Corporation to install, maintain and remove four (4) banners on Cleveland Public Power utility poles (by separate permission), on E. 185th St. & Neff Rd., Lake Shore Blvd. & E. 185th St., LaSalle at E. 185th St. & Pawnee at E. 185th for the period from July 13, 1999 to August 6, 1999, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 1044-99.
By Councilman Polensek.
An emergency ordinance consenting to and approving the issuance of a permit for The East 185th Street Festival Run on July 29, 1999, sponsored by Northeast Shores Development Corporation, as part of the Annual Festival.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the East 185th Street Festival Run, sponsored by Northeast Shores Development Corporation, on July 29, 1999, with the run beginning at Villa Angela/St. Joseph High School and encompass a scenic route along the westbound lanes of Lake Shore Boulevard, Euclid Creek State Park and the residential area along Lake Erie, and end at Villa Angela/St. Joseph High School, 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 or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

Ord. No. 1087-99.
By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to plant trees at various locations throughout the City of Cleveland on City-owned property, 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 labor and materials necessary to plant trees at various locations throughout the City of Cleveland on City-owned property 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 1692)

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1045-99.

By Councilman Coats.

An emergency resolution urging the U.S. Congress to amend H.R. 10, the Financial Services Modernization Act, to benefit lower income urban areas.

Whereas, since the passage of the Community Reinvestment Act (CRA) in 1977, FDIC-insured banks have loaned more than \$1.4 billion in underserved communities; and

Whereas, CRA lending has assisted in the revitalization of the City of Cleveland and has proven to be an important economic development tool to increase home ownership and economic development in low-income urban communities; and

Whereas, the Financial Services Modernization Act, H.R. 10, should include modernization of the CRA to include lending and traditional banking services whether performed by a bank or one of the new affiliates of the bank holding companies which may be formed with the passage of H.R. 10; and

Whereas, if the CRA is not amended to include traditional lending and banking services performed in the past only by banks,

the new affiliates of bank holding companies could fail to provide services to lower income communities which could adversely affect the residents of Cleveland; now, therefore

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

Section 1. That the Council of the City of Cleveland urges the members of the House Commerce Committee and the United States House of Representatives to amend H.R. 10, the Financial Services Modernization Act, to modernize the Community Reinvestment Act which would benefit lower income urban areas and spur increased economic development.

Section 2. That the Clerk is hereby requested to transmit a copy of this resolution to Speaker of the House Hastert and Congress members Kucinich, Tubbs-Jones, LaTourette, Brown and Sawyer.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1046-99.

By Councilmen Coats, Willis, Westbrook, Robinson, Britf, Gordon, Cimperman, Zonc, Johnson, Patmon.
An emergency resolution supporting stricter federal regulations for the sale and marketing of firearms.

Whereas, through the passage of numerous resolutions, this Council of the City of Cleveland has voiced its concern about the proliferation of firearms and the horrific harm that guns can inflict; and

Whereas, current federal law permits any individual, regardless of age, to purchase any rifle, shotgun or other long gun in a private sale and permits individuals over the age of 18 and under the age of 21 to purchase a handgun, including an assault pistol, in a private transaction; and

Whereas, many firearms are now sold privately at, or in association with, organized "gun shows"; and

Whereas, current federal law does not require the purchaser or transferee of a firearm acquired in a private gun show sale to undergo a background check of any kind; and

Whereas, no federal agency presently has jurisdiction to regulate or otherwise oversee the design, safety and responsible marketing of firearms; and

Whereas, the United States Senate has approved a measure exempting pawn shops from conducting background checks upon individuals redeeming firearms that were previously pawned; and

Whereas, the Internet has the potential to function as a wholly unregulated "virtual gun show" and presently features many sites devoted to commerce of firearms; now, therefore,

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

Section 1. That this Council of the City of Cleveland urges Congress and the Administration to seek legislation at the federal level that would help ensure the safety of our citizens by:

1. prohibiting the purchase or possession of a rifle or assault weapon by a juvenile; and

2. prohibiting an individual between the ages of 18 and 21 from purchasing a handgun; and

3. requiring that all purchasers of firearms in a private sale, including organized "gun shows," be subject to the same background investigation as individuals who purchase firearms from federal firearms licensees; and

4. vesting authority in the Consumer Product Safety Commission to regulate and otherwise oversee the design, safety and responsible marketing of firearms; and

5. assuring that Internet-facilitated firearms commerce is subject to the same regulation and oversight as all other commerce in firearms.

Section 2. That this Council strongly opposes any statutory or regulatory measure that would subject an individual who redeems a weapon from a pawnshop to a less scrutinized background check than the background of an individual who purchased a firearm from a federal firearms licensee.

Section 3. That the Clerk of Council is requested to transmit a copy of this Resolution to President Clinton; Vice-President Gore; Attorney General Reno; Speaker of the House Hastert; Senator DeWine; Senator Voinovich; Congressmen Kucinich, Brown, Sawyer and LaTourette; and Congresswoman Tubbs-Jones.

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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1047-99.

By Councilman Westbrook.

An emergency resolution fixing the summer schedule of meetings of the Council of the City of Cleveland.

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

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

Section 1. That the schedule of meetings during the summer months for the Council of the City of Cleveland is hereby fixed as follows:

July 14, 1999
August 11, 1999

A notice identifying the time of the meeting as well as a schedule of committee meetings, if any, to be held prior to the meeting shall be prepared by the Clerk of Council

prior to each of the above meeting dates. The Council will resume regular session at 7:00 p.m. on Monday, September 13, 1999.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1048-99.

By Councilman Cimperman.

An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit to 3877 Lakeside Ave., 1st Fl. & Bsmt., and repealing Res. No. 1552-98, objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to 3877 Lakeside Ave., 1st Fl. & Bsmt., by Res. No. 1552-98, adopted August 19, 1998; and

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

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

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

Section 1. That objection to the renewal of a D5 and D6 Liquor Permit to 3877 Lakeside Ave., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1552-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1049-99.

By Councilman Lewis.

An emergency resolution objecting to the transfer of ownership and location of a C1 and C2 Liquor Permit to 9200 Wade Park Ave.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C1 and C2 Liquor Permit from Permit No. 74678010011, Pilar M. Rodriguez, DBA La Favorita Delicatessen, 3057 W. 25th St. Front, Cleveland, Ohio 44113, 2084 W. 32nd St., to Permit No. 00035880005, AFD Grocery Inc., DBA WP Food, 9200

Wade Park Ave., Cleveland, Ohio 44106; 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 and location of a C1 and C2 Liquor Permit from Permit No. 74678010011, Pilar M. Rodriguez, DBA La Favorita Delicatessen, 3057 W. 25th St. Front, Cleveland, Ohio 44113, 2084 W. 32nd St., to Permit No. 00035880005, AFD Grocery Inc., DBA WP Food, 9200 Wade Park Ave., Cleveland, Ohio 44106 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1050-99.

By Councilman Jones.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 15015 Ohio Ave.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 5313863, Dana Mechelle Love, DBA R & W Deli, 15015 Ohio Ave., Cleveland, Ohio 44128; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 5313863, Dana Mechelle Love, DBA R & W Deli, 15015 Ohio Ave., Cleveland, Ohio 44128 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1051-99.

By Councilman Melena.
An emergency resolution withdrawing objection to the stock transfer of a C1 Liquor Permit to 3459 W. 54th St., 1st Fl., and repealing Res. No. 43-99, objecting to said stock transfer.

Whereas, this Council objected to the stock transfer of a C1 Liquor Permit to 3459 W. 54th St., 1st Fl., by Res. No. 43-99, adopted January 11, 1999; and

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

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

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

Section 1. That objection to the stock transfer of a C1 Liquor Permit to 3459 W. 54th St., 1st Fl., be and the same is hereby withdrawn and Res. No. 43-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock transfer thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1052-99.

By Councilman Melena.
An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit to 1324 W. 54th St., 1st Fl. & Bsmt., and repealing Res. No. 1481-98, objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to 1324 W. 54th St., 1st Fl. & Bsmt., by Res. No. 1481-98, adopted August 19, 1998; and

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

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

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

Section 1. That objection to the renewal of a D5 and D6 Liquor Permit to 1324 W. 54th St., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1481-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1053-99.

By Councilman Westbrook.
An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D6 Liquor Permit to 8701 Madison Ave., 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and D6 Liquor Permit from Permit No. 5940565, Mike & Beckys Place Inc., DBA Mikes Place, 8701 Madison Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44102, to Permit No. 2124014, Diannes Inc., DBA Diannes, 8701 Madison Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3 and D6 Liquor Permit from Permit No. 5940565, Mike & Beckys Place Inc., DBA Mikes Place, 8701 Madison Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44102, to Permit No. 2124014, Diannes Inc., DBA Diannes, 8701 Madison Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two

copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1054-99.

By Councilman White.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 3643 E. 116th St. & Craven.

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. 50649844402, Lawson Co. #4402, 3643 E. 116th St. & Craven, Cleveland, Ohio 44105, to Permit No. 7184705, Rana Quraaninc, DBA Nadias, 3643 E. 116th St. & Craven, 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 transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 50649844402, Lawson Co. #4402, 3643 E. 116th St. & Craven, Cleveland, Ohio 44105, to Permit No. 7184705, Rana Quraaninc, DBA Nadias, 3643 E. 116th St. & Craven, 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1707-96.

By Councilmen Patton, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4734 Lee Road to St. Paul United Methodist Church.

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

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

Ord. No. 182-99.

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 U.S. Department of Justice for the Local Law Enforcement Block Grant Program; and to enter into contract for the purchase by requirement contract of equipment and supplies needed to implement the program.

