

The City Record

Official Publication of the Council of the City of Cleveland



November the Fifth, Two Thousand and Three

Jane L. Campbell
Mayor

Frank G. Jackson
President of Council

Valarie J. McCall
City Clerk, Clerk of Council

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

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PRESORTED STANDARD
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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	774 East 131st Street	44108
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

City Clerk, Clerk of Council – Valarie J. McCall, 216 City Hall, 664-2840

First Assistant Clerk – Sandra Franklin

MAYOR – Jane L. Campbell
 Debra M. Janik, Chief of Staff
 David M. McGuirk, Executive Assistant
 Timothy Mueller, Executive Assistant
 Craig Tame, Executive Assistant
 Henry Guzman, Director, Office of Equal Opportunity
 Margreat A. Jackson, Legislative Affairs Liaison
 Erik Janas, Inter-Governmental Affairs Officer
 Lorna Wisham, Chief Public Affairs Officer

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

DEPT. OF FINANCE – Robert H. Baker, Director, Room 104;
 Frank Badalamenti, Manager, Internal Audit
DIVISIONS: Accounts – Alan Schneider, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – Algeron Walker, Treasurer, Room 115
 Financial Reporting and Control – James Gentile, Controller, Room 18
 Information Technology and Services – James S. Higgins, Commissioner, 1404 East 9th Street
 Purchases and Supplies – Myrna Branche, Commissioner, Room 128
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
 Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

DEPT. OF PUBLIC UTILITIES – Michael G. Konicek, Director, 1201 Lakeside Avenue
DIVISIONS – 1201 Lakeside Avenue
 Cleveland Public Power – James F. Majer, Commissioner
 Street Lighting Bureau – _____, Acting Chief
 Utilities Fiscal Control – Dennis Nichols, Commissioner
 Water – Julius Ciaccia, Jr., Commissioner
 Water Pollution Control – Darnell Brown, Commissioner

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

DEPT. OF PUBLIC SERVICE – Mark Ricchiuto, Director, Room 113
DIVISIONS: Architecture – Kurt Weibusch, Commissioner, Room 517
 Engineering and Construction – Randall E. DeVaul, Commissioner, Room 518
 Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards
 Streets – Randell T. Scott, Commissioner, Room 25
 Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1
 Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

DEPT. OF PUBLIC HEALTH – Matthew Carroll, Acting Director, Mural Building, 1925 St. Clair Ave.
DIVISIONS: Air Quality – Commissioner
 Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
 Environment – Willie Bess, Acting Commissioner, Mural Building, 1925 St. Clair Ave.
 Health – Dr. Wendy Johnson, Acting Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – James A. Draper, Director, Room 230
DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
 Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
 Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue
 Police – Edward F. Lohn, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF PARKS, RECREATION & PROPERTIES – Natalie A. Ronayne, Director
 Cleveland Convention Center, Clubroom A, 1220 East 6th Street
DIVISIONS: Convention Center & Stadium – James Glending, Commissioner
 Public Auditorium, East 6th Street and Lakeside Avenue
 Parking Facilities – Dennis Donahue, Commissioner
 Public Auditorium, East 6th Street and Lakeside Avenue
 Park Maintenance and Properties – Richard L. Silva, Commissioner
 Public Auditorium – East 6th Street and Lakeside Avenue
 Property Management – Tom Nagle, Commissioner, East 49th Street & Harvard
 Recreation – Michael Cox, Commissioner, Room 8
 Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road
 Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT – Linda M. Hudecek, Director, 3rd Floor, City Hall
DIVISIONS: Administrative Services – Terrence Ross, Commissioner
 Neighborhood Services – Louise V. Jackson, Commissioner
 Neighborhood Development – Joseph A. Sidoti, Commissioner

DEPT. OF BUILDING AND HOUSING – James G. Williams, Director, Room 500
DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner
 Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Gina Routen, Director, Room 121

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

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

COMMUNITY RELATIONS BOARD – Room 11, Jeffrey D. Johnson, Director; Mayor Jane L. Campbell, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman Kevin Conwell, Councilman Matthew Zone, City Council Representatives; Charles L. Patton, Jr., Paula Castleberry, Emmett Saunders, John Banno, Kathryn M. Hall, Evangeline Hardaway, Janet Jankura, Gia Hoa Ryan, Rev. Jesse Harris, Magda Gomez, Fred J. Livingstone, Margot James Copeland.

CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Jonalyn M. Krupka, Secretary; Members: Diane M. Downing, William Morrison.

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

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

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

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

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

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

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

FAIR EMPLOYMENT WAGE BOARD – Room 210 – Gerald Meyer, Chair; Angela Caldwell, Vice Chair; Patrick Gallagher, Kathryn Jackson, Draydean McCaleb, Council Member Nelson Cintron, Ed Romero.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Leohr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton, Council Member Merle Gordon.

FAIR HOUSING BOARD – Charles See, Chair; Cindy Barber, Vice Chair; Michael Doud, Doris Honsa, Richard Lenard.

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

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

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

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – Paul Volpe, Chair; Ted Sande, Vice Chair; James Gibans, India Pierce Lee, Robert Madison, Randall B. Shorr, Chris Ronayne, N. Kurt Weibusch, Council Member Joe Cimperman, Dwayne J. Simpson; Robert Keiser, Secretary.

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

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

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

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OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, NOVEMBER 5, 2003

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CITY COUNCIL

MONDAY, NOVEMBER 3, 2003

The City Record

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PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2002-2005

MONDAY

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

The following Committees are subject to the Call of the Chairman:

Rules Committee: Jackson, Chairman; O'Malley, Reed, Sweeney, Westbrook.

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NONE

THE CALENDAR

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

NONE

BOARD OF CONTROL

October 29, 2003

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 29, 2003, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilka.

Absent: None.

Others: Myrna Branche, Commissioner, Purchases and Supplies.
Kathy Velkoff, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted:

Resolution No. 643-03.

By Directors Baker and Mok.
Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Sections 139.02 and 139.03 of the Codified Ordinances of the City of Cleveland, Ohio 1976, Pinkney-Perry Insurance Agency, Inc. ("Consultant"), is selected upon the nomination of the Director of Finance from a list of qualified persons or firms determined after a full and complete canvass by the Director of Finance as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to provide motor vehicle liability, collision and comprehensive insurance for all owned, non-owned, leased and/or hired motor vehicles operated by the Department of Port Control in support of Cleveland Hopkins International and Burke Lakefront Airports and to advise the Directors of Finance and Port Control on any risk management issues that may arise relating to the insurance to be provided.

Be it further resolved that the Director of Finance is authorized to enter into a written contract with Pinkney-Perry Insurance Agency, Inc. based upon its proposal dated July 11, 2003, provided that the compensation to Pinkney-Perry Insurance Agency, Inc. for the services authorized shall not exceed Twenty-five Thousand and 00/100 Dollars (\$25,000.00), for the professional services described above, which contract shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultant by Pinkney-Perry Insurance Agency, Inc. is approved:

<u>Subconsultant</u>	<u>Percentage</u>	<u>Amount</u>
Hicks Insurance Agency, Inc.	10% MBE	\$2,500.00

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.
Absent: None.

Resolution No. 644-03.

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Inc. for an estimated quantity of cab/chassis with tire service repair equipment, for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on September 18, 2003, pursuant to the authority of Ordinance No. 1169-03, passed by the Council of the City of Cleveland on July 16, 2003, which on the basis of the estimated quantity would amount to Fifty-Five Thousand Nine Hundred Eighty-One and 00/100 Dollars (\$55,981.00) (0%-30 days) is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 130094

which shall be certified against such contract in the sum of Fifty-Five Thousand Nine Hundred Eighty-One and 00/100 Dollars (\$55,981.00).

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.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Valley Ford Truck Sales, Inc. for the above mentioned purchase is hereby approved:

Logical Services, Inc.

