

The City Record

Official Publication of the City of Cleveland

July the First, Nineteen Hundred and Ninety-Eight


| | |
|-----------------------------|---------------------|
| Mayor | |
| Michael R. White | |
| President of Council | |
| Jay Westbrook | |
| Clerk of Council | |
| Artha Woods | |
| 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 | Larry Moran |
| 17 | Timothy J. Melena |
| 18 | Jay Westbrook |
| 19 | Joseph J. Zone |
| 20 | Martin J. Sweeney |
| 21 | Michael A. Dolan |

| Containing | PAGE |
|---|------|
| City Council | 3 |
| The Calendar | 3 |
| Board of Control | 3 |
| Civil Service | 7 |
| Board of Zoning Appeals | 8 |
| Board of Building Standards and Building Appeals | 8 |
| Public Notices | 10 |
| Public Hearings | 10 |
| City of Cleveland Bids | 10 |
| Adopted Resolutions and Ordinances | 11 |
| Committee Meetings | 22 |
| Index | 23 |

FIRST-CLASS MAIL
U. S. POSTAGE PAID
CLEVELAND, OHIO
Permit No. 1372

First Class Mail

RECYCLE.....Save the Future

 Printed on Recycled Paper.....Council Cares

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 | 1428 Fairfield Avenue | 44113 |
| 14 | Nelson Cintron, Jr. | 3032 Vega Avenue | 44113 |
| 15 | Merle R. Gordon | 1813 Tampa Avenue | 44109 |
| 16 | Larry Moran | 3584 West 46th Street | 44102 |
| 17 | Timothy J. Melena | 6109 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—Artha Woods, 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 | | | |
| DEPT. OF LAW – Sylvester Summers, Jr., Director, Lessie M. Milton, Chief Counsel, Room 106 | | | |
| 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 – _____, Controller, Room 18 | | | |
| Information Systems Services – Hamid Manteghi, Commissioner, 1404 E. 9th St. | | | |
| DEPT. OF PUBLIC UTILITIES – Michael Konicek, 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. | | | |
| DEPT. OF PORT CONTROL – LaVonne Sheffield-McClain, Acting Director, Cleveland Hopkins International Airport, 5300 Riverside Drive; | | | |
| Cleveland Hopkins International Airport – Stephen Sheehan, Commissioner | | | |
| Burke Lakefront Airport – Michael C. Barth, Commissioner | | | |
| DEPT. OF PUBLIC SERVICE – Henry Guzmán, Director, Room 113 | | | |
| DIVISIONS – Waste Collection and Disposal – Larry Hines, Commissioner, 5600 Carnegie Avenue. | | | |
| 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 – Kenneth Nobilio, Commissioner, Room 517 | | | |
| DEPT. OF PUBLIC HEALTH – Robert O. Staib, Director, Mural Building 1925 St. Clair Avenue. | | | |
| DIVISIONS – Health – Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue | | | |
| Environment – Eric Myles, Acting Commissioner, Mural Building, 1925 St. Clair Avenue | | | |
| Correction – Thomas Hardin, Commissioner, Cooley Farms, 4041 North- field Road | | | |
| DEPT. OF PUBLIC SAFETY – William M. Denihan, Director, Room 230. | | | |
| DIVISIONS – Police – Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street | | | |
| Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue | | | |
| Traffic Engineering & Parking – David Ritz, Commissioner, 2001 Payne Ave. | | | |
| 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 – Vernon Robinson, Commissioner, East 49th & Harvard | | | |

Parking Facilities – Alfred T. Miller, Jr., 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 – Terri Hamilton, Director, 3rd Floor, City Hall.

DIVISIONS – Administrative Services – Terrence Ross, Commissioner. Neighborhood Services – Louise V. Jackson, Commissioner. Neighborhood Development – Terri Hamilton, Commissioner. Building & Housing – Lisa Thomas, Commissioner, 5th Floor, City Hall.

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Joseph Nolan, 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, Cornell P. Carter, 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 Sylvester Summers, Jr., President; Finance Director Martin L. Carmody, Jr., Secretary; Council President Jay Westbrook.

BOARD OF SIDEWALK APPEALS – Service Director Henry Guzmán; Law Director Sylvester Summers, Jr.; Councilman Roosevelt Coats.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Sylvester Summers, Jr.; Utilities Director Michael Konicek; Council President Jay Westbrook.

CITY PLANNING COMMISSION – Room 501 – Hunter Morrison, Director; Rev. Albert T. Rowan, Chairman; _____, Vice Chairman, David Bowen, Anthony J. Coyne, Lawrence A. Lumpkin, Gloria Jean Pinkney, Councilman Edward W. Rybka.

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

MORAL CLAIMS COMMISSION – Law Director Sylvester Summers, Jr.; Chairman; Finance Director Martin L. Carmody, Jr.; Council President Jay Westbrook; Councilman Roosevelt Coats; Councilman Martin J. Sweeney.

BOARD OF EXAMINERS OF ELECTRICIANS – Raymond Ossovicki, Chairman; _____, Anton J. Eichmuller, Samuel Montfort J. Gilbert Steele, Laszlo V. Kemes, Secretary.

BOARD OF EXAMINERS OF PLUMBERS – Joseph Gyorky, Chrm.; Earl S. Bumgarner, _____, Jozef Valencik, Martin Gallagher, Laszlo V. Kemes, Secretary.

CLEVELAND LANDMARKS COMMISSION – Room 519, _____, Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert Keiser, Secretary; Judge Lillian Burke, James Gibans, Hunter Morrison, Kenneth Nobilio, Theodore Sande, Randall Shorr, Shirley Thompson, Councilman Craig E. Willis.

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 Connally | 15C |
| 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, John J. O'Toole—Court Administrator, Robert C. Townsend, II—Bailiff; Kenneth Thomas—Chief Probation Officer, Michelle L. Paris—Chief Magistrate

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 85

WEDNESDAY, JULY 1, 1998

No. 4412

CITY COUNCIL

MONDAY, JUNE 29, 1998

The City Record

Published weekly under authority of the Charter of the City of Cleveland
Subscription (by mail) \$75.00 a year
January 1 to December 31
Interim subscriptions prorated \$6.00 per month
Address all communications to

ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY—Alternating

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

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

MONDAY—Alternating

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

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** White, Chairman; Moran, Vice Chairman; Britt, Cintron, Gordon, Lewis, Johnson.

MONDAY

2:00 P.M.—**Finance Committee:** Johnson, Chairman; Westbrook, Vice Chairman; Coats, Lewis, Melena, Patmon, Polensek, Robinson, Rybka, Sweeney, Zone.

TUESDAY

10:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; Robinson, Vice Chairman; Cimperman, Cintron, Coats, Gordon, Jones, Lewis, Zone.

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Patmon, Chairman; Coats, Vice Chairman; Britt, Cintron, Dolan, Jones, Lewis, Moran, Polensek.

1:30 P.M.—**City Planning Committee:** Rybka, Chairman; Robinson, Vice Chairman; Cimperman, Jackson, White, Willis, Zone.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

June 24, 1998

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, June 24, 1998, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Absent: None.

Others: Myrna Branche, Acting Commissioner, Purchases and Supplies, Laura A. Williams, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 445-98.

By Director Carmody and Acting Director Sheffield-McClain.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 139.03 of the Codified Ordinances of Cleveland, Ohio 1976, the proposal of Pinkney-Perry Insurance Agency is hereby selected upon nomination of the Director of Port Control to provide vehicle liability insurance for airport vehicles for the various divisions of the Department of Port Control.

Be it further resolved that the Directors of Finance and Port Control are hereby authorized to enter into a written contract for such insurance with Pinkney-Perry Insurance Agency based on its proposal dated May 5, 1998 for a period of five years commencing July 3, 1998. The fee for such services shall be based on a first year guaranteed

annual premium of Forty Seven Thousand Seven Hundred Forty and no/100 (\$47,740.00) for a total of approximately Two Hundred Thirty Eight Thousand Seven Hundred and no/100 (\$238,700.00).

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 446-98.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of **Wesco Distributing, Incorporated** for an estimated quantity of street lighting lamps, Group A (item nos. 1 thru 5), Group C (item nos. 13 thru 16) and Group D (item nos. 17, 18 and 19), for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on April 23, 1998, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Five Hundred Fifty Five Thousand Six Hundred Twenty Five and 44/100 Dollars (\$555,625.44), (2% - 10 Days, Net 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 10397

which shall be certified against such contract in the sum of Twenty Eight Thousand Two Hundred Twenty Nine and 28/100 Dollars (\$28,229.28).

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 447-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Leader Electric Supply Company for an estimated quantity of

street lighting lamps, Group B (item nos. 6 thru 12), for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on April 23, 1998, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Twenty Seven Thousand One Hundred Twenty Nine and 60/100 Dollars (\$27,129.60), (Net 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 10398 which shall be certified against such contract in the sum of One Thousand Five Hundred Nine and 12/100 Dollars (\$1,509.12).

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 448-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Hughes Supply, Incorporated for an estimated quantity of Adjustable Valve Boxes (items 1) for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 29th day of April, 1998, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Forty Nine Thousand Four Hundred Forty Dollars (\$49,440.00) (Net 2% 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 02143 which shall be certified against such contract in the sum of Twenty Thousand 00/100 Dollars (\$20,000.00).

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 449-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Julian Supply Corp. for an estimated quantity of Adjustable Valve Boxes (items 2 - 6) for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 29th day of April, 1998, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to One Hundred Fifty One Thousand Six Hundred Ten and 00/100 Dollars (\$151,610.00), (Net 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 02146 which shall be certified against such contract in the sum of Forty Thousand and 00/100 Dollars (\$40,000.00).

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 450-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Underground Pipe & Valve, Incorporated for an estimated quantity of service fittings (items 12, 35 and 55) for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on the 8th day of April, 1998, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Five Thousand One Hundred Eighty Four and 20/100 Dollars, (\$5,184.20), (Net 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 02141 which shall be certified against such contract in the sum of Two Thousand and 00/100 Dollars (\$2,000.00).

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities,

whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 451-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Julian Supply Corp. for an estimated quantity of service fittings (items 1, 6, 9, 20, 43, 45, 46, 53 and 54) for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on the 8th day of April, 1998, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Thirty Eight Thousand Six Hundred Twelve and 40/100 Dollars (\$38,612.40), (Net) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 02140 which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 452-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Hughes Supply, Incorporated for an estimated quantity of service fittings (items 2 - 5, 7, 8, 10, 11, 13 - 19, 24 - 31, 33, 34, 36, 47) for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on the 8th day of April, 1998, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to One Hundred Thirty Thousand Six Hundred Fifty Two and 50/100 Dollars, (\$130,652.50), (Net) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Util-

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

Requisition No. 02139 which shall be certified against such contract in the sum of Thirty Thousand and 00/100 Dollars (\$30,000.00).