Approved by Directors of Public Safety, Finance, Law; Recommended by Committees on Public Safety, Finance.

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

Ord. No. 187-99.

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to apply for and accept a grant from the U.S. Department of Labor Employment and Training Administration for the Title IV D National Partnership and Special Training Program, Pilot and Demonstration Programs; and to enter into contract with Youth Opportunities Unlimited for the Quantum Opportunities Project.

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment, Affirmative Action and Training, Finance.

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

Ord. No. 190-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Crest Masonry, Inc. to provide economic development assistance to partially finance land acquisition, construction and site improvements to their facility to be located at Cleveland Industrial Park, Johnston Parkway, Block H, Cleveland, Ohio.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Passage not recommended by Committee on Community and Economic Development, Recommended by Committees on City Planning, Finance; when amended as follows:

1. In Section 2, at the end, strike the period and insert in lieu thereof **"and such terms shall not be modified or amended without the prior legislative authorization of Cleveland City Council."**

Amendment agreed to.

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

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

Ord. No. 254-99.

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

An emergency ordinance authorizing the Director of Port Control to execute an easement granting to the East Ohio Gas Company certain easement rights in property located on which is situated the former LSG Sky Chef Building and declaring said easement rights no longer needed for public use.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Recommended by Committees on Aviation and Transportation, City Planning, Finance.

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

Ord. No. 262-99.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located in Block H of the Cleveland Industrial Park to Crest Masonry, Inc.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Property and Recreation, City Planning, Finance.

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

Ord. No. 312-99.

By Councilman Cimperman (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Ameritech to encroach into the right-of-way of West 7th Street and College Avenue with an above-ground telephone service cabinet.

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

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

Ord. No. 370-99.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site to expand Martin Luther King, Jr. Park, for the Department of Parks, Recreation and Properties.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Property and Recreation, City Planning, Finance.

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

Ord. No. 508-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of one plan copier, for the Division of Water, Department of Public Utilities.

Approved by Directors of Public Utilities, Finance, Law; Recommended by Committees on Public Utilities, Finance; when amended as follows:

1. In the title, line 3, strike the comma after "copier" and insert in lieu thereof "**and maintenance agreement**"; and in Section 1, line 4, strike the comma after "copier" and insert in lieu thereof "**and maintenance agreement for a period not to exceed five (5) years**".

Amendment agreed to.

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

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

Ord. No. 512-99.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located in the Village of Warrensville Heights to the Cuyahoga Community College District

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Property and Recreation, City Planning, Finance; when amended as follows:

1. In Section 2, strike lines 4 and 5, in their entirety and insert in lieu thereof the following: "**Community College District at a price of Fifty Thousand Dollars (\$50,000) per acre for a total price of Nine Hundred Thousand Dollars (\$900,000).**".

2. Insert new Section 3 to read as follows:

"Section 3. That the proceeds of the sale of the property authorized above shall be deposited into the fund or funds which are designated for use by the Division of Recreation, and shall be used for various City-wide recreation purposes, which shall include playgrounds, ball fields, recreation centers, and parks."

3. Renumber existing Sections 3 and 4, respectively, to new "**Section 4**" and "**Section 5**".

4. In renumbered Section 4, at the end, strike the period and insert in lieu thereof the following: "**and a restriction that the property may only be used for a lawful purpose of the Cuyahoga County Community College District.**"

Amendments agreed to.

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

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

Ord. No. 574-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain and repair elevators, escalators and moving walkways for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

1. In Section 1, lines 6 and 7 strike "in the approximate amount as purchased during the preceding term" and insert in lieu thereof "**in the estimated sum of \$1,680,000**".

Amendment agreed to.

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

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

Ord. No. 576-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain and replace interior plants and exterior site landscaping for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Ord. No. 654-99.

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

An emergency ordinance determining the method of making various public improvements as authorized by the Year XXV Community Development Block Grant, and authorizing the Directors of Community Development, Public Service, Parks, Recreation and Properties, and Public Utilities to enter into contract for the making of the various public improvements.

Approved by Directors of Community Development, Public Service, Parks, Recreation and Properties, Public Utilities, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, Public Service, Public Parks, Recreation and Properties, Public Utilities, City Planning, Finance.

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

Ord. No. 717-99.

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

An emergency ordinance determining the method of making the public improvement of installing and maintaining dynamic/LED signs, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Recommended by Committees on Aviation and Transportation, City Planning, Finance.

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

Ord. No. 730-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds and Federal HOME Program funds for the administration of the Housing Rehabilitation Programs.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 732-99.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to expend Community Development Block Grant funds for the operation of the Project Clean Program.

Approved by Directors of Community Development, Parks, Property and Recreation, Finance, Law; Recommended by Committees on Community and Economic Development, Public Parks, Property and Recreation, Finance.

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

Ord. No. 781-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of vehicle and equipment parts and supplies needed for the repair and maintenance of airport maintenance vehicles and equipment, for the various divisions of the Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

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

Ord. No. 785-99.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to lease certain property located at the West Pier of the Cuyahoga River from the U.S. Department of the Army, Corps of Engineers for a term not to exceed twenty-five years with the City retaining the right to renew for an

additional term, and authorizing the Director of Parks, Recreation and Properties to sublease said property to End Marina Development, Inc. for a coterminous term, for the public purpose of providing public access and use of the West Pier as well as providing access to the former Coast Guard Station.

Approved by Directors of Parks, Properties and Recreation, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Properties and Recreation, City Planning, Finance.

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

Ord. No. 789-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials needed to repair, rebuild and replace cylinders, pumps, motors, valves, fuel injectors, drive shafts, gear boxes and trailers, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

Approved by Directors of Public Service, Finance and Law; Recommended by Committees on Public Service, Finance.

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

Ord. No. 790-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair, clean, core and replace radiators, heater cores, gas tanks and air conditioning units in City vehicles and equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

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

Ord. No. 791-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials needed to repair and replace automotive, truck and construction equipment glass, including related repairs, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

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

Ord. No. 792-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of tire recapping, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

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

Ord. No. 794-99.

By Councilmen Jackson and Johnson (by departmental request).

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

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 795-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Directors of Community Development and the Community Relations Board to expend Community Development Block Grant funds for fair housing services.

Approved by Directors of Community Development, Community Relations Board, Finance, Law; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 797-99.

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

An emergency ordinance authorizing the Director of Aging to expend Community Development Block Grant funds for the Senior Homeowners Assistance Program (SHAP) and the CHORE Program.

Approved by Directors of Community Development, Public Health, Finance, Law; Recommended by Committees on Community and Economic Development, Public Health, Finance; when amended as follows:

1. In Section 1, at the end, add the following: "**The Director of Aging shall appear before the Committee on Public Health in November of 1999 to report on the status of the Program.**"

Amendment agreed to.

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

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

Ord. No. 798-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds and Federal HOME funds for the operation of the Low Interest Loan and Grant Programs and to enter into contract with various agencies to implement these programs.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 799-99.

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contracts with Medical Mutual of Ohio, Medical Life Insurance Company, HMO Health Ohio, Kaiser Permanente, Aetna US Healthcare, Inc. to provide medical and life insurance coverage for City employees; and to enter into contract with a joint venture to provide dental insurance for City Employees.

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment, Affirmative Action and Training, Finance.

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

Ord. No. 836-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into contract with the Alcohol, Drug Addiction and Mental Health Services/Alcohol and Drug Addiction Services Board of Cuyahoga County to provide alcohol and drug treatment services to Medicaid-eligible individuals, for the Division of Health, Department of Public Health.

Approved by Directors of Public Health, Finance, Law; Recommended by Committees on Public Health, Finance.

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

Ord. No. 837-99.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located in Block A-3 of the Cleveland Industrial Park at 4545 Johnston Parkway, Cleveland, Ohio, to Scovill-Hanna Realty LLC.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Relieved of Committees on Economic Development, City Planning, Finance.

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

Ord. No. 879-99.

By Councilmen Willis and Johnson (by departmental request).

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

Approved by Directors of Public Utilities, Finance, Law; Recommended by Committees on Public Utilities, Finance.

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

Ord. No. 880-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of one payment processor envelope extractor machine, for the Division of Utilities Fiscal Control, Department of Public Utilities.

Approved by Directors of Public Utilities, Finance, Law; Recommended by Committees on Public Utilities, Finance.

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

Ord. No. 881-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants necessary to prepare the 1999 and 2000 annual reports and consumer information materials, for the Division of Water, Cleveland Public Power and Water Pollution Control.

Approved by Directors of Public Utilities, Finance, Law; Recommended by Committees on Public Utilities, Finance; when amended as follows:

1. In the title, line 5, and in Section 1, line 5, strike "and 2000".

Amendment agreed to.

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

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

Ord. No. 882-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide professional services to design, layout, produce and distribute the 1999 and 2000 water quality reports and other periodic reports, for the Division of Water, Department of Public Utilities.

Approved by Directors of Public Utilities, Finance, Law; Recommended by Committees on Public Utilities, Finance.

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

Ord. No. 888-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various salt spreader, insert and plow parts, including installation if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

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

Ord. No. 890-99.

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various equipment, controls and related supplies for heating, ventilating, air conditioning, and refrigeration equipment, for the Division of Property Management, Department of Parks, Recreation and Properties.

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

1. In Section 1, lines 7 and 8, strike "as purchased during the pre-

ceding year" and insert in lieu thereof "of \$165,000".

Amendment agreed to.

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

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

Ord. No. 900-99.

By Councilman Johnson (by departmental request).

An emergency ordinance providing for the issuance and sale of Bonds in the maximum principal amount of \$16,120,000 for the purpose of providing funds to improve the municipal street system and related facilities and to pay capitalized interest and all expenses incurred in connection with the issuance of the Bonds; to authorize agreements with respect to the Bonds; and to authorize the issuance of notes in anticipation of such Bonds.