MBE — \$900.00 per unit — 1.61%

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricciuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 645-03.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Reed City Power Line Supply for an estimated quantity of 13.8 KV Transformers, item nos. 1, 3, 14, 49, 50, 52, 53, 55, 56, 58 thru 72, 108, 109, 112 thru 117, 144, 145, 150 and 152 thru 154, 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 June 12, 2003, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Three Hundred Thirty Nine Thousand Four Hundred Fifty Four and no/100 Dollars (\$339,454.00), (Net 30 Days) is here-

by 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. 129888

which shall be certified against such contract in the sum of Twenty Thousand and no/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 Campbell, Directors Chandra, Baker, Konicek, Mok, Ricciuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 646-03.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Wesco Distribution, Inc. for an estimated quantity of 13.8 KV Transformers, item nos. 6, 11, 13, 15 thru 25, 32 thru 38, 46, 48, 51, 54, 57, 73, 74, 93, 103 thru 105, 111, 119 thru 141, 143 and 146 thru 148, 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 June 12, 2003, 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 Six Hundred Thirty Six Thousand Two Hundred Seventy Seven and no/100 Dollars (\$636,277.00), (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. 129889

which shall be certified against such contract in the sum of Thirty Four Thousand and no/100 Dollars (\$34,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricciuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 647-03.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Professional Electric Products Company, for an estimated

quantity of 13.8 KV Transformers, item nos. 2, 7 thru 10, 12, 26 thru 31, 39 thru 45, 47, 75 thru 79, 81 thru 92, 94 thru 102, 106, 110, 118 and 156 thru 160, 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 June 12, 2003, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to One Million Eight Thousand Five Hundred Twenty Four and 47/100 Dollars (\$1,008,524.47), (0%, 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. 129887

which shall be certified against such contract in the sum of Fifty Four Thousand and no/100 Dollars (\$54,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricciuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 648-03.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Electric Laboratories and Sales Corp., a Hughes Supply Co. for an estimated quantity of 13.8 KV Transformers, item nos. 4, 5, 80, 107, 142, 149, 151 155 and 161 thru 167, 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 June 12, 2003, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Three Hundred Fifty Three Thousand Six Hundred Ninety Six and no/100 Dollars (\$353,696.00), (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. 129886

which shall be certified against such contract in the sum of Twenty Thousand and no/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 esti-

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 649-03.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Carus Chemical Company, a Division of Carus Corporation for an estimated quantity of corrosion control chemicals for use in the treatment of water for a municipal supply for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the later of the date of execution of a contract or receipt of a notice to proceed, received on the 17th day of September, 2003, pursuant to the authority of Section 129.24 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to Five Hundred Twenty Eight Thousand Eight Hundred Eighty Dollars (\$528,880.00) (Net 30) is 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. 143045

which shall be certified against such contract in the sum of Seventy Five Thousand Dollars (\$75,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 650-03.

By Director Mok.

Be it resolved by Board of Control of the City of Cleveland that the bid of Great Lakes Construction Co., for the public improvement of West Hangar Road Phase II - Utility Corridor, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on August 13, 2003, pursuant to the authority of Ordinances Nos. 552-2000 and 1234-2000, passed June 19, 2000, and July 17, 2000, upon a unit basis for the improvement, in the aggregate amount of Nine Hundred Seventy-One Thousand Eight Hundred Eighty-Three and 40/100 Dollars (\$971,883.40), is hereby affirmed and approved as the lowest responsible bid, and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractors of Great Lakes Construction Co., hereby is approved:

Subcontractor(s)	MBE/FBE%	Dollar Amount
Able Contracting	4.73% FBE	\$45,970.08
Granger Trucking	12.19% MBE	\$118,472.59
Granger Trucking (20% Supply Rule)	1.14% MBE	\$11,079.47
Julian Supply (20% Supply Rule)	1.78% FBE	\$17,299.52
United Ready Mix	8.05% MBE	\$78,236.61

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 651-03.

By Director Ricchiuto.