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 453-98.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on April 8, 1998 for service fittings (items 48 and 44) for the Division of Water, Department of Public Utilities, pursuant to the authority of Section 129.25 of the Codified Ordinance of Cleveland Ohio, 1976, are hereby rejected.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 454-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Minuteman Plumbing Company, Inc. for an estimated quantity of labor and material to repair and/or replace water, sewer and gas lines, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 30th day of April 1998, pursuant to the authority of Ordinance No. 1085-97, passed June 16, 1997 on the basis of the estimated quantity would amount to One Hundred Fifty Thousand and no/100 Dollars (\$150,000.00), (2% 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 10392 which shall be certified against such contract in the sum of **Twenty Thousand and 00/100 Dollars, (\$20,000.00).**

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Minuteman Plumbing Company Inc., for labor and material to repair and/or replace water, sewer and gas lines for the above-mentioned requirement contract is hereby approved:

| SUBCONTRACTOR | MBE/FBE |
|----------------------|----------------|
| OMEX | 20% (MBE) |

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 455-98.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on April 23, 1998, for street lighting lamps, item nos. 17 Alt., 18 Alt. and 19 Alt., for the Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, be and the same are hereby rejected.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 456-98.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on June 10, 1998 for Crown Water Plant Phase III — Masonry Repair of Shore Shaft Building for the Division of Water, Department of Public Utilities, pursuant to the authority of Ordinance No. 965-93, passed by the Council of the City of Cleveland on July 14, 1993 are hereby rejected.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 457-98.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland, that all bids received on February 12, 1998 for Ballistic Vests, items 1 and 3, for the Division of Police, Department of Public Safety, pursuant to the authority of Ordinance No. 1167-97, passed August 12, 1997, be and the same are hereby rejected.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 458-98.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Standard Law Enforcement Co., Inc. for an estimated quantity of Ballistic Vests, item no. 2, for the Division of Police, Department of Public

Safety, for the period of one (1) year beginning with the date of execution of a contract, received on February 19, 1998, pursuant to the authority of Ordinance No. 1167-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to Thirty-Two Thousand, Eight Hundred Ninety and no/100 Dollars (\$32,890.00), (Net 20 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. 15962
22 Tactical Vests as specified, Item #2 which shall be certified against such contract in the sum of Thirty-Two Thousand Eight Hundred Ninety and no/100 Dollars (\$32,890.00).

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 Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 459-98.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Maltese Fire Equipment Company, Inc., for an estimated quantity of turnout clothing, item no. 5, for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on May 21, 1998, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Thirty Seven Thousand, Eight Hundred and 00/100 Dollars (\$37,800.00), (Net) 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. 108497
Turnout Clothing — Item no. 5 — Leather Bunker Boots
10 Pair, as specified which shall be certified against such contract in the sum of One Thousand Eight Hundred Ninety and no/100 Dollars (\$1,890.00).

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 Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 460-98.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of New Era Builders for the public improvement of rehabilitation of the fruit and vegetable arcade counters at the West Side Market for the Division of Cleveland Convention Center, Department of Parks, Recreation and Properties, received on February 12, 1998, pursuant to the authority of Ordinance No. 855-97 and 761-98, passed June 16, 1997, and May 18, 1998, respectively, for a gross price for the improvement in the aggregate amount of Nineteen Thousand, Two Hundred Twenty and 00/100ths Dollars, (\$19,220.00) is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton and Warren.

Nays: None.

Absent: Directors Nolan and Axelrod.

Resolution No. 461-98.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of ADT Security Systems, Inc. for the public improvement of rehabilitation of the security and fire alarm equipment at the West Side Market for the Division of Cleveland Convention Center, Department of Parks, Recreation and Properties, received on February 12, 1998, pursuant to the authority of Ordinance No. 855-97 and 761-98, passed June 16, 1997, and May 18, 1998, respectively, for a gross price for the improvement in the aggregate amount of Sixteen Thousand, Four Hundred Twenty-Nine and 00/100ths Dollars, (\$16,429.00) is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton and Warren.

Nays: None.

Absent: Directors Nolan and Axelrod.

Resolution No. 462-98.

By Director Jackson.

Resolved by the Board of Control of the City of Cleveland that all bids received on May 28, 1998 for City Hall Carpet Replacement Community Development, for the Division of Property Management, Department of Parks, Recreation and Properties, pursuant to the authority of Ordinance No. 1282-96, passed by the Council of the City of Cleveland on October 14, 1996, be and the same are hereby rejected.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton and Warren.

Nays: None.

Absent: Directors Nolan and Axelrod.

Resolution No. 463-98.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 126-08-042 and 126-08-043 under said Land Reutilization Program; and

Whereas, Ordinance No. 614-97 passed June 2, 1997 authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 614-97 passed June 2, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Fairfax Renaissance Development Corporation or designee for the sale and development of Permanent Parcel Nos. 126-08-042 and 126-08-043, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 (each), which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 464-98.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 119-04-081 under said Land Reutilization Program; and

Whereas, Ordinance No. 2193-97 passed March 2, 1998 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Fairfax Renaissance Development Corporation or designee has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2193-97 passed March 2, 1998 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Fairfax Renaissance Development Corporation or designee for the sale and development of Permanent Parcel No. 119-04-081, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 465-98.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 004-22-006 located at 769 Starkweather Avenue in Ward 13; and

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

Whereas, Cleveland Housing Network, Incorporated, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 13 has consented to the proposed sale;
2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;
3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Cleveland Housing Network, Incorporated for the sale and development of Permanent Parcel No. 004-22-006 located at 769 Starkweather Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 466-98.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 124-13-031 located at 2674 East 65th Street in Ward 5; and

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

Whereas, Roosevelt Wagner, Sr., abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Roosevelt Wagner, Sr. for the sale and development of Permanent Parcel No. 124-13-031 located at 2674 East 65th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 467-98.

By Director Hamilton.

Resolved, by the Board of Control of the City of Cleveland, that the bid of Business Smarts, Inc. for an estimated quantity of Eight (8) Alpha Server Disk Drives for the Division of Administrative Services, Department of Community Development, for the period of two (2) years beginning with the date of the execution of the contract received on June 10, 1998, pursuant to the authority of Ordinance No. 2458-92, passed January 25, 1993, which on the basis of the estimated quantity would amount to Eleven Thousand One Hundred Twenty Eight and

no/100 Dollars (\$11,128.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Community Development 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. N/A

which shall be certified against such contract in the sum of Eleven Thousand One Hundred Twenty Eight Dollars (\$11,128.00).

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 Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 468-98.

By Director Carmody.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1744-97 passed by the Council of the City of Cleveland October 20, 1997, the firm of Peoplesoft USA, Inc. is hereby selected upon the nomination of the Director of Finance, as determined after a full and complete canvass by the Director of Finance, as the firm of computer consultants to be employed for the purpose of obtaining a license for Peoplesoft Financials for the Public Sector software and certain services related thereto.

Be it further resolved that the Director of Finance hereby is authorized to enter into a contract with Peoplesoft USA, Inc., dated April 1998 setting forth the software to be licensed and the services to be provided with respect to such software shall provide that the fee for the software license and services shall not exceed \$1,325,000. The contract authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 469-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1071-93, passed by the Council of the City of Cleveland on June 7, 1993, SCT Utility Systems, Inc. is hereby selected upon the nomination of the Director of Public Utilities from a list of computer software and service firms determined, after a full and complete canvass by said Director, as the

firm to be employed by contract for the purpose of supplementing the regularly employed staff of several departments of the City of Cleveland in order to provide professional services necessary to implement a customer information system for the Division of Cleveland Public Power, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a written contract with SCT Utility Systems, Inc. based upon its proposal dated January 6, 1998, which contract shall be prepared by the Director of Law and shall provide for furnishing of professional services as contained in such proposal and shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the work shall commence upon execution of said contract and shall further provide that the aggregate fee will not be in excess of \$2,114,000.00.

Be it further resolved that the employment of the following subcontractor to SCT Utility Systems, Inc. is hereby approved:

SUB-CONTRACTOR WORK

Optimum Technology
(MBE 7.8%)

Installation of software,
data conversion and training

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Director Sheffield-McClain, Directors Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, 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, JULY 13, 1998

9:30 A.M.

Calendar No. 98-126: 1043 East 62nd Street

American Metal Treating Company, owner, c/o Dick Roenn, appeals, to add an 81' x 110' one-story masonry extension for additional production and warehouse space to the south wall of the existing 120' x 140' irregular "L" shaped one-story masonry manufacturing building, all on a 282' x 140' parcel located in a Two-Family/Local Retail Business/Semi-Industry District on the east side of East 62nd Street at 1043 East 62nd Street; said addition to be located within the Local Retail Business District portion of the property contrary to the retail limitations of Section 343.01 and the expansion limitations of Section 359.01 and contrary to the landscaping and screening regulations of Section 352.10 of the Codified Ordinances.

Calendar No. 98-127: 7806 Myron Avenue, N.E.

David Perry, owner, appeals to add an 18' x 13' one-story frame bathroom and bedroom extension to the rear wall of the 25' x 30' two-story frame one-family dwelling house on a 40' x 70' lot located in a Two-Family District at 7806 Myron Avenue; said addition being contrary to the required rear yard regulations where 6' of rear yard is proposed instead of the minimum 20' in depth as required by Section 357.08(b)(1) and contrary to the expansion limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 98-128: 856 London Road, N.E.

Peggy Lincoln, owner, appeals to convert the nonconforming store-room to a dwelling unit for a total of four dwelling units in the 35' x 50' 2-story masonry store-and-suites building on a 38' x 88' irregular shaped corner lot located in a Multi-Family District on the southwest corner of London Road and Kipling Avenue at 856 London Road; the south side yard being 0' instead of 8' in width as required by Section 357.09(b)(2)(c) and with 7' distance to the adjoining dwelling house to the south instead of 10' therefrom as required by Section 357.09(b)(2)(A) and the rear parking spaces to be 0' from said building instead of 10' therefrom as required by Section 349.05 and said conversion being subject to the substitution limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 98-129: 3467 West 145th Street

James F. Dreher, owner, appeals, to erect a 36' x 26' one-story frame private garage on the rear of a 48' x 140' irregular shaped parcel located in a Two-Family District and occupied in front by a two-story one family dwelling house at 3467 West 145th Street; the total floor area of said proposed garage to be 936 square feet instead of the 779 square feet maximum as limited by Section 337.23(a)(7)(A) of the Codified Ordinances.

Calendar No. 98-131: 478 East 152nd Street

Jean Raddell, owner, and Raddell's Sausage Shop Incorporated, tenant, c/o Tom Raddell, appeal, to raze the 30' x 24' one-story frame northerly extension of the nonconforming sausage store building and to construct a 38' x 39' 4" (1495 sq. ft.) one-story masonry extension to the north wall of the remaining 55' x 25' (1145 sq. ft.) masonry store building, all on a 277' x 102' triangular shaped corner parcel located in a Two-Family, Multi-Family and Local Retail Business District on the northwest corner of East 152nd Street and Westropp Avenue at 478 East 152nd Street, said construction and use within the residence districts being contrary to the residence limitations of Sections 337.03 and 337.08 and said proposal to be contrary to the landscaping and screening regulations of Section 352.10 where a 6' landscaped strip is required along Westropp Avenue and 0' is proposed and said proposal to be contrary to the expansion limitations of Section 359.01 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, JUNE 29, 1998

At the Meeting of the Board of Zoning Appeals on Monday, June 22, 1998, the following appeals were heard by the Board, and, on Monday, June 29, 1998 were decided by the Board.

The following appeals were **Refused**:

Calendar No. 98-104: 1198 Old River Road

Rivers Edge Inc. c/o Robert F. Ewolski, president, appealed, under Section 76-6 of the Charter of the City of Cleveland and Section 690.13 of the Codified Ordinances from the refusal to issue a Dance Hall License.

Calendar No. 98-108: 3170 Warren Road, N.W.

The Church in Cleveland, owner c/o James Yang, trustee, appealed, to construct an additional 10 car parking and to erect a 50' x 60' two-story masonry building with school classrooms.