Approved by Directors of Finance, Law; Recommended by Committee on Finance.

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Passed. Yeas 17. Nays 1.

Those voting yea were: Councilmen Cimperman, Cintron, Coats, Gordon, Jackson, Jones, Lewis, Melena, O'Malley, Patmon, Robinson, Rybka, Sweeney, Westbrook, White, Willis, Zone.

Those voting nay were: Councilman Polensek.

Ord. No. 901-99.

By Councilman Johnson (by departmental request).

An emergency ordinance providing for the issuance and sale of Bonds in the maximum principal amount of \$900,000 for the purpose of providing funds for the acquisition and improvement of fire-fighting apparatus and equipment, and to pay capitalized interest and all expenses incurred in connection with the issuance of the Bonds; to authorize agreements with respect to the bonds; and to authorize the issuance of notes in anticipation of such Bonds.

Approved by Directors of Finance, Law; Recommended by Committee on Finance.

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

Ord. No. 902-99.

By Councilman Johnson (by departmental request).

An emergency ordinance providing for the issuance and sale of Bonds in the maximum principal amount of \$5,180,000 for the purpose of providing funds for improving buildings and structures housing and providing for the discharge of governmental functions and services otherwise benefiting the public safety, health and welfare and to pay capitalized interest and all expenses incurred in connection with the issuance of the Bonds; to authorize agreements with respect to the Bonds; and to authorize the issuance of notes in anticipation of such Bonds.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In the title, line 3, strike "\$5,180,000" and insert in lieu thereof "\$4,960,000".

2. In the first whereas clause, line 2; in Section 1, line 2; and in Section

9, lines 3 and 4, strike "Five Million One Hundred Eighty Thousand Dollars (\$5,180,000)" and insert in lieu thereof the following "Four Million Nine Hundred Sixty Thousand Dollars \$4,960,000".

Amendments agreed to.

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

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

Ord. No. 903-99.

By Councilman Johnson (by departmental request).

An emergency ordinance providing for the issuance and sale of Bonds in the maximum principal amount of \$3,420,000 for the purpose of providing funds to improve municipal parks and recreation facilities and to pay capitalized interest and all expenses incurred in connection with the issuance of the Bonds; to authorize agreements with respect to the Bonds; and to authorize the issuance of notes in anticipation of such Bonds.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In the title, line 3, strike "\$3,420,000" and insert in lieu thereof "\$3,640,000".

2. In the first whereas clause, line 2; in Section 1, line 2; and in Section 9, lines 3 and 4, strike "Three Million Four Hundred Twenty Thousand Dollars (\$3,420,000)" and insert in lieu thereof the following: "Three Million Six Hundred Forty Thousand Dollars (\$3,640,000)".

Amendments agreed to.

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

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

Ord. No. 904-99.

By Councilman Johnson (by departmental request).

An emergency ordinance providing for the issuance and sale of Bonds in the maximum principal amount of \$2,310,000 for the purpose of providing funds for public improvements of municipal properties and easements in residential neighborhoods and to pay capitalized interest and all expenses incurred in connection with the issuance of the Bonds; to authorize agreements with respect to the Bonds; and to authorize the issuance of notes in anticipation of such Bonds.

Approved by Directors of Finance, Law; Recommended by Committee on Finance.

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

Ord. No. 950-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of diesel fuel, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Ord. No. 954-99.

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 Department of Health and Human Services, Maternal & Child Health Bureau for Phase II, Years 3 and 4, of the Healthy Family Healthy Start Program; and to enter into contracts with various entities to implement the program.

Approved by Directors of Public Health, Finance, Law; Recommended by Committees on Public Health, Finance; when amended as follows:

1. Insert a new Section 4 to read as follows:

"Section 4. That the Director of Public Health shall appear before the Committee on Public Health every six months beginning December, 1999 through the completion of Phase II, to report on the status of the program."

2. Renumber existing Section 4 to new "Section 5".

Amendments agreed to.

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

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

Ord. No. 955-99.

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 Alcohol and Drug Addiction Services Board of Cuyahoga County for the 1999-2000 Drug Prevention, Treatment and Intervention Program; to enter into an agreement with said Board for the City to receive payments from the Medicaid program; to enter into contract authorizing said director to employ one or more professional medical consultants to provide medical services, and to enter into contract for the lease of a facility necessary to implement the program.

Approved by Directors of Public Health, Finance, Law; Recommended by Committees on Public Health, Finance; when amended as follows:

1. In Section 1, line 3, strike "\$488,530.00" and insert in lieu thereof the following: **"\$464,530.00"**.

2. Insert a new Section 7 to read as follows:

"Section 7. That the Director of Public Health shall appear before the Committee on Public Health in December, 1999 to report on the status of the program."

3. Renumber existing Section 7 to new "Section 8".

Amendments agreed to.

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

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

Ord. No. 958-99.

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

An emergency ordinance to amend Section 341.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2035-87, passed October 19, 1987, relating to public land protective districts.

Approved by Directors of Community Development, City Planning Commission, Law; Recommended by Committees on Community and Eco-

nomics Development, City Planning, Legislation; when amended as follows:

1. In Section 1, at division (b) of Section 341.01, line 4, strike the legal description in its entirety and insert in lieu thereof the following:

"PUBLIC LAND**PROTECTIVE DISTRICT**

Beginning at the intersection of the center line of East 13th Street and the center line of Superior Avenue, N.E.;

Thence Southwesterly along said center line of Superior Avenue, N.E. to its intersection with the center line of East 9th Street;

Thence Southeasterly along said center line of East 9th Street to its intersection with the center line of Vincent Avenue, N.E.;

Thence Southwesterly along said center line of Vincent Avenue, N.E. to its intersection with the center line of East 6th Street;

Thence Southeasterly and Southwesterly along said center line of East 6th Street to its intersection with the center line of Euclid Avenue;

Thence Westerly along said center line of Euclid Avenue to its intersection with the center line of the Southerly side of Public Square;

Thence Southwesterly along said center line of the Southerly side of Public Square to its intersection with the center line of Ontario Street;

Thence Southeasterly along said center line of Ontario Street and continuing Southeasterly along the center line of Broadway to its intersection with the center line of Seranton Road, S.E.;

Thence Southwesterly and Northwesterly along said center line of Seranton Road, S.E. to the center line of the Cuyahoga River;

Thence Northerly and Westerly along said center line of the Cuyahoga River to its intersection with the center line of the Carter Road Bridge;

Thence Northwesterly along said center line of the Carter Road Bridge to its intersection with the center line of Canal Road;

Thence Westerly along said center line of Canal Road to its intersection with the center line of Columbus Road;

Thence Southwesterly along said center line of Columbus Road to its intersection with the center line of West Street;

Thence Northwesterly along the center line of West Street to its intersection with the center line of Merwin Street;

Thence Southwesterly along said center line of Merwin Street to its intersection with the center line of Center Street;

Thence Northwesterly along said center line of Center Street to its intersection with the center line of the Cuyahoga River;

Thence Southwesterly and Southeasterly along said center line to its intersection with the center line of the Columbus Road Bridge;

Thence Southwesterly along said center line of the Columbus Road Bridge and Columbus Road to the center line of the Hope Memorial Bridge;

Thence Westerly along said center line of the Hope Memorial Bridge to the center line of West 25th Street;

Thence Northerly along the center line of West 25th Street to its intersection with the center line of West Superior Avenue;

Thence Northeasterly along said center line of West Superior Avenue and the Superior Viaduct and along its Northeasterly prolongation to its intersection with the Northwesterly prolongation of the center line of West Superior Avenue;

Thence Northeasterly along said prolongation of the center line of West Superior Avenue and along said center line of West Superior Avenue to its intersection with the center line of West 10th Street;

Thence Northwesterly and Northwesterly along said center line of West 10th Street to its intersection with the center line of West St. Clair Avenue, N.W.;

Thence Westerly along said centerline of West St. Clair Avenue N.W., to its intersection with the center line of West 10th Street;

Thence Northwesterly and Northwesterly along said center line of West 10th Street to its intersection with the center line of Front Avenue;

Thence Westerly along said center line of Front Avenue N.W. to its intersection with the center line of the Cuyahoga River;

Thence Northerly along said center line of the Cuyahoga River to its intersection with the shore line of Lake Erie;

Thence following the shore line of Lake Erie in an Easterly direction to its intersection with the Northwesterly prolongation of the center line of East 13th Street;

Thence Southeasterly along said Northwesterly prolongation and along said center line of East 13th Street to the place of beginning, and as outlined in red on the map here to attached be and the same is now defined as the Public Land Protective District."

Amendment agreed to.

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Passed. Yeas 15. Nays 3.

Those voting yea were: Councilmen Cimperman, Cintron, Coats, Gordon, Jackson, Jones, Lewis, Melena, Polensek, Robinson, Sweeney, Westbrook, White, Willis and Zone.

Those voting nay were: Councilmen O'Malley, Patmon and Rybka.

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

Ord. No. 959-99.

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

An emergency ordinance to amend Sections 1, 3 and 4 of Ordinance No. 2831-86, passed February 9, 1987, as amended; to supplement said ordinance by adding new Sections 3a and 5; and to renumber existing Section 5 to new Section 6, relating to establishing a Community Reinvestment Area in the area bounded by Lakeside Avenue on the north, W. 6th Street on the east, St. Clair Avenue on the south, and W. 9th Street on the west; and to repeal Ordinance Nos. 1937-96, 1938-96, 550-96, 1866-97, 915-98, 2195-97 and 395-97, relative thereto.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance; when amended as follows:

1. In the title, line 6, strike "3a and 5" and insert in lieu thereof the following: **"3(a), 5, 6, 7, 8 and 9"**; and in line 9, strike "Section 6" and insert in lieu thereof **"Section 11"**.