Whereas, by Resolution No. 84-03, adopted February 12, 2003, this Board of Control authorized the Director of Public Service to enter into an agreement with Building Technicians Corporation for the House of Corrections roof replacement and approved East-West Construction, Inc. (MBE) as a subcontractor; and

Whereas, Building Technicians Corporation has requested and received approval from the Office of Equal Opportunity to substitute Miles Mechanical, Inc. (MBE) for East-West Construction, Inc. (MBE); now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Resolution No. 84-03, adopted February 12, 2003, is hereby amended by substituting "Miles Mechanical, Inc. (MBE), \$49,600 (16.65%)" for "East-West Construction Company, Inc. (MBE), \$37,200".

Be it further resolved, that all other provisions of said Resolution No. 84-03 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 652-03.

By Director Ricchiuto.

Whereas, Resolution No. 481-03, adopted by this Board on August 13, 2003, authorizing the Director of Public Service to enter into a written contract with C & S Companies for engineering services to design the rehabilitation of Grayton Road, incorrectly named C & S Engineers, Inc. as C & S Companies; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Resolution No. 481-03, adopted by this Board on August 13, 2003, authorizing the Director of Public Service to enter into a written con-

tract with C & S Companies for engineering services to design the rehabilitation of Grayton Road, is amended by deleting "C & S Companies" and substituting therefor C & S Engineers, Inc.

Be it further resolved that all other provisions of said Resolution No. 481-03 not expressly amended herein shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 653-03.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Valley Sterling Truck Sales, Inc. for an estimated quantity of cab/chassis with 10-cubic yards refuse packer body (primary), for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on August 27, 2003, pursuant to the authority of Ordinance No. 1845-02, passed by the Council of the City of Cleveland on October 7, 2002, which on the basis of the estimated quantity would amount to One Hundred Fifty-One Thousand Nine Hundred Twenty-Four and 00/100 Dollars (\$151,924.00) (0%-30 days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into 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. 130095

which shall be certified against such contract in the sum of One Hundred Fifty-One Thousand Nine Hundred Twenty-Four and 00/100 Dollars (\$151,924.00).

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.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Valley Ford Truck Sales, Inc. for the above mentioned purchase is hereby approved:

Logical Services, Inc.

FBE — \$800.00 per unit — 1.05%

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 654-03.

By Director Ricchiuto.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Gibson Machinery, LLC for an estimated quantity of various salt spreader, insert and plow parts and labor if necessary, item 1, for

the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two (2) years beginning with the date of execution of a contract, received on September 5, 2003, pursuant to the authority of Ordinance No. 2228-02, passed by the Council of the City of Cleveland on December 9, 2002, which on the basis of the estimated quantity would amount to Ninety Thousand and no/100 Dollars (\$90,000.00) (Net) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 130047 which shall be certified against such contract in the sum of Twenty Five Thousand and no/100 Dollars (\$25,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 655-03.

By Director Ricchiuto.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of W. W. Williams Midwest, Inc. for an estimated quantity of remanufactured Allison automatic transmissions including training cost, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two (2) years beginning with the date of execution of a contract, received on August 27, 2003, pursuant to the authority of Ordinance No. 804-03, passed by the Council of the City of Cleveland on June 10, 2003, which on the basis of the estimated quantity would amount to Three Hundred Ninety Thousand Five Hundred Ninety and no/100 Dollars (\$390,590.00) (Net) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 130048 which shall be certified against such contract in the sum of One Hundred Thousand and no/100 Dollars (\$100,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 656-03.