Calendar No. 98-109: 4281 West 30th Street

Marie Pineiro, owner, appealed, to erect a 48" x 31" (approximately 10 sq. ft.) non illuminated business wall sign.

The following appeal was **Postponed** to July 20, 1998.

Calendar No. 98-110: 9617 Heath Avenue, S.E.

The following appeals were **Withdrawn**:

Calendar No. 97-57: 1690 Columbus Road.

Calendar No. 97-131: 3741 Ridge Road, S.W.

EUGENE CRANFORD, JR.,
Secretary

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

Re: Report of the Meeting of
June 24, 1998

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

* * *

Docket A-59-98.

RE: Appeal of Herbert Kay, Owner of the Property located on the premises known as 7300 Clark Avenue from a NOTICE OF VIOLATION — FIRE CODE of the Commissioner of the Division of Fire dated March 10, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).
No action this date; Docket A-59-98 will be rescheduled for July 22, 1998.

* * *

Docket A-64-98.

RE: Appeal of John McPherson, Owner of the Property located on the premises known as 10919 Franklin Boulevard from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire dated March 27, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).
No action this date; Docket A-64-98 will be rescheduled for July 22, 1998.

* * *

Docket A-68-98.

RE: Appeal of Judy Hlas, Owner of the Property located on the premises known as 3303 Superior Avenue from a NOTICE OF VIOLATION/RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated March 18, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to require that the Appellant restore the structure to it's original condition, and to correlate the patching and repairs as recommended by the Division of Building and Housing with the contractor; the property is REMANDED at this time to the Division of Building and Housing for supervision and further action; the Appellant is directed to present to the Division of Building and Housing a contractor and site visit to correlate those activities within the next four weeks (4 wks.). Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

* * *

Docket A-74-98.

RE: Appeal of Mohammad A. Hammad & Inan M. Hammad, Owners of the Property located on the premises known as 4323 Clark Avenue from a VACATE ORDER/RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated March 26, 1998 & March 30, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant one month (1 mo.) in which to obtain permits and three months (3 mos.) in which to complete abatement of the violations, the property is REMANDED at this time to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Williams.

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

* * *

Docket A-76-98.

RE: Appeal of Cleveland Container Recycling Corp., Owner of the Property located on the premises known as 9520 Richmond Avenue from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire dated March 24, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action this date; Docket A-76-98 will be rescheduled for July 22, 1998.

* * *

Docket A-78-98.

RE: Appeal of 1799-1873 Beall Avenue Co., Inc., Owner of the Property located on the premises known as 6605 Clark Avenue from a NOTICE OF VIOLATION — ELECTRICAL of the Commissioner of the Division of Building and Housing dated April 8, 1998; and a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire dated April 7, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-78-98 has been POSTPONED; to be rescheduled for July 22, 1998.

* * *

Docket A-79-98.

RE: Appeal of Willie Mae Hopkins, Owner of the Residential Property located on the premises known as 871 East 143rd Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated March 26, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 871 East 143rd Street to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-80-98.

RE: Appeal of Transamerica Financial Services Co./Fairbanks Capital Corporation, Mortgagee of the Residential Property located on the premises known as 2055 West 80th Street from a 30 DAY M/S CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated March 31, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-80-98 has been POSTPONED; to be rescheduled for July 8, 1998.

Docket A-83-98.

RE: Appeal of William Billingslea Jr., Owner of the Residential Property located on the premises known as 10301-03 Somerset Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated April 8, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant one month (1 mo.) in which to obtain permits and begin abatement of the violations. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing for supervision and required further action, with the understanding that satisfactory progress will allow the Appellant to continue to improve the property. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Williams.

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

* * *

Docket A-86-98.

RE: Appeal of Aaron C. Callahan, Owner of the Residential Property located on the premises known as 2357 East 79th Street from a 30 DAY CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated March 6, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's 30 DAY CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three months (3 mos.) in which to complete abatement of the violations, with the provision that all necessary permits be obtained within fourteen days (14 das.) and to grant an extension of time on the existing rehabilitation permit in which to complete abatement of the violations. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by October 8, 1998. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

* * *

Docket A-89-98.

RE: Appeal of Sue E. Zakaib, Owner of the Property located on the premises known as 11108 Primrose Avenue from a NOTICE OF VIOLATION — ELECTRICAL of the Commissioner of the Division of Building and Housing dated May 8, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 11108 Primrose Avenue to the Division of Building and Housing for further action, with the provision that the Appellant be directed as to which violations constitute the hazards that are severe enough to keep the building closed, noting that as soon as those hazards are abated, to permit the property to be reopened for abatement of the other violations. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

Docket A-101-98.

RE: Appeal of Susan M. Watts, Owner of the Residential Property and Proposed Swimming Pool located on the premises known as 2964 East 61st Street from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated June 10, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to the ten foot (10 ft.) requirement and permit the swimming pool to be installed as indicated on the drawings, noting that there is a six foot (6 ft.) high stockade fence around the property and that the pool is four feet (4 ft.) high and five feet (5 ft.) from each property line, also noting the agreement one adjacent neighbor and most of the block. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

APPROVAL OF RESOLUTIONS:

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

- A-65-98—BancOklahoma Mortgage Corp.
- A-77-98—Homeside Lending, Inc.
- A-96-98—Roman Maciag
- A-98-98—Sam Riolo
- A-99-98—John W. Carte

Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Not Voting: Mr. Sullivan.

* * *

APPROVAL OF MINUTES:

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

June 10, 1998

Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Not Voting: Mr. Sullivan.

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

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

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

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

PUBLIC NOTICE

June 30, 1998

Ms. Artha Woods
Clerk of Council
City of Cleveland
601 Lakeside Avenue
Cleveland, Ohio 44114

Re: No Smoking Policy for Cleveland Hopkins International Airport

Dear Ms. Woods:

Please publish the attached letter to Council President Westbrook regarding the new no smoking policy for Cleveland Hopkins International Airport in the July 1 and July 8, 1998 City Record.

Thank you.

Sincerely,
LaVONNE SHEFFIELD-McCLAIN
Acting Director of Port Control

**NO SMOKING POLICY
DEPARTMENT OF PORT CONTROL
CLEVELAND HOPKINS
INTERNATIONAL AIRPORT**

Pursuant to the authority of Sections 121.04 and 571.76 of the Codified Ordinances of the City of Cleveland, Ohio, 1976, the Department of Port Control, through its Director and Commissioner of Cleveland Hopkins International Airport, hereby adopts the following No Smoking Policy, effective July 1, 1998.

Smoking is strictly prohibited in any City-owned building located on Airport property, including all leased premises, restaurants, cocktail lounges and airline clubs.

Anyone who violates this policy shall be subject to the penalties set forth in Section 571.99 of the Codified Ordinances.

July 1, 1998 and July 8, 1998

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 12S, City Hall, in accordance with the appended schedule, and will be opened and read in Room 12S, City Hall, immediately thereafter.

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

THURSDAY, JULY 9, 1998

West 10th Street and St. Clair Avenue Sewer, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 2021-97, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK 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.

A MANDATORY PRE-BID MEETING WILL BE HELD ON MONDAY, JULY 6, 1998, 9:00 A.M., AT THE OFFICE OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

June 24, 1998 and July 1, 1998

FRIDAY, JULY 10, 1998

Repair of Valves at Morgan Water Plant, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 67-98, passed by the Council of the City of Cleveland April 6, 1998.

A PRE-BID MEETING WILL BE HELD ON THE SITE AT THE

MORGAN PUMPING STATION, 1245 WEST 45TH STREET, CLEVELAND, OHIO 44102, THURSDAY, JULY 2, 1998, 9:30 A.M. THE GATE VALVE AND ONE OF THE CONE VALVES WILL BE AVAILABLE FOR INSPECTION ON THAT DATE UNTIL THE BID OPENING DATE.

Various Spreader, Insert and Plow Parts, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 429-98, passed by the Council of the City of Cleveland, May 18, 1998.

June 24, 1998 and July 1, 1998

WEDNESDAY, JULY 15, 1998

One Mail Inserter Processing System, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2100-97, passed by the Council of the City of Cleveland, February 2, 1998.

City Hall Carpet Replacement — Community Development, for the Division of Architecture, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1282-96, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK 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 24, 1998 and July 1, 1998

THURSDAY, JULY 16, 1998

Curb Bumpers and Plow Blades, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 299-98, passed by the Council of the City of Cleveland, May 18, 1998.

June 24, 1998 and July 1, 1998

FRIDAY, JULY 17, 1998

Decorative Safety Post Light Program (Installation), for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 508-98, passed by the Council of the City of Cleveland, May 25, 1998.

A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, JULY 9, 1998, 3:00 P.M., AT THE CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Ford Passenger Car Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 553-98, passed by the Council of the City of Cleveland, May 18, 1998.

EZ Pack Packer Parts, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 552-98, passed by the Council of the City of Cleveland, May 18, 1998.

June 24, 1998 and July 1, 1998

FRIDAY, JULY 24, 1998

Chevrolet Car and Light Duty Truck Parts and Repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 555-98, passed by the Council of the City of Cleveland, May 18, 1998.

June 24, 1998 and July 1, 1998

WEDNESDAY, JULY 15, 1998

Crown Water Plant Expansion Phase III, Masonry Repair of Shore Shaft Building, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 965-93, passed by the Council of the City of Cleveland, July 14, 1993.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK 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.

A PRE-BID MEETING FOLLOWED BY A WALK THROUGH WILL BE HELD ON FRIDAY, JULY 10, 1998, 10:00 A.M., AT THE CROWN WATER PLANT, 955 CLAGUE ROAD, WESTLAKE, OHIO 44145.

July 1, 1998 and July 8, 1998

THURSDAY, JULY 16, 1998

Sidewalk Community Development Block Grant Program, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 619-98, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK 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.

Removal of Rubber and Paint from Paved Surfaces, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 239-98, passed by the Council of the City of Cleveland, April 6, 1998.

A PRE-BID MEETING WILL BE HELD ON MONDAY, JULY 6, 1998, 1:30 P.M., IN THE DEPARTMENT OF PORT CONTROL'S

BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44145.

July 1, 1998 and July 8, 1998

THURSDAY, JULY 23, 1998

Guard Rail Elements, Posts, End Wings and Hardware, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 301-98, passed by the Council of the City of Cleveland, May 18, 1998.

One (1) Digital Epex Voice/Data Communication System, for the Division of Information Systems Services, Department of Finance, as authorized by Ordinance No. 1174-97, passed by the Council of the City of Cleveland, July 16, 1997.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, JULY 14, 1998, 2:00 P.M., AT THE JUSTICE CENTER, 1200 ONTARIO, 10TH FLOOR, BAILIFF CONFERENCE ROOM.

July 1, 1998 and July 8, 1998

FRIDAY, JULY 24, 1998

Chevrolet Medium Duty Truck Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 555-98, passed by the Council of the City of Cleveland, May 18, 1998.

July 1, 1998 and July 8, 1998

ADOPTED RESOLUTIONS AND ORDINANCES

Ord. No. 1450-96.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Contract No. 44164 with APCOA/Etna Parking, a joint venture, to increase the leased premises on a temporary basis, for the Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into an Amendment to Lease between the City and APCOA/Etna Parking, a joint venture ("Lessee"), City Contract No. 44164, to temporarily increase the leased premises from 9.77 acres to approximately 15.6 acres. The additional premises shall be used for vehicle parking only until such time as the new parking garage is open for use by the public. Upon 15

days of the date of the opening of the final phase of the garage, the amendment authorized herein shall terminate; Lessee's rights and obligations to use and occupy the additional premises thereunder shall cease.