2. In Section 1, strike amended Section 1 in its entirety and insert in lieu thereof the following:

"Section 1. That it is hereby found and determined that the area bounded by Lakeside Avenue on the north, West 6th Street on the east, St. Clair Avenue on the south, and West 9th Street on the west is expanded to include the area described in Section 341.01 of the Codified Ordinances of Cleveland, Ohio, 1976, up through and inclusive of the amendment made by Ordinance No. 958-99, passed _____, and the area described in Section 341.02 of the Codified Ordinances of Cleveland, Ohio, 1976, up through and inclusive of the amendment made by Ordinance No. 199-88, passed on March 21, 1988, and that this area is a blighted and deteriorated area and one in which housing facilities or structures of historical significance are located and new construction and repair of existing facilities or structures is discouraged. Notwithstanding the provisions of Section 303.11 of the Codified Ordinances, properties which are located within the area described above and that are also located within the Public Land Protective District, and/or a business revitalization district, a historic district, and any other district requiring design review shall be subject to the protocol developed by the Directors of Community Development and City Planning, which shall be reviewed and approved by the City Planning Committee.

Within ninety (90) days of the effective date of this ordinance, the Directors of Community Development and City Planning shall present to the City Planning Committee for review and approval a protocol for design review of properties which are located in the area described in Section 341.01 of the Codified Ordinances of Cleveland, Ohio, 1976, up through and inclusive of the amendment made by Ordinance No. 958-99, passed _____, and the area described in Section 341.02 of the Codified Ordinances of Cleveland, Ohio, 1976, up through and inclusive of the amendment made by Ordinance No. 199-88, passed on March 21, 1988, and which are also located in the Public Land Protective district, and/or business revitalization districts, historic districts and any other district requiring design review."

3. In Section 3, line 3, strike "3a and 5" and insert in lieu thereof the following: **"3(a), 5, 6, 7, 8 and 9"**.

4. In Section 3, at supplemented Section 3(a)a., line 1, after "Place at" insert **"1401-11"**.

5. In Section 3, at supplemented Section 5(a)(i), line 2, strike "40%" and insert in lieu thereof **"50%"**.

6. In Section 3, at supplemented Section 5(a)(ii), strike lines 2 and 3 in their entirety and insert in lieu thereof the following: **"projects upon which the cost of remodeling is at least Fifteen Thousand Dollars (\$15,000.00) per unit or Five Hundred Thousand Dollars (\$500,000.00) per structure and where 50% or more of"**

7. In Section 3, at supplemented Section 5(a)(iii), strike line 3 in its entirety and insert in lieu thereof the following: **"least Fifteen Thousand Dollars (\$15,000.00) per unit or Five Hundred Thousand Dollars (\$500,000.00) per structure, a period of twelve"**.

8. In Section 3, at supplemented Section 5(a)(v), strike line 3 in its

entirety and insert in lieu thereof the following: **"least Fifteen Thousand Dollars (\$15,000.00) per unit or Five Hundred Thousand Dollars (\$500,000.00) per structure, a period of twelve"**.

9. In Section 3, at supplemented Section 5, strike subdivision (b) in its entirety and insert in lieu thereof the following:

"The tax exemption rate schedule set forth above shall remain in effect from the effective date of this ordinance until December 15, 1999, but may be withdrawn sooner upon written request of the President of Cleveland City Council to the Director of Community Development. During such period until December 15, 1999, no tax exemption shall be granted without the prior written consent of the Councilmember in whose ward the property is located."

10. In Section 3, following new Section 5, insert the following:

"Section 6. That the Community Reinvestment Area hereinabove described shall expire on June 15, 2002, unless an extension is authorized by an amendment by Council.

Section 7. That the Department of Community Development shall present to City Council a biennial review concerning the status of all abatements that have been granted to property owners within the CRA created above and shall include a full report on the technical implications of sunsetting this ordinance.

Section 8. That pursuant to Ohio Revised Code Section 5709.85, the Tax Incentive Review Council of the City of Cleveland on an annual basis shall review the abatements from property taxation which have been granted in the Community Reinvestment Area hereinabove described and shall make recommendations to the Director of Community Development as authorized under Ohio Revised Code Section 5709.85.

Section 9. That pursuant to Ohio Revised Code Section 3735.69, a Housing Council shall be appointed for the Community Reinvestment Area hereinabove described. The Housing Council shall make an annual inspection of the properties within the Community Reinvestment Area hereinabove described for which abatements have been granted under Ohio Revised Code Section 3735.67 and shall hear appeals pursuant to Ohio Revised Code Section 3735.70.

Section 10. That the Director of Community Development is authorized and directed to commission a study to determine the appropriate tax exemption terms and levels for the City of Cleveland. The results of that study shall be provided to the Chairman of the Committee on Community and Economic Development and to the Clerk of Cleveland City Council no later than October 1, 1999. Council may as a result of that study, or sooner, modify from time to time the tax exemption rate schedule set forth above; however, such modification shall not be considered an amendment to this legislation. Council acknowledges that such modification may be required to meet the economic conditions existing in the City of Cleveland."

11. In Section 4, line 3, strike "Section 6", and insert in lieu thereof **"Section 11"**.

Amendments agreed to.
The rules were suspended. Yeas 18. Nays 0. Read third time in full. Passed. Yeas 15. Nays 3.

Those voting yea were: Councilmen Cimperman, Cintron, Coats, Gordon, Jackson, Jones, Lewis, Melena, Polensek, Robinson, Sweeney, Westbrook, White, Willis and Zone.

Those voting nay were: Councilmen O'Malley, Patmon and Rybka.

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

Ord. No. 960-99.

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

An emergency ordinance to amend Section 3 and 4 of Ordinance No. 1776-A-90, passed April 22, 1991; relating to establishing the City of Cleveland, except the area defined as the "Downtown Plan Area" by the Civic Vision 2000 Plan, as a Community Reinvestment Area, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith; and to repeal Ordinance Nos. 1865-97, 2366-91, 2122-96, 1788-97, 157-98, 1167-96, 1316-97, 1932-97, 553-96, 1512-93, 93-96, 1352-90, 2283-95, and 1884-91, passed by various ordinances, relating thereto.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance; when amended as follows:

1. In the title, line 2, strike "Section" and insert **"Sections 1,"**.

2. In the title, at the end, strike the period and insert the following: **"; and to supplement said ordinance by adding new Sections 4a., 4b., 4c., 4d., and 4e. thereof."**

3. In Section 1, line 1, after "Sections" insert **"1,"**.

4. In Section 1, before amended Section 3, insert the following on line 4:

"Section 1. Based upon information and data presented to the Council and contained in File No. 1776-A-90-A, it is hereby found and determined that the City of Cleveland, except the area defined as the "Downtown Plan Area" by the Civic Vision 2000 Plan, is a blighted and deteriorated area, and is an area in which housing facilities or structures of historical significance are located and new construction and repair or existing facilities or structures are discouraged. This finding of blight and deterioration shall in no way be construed as a finding of slum and blight for purposes of an eminent domain action against any property located in the area described herein."

5. In Section 1, at Section 3(a), lines 6 and 7, strike "at least twenty-five (25)"; at Section 3(b), strike (i) in its entirety and reletter (b)(ii) as new subdivision **"(1)"**; at Section 3(c), line 4, strike "twelve (12)" and insert in lieu thereof **"ten (10)"**.

6. In Section 1, at Section 3, on page 6, line 6, after "(\$5,000)," insert **"100% of"**; and at line 10, after "dwelling," insert **"100% of"**.

7. In Section 1, in Section 3, following (d)(xi), insert a new subsection to read as follows:

"(xii) The construction of new structures and the remodeling of existing structures at Permanent Parcel No. 025-19-050 at Granton Avenue; Permanent Parcel No. 001-05-012 at 10500 Edgewater Drive; and Permanent Parcel No. 002-16-034 at 6314 Franklin Boulevard are hereby

declared to be a public purpose for which exemption from real property taxation in the dollar amount by which the new construction or remodeling increased the market value of the property may be granted as follows:

a) The owners of such real property located in Permanent Parcel Nos. 025-19-050, 001-05-012, and 002-16-034 described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the following periods:

i) for every dwelling containing not more than two (2) family units upon which the cost of remodeling is at least Two Thousand Five Hundred Dollars (\$2,500.00), seven (7) years for the residential dwelling units only.

ii) for every dwelling containing more than two (2) units, upon which the cost of remodeling is at least Five Thousand Dollars (\$5,000.00), seven (7) years for the residential dwelling units only.

iii) for every newly constructed dwelling, seven (7) years for the residential dwelling units only."

iv) for every remodeled or newly constructed structure, no exemption granted for any commercial or industrial space therein."

8. In Section 1, at Section 3(e), line 1, after "below," insert "upon which the cost of remodeling is at least Fifteen Thousand Dollars (\$15,000) per unit or Five Hundred Thousand Dollars (\$500,000) per structure, and".

9. In Section 1, at Section 3, on pages 7 and 8, delete paragraph (v) in its entirety and reletter "(vi)", "(vii)", "(viii)", "(ix)" and "(x)", respectively, to new sections "(v)", "(vi)", "(vii)", "(viii)", and "(ix)".