By Director Ronayne.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. J. Platten Contracting Co. for the public improvement of Lincoln Park Site Improvements, for Base Bid Items #1 - #18, #20 - #25, #27 - #30, #32, #35 - #45, #51 - #63, #65 - #70, #72 - #74, #76 - #86, Alternate Items #A4, #A 16, Add Alternate Items # 6AA and #8AA including the 5% contingency for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on September 10, 2003, pursuant to the authority of Ordinance No. 474-02 and 90103, passed on May 20, 2002 and June 10, 2003, upon a unit basis for the improvement in the aggregate amount of Six Hundred Seventy Three Thousand One Hundred Seventy Three and 27/100 dollars (\$673,173.27), is hereby affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by R. J. Platten Contracting, Co. for the aforementioned public improvement hereby is approved:

Subcontractors

	<u>Amount</u>	<u>Percentage</u>
Service Supply	\$55,995.00	8.32%
No Fault Industries (Saf-Dek)	\$49,531.40	7.36%
Tech Ready Mix (MBE)	\$29,000.00	4.31%
Einheit Electric	\$27,474.00	4.08%
Carrick Landscaping	\$20,750.00	3.08%
Ballast Fence (FBE)	\$20,400.00	3.03%
Lito Trucking (MBE)	\$11,059.70	1.64%
Premier Asphalt	\$7,400.00	1.10%

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 657-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 104-14-054 under said Land Reutilization Program; and

Whereas, Ordinance No. 1504-03 passed October 20, 2003, 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, Nazeh Brek and Sami N. Abosalah have 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. 1504-03 passed October 20, 2003, 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 Nazeh Brek and Sami N. Abosalah for the sale and development of Permanent Parcel No. 104-14-054, 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 \$11,000.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 658-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No(s). 121-18-134, 121-18-135, 121-18-136 and 121-18-129 under said Land Reutilization Program; and

Whereas, Ordinance No. 1854-03 passed October 20, 2003, 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 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. 1854-03 passed October 20, 2003, 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 for the sale and development of Permanent Parcel No(s). 121-18-134, 121-18-135, 121-18-136 and 121-18-129, 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 Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petrus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.
Absent: None.

Resolution No. 659-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 119-03-032 under said Land Reutilization Program; and

Whereas, Ordinance No. 1853-03 passed October 20, 2003, 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, Laverne Carter and James Carter have 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. 1853-03 passed October 20, 2003, 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 Laverne Carter and James Carter for the sale and development of Permanent Parcel No. 119-03-032, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petrus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.
Absent: None.

Resolution No. 660-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No(s). 104-18-072 and 104-18-073 under said Land Reutilization Program; and

Whereas, Ordinance No. 1507-03 passed October 20, 2003, 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, Raymond P. Nicholson and Vivian B. Nicholson have 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. 1507-03 passed October 20, 2003, 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 Raymond P. Nicholson and Vivian B. Nicholson for the sale and development of Permanent Parcel No(s). 104-18-072 and 104-18-073, 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 each, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petrus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.
Absent: None.

Resolution No. 661-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 111-01-009 under said Land Reutilization Program; and

Whereas, Ordinance No. 1709-03 passed October 20, 2003, 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, Clara Trotter and Manuel Trotter have 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. 1709-03 passed October 20, 2003, 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 Clara Trotter and Manuel Trotter for the sale and development of Permanent Parcel No. 111-01-009, 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 \$11,000.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petrus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.
Absent: None.

Resolution No. 662-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 104-21-030 under said Land Reutilization Program; and

Whereas, Ordinance No. 1711-03 passed October 20, 2003, 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, Crystal M. Jones 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. 1711-03 passed October 20, 2003, 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 Crystal M. Jones for the sale and development of Permanent Parcel No. 104-21-030, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petrus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.
Absent: None.

Resolution No. 663-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 002-13-037 under said Land Reutilization Program; and

Whereas, Ordinance No. 936-03 passed October 20, 2003, 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, James Maher and Judy Maher have 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. 936-03 passed October 20, 2003, 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 James Maher and Judy Maher for the sale and development of Permanent Parcel No. 002-13-037, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petrus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.
Absent: None.

Resolution No. 664-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No(s). 004-01-059 and 004-01-060 under said Land Reutilization Program; and

Whereas, Ordinance No. 1505-03 passed October 20, 2003, 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, Ward A. Hines, Jr. 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. 1505-03 passed October 20, 2003, 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 Ward A. Hines, Jr. for the sale and development of Permanent Parcel No(s). 004-01-059 and 004-01-060, 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 Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.
Absent: None.