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

Section 2. That the Amendment to the Lease herein authorized shall be prepared by the Director of Law and shall contain 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.

Passed June 15, 1998.
 Effective June 25, 1998.

Ord. No. 2195-97.
By Councilmen Skrha, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance establishing a Community Reinvestment Area in the area of Prospect Avenue, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain finding and determinations in connection therewith.

Whereas, Section 3735.65 et seq. of the Ohio Revised Code authorizes municipalities to designate Community Reinvestment Areas where certain criteria have been met; and

Whereas, the area located at Prospect Avenue is an area in which housing facilities or structures of historical significance are located and the prospects of new housing construction and repair of existing facilities or structures are discouraged; and

Whereas, the City desires to encourage new housing construction and the repair of existing housing facilities to eliminate blight and prevent the recurrence of blight by granting tax exemptions; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of public property, health, and safety, in that creating said Community Reinvestment Area will encourage development in the area located at Prospect Avenue and will, furthermore, eliminate blight and prevent the recurrence thereof in the Area; now, therefore,

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

Section 1. That based upon information and data presented to this Council and the information contained in Council File No. 1776-A-90-A, it is hereby found and determined that the area located at 750 Prospect Avenue (Permanent Parcel No. 101-29-007) is a blighted and deteriorat-

ed area in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

Section 2. That the area hereinabove described is hereby designated a Community Reinvestment Area pursuant to Section 3735.65 *et seq.* of the Ohio Revised Code.

Section 3. That the renovation of four buildings at 750 Prospect Avenue, known as the Pointe at Gateway, and to include 42 market rate apartments and 65,000 square feet of retail space in the Community Reinvestment Area, is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of twelve (12) years for 75% of the assessed taxes for the construction activities described above.

Section 4. That the Director of Community Development ("Director") shall annually, not later than June 1 of each year during the period of the exemption, report to the Community and Economic Development Committee ("Committee") on the rate of return on equity participation generated by the property authorized herein for exemption (Rate of Return). Where the annual average Rate of Return for the period beginning on the date the exemption becomes effective to December 31, immediately preceding said report exceeds Fifteen Percent (15%), the Director shall make a recommendation to the Committee regarding reducing or eliminating the exemption.

Section 5. That, in the event the owner of such property authorized herein for exemption desires to transfer fee ownership of the property during the exemption period, the Director shall report same to the Committee with a recommendation regarding reducing or eliminating the exemption.

Section 6. That the Commissioner of Neighborhood Development for the City of Cleveland shall serve as the Housing Officer, as defined by Section 3735.65 *et seq.* of the Ohio Revised Code, for the Community Reinvestment Area described hereinabove and shall administer all activities carried out pursuant to Section 3735.65 *et seq.* of the Ohio Revised Code and this ordinance. That this exemption from real property taxation is contingent upon all applicable requirements of Section 3735.65 *et seq.* of the Ohio Revised Code and this ordinance having been met.

Section 7. That to the extent that the findings and the exemptions from real property taxation set forth hereinabove conflict with any provisions of ordinances passed by this Council prior to the passage of this ordinance, the provisions of this ordinance shall prevail commencing upon the effective date of this ordinance.

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.

Passed June 15, 1998.

Effective June 25, 1998.

Ord. No. 159-98.
By Councilmen Rybka, Jackson and Johnson (by departmental request).

An emergency ordinance to authorize the Director of Economic Development to enter into a Tax Increment Financing Agreement with Third Federal Savings and Loan Association to collect service payments for the purpose of repayment of NDIF funds used to partially finance certain infrastructure improvements on Broadway Avenue and for the purpose of payment to the Cleveland School District, and to declare certain improvements to real property to be a public purpose.

Whereas, by Ordinance No. 875-97, passed June 16, 1997, this Council designated the Broadway Union Redevelopment Area ("Area") and approved the Broadway Urban Redevelopment Plan ("Plan"), for purposes of Ohio Revised Code Sections 5709.41 and 5709.42; and

Whereas, pursuant to Section 5709.41 of the Ohio Revised Code, improvements to real property within the Area and consistent with the Plan, may be declared to be a public purpose where fee title of such real property was, at one time, held by the City of Cleveland; and

Whereas, pursuant to the authority of Ordinance No. 1320-97, passed December 15, 1997, the City acquired fee title to certain real property within the Area prior to adoption of this Ordinance; and

Whereas, pursuant to Section 5709.41 of the Ohio Revised Code, such improvements so declared to be a public purpose may be exempt from real property taxation; and

Whereas, pursuant to Section 5709.42 of the Ohio Revised Code, the owners of such improvements may be required to make annual service payments in lieu of taxes that would have been paid had such improvements not been exempt; and

Whereas, pursuant to Section 5709.41 of the Ohio Revised Code, said exemption may exceed 75% of such improvements for up to thirty (30) years when a portion of the service payments so collected are distributed to the Cleveland City School District ("District") in an amount equal to the amount the District would have received had the improvements not been exempt; 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 improvements to be constructed in the Area by Third Federal Savings and Loan Association of Cleveland ("Third Federal"), as more fully described in the plans contained in File No. 159-98-A ("Improvements"), on the property fully described in said file, are found by this Council to be consistent with the Plan and are hereby declared to be a public purpose, for purposes of Section 5709.41 and 5709.42 of the Ohio Revised Code.

Section 2. That one hundred percent (100%) of the Improvements are hereby declared exempt from real property taxation for a period of twenty (20) years; and that in no event shall be exemption period extend beyond December 31, 2020.

Section 3. That, pursuant to Section 5709.42 of the Ohio Revised Code, Third Federal (or the owners of the Improvements) shall make service payments for a period of twenty (20) years in lieu of said exempt taxes to the Cuyahoga County Treasurer; said payments shall be charged and collected in the same manner, and shall be in an amount equal to the taxes that would have been paid, had the Improvements not been exempt from taxation.

Section 4. That a portion of the service payments collected pursuant to Section 3 hereof shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the District in the amount of the taxes that would have been payable to the District had the Improvements not been exempt from taxation.

Section 5. That the balance of the service payments collected pursuant to Section 3 hereof shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the City of Cleveland and deposited in Fund No. 10 SF 501 to recover expenditures from the Neighborhood Development Investment Fund ("NDIF") in an amount equal to NDIF funds, plus interest, to be appropriated, by separate legislation, to those public improvements and such other purposes more fully described in such appropriating legislation; said appropriation of NDIF funds shall not exceed \$2,000,000.00.

Section 6. That the Director of Economic Development is hereby authorized to enter into an agreement with Third Federal to provide for the exemption and service payments described herein; said agreement shall contain those terms set forth in the Executive Summary contained in the file referenced in Section 1 of this ordinance, and shall contain such other terms and conditions as the Directors of Economic Development and Law deem necessary to protect the public interest.

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

Passed June 15, 1998.

Effective June 25, 1998.

Ord. No. 196-98.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into contracts with various entities for the Housing Opportunities for Persons with AIDS Program.

Section 1. That the Director of Public Health is authorized to amend Contract Nos. 51609, 51610, 51611, and 51612 with various entities to provide additional housing related services in connection with the Housing Opportunities for People with AIDS Program and to increase the amount of the contracts as follows:

| Contract No. | Organization | Increase | Total |
|--------------|----------------------|-------------|--------------|
| 51609 | AIDS Housing Council | \$18,710.00 | \$112,257.00 |
| 51610 | AIDS Task Force | \$31,550.00 | \$189,300.00 |
| 51611 | AIDS Housing Council | \$37,678.00 | \$226,065.00 |
| 51612 | AIDS Housing Council | \$22,564.00 | \$135,382.00 |

Section 2. That the additional responsibilities of the Department of Public Health for administering this Program shall be memorialized in an amendment to Memorandum of Understanding No. 51634 between it and the Department of Community Development.

Section 3. That the costs for such services herein contemplated shall be paid from Fund No. 13 SF 482, Request No. 24508.

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

Passed June 15, 1998.
Effective June 25, 1998.

Ord. No. 241-98.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating Broadway Avenue and Aetna Avenue, including but not limited to streetscape and roadway improvements; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing the Director of Economic Development to apply for and accept a grant from the State of Ohio Department of Development Infrastructure Fund; and authorizing the Director of Public Service to accept a gift from Third Federal Savings in conjunction with the improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating Broadway Avenue and Aetna Avenue, including but not limited to land acquisition, streetscape and roadway improvements, for the 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 a contract for the making of the above 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 Economic Development is hereby authorized to apply for and accept a grant in the amount of \$100,000.00 from the State of Ohio Department

of Development Infrastructure Fund, to assist in the rehabilitation of Broadway and Aetna Avenues and the Director of Economic Development is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said grant funds, if awarded, be and are hereby appropriated for the improvement authorized above.

Section 4. That, if the total cost of the improvement exceeds \$2,000,000, plus the amount of any grant funds received pursuant to Section 3 and 4 of this ordinance, the Director of Public Service is hereby authorized to accept a gift from Third Federal Savings for the remainder of the cost of the improvement.

Section 5. That the cost of the improvement hereby authorized shall be paid from Fund No. 10 SF 501 in an amount not to exceed \$2,000,000, and from the fund or funds to which are credited the proceeds of the grant and gift money accepted pursuant, respectively, to Sections 3 and 4 of this ordinance, Request No. 23340.

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

Passed June 15, 1998.
Effective June 25, 1998.

Ord. No. 312-98.

By Councilmen Patmon, Rybka and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating the Kinsman Water Tower and constructing a control room therein, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating the Kinsman Water Tower and constructing a control room therein, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities 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 cost of said improvement hereby authorized shall be paid from Fund Nos. 52 SF 001 and 52 SF 987, Request No. 24001.

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

Passed June 15, 1998.
Effective June 25, 1998.

Ord. No. 352-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing and repairing catch basins and manholes at various locations throughout the City, and authorizing the Director of Public Utilities to enter into one or more requirement contracts for the making of such improvement, for two years period.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing and repairing catch basins and manholes at various locations throughout the City, for the Division of Water Pollution Control, Department of Public Utilities, by one or more public improvement requirement contracts duly let to the lowest responsible bidder after competitive bidding, for two years period.

Section 2. That the Director of Public Utilities is hereby authorized and directed to enter into a written requirement contract with the lowest bidder after advertising for all such work estimated to be done during the two years period, upon a unit basis. In the discretion of the Board of Control, separate requirement contracts may be let for specified districts within the City.

Section 3. That the cost of said contract or contracts shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance.

Section 4. That the cost of the improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 23022.

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

Passed June 15, 1998.

Effective June 25, 1998.

Ord. No. 477-98.

By Mayor White and Councilmen Willis, Jackson, Rybka 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 Metropolitan Savings Bank of Cleveland ("Metropolitan") for approximately 15.4 acres of City-owned property located in the Village of Highland Hills, with an option to purchase an additional 8.7 acres within the first five years.