10. In Section 1, at Section 3(e)(i)(a), lines 3, 4, and 5; Section 3(e)(ii)(a), lines 3 and 4; Section 3(e)(iii)(a), lines 3 and 4; Section 3(e)(iv)(a), lines 3 and 4; existing Section 3(e)(vi)(a), lines 3 and 4; existing Section 3(e)(vii)(a), lines 3 and 4; existing Section 3(e)(viii)(a), lines 3 and 4; existing Section 3(e)(ix)(a), lines 4 and 5; and at existing Section 3(e)(x)(a), lines 3 and 4, strike in all places "upon the cost of remodeling of at least Five Thousand Dollars (\$5,000.00)".

11. In Section 1, at Section 3(f)(i), line 2, strike "60%" and insert in lieu thereof "50%"; in Section 3(f)(ii), line 3, strike "60%" and insert in lieu thereof "50%".

12. In Section 1, at Section 3(f)(ii), lines 2 and 3; and in Section 3(f)(iii), lines 2 and 3; strike, in both places, "Five Thousand Dollars (\$5,000.00)"; and insert in all both the following: "Fifteen Thousand Dollars (\$15,000) per unit or Five Hundred Thousand Dollars (\$500,000) per structure".

13. In Section 1, at Section 3(f)(v) and (iv), strike (iv) and (v) in their entirety and insert in lieu thereof the following:

"(iv) For the construction of all other multi-family residential projects, a period of fifteen (15) years for 100% of the assessed value of the new structure.

(v) For the remodeling of all other multi-family residential projects upon which the cost of remodeling is at least Fifteen Thousand Dollars (\$15,000) per unit or Five Hundred Thousand Dollars per structure, a period of twelve (12) years for 100% of the dollar amount by which the remodeling increased the market value of the structure."

14. In Section 1, at Section 3, following subdivision (f)(v) insert the following:

"The tax exemption rate schedule set forth above shall remain in effect from the effective date of this ordinance until December 15, 1999, but may be withdrawn sooner upon written request of the President of Cleveland City Council to the Director of Community Development. During such period until December 15, 1999, no tax exemption shall be granted without the prior written consent of the Councilmember in whose ward the property is located."

15. In Section 2, line 1, after "Sections" insert "1".

16. Insert new Section 3 to read as follows:

"Section 3. That Ordinance No. 1776-A-90, passed April 21, 1991, is hereby supplemented by enacting new Sections 4a., 4b., 4c., 4d. and 4e., thereof to read, respectively, as follows:

Section 4a. That the Community Reinvestment Area hereinabove described shall expire on June 15, 2002 unless an extension is authorized by an amendment by Council.

Section 4b. That the Department of Community Development shall present to City Council a biennial review concerning the status of all abatements that have been granted to property owners within the CRA created above and shall include a full report on the technical implications of sunseting this ordinance.

Section 4c. That pursuant to Ohio Revised Code Section 5709.85, the Tax Incentive Review Council of the City of Cleveland on an annual basis shall review the abatements from property taxation which have been granted in the Community Reinvestment Area hereinabove described and shall make recommendations to the Director of Community Development as authorized under Ohio Revised Code Section 5709.85

Section 4d. That pursuant to Ohio Revised Code Section 3735.69, a Housing Council shall be appointed for the Community Reinvestment Area hereinabove described. The Housing Council shall make an annual inspection of the properties within the Community Reinvestment Area hereinabove described for which abatements have been granted under Ohio Revised Code Section 3735.67 and shall hear appeals pursuant to Ohio Revised Code Section 3735.70.

Section 4e. That the Director of Community Development is authorized and directed to commission a study to determine the appropriate tax exemption terms and levels for the City of Cleveland. The results of that study shall be provided to the Chairman of the Committee on Community and Economic Development and to the Clerk of Cleveland City Council no later than October 1, 1999. Council may as a result of that study, or sooner, modify from time to time the tax exemption rate schedule set forth above; however, such modification shall not be considered an amendment to this legislation. Council acknowledges that such modification may be required to meet the economic conditions existing in the City of Cleveland."

17. Renumber existing Sections 3 and 4, respectively to new "Section 4" and "Section 5".

Amendments agreed to.

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Passed. Yeas 15. Nays 3.

Those voting yea were: Councilmen Cimperman, Cintron, Coats, Gordon, Jackson, Jones, Lewis, Melena, Polensek, Robinson, Sweeney, Westbrook, White, Willis and Zone.

Those voting nay were: Councilmen O'Malley, Patmon and Rybka.

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

Ord. No. 961-99.

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

An emergency ordinance authorizing the Director of Community Development to apply for and accept a Section 108 Loan from the United States Department of Housing and Urban Development in order to provide economic assistance to partially finance the construction of new housing and the rehabilitation of existing housing in the Homeownership Zone; authorizing said director to enter into a contract with BFR Partners Company, LLC, or its designee, for partial financing for the construction of the project; authorizing the Director of Community Development to enter into a project agreement with BFR Partners Company, LLC, or their designee, and Burten, Bell, Carr Development Corp., or their designee, for the acquisition, clearance and redevelopment of certain lands for the project; and authorizing the Directors of Economic Development and Community Development to enter into a Neighborhood Development Investment Fund contract with BFR Partners Company, LLC, or its designee, for partial financing acquisition, remediation, site preparation and public infrastructure related to the development of housing and acquisition of land in the Homeownership Zone.

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

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

Ord. No. 962-99.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating West 40th Place, and authorizing the Director of Community Development to enter into contract for the making of such improvement.

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

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

Ord. No. 964-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with the AIDS Housing Council of Greater Cleveland, Inc. or its designee, for the construction of rental housing facilities.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Passed. Yeas 17. Nays 1.

Those voting yea were: Councilmen Cimperman, Cintron, Coats, Gordon, Jackson, Jones, Lewis, Melena, O'Malley, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White and Zone.

Those voting nay were: Councilman Willis.

SECOND READING ORDINANCE PASSED

Ord. No. 518-99.

By Councilman Cintron.
An ordinance to establish a Planned Unit Development Overlay District and approve the corresponding Planned Unit Development project on properties located at the northeast corner of West 41 Street and Bailey Avenue. (Map Change No. 1989, Sheet No. 1)

Approved by Directors of City Planning Commission, Finance, Law; Recommended by Committee on City Planning.

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

SECOND READING EMERGENCY RESOLUTIONS ADOPTED

Res. No. 1820-98.

By Councilman Cintron.
An emergency resolution declaring the intention to vacate all that portion of Hyde Court S.W.

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

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 2115-98.

By Councilman Westbrook (by request)
An emergency resolution declaring the intention to vacate all that portion of Mueller Court N.W.

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

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 34-99.

By Councilman Cintron (by request).

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

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

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 95-99.

By Councilman Jackson (by request).

An emergency resolution declaring the intention to vacate all that portion of East 32nd Place.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Recommended by

Committees on Public Service, City Planning, Finance.

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Adopted. Yeas 18. Nays 0.

THIRD READING EMERGENCY ORDINANCES PASSED

Ord. No. 100-99.

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

An emergency ordinance to amend Section 627.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 90-96, passed March 18, 1996, relating to carrying concealed weapons.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 189-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Arcade, LLC, to provide for service payments for the purpose of repayment of the revenue bonds to be issued for the purpose of assisting with the financing of the rehabilitation and redevelopment of the Old Arcade and to provide for payments to the Cleveland City School District, and to declare certain improvements to real property to be a public purpose.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 244-99.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 135.501 thereof relating to the application and acceptance of annual Drug Abuse Resistance Education grant.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 329-99.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 161.051 thereof relating to certificate of appropriateness review fee.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 415-99.

By Councilmen Cintron, Gordon, Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Service to make alterations and modifications in Contract No. 51022 with Perk Company Inc. for the rehabilitation of Fulton Road, for the Department of Public Service.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 457-99.

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

An emergency ordinance giving consent of the City of Cleveland for the repair and resurfacing of Shaker Boulevard to the State of Ohio; authorizing the Director of Public Service to enter into any agreements relative thereto.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 581-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 33-99, passed March 1, 1999, relating to a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 1999 Drug Prevention, Treatment and Intervention Program; to supplement by adding new Section 3; and to renumber existing Section 3 to "Section 4."

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 582-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of medical supplies, for the Division of Fire, Department of Public Safety, for a period not to exceed two years.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 583-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain overhead doors at various locations within the Division of Fire, Department of Public Safety, for a period not to exceed two years.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 584-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair, maintain and service MSA breathing apparatus, for the Division of Fire, Department of Public Safety, for a period not to exceed two years.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 585-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to accept a grant from the State of Ohio — Office of Criminal Justice Services for the Juvenile Accountability Incentive Block Grant Program; and to enter into contract for the lease of office space and the procurement of not to exceed seven vehicles.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 587-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance to amend Sections 2 and 5 of Ordinance No. 257-97, passed April 14, 1997, relating to expending Economic Development Initiative Grant Funds for the operation of the Empowerment Zone Business Opportunity Program and to enter into contracts under that program.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 646-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various sizes of front-end loaders and roll-off containers, for the Division of Waste Collection and Disposal, Department of Public Service.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 647-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance to amend the title and Sections 1 and 3 of Ordinance No. 1724-98, passed November 16, 1998; to supplement said ordinance by adding new Section 4 thereof; and to renumber existing Section 4 of said ordinance to new "Section 5"; relating to applying and accepting grants from the U.S. Environmental Protection Agency and the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment; and authorizing said director to enter into contracts to implement the program.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 651-99.

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of labor and materials necessary to maintain, repair and test the life safety system, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, for a period not to exceed three years.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 704-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of dry cell batteries, for the various divisions of City government, for a period not to exceed two years.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 718-99.

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 Saint Ann Foundation for the Immunization Action Plan Grant; and to enter into contract with Case Western Reserve University to implement the Program.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 719-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 2041-97, passed December 15, 1997, relating to applying for and accepting grants from the Health Start Initiative, Maternal Child Health Bureau, U.S. Department of Health and Human Services for Phase II of the Healthy Family Healthy Start Program, Phase II; and to enter into contract with various entities to implement the program.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 720-99.