Resolution No. 665-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 104-17-053 under said Land Reutilization Program; and

Whereas, Ordinance No. 1855-03 passed October 20, 2003, 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, Greater Cleveland Habitat for Humanity, Inc. has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1855-03 passed October 20, 2003, 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 Greater Cleveland Habitat for Humanity, Inc. for the sale and development of Permanent Parcel No. 104-17-053, 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 \$1.00, which amount is hereby deter-

mined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.
Absent: None.

Resolution No. 666-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No(s). 006-22-081, 116-22-126, 006-22-152 under said Land Reutilization Program; and

Whereas, Ordinance No. 542-02 passed July 17, 2002, 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, Stockyard Redevelopment Organization 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. 542-02 passed July 17, 2002, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Stockyard Redevelopment Organization for the sale and development of Permanent Parcel No(s). 006-22-081, 116-22-126, 006-22-152, 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 Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.
Absent: None.

Resolution No. 667-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 006-20-047 under said Land Reutilization Program; and

Whereas, Ordinance No. 1229-03 passed October 20, 2003, 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, Patricia Zayas and Edwin Zayas have 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. 1229-03 passed October

20, 2003, 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 Patricia Zayas and Edwin Zayas for the sale and development of Permanent Parcel No. 006-20-047, 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 \$400.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.
Absent: None.

Resolution No. 668-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 104-18-048 under said Land Reutilization Program; and

Whereas, Ordinance No. 777-03 passed October 20, 2003, 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, Jacqueline Nicholson 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. 777-03 passed October 20, 2003, 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 Jacqueline Nicholson for the sale and development of Permanent Parcel No. 104-18-048, 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 \$1.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.
Absent: None.

Resolution No. 669-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 107-11-039 under said Land Reutilization Program; and

Whereas, Ordinance No. 786-03 passed October 20, 2003, 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, Virginia E. Greene 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. 786-03 passed October 20, 2003, 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 Virginia E. Greene for the sale and development of Permanent Parcel No. 107-11-039, 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 \$1.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 670-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 106-13-034 under said Land Reutilization Program; and

Whereas, Ordinance No. 248-03 passed June 10, 2003, 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, Essie Grishom 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. 248-03 passed June 10, 2003, 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 Essie Grishom for the sale and development of Permanent Parcel No. 106-13-034, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said 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 the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

Resolution No. 671-03.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 009-02-082 under said Land Reutilization Program; and

Whereas, Ordinance No. 1710-03 passed October 20, 2003, 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, Cleveland Housing Network, Inc. has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1710-03 passed October 20, 2003, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Cleveland Housing Network, Inc. for the sale and development of Permanent Parcel No. 009-02-082, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Acting Director Schmotzer, Directors Fumich, Taylor and Acting Director Vilkas.

Nays: None.

Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

REYNALDO GALINDO,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 17, 2003

9:30 A.M.

Calendar No. 03-288: 1420 West 48th Street (Ward 17)

United Construction Company c/o Ekrami Ayoub, owner, appeals to change the use of an existing 1 1/2-story frame, two family dwelling to a one family dwelling situated on a 25' x 150' parcel located in a Two-Family District on the west side of West 48th Street at 1420 West 48th Street; the proposed construction and change being contrary to the Yards and Courts Requirements under Sections 357.09(2)(b)(2)(B), where an interior side yard of 3' is required and none is provided and an aggregate side yard width of 10' is required where 3' is proposed and Sections 357.09(2)(b)(2)(A) that require there must be no less than a 10' distance from a main building on an adjoining lot in a Residence District and subject to the provisions under Nonconforming Uses that require the Board of Zoning Appeals approval for the change in a nonconforming use as stated in Section 359.01 of the Codified Ordinances.