Whereas, the City of Cleveland (the "City") desires to develop Cleveland Enterprise Park on approximately 80 acres of land (the "Zone") situated in the Village of Highland Hills (the "Village") along Harvard Road between Green and Northfield Roads (the "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, Metropolitan Savings Bank of Cleveland ("Metropolitan") has proposed to purchase from the City 15.4 acres of land in order to construct a multi-story office building to serve as its corporate headquarters, which Metropolitan estimates will house 200 Metropolitan employees; 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, Metropolitan, in consideration for payment of \$43,500.00 annually, and other valuable consideration, will receive an option to purchase an additional 8.7 acres of land on which it may construct a second multi-story office building to serve a similar purpose; and

Whereas, Metropolitan projects a need for a second such building at this location, with the two buildings housing an estimated total of 400 Metropolitan employees; and

Whereas, the portions of the Property to be sold or optioned for sale to Metropolitan 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, 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 property referred to as "Light Industrial Site 2", shown on the map contained in File No. 477-98-A ("Sale Parcel") to Metropolitan for the development of an office building to serve as its corporate headquarters, which property is determined to be no longer needed for public use.

Section 2. That the Project Agreement shall provide that Metropolitan shall have an option to purchase the property referred to as "Light Industrial Site 1A", shown on the map contained in the File referenced in Section 1 hereof ("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 Metropolitan ("Conveyance Date"), which property is determined to be no longer needed for public use.

Section 3. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the Sale Property Parcel described in Section 1 of this ordinance at a price of not less than One Hundred Thousand Dollars (\$100,000.00) per acre of the Sale Parcel 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 Metropolitan during the Option Period at a price of not less than One Hundred Thousand Dollars (\$100,000.00) 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 Metropolitan shall be made by official quitclaim deed to be prepared by the Director of Law and executed by the Mayor 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 Parcel 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.

Section 7. That the Project Agreement shall be prepared by the Director of Law, and shall contain a provision requiring Metropolitan to complete construction of a multi-story office building to serve as its corporate headquarters on the Sale Parcel within five (5) years of the Conveyance Date, or the Sale Parcel shall revert to the City. The Project Agreement shall further contain a provision requiring Metropolitan to complete construction of a second multi-story office building to serve a similar purpose within five (5) years from the date of conveyance of the Option Parcel to Metropolitan, 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, in an amount equal to or not to exceed the proceeds from the sale to Metropolitan of the Sale Parcel and Option Parcel.

Section 9. The Project Agreement shall require Metropolitan to use best efforts, consisting of their cooperation with programs offered by the City's Human Resources Division, subject to economic restraints of the project and the right of Metropolitan to make final employment decisions, to achieve objectives related to construction and employment for City economic development initiatives, to include awarding 30% of construction contracts and supplier purchase orders to minority-

owned enterprises; awarding 10% of construction contracts and supplier purchase orders to female-owned enterprises; hiring minorities for 16.1% of construction jobs; hiring women for 6.9% of construction jobs; hiring minorities for 33% of the jobs created by the project; hiring Cleveland residents for 50% of construction jobs; and hiring Cleveland residents for 50% of all jobs created by the project.

Section 10. That the Project Agreement shall contain the following Equal Employment Opportunity, Affirmative Action, and MBE/FBE employment goals: Metropolitan shall use best efforts to ensure (i) construction contracts, service contracts, professional services contracts, and supplies and purchases orders let on the project by it, its developer or by its general contractor by 30% certified Minority Business Enterprises ("MBE") and 10% certified Female Business Enterprises ("FBE"); and (ii) construction jobs created by the project be provided to at least 22.6% minorities in each trade, and 6.9% females in each trade.

Section 11. 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 Metropolitan.

Section 12. That the Mayor, Director of Law, Parks, Recreation and Properties and Economic Development are authorized to execute such documents, instruments, and certificates 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 13. That the Mayor, Director 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 14. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 15, 1998.
Effective June 25, 1998.

Ord. No. 549-98.

By Councilmen Westbrook, Rybka and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing an asphalt overlay and repairing Runway 6L-24R and associated appurtenances at Burke Lakefront Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing an asphalt overlay and repairing Runway 6L-24R and associated appurtenances at Burke Lakefront Airport, for the Division of Burke Lakefront Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Port Control 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 for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Prior to award of the contract by the Board of Control, the Director of Port Control shall provide City Council with a list of all contractors and subcontractors that submit bids, as well as written notification of the successful bidders and any subcontractors, together with the amount of the proposed contract. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement. Prior to award of the contract by the Board of Control, the Director of Port Control shall forward such schedule to City Council.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 60 SF 119, and from any funds or subfunds to which are credited any federal grants for the above improvement and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above improvement, Request No. 22533. That the contract or contracts authorized herein shall be executed not later than June 15, 2000.

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

shall take effect and be in force from and after the earliest period allowed by law.

Passed June 15, 1998.
Effective June 25, 1998.

Ord. No. 550-98.

By Councilmen Westbrook, Rybka and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of performing remediations to the underground storage tank farm sites at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into contract for the making of such improvement; and authorizing said director to employ professional design engineering services to design the public improvement.

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

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

Section 1. That, it is hereby determined to make the public improvement of performing remediations to the underground storage tank farm sites at Cleveland Hopkins International Airport, for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Port Control is hereby authorized and directed to enter into contract for the making of the improvement with the lowest responsible bidder after competitive bidding for a gross price for the Improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, or such trades or components may be the subject of a separate contract for a gross price. Prior to award of the contract by the Board of Control, the Director of Port Control shall provide City Council with a list of all contractors and subcontractors that submit bids as well as written notification of the successful bidders and any subcontractors, together with the amount of the proposed contract. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the Director of Port Control is hereby authorized and directed to employ by contract one or more professional design engineering consultants or one or more firms of professional design engineering consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the improvement.

The selection of said consultant or 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 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 of the improvement and services herein contemplated shall be paid from Fund No. 60 SF 119, and from any funds or subfunds to which are credited any federal grants for the above improvement and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above improvement, Request No. 22532.

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

Passed June 15, 1998.

Effective June 25, 1998.

Ord. No. 608-98.

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 professional services necessary for testing and construction inspection services, 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 and directed to employ by contract one or more consultants or firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide environmental sampling, testing, analysis, consulting, construction inspection services, environmental compliance services, permit analysis and development, de-icing chemical management planning, solid and hazardous waste permitting, stormwater and drainage master planning and design, de-icing chemical monitoring/testing and reporting, emergency testing and other related services for the various divisions of the Department of Port Control.

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. Prior to award of the contract by the Board of Control, the Director of Port Control shall provide City Council with the list of qualified consultants and subconsultants that submit proposals, as well as written notification of the successful proposers and any subconsultants. 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. 22540.

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 June 15, 1998.

Effective June 25, 1998.

Ord. No. 613-98.

By Councilmen Westbrook, Rybka and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating and renovating or otherwise improving the terminal at Burke Lakefront Airport to comply with ADA regulations regarding access to doors, restrooms and other areas of the terminal building; authorizing the Director of Port Control to enter into contract for the making of such improvement; and to employ one or more consultants or one or more firms of consultants necessary to provide professional services relating to such 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, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating and renovating or otherwise improving the terminal at Burke Lakefront Airport to comply with ADA regulations regarding access to doors, restrooms and other areas of the terminal building by contract let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Port Control 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 for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination of such trades or components may be the subject of a separate contract for a gross price. Prior to award of the contract by the Board of Control, the Director of Port Control shall provide City Council with a list of written notification of the successful bidders and any subcontractors, together with the amount of the proposed contract. Upon request of said director, the contractor shall furnish a correct

schedule of unit prices, including profit and overhead, for all items constituting units of said improvements.

Section 3. That the Director of Port Control is hereby authorized to employ by contract or contracts one or more consultants or one or more firms of consultants necessary for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the public improvements authorized by Section 1 of this ordinance.

That 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 or contracts 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 of the improvements and professional services herein contemplated shall be paid from Fund No. 60 SF 115, and from any funds or subfunds to which any federal grants for the above improvement and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above improvement, Request No. 22539.

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

Passed June 15, 1998.

Effective June 25, 1998.

Ord. No. 859-98.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an amendment with Delta Airlines, Inc., City Contract No. 30883, to provide for the deletion of certain space from the Lease, effective August 11, 1997, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into an Amendment to Lease between the City and Delta Airlines, Inc. ("Lessee"), City Contract No. 30883, to delete from Lessee's right and obligation under the lease effective August 11, 1997, the following space: 1,000 square feet from the Holdroom.

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

Section 2. That the Amendment to the Lease herein authorized shall be prepared by the Director of Law and shall contain 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.

Passed June 15, 1998.

Effective June 25, 1998.

Ord. No. 911-98.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a First Amendment to Lease by Way of Concession, City Contract No. 48824, with APCOA, Inc.

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

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

Section 1. That the Director of the Department of Port Control is authorized to enter into a First Amendment to Lease by Way of Concession with APCOA, Inc., City Contract No. 48824, as follows: delete all references to the Department of Public Service as a contracting party; change the term for the East 9th Street Parking Facility to be five (5) years commencing upon the completion of construction of improvements; provide that the East 9th Street Facility shall consist of approximately 113 parking spaces; provide that all improvements made to the East 9th Street Parking Facility shall be amortized through to the expiration of the term of such facility; the estimated cost of capital improvements on the East 9th Street Facility is \$362,690; APCOA, Inc. ("Lessee") shall be responsible for the cost of all operating expenses and capital improvements.

Section 2. That the concession fees for the East 9th Street Parking Facility shall be \$3,000 the first year of the term and \$27,000 per year until the expiration of the term. Lessee shall give hiring preference to City residents and hiring shall be done through the City's One Stop Job Shop.

Section 3. That APCOA, Inc. shall notify the City of any proposed subcontractors or partners. The Director of Port Control shall have prior approval of any subcontractors or partners and shall notify Council of any subcontractors or partners to be approved. APCOA, Inc. shall provide the City with conformed copies of any contracts with subcontractors or partners.

Section 4. That the First Amendment authorized herein shall be prepared by the Director of Law and shall contain such other terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Section 5. That this ordinance is

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

Passed June 15, 1998.

Effective June 25, 1998.

Ord. No. 917-98.

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:

AACCESS-Ohio
A Cultural Exchange
Alta Social Settlement House
American Sickle Cell Anemia Association
Bellflower Center For Prevention of Child Abuse
Better Living Center
Boys and Girls Club (Broadway)
Boys and Girls Club (Mt. Pleasant)
Boys and Girls Club (West Side)
Brooklyn Memorial Community Youth Center
Brownettes Academy of Charm, Inc.
Catholic Charities Services Corporation/Cleveland Mediation Center
Catholic Charities Services Corporation/Hispanic Senior Center
Catholic Charities Services Corporation/Martin DePorres Center
Center for Families and Children
Center for the Prevention of Domestic Violence
Cleveland Women, Inc.
Collinwood Community Services Center-Elderly
Collinwood Community Services Center-Youth
Community Re-Entry-Youth
Community Re-Entry-Elderly
Community Socialization Program
Cornerstone Connections, Inc.
Cory Senior Citizens Program, Inc.
Custom Enrichment
Delta Tutoring and Nutrition Program, Inc.
East End Neighborhood House-Elderly
East End Neighborhood House-Youth
EBC's Fery Development Corp.
El Barrio
Esperanza, Inc.
Garden Valley Neighborhood House Glad Center, Inc.
Golden Age Centers of Greater Cleveland, Inc.
Golden Age Centers of Greater Cleveland, Inc. (Home-based Cleveland)
Goodrich Gannett Neighborhood Center
Greater Cleveland Neighborhood Centers Association-Elderly
Greater Cleveland Neighborhood Centers Association/Schools as a Neighborhood Resource

Guardian House Shelter aka. G.B.C.

Harambee: Services to Black Families

Harvard Community Services Center

Hijos de Borinquen Spanish American Center

Hunger Task Force d.b.a. Hunger Network

Karamu House, Inc.