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 Ohio Department of Health for

the Ryan White Planning and Evaluation Project.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 721-99.

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 Ohio Department of Health for the State AIDS Community Based Care Program.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 722-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to accept a grant from the Cuyahoga County Board of Health for the 1999 Cuyahoga County Health Promotion Project.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 723-99.

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 Ohio Department of Health for the 1999-2000 Federal Child Lead Poison Prevention Program.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 727-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts to provide for the demolition, removal or the boarding up of structures within the City of Cleveland.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 728-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for administrative expenses of the Department of Community Development; and for reimbursement of nonprofit subrecipients for the cost of the audits required by OMB Circular A-133.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 731-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for the operation of the Storefront Renovation Program.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 779-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of insurance on computer equipment, for the Division of Information Systems Services, Department of Finance, for a period of one year, with two one-year options to renew.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 780-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance to lease space at the Ninth Street Plaza Building from MJM Management Company, or its designee, for a term not to exceed one year, with one option to renew for an additional one year term, for the public purpose of office space for the Division of Information Systems Services.

Read third time. Passed. Yeas 18. Nays 0.

MOTION

By Councilman Robinson, seconded by Councilman Zone and unanimously carried that the absence of Councilman Patricia J. Britt, Councilman Michael A. Dolan, and Councilman Kenneth L. Johnson be and is hereby authorized.

The Council adjourned at 11:35 p.m. to meet on Monday, June 14, 1999, at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

Supplement to March 10, 1999 Meeting Minutes

The following supplements the minutes of the regular meeting of the Board of Control convened on Wednesday, March 10, 1999, published in The City Record Vol. 86, No. 4449, dated March 17, 1999.

The Board of Control determined at its March 10, 1999 meeting that the following resolution be adopted conditioned upon and concurrent with the passage of Ordinance No. 184-99.

Resolution No. 125-99.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Royal Landscape, Inc. for the public improvement of North Coast Harbor Improvements — Eriesside Avenue — Rotary Plaza Project, for Base Bid Items 1-38 including the 5% contingency line item, for the Division of Research, Planning & Development Department of Parks, Recreation & Properties, received on February 24, 1999, pursuant to the authority of Ordinance No. 184-99, passed _____, upon a unit basis for the improvement in the aggregate amount of Two Hundred Forty Four Thousand, Eight Hundred Twenty Six and 93/100 (\$244,826.93) Dollars, 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 sub-

contractors for Royal Landscape, Inc. on the public improvement for North Coast Harbor Improvements — Erieside Avenue — Rotary Plaza Project are hereby approved.

SUBCONTRACTORS

	RESPONSIBILITY
Cook Paving (MBE)	Concrete Work
Barrow Sign (FBE)	Signage

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

BOARD OF CONTROL

June 2, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, June 2, 1999, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Carter, Carmody, Konicek, Acting Director Borokovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Absent: None.

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. 334-99.

By Director Balraj.

Resolved, by the Board of Control of the City of Cleveland that the bid of Aero-Mark, Inc. for an estimated quantity of labor and materials necessary for painting of roadways, runways and other paved areas (Items No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 & 16) for the various divisions of the City Government, Department of Port Control, for the period of two (2) years beginning with the date of execution of a contract received on the 10th day of March, 1999, pursuant to the authority of Ordinance No. 2149-97, passed February 2, 1998, which on the basis of the estimated quantity would amount to Nine Hundred Fifty Seven Thousand Seven Hundred Eighty and no/100 Dollars (\$957,780.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 2312

which shall be certified against such contract in the sum of Two Hundred Thousand and no/100 Dollars (\$200,000.00).

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 Resolution No. 277-99, adopted by the Board of Control on May 12, 1999, approving the bid of Aero-Mark, Inc. for labor and materials necessary for painting of roadways, runways, and other paved areas (Items No. 1, 2, 3, 4, 5, 6, 7, and 8) is hereby rescinded.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Acting Director Borokovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 335-99.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Southeastern Equipment Co., Inc. for an estimated quantity of one (1) Trackless Skid/Steer Loader including option numbers 1, 2 and 3 for the Division of 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 March 26, 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 Seventy Three Thousand Eight Hundred Ninety and No/100 Dollars (\$73,890.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 09418

which shall be certified against such contract in the sum of Seventy Three Thousand Eight Hundred Ninety and No/100 Dollars (\$73,890.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Acting Director Borokovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 336-99.

By Director Jackson.

Whereas, Resolution No. 217-99, adopted by this Board on April 21, 1999, pursuant to the authority of Ordinance No. 1605-98, passed by the Cleveland City Council on October 19, 1998, authorized the Director of Parks, Recreation & Properties to enter into contract with R. DiLillo & Company as the lowest responsible bidder for the public improvement of Moreland Boulevard Median Site Improvements, bids items 1-17 and 19-20, in the aggregate amount of Two Hundred Thirty Two Thousand, Three Hundred Seventy Five and 00/100 Dollars (\$232,375.00); and

Whereas, as a result of the identification of Ordinance No. 1999-A-98, passed by the Cleveland City Council on December 14, 1998, as a source of authority and additional funding for the above mentioned improve-

ment, the City desires to amend the approval of R. DiLillo & Company's bid by deleting Base Bid Item #12 and adding Base Bid Item #18, Alternate #A1, the 5% contingency item, and increasing the contract amount, in addition to its bid for the items approved in said Resolution No. 217-99; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 217-99 adopted April 21, 1999, affirming and approving R. DiLillo & Company as lowest responsible bidder for certain Moreland Boulevard Median Site Improvements is hereby amended by substituting "Base Bid Items 1-11, 13-20 and Alternate A1, including the 5% contingency item," for "Base Bid Items 1-17 and 19-20," where appearing, by adding the words "and Ordinance No. 1999-A-98" after the words "Ordinance No. 1605-98," where appearing, by adding the words "and December 14, 1998," after the words "October 19, 1998," where appearing, and by changing the aggregate amount for the improvement to Two Hundred Fifty-Nine Thousand, One Hundred Thirteen and 75/100 Dollars (\$259,113.75).

Be it further resolved that all other provisions of said Resolution No. 217-99 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Acting Director Borokovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 337-99.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to enter into a concession agreement with APCOA, Inc. for the operation of the Gateway Garages consisting of the East Garage, located at 650 Huron Road, and the North Garage, located at 2151 Ontario Avenue, for a period not exceeding thirty (30) days commencing June 7, 1999, for such payment as is mutually acceptable to APCOA, Inc. and the Director of Parks, Recreation and Properties.

Be it further resolved that concession agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as he deems necessary to benefit and protect the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Acting Director Borokovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 338-99.

By Director Jackson.

Resolved, by the Board of Control of the City of Cleveland that the bid of Tom Paige Catering Company for an estimated quantity of Meals for the Summer Food Program, Item 1, 2, and 3, for the Division of Recreation, Department of Parks, Recreation and Properties, for the period beginning June 14, 1999 and ending August 13, 1999, received on May 28, 1999, pursuant to the authority of Ordinance

No. 320-99, passed March 29, 1999, which on the basis of the estimated quantity would amount to Two Hundred Sixty Three Thousand Five Hundred and 00/100 Dollars (\$263,500.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 4211 which shall be certified against such contract in the sum of One Hundred Nineteen Thousand and 00/100 Dollars (\$119,000.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Acting Director Borokovich, Directors Richiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 339-99.

By Director Guzman.
Resolved by the Board of Control of the City of Cleveland that the bid of Tom Paige Catering Co. for an estimated quantity of meals for prisoners, all items, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of expiration of the previous contract, received on May 20, 1999, pursuant to the authority of Ordinance No. 181-99, passed March 29, 1999, which on the basis of the estimated quantity would amount to Five Hundred Sixty Eight Thousand Three Hundred Four and 40/100 Dollars (\$568,304.40) (Net 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 0063 Prisoner meals, per specifications, which shall be certified against such contract in the sum of Fifty Thousand and no/100 Dollars (\$50,000.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Acting Director Borokovich, Directors Richiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 340-99.

By Director Jackson.
Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 311-

99, adopted May 19, 1999, approving Volume/English Enterprises, LLC for the operation of the City Hall Cafeteria Concession, is hereby amended by deleting the date "December 14, 1999" where appearing in the second paragraph and substituting therefor the date "December 14, 1998".

Be it further resolved that all other terms and provisions of said Resolution No. 311-99 not hereby amended shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Acting Director Borokovich, Directors Richiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

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, JUNE 21, 1999

9:30 A.M.

Calendar No. 99-121: 4220 Pearl Road (Ward 15)

John Lozios, owner, and Zarembo Group LLC c/o John Wojtila, agent, and CVS Pharmacy, purchaser, appeal to construct a 75 x 135, 10,125 sq. ft. one-story masonry (CVS Pharmacy) building and an 84 car parking lot all on an approximate 300' x 500' irregular shaped corner acreage parcel for which the zoning is split between General Retail Business and Multi-Family Districts at the southwesterly corner of Pearl Road and Memphis Avenue at 4220 Pearl Road; said construction being contrary to the Residential District Regulations of Section 337.08 where a pharmacy is not permitted in a

Multi-Family District and contrary to the Landscaping and Screening Requirements where a 5' medium landscaping strip is proposed along Pearl Road and a maximum 6' medium landscaping strip is required as stated in Section 352.10 of the Codified Ordinances.