Calendar No. 03-289: 9616 Gaylord Avenue (Ward 2)

Robert Lanier, owner, appeals to enclose an existing 14' x 10' front porch of a one family, frame dwelling situated on a 42' x 176' parcel located in a Two-Family District on the south side of Gaylord Avenue at 9616 Gaylord Avenue; the proposed enclosure being contrary to the Yards and Courts Requirements, where the proposed porch enclosure has a 10' projection and enclosed front porches may not project more than 4' as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 03-290: 12510-12 Buckeye Road (Ward 4)

Margrette Williams, owner, appeals to establish use of an existing approximate 28' x 93' first floor store space in a two-story mixed use, brick building, situated on a 40' x 135' parcel in a Local Retail Business District on the south side of Buckeye Road at 12510-12 Buckeye Road; the proposed use being subject to Section 343.01 of the Business District Requirements and by reference, because it abuts a Two-Family District at the rear, it is regulated as in a Multi-Family District, where a day care and its uses if located less than 15' from any Residence District requires the Board of Zoning Appeals approval as stated in Section 337.08(e) of the Codified Ordinances.

Calendar No. 03-291: 5747 Portage Avenue (Ward 12)

John Lesko, owner, appeals to enclose an existing 6'-2" x 14' open front porch of a 2-story frame, one family dwelling situated on a 40' x 122' parcel located in a Two-Family District on the north side of Portage Avenue at 5747 Portage Avenue; the proposed enclosure being contrary to the Yards and Courts Requirements, where a 14' porch projection is proposed and no front porch may project more than 4' as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 03-294: 11420 Buckeye Road (Ward 4)

McDonald's Corporation, owner, appeals to add a 3' x 8' electronic message center sign to an existing 8' x 10' freestanding ID pole sign located at the front of an existing one-story masonry restaurant building and accessory parking lot, situated on a 207' x 195' irregular shaped parcel located in a Local Retail Business District on the south side of Buckeye Road at 11420 Buckeye Road; contrary to the Sign Regulations where free-standing ID and business signs using animation or electronically-changeable copy are permitted in either a General Retail Business District or a Shopping Center District but not in a Local Retail Business District as stated in Sections 350.14(b)(3) of the Codified Ordinances.

Calendar No. 03-295: 7804 Eve Avenue (Ward 17)

Richard Bennett, owner, appeals to construct a 24' x 24' one-story, frame accessory parking garage to the east of an existing two-story, frame dwelling house situated on an approximate 193' x 88' irregular triangle shaped parcel in a Two Family District on the north side of Eve Avenue where it intersects with Dudley Avenue at 7804 Eve Avenue; the proposed construction being contrary to Section 349.05 of the Off-Street Parking and Loading Regulations, where all accessory off-street parking spaces shall be located behind the setback building line and contrary to the Side Street Yard Regulations of the Yards and Courts Requirements, where 36" and 38" are proposed and no accessory building or use shall be less than 10' from the side street line as stated in Section 357.05(a) of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, NOVEMBER 3, 2003

At the meeting of the Board of Zoning Appeals on Monday, November 3, 2003, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 03-270: 1293 West 102nd Street

Joann Dove appealed to construct a 12' x 18' one-story frame, accessory garage at the rear of a two family dwelling in a Two-Family District.

Calendar No. 03-273: 1012 Galewood Avenue

Leandrew Green appealed from the decision of the Commissioner of Park Maintenance and Properties to pay the cost incurred to abate the vacant lot nuisance of parcel number 115-12-036.

Calendar No. 03-279: 13229 Enterprise Avenue

James Illius d.b.a. Builder's Loft appealed to construct an accessory parking area at the front of a block and brick commercial building in a Semi-Industry District; subject to submission and approval of a landscaping plan.

Calendar No. 03-225: 11010 Woodland Avenue

Lafayette Carthon appealed to

establish use of a first floor area of a two-story building as a day care in a General Retail Business District; subject to conditions.

The following appeals were **Denied:**

Calendar No. 03-266: 2326 West 5th Street

I&J Property, Inc. appealed to erect a three-story room addition, an accessory garage, a carport and a shed where there is an existing one family dwelling on a 33' x 115' parcel in a Two-Family District.