Lexington Bell Community Center
Marotta Montessori Schools of Cleveland

Near West Multi-Service Center/May Dugan

Merrick House, Inc.-GED

Merrick House, Inc.-Youth

Mum-Ford Visual Health Care, Inc.

Neighborhood Counseling Service

New Cleveland Food Basket

Nottingham Youth Center, Inc.

Old Brooklyn United Services Assn., Inc.

Police Athletic League

Phillis Wheatley Association, Inc.-Youth

Senior Citizens Resources, Inc.-Elderly

Senior Citizens Resources, Inc.-Transportation

Senior Outreach Services

Services For Independent Living, Inc.

Spanish American Committee for a Better Community

Starting Point a.k.a. Child Care Resource Center of Cuyahoga County

Substance Abuse Initiative of Greater Cleveland

The Chorale

The Salvation Army (Meals)

The Salvation Army (Youth)

The Salvation Army (Tremont)

Vietnamese Community in Greater Cleveland

Vocational Guidance Services

Werner Community Outreach, Inc.
West Side Community House-Child Day Care

West Side Community House-Elderly Meals

West Side Multi-Service Corporation-Consortium

West Side Ecumenical Ministry

YMCA-Broadway

YMCA-Downtown/West Side

YMCA-Glenville

YMCA-Midtown East

YMCA-West Park

Youth At Risk (Community Relations Board)

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 \$2,500,000.00, and shall be paid from Fund No. 14 SF 024, Request No. 23109.

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

Passed June 15, 1998.

Effective June 25, 1998.

Ord. No. 920-98.
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 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

Broadway Area Housing 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 Broadway 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 \$2,053,000.00, and shall be paid from Fund Nos. 14 SF 023, and 14 SF 024, Request No. 23110.

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

Section 5. That the Director is authorized to enter into 1-year contracts with the agencies listed in Section 1 of this ordinance. At the end of the 1-year contract term, the Director shall review all of the agencies listed herein to determine whether they are providing the City-wide and local services described in Section 4 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.

Passed June 15, 1998.
 Effective June 25, 1998.

Ord. No. 925-98.
By Councilmen Cimperman, Jackson, Rybka and Johnson (by departmental request).

An emergency ordinance authorizing the Directors of Economic and Community Development to enter into various agreements relating to the provision of economic development financial assistance for the rehabilitation and redevelopment of the Colonial and Euclid Arcades (the "Project"); authorizing the Mayor and/or the Director of Economic Development to apply for and accept loan and grant funds from the United States Department of Housing and Urban Development ("HUD") and to enter into agreements for the lending of such funds; authorizing the Commissioner of Purchases and Supplies to acquire title to certain property in the Euclid/Prospect Community Development Plan Area and to reconvey title to such property to those parties from whom it was acquired to effectuate the public purpose of the Plan and the Project; and authorizing the execution of various contracts, certifications, and other documents related thereto.

Whereas, the Euclid/Prospect Community Development Plan, approved and adopted by the Council of the City of Cleveland by Ordinance No. 2606-81, passed December

14, 1981 as amended by Ordinance No. 1766-87, passed November 16, 1987, and as further amended by Ordinance No. 2317-92, passed December 14, 1992, (the "Plan"), contemplates certain rehabilitation and/or redevelopment activities in the Euclid/Prospect Community Development Plan Area in accordance with the Plan; and

Whereas, Arcades Retail Garage, LLC has submitted a proposal for the rehabilitation and redevelopment of the properties commonly known as the Colonial and Euclid Arcades, which proposed redevelopment provides the best use and best carries out the intent of the Plan; and

Whereas, the acquisition, conveyance, and redevelopment of the Colonial and Euclid Arcades has been determined to be a satisfactory and desirable method for the elimination of blight and the prevention of the recurrence of blight in the Euclid/Prospect Community Development Plan Area; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public property, health, and safety in that the authorization of agreements with Arcades Retail Garage, LLC is necessary so that steps can be undertaken immediately to eliminate conditions of blight and deterioration and to achieve a redevelopment which will prevent the recurrence of blight and deterioration in the Euclid/Prospect Community Development Plan Area; now, therefore,

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

Section 1. That proposal of Market Place Retail Limited Partnership (hereinafter the "Redeveloper") for the acquisition, conveyance, and redevelopment of the properties commonly known as the Colonial and Euclid Arcades in the Euclid/Prospect Community Development Plan Area is hereby approved.

Section 2. That the Director of Economic Development is hereby authorized to enter into a contract with Redeveloper to provide economic development assistance for the rehabilitation and/or redevelopment of the Colonial and Euclid Arcades located at 510 and 530 Euclid Avenue, Cleveland, Ohio and as further described in File No. 925-98-A (the "Project"). The costs of said contract shall not exceed Five Hundred Thousand Dollars (\$500,000) and shall be paid from Fund No. 17 SF 008, Request #24278.

Section 3. That the Director of Community Development is hereby authorized to enter into a Community Development Float Loan Agreement with Redeveloper to provide economic development loan assistance (the "Float Loan") for construction of the Project in an amount not to exceed Two Million Six Hundred Forty-One Thousand Five Hundred Dollars (\$2,641,500). The initial term of said Float Loan shall be for a period of one (1) year, and said Float Loan may be renewed by the Director of Community Development for one (1) additional year and for one (1) additional six (6) month period for a total period not to exceed thirty (30) months. Interest shall be paid on said Float Loan at

the rate of two percent (2%) per annum. The costs of the Float Loan shall be paid from Fund No. 14 SF 810, Request No. 23108.

Section 4. That the Directors of Community Development and/or Economic Development are hereby authorized to apply for and accept from the United States Department of Housing and Urban Development ("HUD") a HUD Section 108 grant and/or loan in the amount of Two Million Eight Hundred Ninety Thousand Dollars (\$2,890,000) for the purposes set forth in the executive summary contained in File No. 925-98-A, and such funds are hereby appropriated for the purposes described in said executive summary. Upon receipt of said Section 108 grant and/or loan the Directors of Community and/or Economic Development are authorized to enter into one or more contracts for financial assistance for the Project in an amount not to exceed the funds received pursuant to the City's application. The costs of said contract shall not exceed the proceeds received pursuant to this section, and shall be paid from the fund or funds to which are credited such proceeds.

Section 5. That the terms of the loans described and authorized herein shall be in accordance with the executive summary contained in File No. 925-98-A, and shall be in accordance with applicable federal, state, and local laws and regulations together with such other terms as the Director shall deem necessary and appropriate to effectuate the intent of the Project.

Section 6. That the Directors of Economic and/or Community Development are hereby authorized to accept such collateral as such Directors shall deem necessary and/or appropriate to secure repayment of said loans, and any security interests or other documents related thereto shall be prepared and approved by the Director of Law.

Section 7. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loans authorized and described in Sections 2 and 3 hereinabove and to deposit said monies in Fund Nos. 17 SF 006, and 14 SF 810, respectively, and the fees from the loan authorized and described in Section 4 shall be deposited in a fund to be established for such purpose.

Section 8. That the Directors of Economic Development and Community Development are hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under applicable federal regulations and to expend such fees to cover costs incurred in the preparation of loan documents, closing and servicing costs, and other expenses related to the Project. Such fees for the loans authorized in Sections 2 and 4 shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund, and such fees from the loan authorized in Section 3 shall be deposited to and expended from Fund No. 14.

Section 9. That, notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, as amended, the Commissioner of Purchases and Supplies is hereby authorized to acquire the title to all

property comprising the Project as more fully described in File No. 925-98-A and to subsequently reconvey title to such property to those parties from whom it was acquired, to comply with the requirements of Section 5709.41(B)(1) of the Ohio Revised Code, provided that the consideration for such conveyances shall be nominal consideration as determined by the Board of Control. The Mayor and Commissioner of Purchases and Supplies are hereby authorized to execute any and all documents necessary or appropriate to effectuate the transactions authorized herein.

Section 10. That the agreements authorized pursuant to this Ordinance shall be prepared and approved by the Director of Law and shall contain such provisions as he deems necessary or appropriate to protect the City's interest.

Section 11. That the Mayor, the Directors of Law, Finance, Community Development, and Economic Development are hereby authorized to execute such certifications and documents and to take such other actions as may be necessary or appropriate to carry out the terms of the agreements authorized in this Ordinance.

Section 12. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and any of its committees that resulted in such formal action were in meetings open to the public in compliance with the law.

Section 13. The hotel operators in the Project shall recognize the union's right to organize their employees. Recognizing a union's right to organize employees of the hotel shall include providing union organizers reasonable access to the premises of the hotel, and the Redeveloper and the hotel operator shall not interfere with a union's right to organize. Said organizing activities shall be carried out under provisions of law and the National Labors Relations Board. Proven violation of this provision would mean an event of default under the \$500,000 SBRLF loan.

Section 14. The relevant project agreements shall include the following terms:

1. That in the event any part of the project is transferred or sold during the term of the Tax Increment Financing authorized by Ordinance 1010-98 ("TIF"). TIF, purchaser or transferee shall assume repayment obligations under CDBG Float/HUD Section 108 loans.

2. That in the event either the parking garage portion or retail portion is transferred or sold during the term of the TIF, Redeveloper shall immediately retire all outstanding obligations due the City under the \$500,000 SBRLF loan, and Redeveloper shall pay to the City an amount equal to all taxes the City would have received from the time of execution of relevant documents to the transfer or sale of these portions of the project, but for the TIF.

3. In the event the hotel portion of the Project is transferred or sold during the term of the TIF Redeveloper shall repay to the City all

outstanding obligations due the City under the \$500,000 SBRLF loan,

4. Failure by Redeveloper or the operator of the hotel to substantially comply with the following economic development objectives of the Project shall be an event of default and Redeveloper shall pay to the City an amount equal to the taxes the City would have received but for the TIF:

a. The investment of \$29 million in the Project within three (3) years of passage of this ordinance;

b. The creation of 118 jobs at the Project within three (3) years from the passage of this ordinance and the maintenance of these 118 jobs throughout the duration of the TIF;

c. Compliance with Section 13 of this ordinance; and

d. Renovation of the public open space of the arcades and maintaining same as open space for the public use.

Section 15. That this Ordinance is hereby declared to be an emergency measure, and, provided it receives the affirmative vote of two-thirds (2/3) 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 June 15, 1998.

Effective June 25, 1998.

**Ord. No. 992-98.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with IMG Motorsports - Cleveland, Inc. for use of certain premises at Burke Lakefront Airport to conduct the Grand Prix auto races.**

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease By Way of Concession ("Lease") with IMG Motorsports - Cleveland, Inc. ("Lessee"), in substantially the same form as that contained in File No. 992-98-A, for use of certain premises at Burke Lakefront Airport ("Airport") to conduct the Grand Prix auto races during specific two (2) to three (3) day periods each summer of the term of the Lease. The term of such Lease shall be for five (5) years and commence upon the date of execution and, unless sooner cancelled or terminated, shall expire in 2002, after the conduct of the race events and upon payment of all amounts due and performance of all requirements of the Lease by Lessee. Lessee shall pay as rent for the use of the premises as follows:

| Year | Rent |
|------|----------|
| 1998 | \$55,000 |
| 1999 | 60,000 |
| 2000 | 65,000 |
| 2001 | 70,000 |
| 2002 | 75,000 |

In addition, Lessee shall pay annually five percent (5%) of gross revenues in excess of the "Gross Revenue Threshold" as follows:

| Year | Gross Revenue Threshold |
|------|-------------------------|
| 1998 | \$4,500,000 |
| 1999 | 4,500,000 |
| 2000 | 4,750,000 |
| 2001 | 4,750,000 |
| 2002 | 5,000,000 |

The Director of Port Control shall provide to City Council a complete copy of Lessee's annual audit report, including a report of all charitable beneficiaries of the race. In addition, fifty percent (50%) of any complimentary tickets that are provided to charities or community groups shall be provided to charities or community groups that are designated by Council.