Calendar No. 99-122: 7818 Lake Avenue (Ward 17)

Gregory Gianvito, owner, appeals to construct an 88' x 32' one-story masonry warehouse addition to an existing 68' x 60' existing warehouse building located in a Semi-Industry District and situated on an approximate 71' x 150' irregular shaped parcel at the northeast corner of West 79th Street and Lake Avenue at 7818 Lake Avenue; said construction being contrary to the Landscaping and Screening Requirements where a 0' landscaping strip is proposed between Lake Avenue and the parking area and a 6' landscaping strip is required as stated in Sections 352.10 and 352.11 of the Codified Ordinances.

Calendar No. 99-123: 3232 East 128th Street (Ward 4)

Mount Pleasant United Methodist Church, owner, and Community United Headstart c/o Gale Thomas, and John Rakaukas, agent, appeal to change the use of the existing basement of a 50' x 90' church building into a child care center located in a Two-Family District and situated on an 82' x 150' corner parcel at the southwest corner of Abell Avenue and East 128th Street at 3232 East 128th Street; said change of use being contrary to the Residential District Regulations of Section 337.03 as regulated in the least restricted residence district and where a day care center requires the Board of Zoning Appeals approval for adequate side yard spaces and other safeguards to preserve the character of the neighborhood as stated in the One-Family District Regulations of Section 337.02(f) of the Codified Ordinances.

Calendar No. 99-124: 611 Literary Road (Ward 13)

Tremont Ridge Phase I, Limited Partnership, owner c/o Keith Sutton, appeals to erect a 20' x 40', three-story two family dwelling house with full basement and a 20' x 20' detached private garage on a 25' x 116' lot located in a B-Multi-Family District on the south side of Literary Road at 611 Literary Road, said proposal being contrary to the information requirements of Section 327.02(d), where a plan is required for the proposed fencing, and Section 355.05 where a two-family residence on an existing lot of record requires a minimum 6,000 sq. ft. lot and a minimum 40 ft. wide lot and a 2,900 sq. ft. lot with a width of 25' is proposed, and Section 357.04 Front Yard Regulations where the proposed interior side yard aggregate is 1.6' and 3.47' and the required interior side yard aggregate is 3' and 7' for a total of 10' as required by Section 357.09 of the Codified Ordinances.

Calendar No. 99-125: 10519 Madison Avenue (Ward 18)

John F. McManus, owner, appeals to change the use of an existing 60' x 60' one-story former service station building into a repair garage for car cleaning, quick lube and oil change with minor repairs, all located in a General Retail District and

situated on a 76' x 125' corner parcel on the southeast corner of West 106th Street and Madison Avenue at 10519 Madison Avenue; said change of use being contrary to the Business District Regulations of Section 343.11(1)(2) where said premises being located approximately 40' from a Residential District to the southeast and 100' is required and the Industrial District Regulations of Section 345.03(c)(2) where an auto repair garage is permitted provided it is not within 100' of a Residential District and contrary to the Off-Street Parking and Loading Requirements of Section 349.07 where a maximum width of driveway allowed is 30' and 50' is proposed along Madison Avenue and an 80' driveway is proposed along West 106th Street and contrary to the Landscaping and Screening Requirements where a 6' landscaping strip is required along West 106th Street and Madison Avenue and a 10' strip at the rear of the property line as stated in Section 352.10 of the Codified Ordinances.

Calendar No. 99-127: 2030 West 28th Street (Ward 14)

St. Ignatius High School, owner c/o Peter Hender, Director of Plan Services, appeals to construct a parking lot for 127 cars on an approximate 240' x 250' parcel bound by West 28th Street and West 29th Street and Lorain Avenue and Keene Court; said construction and change of use being contrary to the Residential District Regulations of Section 337.03 where a parking lot is not permitted in a Two-Family District and contrary to the Landscaping and Screening Requirements where a 10' landscaping strip is required along the property lines that divide the parking for the existing buildings and a 5' strip is proposed and contrary to the Yards and Courts Regulations, where on either side of a street between two successive intersecting streets but excluding the frontage along the side lines of corner lots, a line which is set back of the street a distance equal to 15% of the average or normal depth of the lot is required and a 10' setback is proposed and a minimum and maximum of 30' setback is required along West 28th Street, West 29th Street and Keene Court as stated in Section 357.04 of the Codified Ordinances.

Calendar No. 99-129: 9614 Denison Avenue (Ward 18)

Robert P. Gillespie, owner, appeals to change the use of an existing 37' x 46' two-story building with a dwelling unit (upstairs) and one store (downstairs) into four dwelling units located in a Multi-Family District and situated on a 43' x 116' corner parcel on the northeast corner of West 97th Street and Denison Avenue; said change of use being contrary to the Yards and Courts Regulations of Section 357.05 where a 10' side yard setback is required and a 3' is proposed and Section 357.09(c) where an 8' interior side yard is required and 3' is proposed but subject to the expansion of nonconforming use and requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

Calendar No. 99-130: 2619-2621 West 14th Street (Ward 13)

Jack Wilcox, owner, and The Gathering, tenant c/o Bill Henderson, appeal to change the use of an existing 67'-2" x 29'-5" one-story wood

frame L-shaped salon-boutique and to construct a 41' x 25' one-story addition to the rear of the existing salon/boutique, all situated on a 37' x 66' parcel and located in a General Retail District on the east side of West 14th Street at 2619-2621 West 14th Street; said change of use and construction being contrary to the Off-Street Parking and Loading Requirements of Section 349.04 where 4 parking spaces are required and 0 are proposed but subject to the expansion of nonconforming use and requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 7, 1999

At the meeting of the Board of Zoning Appeals on Monday, June 7, 1999, the following appeals were heard by the Board:

The following appeals were **Approved**

Calendar No. 99-109: 13420 Wilton Avenue

Karone and Jeff Dunbrook, owners, appealed to enclose an existing front porch of an existing 1-1/2 story one family dwelling house situated on a parcel in a One-Family District.

Calendar No. 99-112: 4576-4588 West 130th Street

West 130th Street Company c/o Keith H. Raker, Arter & Hadden LLP, owners, and Lander Day Care Center Inc., prospective purchaser, and Jonathan Rich, agent, appealed to change the use of an existing one-story masonry building at 4576 West 130th Street and an existing one-story masonry building at 4588 West 130th Street into a Day Care Center where both buildings are situated on a corner parcel in a General Retail District.

The following appeal was **Denied:**

Calendar No. 99-107: 18018 Cornwall Road

Kenneth Buehner, owner, appealed to erect a wood frame porch to the front of an existing 2-1/2 story two dwelling house located in a One-Family District.

The following appeals were **Dismissed:**

Calendar No. 99-93: 10643 St. Clair Avenue

Kevin Spriggs, owner, appealed to change the use of an existing one-story masonry building into an auto detailing shop located in a Local Retail District.

Calendar No. 99-111: Appeal of Michelle Vitale

Michelle Vitale, owner, and Daniel Morris, agent, appealed under Section 766 from the refused approval of their request to vacate an alleyway of West 42nd, West 44th Place and Stardale Court, S.W.

The following appeal was **Withdrawn:**

Calendar No. 99-108: 2509 East 55th Street

Sherri Sullins appealed to change the use of an existing two-story

masonry post office building into a restaurant in a General Retail District.

The following appeals were **Postponed:**

Calendar No. 99-105: 3435 East 49th Street, a.k.a. 4910 Dalton Avenue postponed to June 21, 1999.

Calendar No. 99-106: 4164 East 97th Street postponed to June 21, 1999.

Calendar No. 99-110: 744 East 105th Street postponed to June 21, 1999.

On Monday, June 7, 1999, in Executive Session:

The following appeals were heard on Tuesday, June 1, 1999, and said decisions to **Grant** were approved and adopted by the Board on June 7, 1999:

The following appeals were **Approved:**

Calendar No. 99-98: 2882 Detroit Avenue

2888 Detroit LLC c/o Doug R. Perkowski, agent, appealed to change the use of an existing three-story masonry building into 66 residential units with 57 parking spaces in the basement and 22 surface parking spaces in the rear of the building in a Semi-Industry District.

Calendar No. 99-100: 3856 East 131st Street

H.M. Martin Funeral Home, owner c/o Daryl Mapson, agent, appealed to construct a two-story chapel addition to a 2 1/2 story funeral home and construct a one-story garage to the rear of said property in a Local Retail District; approval conditioned upon submission and approval of revised plan that shows required hard-surfacing and landscaping detail.

Calendar No. 99-33: 16501 Euclid Avenue

Harold J. Stern, owner, and Gary Fishman, attorney, appealed to install approximately 200 linear feet 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 in a Two-Family and Local Retail District; conditioned upon fencing being an opaque style, 8' in height and no barbed wire.

The following appeals were heard on Tuesday, June 1, 1999, and said decision to **Deny** was approved and adopted by the Board on June 7, 1999:

Calendar No. 99-88: Appeal of Delmar Gogol

Delmar Gogol, owner of property located at 12401 Fairview Court, appealed from being denied a Certificate of Appropriateness for the construction of new porches to the front of said dwelling and the use of dryvit siding on said building.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

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, JUNE 16, 1999

Server, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1744-97, passed by the Council of the City of Cleveland, October 20, 1997.

June 2, 1999 and June 9, 1999

FRIDAY, JUNE 18, 1999

Battery Charger, for the various divisions of the Department of Public Safety, as authorized by Ordinance No. 1954-98, passed by the Council of the City of Cleveland, December 14, 1998.

Miscellaneous Sized Steel Plates, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1220-98, passed by the Council of the City of Cleveland, August 19, 1998.

June 2, 1999 and June 9, 1999

WEDNESDAY, JUNE 23, 1999

Copy Machine — Multi-Functional Copier Rental, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 172-99, passed by the Council of the City of Cleveland, March 29, 1999.