Section 2. That the Lease By Way of Concession authorized herein shall not be transferred, assigned, or sublet without the prior legislative authorization of the Council.

Section 3. That Council shall be provided annually a copy of the estimate of the Special Event charges assessed by the City, as well as a copy of the actual charges billed and paid by the Lessee.

Section 4. That the Lease authorized herein shall be prepared by the Director of Law and shall contain such other terms and conditions as said Director deems necessary to protect and benefit the public interest.

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

Passed June 15, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1003-98.

By Councilmen Polensek, Willis, Rybka 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 at 17901-17903 St. Clair Avenue and 18111 St. Clair Avenue to Collinwood Nottingham Villages Development Corporation.

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use and located at 17901-17903 St. Clair Avenue and 18111 St. Clair Avenue, identified as Permanent Parcels 116-18-010, 116-18-011, 116-18-012, and 116-18-013 to Collinwood Nottingham Villages Development Corporation; 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:

PPN: 116-18-010, 116-18-011, 116-18-012 and 116-18-013

Parcel No. 1:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots Nos. 11 and 12 in James M. Eddy and A. D. Walworth's Subdivision of part of Original Euclid Township Tract No. 15, as shown by the recorded plat in Volume 3 of Maps, Page 22 of Cuyahoga County Records and together forming a parcel of land, bounded and described as follows:

Beginning in the centerline of St. Clair Avenue, N.E., at a point distant southwesterly measured along said centerline 50 feet from the most Easterly corner of said Sublot No. 11;

Thence Northwesterly parallel with the Northeasterly line of said Sublot No. 11, 225.06 feet to the Northwesterly line of said Sublot No. 11;

Thence Southwesterly along the Northwesterly line of said Sublots Nos. 11 and 12, 60 feet;

Thence Southeasterly parallel with the Northeasterly line of said Sublot No. 11, 225.06 feet to the centerline of St. Clair Avenue, N.E.;

Thence Northeasterly along said centerline 60 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Westerly 83-74/100 feet from front to rear of Sublot No. 12 in James M. Eddy and A.D. Walworth's Subdivision of part of Original Euclid Township Tract No. 15, as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 22 of Cuyahoga County Records and being 83-74/100 feet front on the Northerly side of St. Clair Avenue, N.E., (formerly St. Clair Street), and extending back between parallel lines 225-06/100 feet, measured from the centerline of St. Clair Avenue, N.E., 60 feet wide, as appears by said plat, be the same more or less but subject to all legal highways.

Parcel No. 3:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 13 in Jas. M. Eddy and A.D. Walworth's Subdivision of part of Original Euclid Township Tract No. 15, as shown by the recorded plat in Volume 3 of Maps, Page 22 of Cuyahoga County Records and being 96-855/1000 feet on the Northwesterly side of St. Clair Avenue, N.E., and extending back between parallel lines 225-06/100 feet, measured from the centerline of said St. Clair Avenue, N.E., as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No. 4:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot No. 14 and the Easterly 76.855 feet of Sublot No. 15 in Eddy and Walworth's Subdivision of part of Original Euclid Township Tracts Nos. 14 and 15, as shown by the recorded plat in Volume 3 of Maps, Page 22 of Cuyahoga County Records and being 173.71 feet front on the Northerly side of St. Clair Avenue, N.E., and extending back of equal width 225.06 feet deep, measured from the center of said road, as appears by said plat, be the same more or less, but subject to all legal highways.

Permanent Parcel Nos.: 116-18-010, 116-18-011, 116-18-012 and 116-18-013

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 Collinwood Nottingham Villages Development Corporation, for a price of One Dollar (\$1.00).

Section 3. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including 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 4. That the Director of Parks, Recreation and Properties and other appropriate City officials are authorized to prepare and execute such other documents and certificates and take such other action as maybe necessary or appropriate to effectuate the sale authorized by this ordinance.

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

Passed June 15, 1998.

Effective June 25, 1998.

Ord. No. 1079-98.

By Councilmen Cintron, Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into a Lease By Way of Concession with the U.S. Department of Veterans Affairs to provide medical services at the McCafferty Health Center, for a period not to exceed five years and a five-year option to renew.

Whereas, the Department of Public Health and the U.S. Department of Veterans Affairs desire to enter into a Lease By Way of Concession at the McCafferty Health Center, allowing the Veterans Administration to provide services at the facility with an emphasis on serving traditionally under-served Hispanic and African American veterans,

such services to include but not be limited to basic primary health care, preventive health care, mental health care, telemedicine, outreach, re-adjustment counseling, employment and social support services, and referrals to other VA clinics for the full range of VA services; 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 Section 183.03 or any other provision of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Health is hereby authorized to enter into a Lease By Way of Concession with the U.S. Department of Veterans Affairs for the provision of medical and social services at the McCafferty Health Center, for a period not greater than five (5) years, with one option to renew for an additional five (5) years, with approval by City Council.

Section 2. That said Lease By Way of Concession shall include provisions stating that the U.S. Department of Veterans Affairs shall bear the cost of any improvements or alterations to the McCafferty Health Center needed to implement the Lease By Way of Concession; that no rental fee shall be charged to the U.S. Department of Veterans Affairs; that the U.S. Department of Veterans Affairs may contribute to the operating cost of the McCafferty Health Center or provide other improvements or alterations to the facility in lieu of such contributions; that the City shall retain any permanent improvements or alterations to the facility after the U.S. Department of Veterans Affairs has vacated the premises; and that the U.S. Department of Veterans Affairs may employ their usual billing practices for the persons they serve.

Section 3. That the Lease By Way of Concession shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect the public interest.

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

Passed June 15, 1998.

Effective June 25, 1998.

Ord. No. 1123-98.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Public Service to issue a permit to JF West St. Clair LLC, by and through its affiliate Jacobs Investments Management Company, Inc. for their property known as the D'Vine Wine Bar to encroach into the public right-of-way at 836 West St. Clair Avenue with an outdoor seasonal patio café.

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 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 JF West St. Clair, LLC, by and through its affiliate, Jacobs Investments Management Company, Inc., for their property, D'Vine Wine Bar located at 836 West St. Clair Avenue, its successors and assigns; for the construction, use and maintenance of an outdoor seasonal patio café with approximately twelve (12) two-man tables with chairs, and which café will encroach into the public right-of-way of West St. Clair Avenue between West 6th and West 9th Streets at the locations more fully described herein.

ENCROACHMENT AREA/D'VINE WINE BAR AT 836 WEST ST. CLAIR AVENUE

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Cleveland Village Two Acre Lot Number 26 and is further bounded and described as follows:

Beginning at a point in the Northwesterly line of St. Clair Avenue N.W., 99.00 feet wide, distant North 55°-02'-41" East, 257.10 feet measured along said Northwesterly line from the Northeasterly line of West 9th Street, 99.00 feet wide, said point being on the Northeasterly face of a four-story masonry building; thence South 34°-57'-19" East, 9.50 feet; thence South 55°-02'-41" West along a line parallel with the Northwesterly line of St. Clair Avenue N.W., 60.00 feet; thence North 34°-57'-19" West, 9.50 feet to the Northwesterly line of St. Clair Avenue N.W.; thence along the Northwesterly line of St. Clair Avenue N.W., North 55°-02'-41" East, 60.00 feet to the place of beginning and containing 570 square feet of land as described by Christopher J. Dempsey, Professional Surveyor No. 6914 of Dempsey & Neff, Inc. in June, 1998, being the same more or less, but subject to all legal highways.

Note: bearings shown are to an assumed meridian and are used to denote angles only.

Section 2. That said café will be placed within the public rights-of-way as aforesaid in Section 1, and said café will 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.

Passed June 15, 1998.

Effective June 25, 1998.

Ord. No. 1124-98.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Public Service to issue a permit to Tower City Properties, Ltd. (The Avenue), Tower City Hotel Assocs. (Chase Financial Tower), Skylight Office Tower, LP (Skylight Office Tower), Post Office Plaza, LP (M. K. Ferguson), Terminal Investments, Inc. (Terminal Tower), to encroach into the right-of-way of Huron Rd., Prospect Ave., & Ontario Ave., with eighty-three banners from June 15, 1998 to August 31, 1998, 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 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 Tower City Properties, Ltd. (The Avenue, 230 Huron Road, Cleveland, Ohio), Tower City Hotel Associates, L.P. (Chase Financial Tower, 250 Huron Road, Cleveland, Ohio), Skylight Office Tower, L.P. (Skylight Office Tower, 1660 West 2nd Street, Cleveland, Ohio), Post Office Plaza, L.P. (M. K. Ferguson, 1500 West 3rd Street, Cleveland, Ohio), Terminal Investments, Inc. (Terminal Tower, 1100 Terminal Tower, 50 Public Square, Cleveland, Ohio); their successors and assigns, for the construction, use and maintenance of eighty-three (83) banners to be hung on 75 privately owned utility poles (by separate permission), eight (8) banners will be double hung, and sixty-seven (67) will be single hung; from the period of June 15, 1998 to August 31, 1998, inclusive, and which banners will encroach into the public right-of-way of portions of Huron Road, Prospect Avenue and Ontario Avenue, and are for the Tower City Banner Program, and are more fully described at the locations as shown in File No. 1124-98-A, filed in the Office of the City Clerk of the Council of the City of Cleveland.

Section 2. That nothing in this ordinance grants or shall be considered a grant to Permittee any right, privilege or permission to use or to attach or affix any objects to poles described in Section 1 of this ordinance.

Section 3. That said banners will be placed within the public rights-of-way as aforesaid in Section 1 and said banners will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

Section 4. 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 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 15, 1998.
Effective June 25, 1998.

Ord. No. 1126-98.
By Councilman Polensek.
An emergency ordinance consenting and approving the issuance of a permit for The East 185th Street Festival Run on July 30, 1998, sponsored by Northeast Shores Development Corporation, as part of the Annual East 185th 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 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 the Northeast Shores Development Corporation, as part of the Annual East 185th Street Festival, beginning at approximately 7:00 P.M. on Thursday, July 30, 1998, and ending at approximately 8:00 P.M. the same day. The run will begin 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 of safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed June 15, 1998.
Effective June 25, 1998.

Ord. No. 1127-98.
By Councilman Cimperman.
An emergency ordinance authorizing and directing the Director of Public Service to issue permit to Cuyahoga County Fair to hang one (1) banner, on Cleveland Public Power utility poles (by separate permission), which will encroach into the public right-of-way of Euclid Avenue at East 9th Street for the period of July 13, 1998 to August 10, 1998, inclusive, to publicize this event.

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 Cuyahoga County Fair, 2364 Queenston Road, Cleveland Heights, Ohio 44118, to install, maintain and remove one (1) banner, to be hung on Cleveland Public Power Poles (by separate permission), on Euclid Avenue at East 9th Street, being Pole Nos. B59-8 and B59-8, for the period of July 13, 1998 to August 10, 1998, inclusive to publicize the Cuyahoga County Fair. Said Banners shall be approved by 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.