June 2, 1999 and June 9, 1999

THURSDAY, JUNE 24, 1999

Rehabilitation and Reconstruction of East 55th Street (Phase II) Woodland Avenue to Superior Avenue, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1281-98, passed by the Council of the City of Cleveland, July 29, 1998.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

Sewer Test Tee Installation and Snaking, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 643.90 of the Codified Ordinances of the City of Cleveland, 1976.

A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, JUNE 15, 1999, 9:00 A.M., AT THE OFFICE OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO.

Rental of Snow Removal Equipment and Equipment with Operations, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 362-99, passed by the Council of the City of Cleveland, April 26, 1999.

June 2, 1999 and June 9, 1999

THURSDAY, JULY 1, 1999

Labor and Materials to Upgrade Exhaust Systems at Various Airport Sites, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 1022-97, passed by the Council of the City of Cleveland, June 16, 1997.

A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, JUNE 22, 1999, 1:00 P.M., IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135-3193.

June 2, 1999 and June 9, 1999

THURSDAY, JUNE 24, 1999

Hamlet Avenue and Adolpha Road Sewer Improvement, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 915-99, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

June 9, 1999 and June 16, 1999

WEDNESDAY, JUNE 30, 1999

Labor and Materials to Repair and Maintain Automatic Doors, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 507-99, passed by the Council of the City of Cleveland.

A PRE-BID MEETING IS SCHEDULED FOR WEDNESDAY, JUNE 23, 1999, 1:00 P.M., IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.

Labor and Materials to Maintain the High Voltage Static Pipe Transmission Cable System, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 564-97, passed by the Council of the City of Cleveland, June 2, 1997.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JUNE 23, 1999, 11:00 A.M., IN CONFERENCE ROOM B, CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE.

June 9, 1999 and June 16, 1999

The following is a list of availability RFQ'S/RFP'S. Potential proposers are directed to the following information to obtain further information and/or packages:

To obtain bid package go to:

www.clevelandairport.com

Submit Questions (prior to bid meeting) via the website or e-mail at:

proposal@clevelandairport.com

Contact Person:

Joe Dabrowski, Design Manager
(216) 676-9699 x 104
(216) 676-9778 (fax)

Request for Qualifications (RFQ) Package M-105 — Fiber Optic Backbone Network and Associated Information System, A/E Design Professionals

PRE-BID MEETING:

TUESDAY, JUNE 8, 1999, 10:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

DUE DATE:

FRIDAY, JUNE 29, 1999,
12:00 O'CLOCK NOON

**Request for Qualifications (RFQ)
Package G-325 — Centralized De-
icing Facility for CHIA, A/E Design
Professionals**

PRE-BID MEETING:

FRIDAY, JUNE 11, 1999, 10:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

DUE DATE:

TUESDAY, JULY 6, 1999,
12:00 O'CLOCK NOON

**Request for Qualifications (RFQ)
Package TMD — Terminal Modifi-
cation Designs, A/E Design Profes-
sionals**

PRE-BID MEETING:

TUESDAY, JUNE 15, 1999, 10:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

DUE DATE:

WEDNESDAY, JULY 7, 1999,
12:00 O'CLOCK NOON

**Request for Proposals (RFP)
Package AI-ERS — Environmental
Remediation Site Designs, A/E De-
sign Professionals**

PRE-BID MEETING:

WEDNESDAY, JUNE 16, 1999, 10:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

DUE DATE:

THURSDAY, JULY 8, 1999,
12:00 O'CLOCK NOON

**Request for Qualifications (RFQ)
Package — G205 — Replacement of
Existing TUG Road, A/E Design
Professionals**

PRE-BID MEETING:

THURSDAY, JUNE 17, 1999, 10:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

DUE DATE:

FRIDAY, JULY 9, 1999,
12:00 O'CLOCK NOON

**Request for Qualifications (RFQ)
Package C505 — West Hangar Road
Improvements, A/E Design Profes-
sionals**

PRE-BID MEETING:

FRIDAY, JUNE 18, 1999, 10:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

DUE DATE:

FRIDAY, JULY 9, 1999,
12:00 O'CLOCK NOON
Request for Qualifications (RFQ)

**Package — M210 — Redundant
Electrical Source for CHIA, A/E
Design Professionals**
PRE-BID MEETING:

THURSDAY, JUNE 10, 1999, 10:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

DUE DATE:

THURSDAY, JULY 1, 1999,
12:00 O'CLOCK NOON

June 2, 1999 and June 9, 1999

ADOPTED RESOLUTIONS AND ORDINANCES

Ord. No. 252-99.

**By Councilmen Westbrook and
Johnson (by departmental request).
An emergency ordinance to sup-
plement Ordinance No. 1085-94,
passed June 13, 1994, by adding new
Sections 12 and 13 thereof and to
renumber existing Section 12 to new
Section 14, relating to proffering
certain representations for purposes
of the Trust Indenture from the City
of Cleveland to the Chase Manhat-
tan Trust Company, National Asso-
ciation, as successor trustee, and
authorizing the Director of Port
Control to apply to the bond trustee
for land release.**

Whereas, this ordinance consti-
tutes an emergency measure provid-
ing for the usual daily operation of
a municipal department; now, there-
fore,

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

Section 1. That Ordinance No. 1085-
94, passed June 13, 1994, is hereby
supplemented by adding new Sec-
tions 12 and 13 thereof, to read,
respectively, as follows:

Section 12. That the City
acknowledges, states and affirms,
pursuant to Article IX of the Trust
Indenture from the City of Cleve-
land to the Chase Manhattan Trust
Company, National Association, as
successor trustee, dated November
1, 1976, as amended, that the City
desires and requests that a certain
portion of its land heretofore sub-
ject to the Trust Indenture be
released and removed from all
obligations under said Trust Inden-
ture. The portions of the land to be
released are described as Parcels A
and B in Section 1 above.

Further, the City acknowledges,
states and affirms that it is not in
default under said Indenture, and
that release of such land is neces-
sary in order to exchange the land
for certain land from NASA to
ensure that the land is within the
proper boundaries of its owners.

Section 13. That the Director of
Port Control is authorized to apply
to the Chase Manhattan Trust Com-
pany, National Association, as suc-
cessor trustee, for release of Parcels
A and B described in Section 1 pur-
suant to the Trust Indenture, dated
November 1, 1976, as amended.

Section 2. That existing Section 12
of Ordinance No. 1085-94, passed
June 13, 1994, is hereby renumbered
to new "Section 14".

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 May 24, 1999.

Effective June 3, 1999.

Ord. No. 412-99.

**By Councilmen Westbrook and
Johnson (by departmental request).
An emergency ordinance authoriz-
ing the Director of Port Control to
employ one or more professional
consultants to provide services nec-
essary to manage and maintain the
building and grounds of the Consol-
idated Rental Car Facility, for a
period of two years.**

Whereas, this ordinance consti-
tutes an emergency measure provid-
ing for the usual daily operation of
a municipal department; now, there-
fore,

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

Section 1. That the Director of
Port Control is hereby authorized to
employ by contract one or more con-
sultants or one or more firms of con-
sultants for the purpose of supple-
menting the regularly employed
staff of the several departments of
the City of Cleveland in order to pro-
vide professional services necessary
to manage and maintain the build-
ing and grounds of the Consolida-
ted Rental Car Facility for a period
of two years.

The selection of said consultants
for such services shall be made by
the Board of Control upon the nomi-
nation of the Director of Port Con-
trol from a list of qualified con-
sultants available for such employ-
ment as may be determined after a
full and complete canvass by the
Director of Port Control 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 Port Control, and
certified by the Director of
Finance.

Section 2. That the costs for such
services herein contemplated shall
be paid from Fund No. 60 SF 001,
Request No. 24855.

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 May 24, 1999.

Effective June 3, 1999, without the
signature of the Mayor.

COUNCIL COMMITTEE MEETINGS

Monday, June 7, 1999

**Public Parks, Property and Recre-
ation Committee: 9:00 A.M.**—Present:
Jones, Chairman; White, Vice Chair-
man; Britt, Polensek, Sweeney,
Willis, Zone.

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

Employment, Affirmative Action and Training Committee: 12:00 P.M.—Present: White, Chairman; Gordon, Johnson, Lewis, O'Malley, Rybka. Excused: Cintron, Vice Chairman.

Community and Economic Development Committee (joint with City Planning Committee, Legislation Committee and Finance Committee): 1:00 P.M.—Present: Jackson, Chairman; Robinson, Vice Chairman; Cimperman, Coats, Gordon, Lewis, Rybka. Cintron, Jones.

City Planning Committee (joint with Community and Economic Development Committee, Legislation Committee and Finance Committee): 1:00 P.M.—Present: Robinson, Chairman; Cimperman, Vice Chairman; Dolan, Jackson, O'Malley, Willis. Excused: White.

Legislation Committee (joint with Community and Economic Development Committee, City Planning Committee and Finance Committee): 1:00 P.M.—Present: Zone, Chairman; Johnson, Vice Chairman; Britt, Cimperman, Jackson, Bybka, Westbrook.

Finance Committee (joint with Community and Economic Development Committee, City Planning Committee and Legislation Committee): 1:00 P.M.—Present: Johnson, Chairman; Westbrook, Vice Chairman; Coats, Gordon, Lewis, Patmon, Robinson, Sweeney, Willis. Excused: Cintron, Melena.

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

Tuesday, June 8, 1999

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

Wednesday, June 9, 1999

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

Aviation and Transportation Committee: 12:30 P.M.—Present: Westbrook, Chairman; Sweeney, Vice Chairman; Cimperman, Dolan. Excused: Lewis, Patmon, White.

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed; Bold type in sections indicates amendments

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