Passed June 15, 1998.
Effective June 25, 1998.

Ord. No. 1128-98.
By Councilman Melena.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Our Lady of Mt. Carmel to stretch banners at 6928 Detroit Avenue, for the period from July 1, 1998 to July 26, 1998, inclusive, publicizing the Church 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, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Our Lady of

Mt. Carmel to install, maintain and remove banners at 6928 Detroit Ave., (pole #34838 #T-140) for the period from July 1, 1998 to July 26, 1998, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed June 15, 1998.
Effective June 25, 1998.

Ord. No. 1137-98.
By Councilmen Jackson and Gordon.

An emergency ordinance authorizing the Directors of Community Development and Public Health to enter into contracts with outside agencies to provide AIDS related services. CDBG Year XXIV.

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

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

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

Section 1. That the Director of Public Health is hereby authorized to enter into contracts with various outside agencies for the purpose of providing AIDS related services in conjunction with the Community Development Block Grant Program.

Section 2. That the Directors of Health and Community Development are hereby authorized to enter a memorandum of understanding for this program.

Section 3. That the costs of the contracts authorized by Section 1 of this ordinance shall be paid from Fund No. 14 SF 024 RL 23114 and shall not exceed \$30,000.00.

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

Passed June 15, 1998.
Effective June 25, 1998.

COUNCIL COMMITTEE MEETINGS

NO MEETINGS

Index to Council Proceedings

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
 Bold type in sections indicates amendments

AIDS

Aids -- expend \$30,000 to enter into contracts with outside agencies to provide Aids related services -- Community Development Department -- Public Health Department (O 1137-98)..... **1162**

APCOA, Inc.

Parking -- East 9th Street Facility --Contract No. 48824 -- APCOA, Inc. -- First Amendment to Lease by Way of Concession -- Port Control Department (O 911-98) **1157**

Banners

Cuyahoga County Fair -- permit to stretch banner on Euclid Avenue at East 9th Street from July 13, to August 10, 1998 to publicize Cuyahoga County Fair (O 1127-98)..... **1162**
 Our Lady of Mt. Carmel Church -- permit to stretch banners at 6928 Detroit Avenue from July 1, to July 26, 1998 publicizing Church Festival (O 1128-98) **1162**
 Tower City Properties, Ltd., Tower City Hotel Assocs., Skylight Office Tower, LP, Post Office Plaza, LP, Terminal Investments, Inc. -- permit to stretch 83 banners across Huron Rd., Prospect Ave., & Ontario Av., from June 15, to Aug (O 1124-98) **1161**

Burke Lakefront Airport

IMG Motorsports-Cleveland, Incorporated -- use of certain premises -- Burke Lakfront Airport -- Grand Prix auto races -- Port Control Department (O 992-98)..... 1159
 Runway repair and asphalt overlay -- construction and public improvement of Runway 6L-24L -- Burke Lakefront Airport (O 549-98) **1155**
 Terminal -- rehabilitate and renovate -- comply with ADA regulations -- employ consultants or firms to provide professional services for making improvements. (O 613-98) **1156**

Cleveland Hopkins International Airport

Delta Airlines, Inc. -- Contract No. 30883 amend -- deletion of certain space from Lease (O 859-98) **1156**
 Underground storage tank farms sites -- public improvement of and performance of remediations -- employ professional design engineering services -- Cleveland Hopkins International Airport (O 550-98) **1155**

Community Development

Aids -- expend \$30,000 to enter into contracts with outside agencies to provide Aids related services -- Community Development Department -- Public Health Department (O 1137-98)..... **1162**
 Community Development -- \$2,053,000.00 --contract with various agencies to provide housing, commercial, industrial and real estate development activities (O 920-98) **1158**
 Prospect Avenue, 750 -- Community Reinvestment Area (O 2195-97)..... **1151**
 Social Service Programs -- enter into contracts with various agencies -- \$2,500,000.00 -- Community Development Department (O 917-98)..... **1157**

Community Reinvestment Area

Prospect Avenue, 750 -- Community Reinvestment Area (O 2195-97)..... **1151**

Delta Airlines, Inc.

Delta Airlines, Inc. -- Contract No. 30883 amend -- deletion of certain space from Lease (O 859-98) **1156**

Department of Housing and Urban Development

Colonial and Euclid Arcades -- apply for and accept loan grants and funds from United States Department of Housing and Urban Development -- acquire certain property in the Euclid/Prospect Community Development Plan (O 925-98)..... **1158**

Economic Development Department

Authorizing - Mayor - Directors of Parks, Recreation and Properties and Economic Development - enter into Purchase Agreement - Metropolitan Savings Bank of Cleveland - City-owned property located in the Village of Highland Hills (O 477-98)..... **1154**

Colonial and Euclid Arcades -- apply for and accept loan grants and funds from United States Department of Housing and Urban Development -- acquire certain property in the Euclid/Prospect Community Development Plan (O 925-98)..... **1158**

Public improvement - streetscape and roadway improvements - authorizing Economic Development - apply for grant - State of Ohio Department of Development Infrastructure Fund - Public Service - accept gift from Third Federal Savings. (O 241-98) **1153**

Tax Increment Financing Agreement -- Third Federal Savings and Loan -- collect service payments for repayment of NDIF funds -- finance infrastructure improvements on Broadway Avenue -- payment to Cleveland School District. (O 159-98)..... **1152**

Encroachments

JF West St. Clair LLC, through its affiliate Jacobs Investments Management Company, Inc. -- permit encroach into public right-of-way -- outdoor seasonal patio (O 1123-98) **1161**

Euclid Arcade

Colonial and Euclid Arcades -- apply for and accept loan grants and funds from United States Department of Housing and Urban Development -- acquire certain property in the Euclid/Prospect Community Development Plan (O 925-98)..... **1158**

Health Division

Aids -- expend \$30,000 to enter into contracts with outside agencies to provide Aids related services -- Community Development Department -- Public Health Department (O 1137-98)..... **1162**

Medical services for American Veterans -- McCafferty Health Center -- Lease by Way of Concession with U. S. Department of Veterans Affairs for five years -- Health Department (O 1079-98)..... **1160**

Housing Opportunities for Persons with AIDS Program

Authorizing - Director of Public Health - solicit proposals - enter into contracts with various entities - for the Housing Opportunities for Persons with AIDS Program -- \$464,498.00. (O 196-98)..... **1153**

IMG Motorsports-Cleveland, Inc.

IMG Motorsports-Cleveland, Incorporated -- use of certain premises -- Burke Lakfront Airport -- Grand Prix auto races -- Port Control Department (O 992-98)..... **1159**

Land Reutilization Program

St. Clair Avenue, 17901-17903 and 18111 -- Collinwood Nottingham Villages Development Corporation (O 1003-98)..... **1160**

Lease by Way of Concession

Medical services for American Veterans -- McCafferty Health Center -- Lease by Way of Concession with U. S. Department of Veterans Affairs for five years -- Health Department (O 1079-98)..... **1160**

Leases

IMG Motorsports-Cleveland, Incorporated -- use of certain premises -- Burke Lakfront Airport -- Grand Prix auto races -- Port Control Department (O 992-98)..... **1159**

McCafferty, Thomas F. Health Center

Medical services for American Veterans -- McCafferty Health Center -- Lease by Way of Concession with U. S. Department of Veterans Affairs for five years -- Health Department (O 1079-98)..... **1160**

Neighborhood Development Investment Fund

Tax Increment Financing Agreement -- Third Federal Savings and Loan -- collect service payments for repayment of NDIF funds -- finance infrastructure improvements on Broadway Avenue -- payment to Cleveland School District. (O 159-98) **1152**

Parking

Parking -- East 9th Street Facility --Contract No. 48824 -- APCOA, Inc. -- First Amendment to Lease by Way of Concession -- Port Control Department (O 911-98) **1157**

Parks, Recreation and Properties Department

Authorizing - Mayor - Directors of Parks, Recreation and Properties and Economic Development - enter into Purchase Agreement - Metropolitan Savings Bank of Cleveland - City-owned property located in the Village of Highland Hills (O 477-98)..... **1154**

Permits

Cuyahoga County Fair -- permit to stretch banner on Euclid Avenue at East 9th Street from July 13, to August 10, 1998 to publicize Cuyahoga County Fair (O 1127-98)..... **1162**
JF West St. Clair LLC, through its affiliate Jacobs Investments Management Company, Inc. -- permit encroach into public right-of-way -- outdoor seasonal patio (O 1123-98) **1161**
Northeast Shores Development Corporation -- permit for the East 185th Street Festival Run on July 30, 1998 (O 1126-98) **1162**
Our Lady of Mt. Carmel Church -- permit to stretch banners at 6928 Detroit Avenue from July 1, to July 26, 1998 publicizing Church Festival (O 1128-98) **1162**
Tower City Properties, Ltd., Tower City Hotel Assocs., Skylight Office Tower, LP, Post Office Plaza, LP, Terminal Investments, Inc. -- permit to stretch 83 banners across Huron Rd., Prospect Ave., & Ontario Av., from June 15, to Aug (O 1124-98) **1161**

Port Control Department

Delta Airlines, Inc. -- Contract No. 30883 amend -- deletion of certain space from Lease (O 859-98) **1156**
Enter into an amendment to Contract No. 44164 -- APCOA/Etna Parking -- extend term lease increase (O 1450-96) **1151**
IMG Motorsports-Cleveland, Incorporated -- use of certain premises -- Burke Lakfront Airport -- Grand Prix auto races -- Port Control Department (O 992-98)..... **1159**
Inspection services, testing and construction -- employ professional consultants -- Port Control (O 608-98)..... **1156**
Parking -- East 9th Street Facility --Contract No. 48824 -- APCOA, Inc. -- First Amendment to Lease by Way of Concession -- Port Control Department (O 911-98) **1157**
Runway repair and asphalt overlay -- construction and public improvement of Runway 6L-24L -- Burke Lakefront Airport (O 549-98) **1155**
Terminal -- rehabilitate and renovate -- comply with ADA regulations -- employ consultants or firms to provide professional services for making improvements. (O 613-98) **1156**
Underground storage tank farms sites -- public improvement of and performance of remediations -- employ professional design engineering services -- Cleveland Hopkins International Airport (O 550-98) **1155**

Public Health Department

Authorizing - Director of Public Health - solicit proposals - enter into contracts with various entities - for the Housing Opportunities for Persons with AIDS Program -- \$464,498.00. (O 196-98)..... **1153**

Service Department

Public improvement - streetscape and roadway improvements - authorizing Economic Development - apply for grant - State of Ohio Department of Development Infrastructure Fund - Public Service - accept gift from Third Federal Savings. (O 241-98) **1153**

Third Federal Savings and Loan

Public improvement - streetscape and roadway improvements - authorizing Economic Development - apply for grant - State of Ohio Department of Development Infrastructure Fund - Public Service - accept gift from Third Federal Savings. (O 241-98) **1153**

Utilities Department

Determining method of making public improvement - rehabilitating Kinsman Water Tower and authorizing Director of Public Utilities - enter into contract for such improvement. (O 312-98) **1153**

Public improvement - constructing and repairing catch basins and manholes - various locations - authorizing the Director of Public Utilities - enter into one or more requirement contracts - for a one year period. (O 352-98)..... **1153**

Village of Highland Hills

Authorizing - Mayor - Directors of Parks, Recreation and Properties and Economic Development - enter into Purchase Agreement - Metropolitan Savings Bank of Cleveland - City-owned property located in the Village of Highland Hills (O 477-98)..... **1154**