Calendar No. 03-274: 8245 Broadway Avenue

Ron Ferrari appealed to establish use as a used car sales lot and place a trailer as a sales office on a 201' x 199' irregular shaped parcel in a General Retail Business District.

The following appeals were **Postponed:**

Calendar No. 03-285: 222-248 Euclid Avenue postponed to November 17, 2003.**Calendar No. 03-256:** 3965 Rocky River Drive postponed to November 24, 2003.

The following appeal was **Withdrawn:**

Calendar No. 03-258: 12119-23 Lorain Avenue

Ruby Reinhard, owner, and Gregorio Rosales, prospective tenant, appealed to change the use of a two-story brick stores and apartments building to a restaurant and recreation use in a General Retail Business District.

The following appeals were **Dismissed:**

Calendar No. 03-272: 1584 East 82nd Street

Gregory Neal appealed to enclose a 12' x 25' front porch of a one family dwelling in a Multi-Family District.

Calendar No. 03-222: 3821 East 93rd Street

Greater Tabernacle Church appealed to establish use of an existing church and add a 65' x 80' one-story "L" shaped addition to the church in a Two Family District and a General Retail Business District.

On Monday, November 3, 2003, in Executive Session:

The following appeals were heard by the Board on Monday, October 27, 2003, and said decisions were approved and adopted in Executive Session on Monday, November 3, 2003:

The following appeals were **Approved:**

Calendar No. 03-269: 6720 St. Clair Avenue

Jane Prijatel appealed to install 51' linear feet of 6' high ornamental fence at the front of a patron parking lot of a one-story commercial building in a Local Retail Business District.

Calendar No. 03-280: 10929 Detroit Avenue (A)

Horizon Construction Company Ltd. appealed to erect a 15'-11" x 37' three-story, one family townhome in a Residence Office District.

Calendar No. 03-281: 10933 Detroit Avenue (B)

Horizon Construction Company Ltd. appealed to erect a 19.3' x 39.2' three-story, one family townhome in a Residence Office District.

Calendar No. 03-282: 10937 Detroit Avenue (C)

Horizon Construction Company Ltd. appealed to erect a 24.73' x 58.74' three-story, one family townhome in a Residence Office District.

Calendar No. 03-283: 1409 West 110th Street

Horizon Construction Company, Ltd. appealed to erect a 20' x 40' three-story, one family townhome in a Residence Office District.

Calendar No. 03-284: 1407 West 110th Street

Horizon Construction Company, Ltd. appealed to use an approximate 28' x 65' L-shaped lot as accessory parking for individual residential parking spaces in a Two-Family District.

Calendar No. 03-208: 3715 Highland Road

David Hinz appealed to construct a 22' x 40' two-story attached garage to the rear of a two-story dwelling on a 40' x 44' parcel in a Single-Family District.

The following appeal was **Denied:**

Calendar No. 03-264: 7125 Deveny Avenue

John J. Jarosz appealed to rebuild an 8' x 10' shed on the easterly side and at the rear of a four dwelling unit building in a Two-Family District.

MOTION FOR REHEARING GRANTED:

Calendar No. 03-200: 3809 Pearl Road
Zion Pentecostal Temple appealed to change the use of a one-story video store building into a church on a corner parcel located in a Local Retail Business District.

EUGENE CRANFORD, JR.,
Secretary

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

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

**Notice of Public Hearing
By the Council Committee
On City Planning**

**Mercedes Cotner Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, November 12, 2003
1:30 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, November 12, 2003, at 1:30 P.M., to consider the following ordinance now pending in the Council:

Ord. No. 1891-03.

By Council Member Zone.

An ordinance to change the zoning of property on West 67th Street south of Father Caruso Drive from General Industry to RA-2 Townhouse District (Map Change No. 2085, Sheet No. 1).

All interested persons are urged to be present or to be represented at the above time and place.

JOSEPH C. CIMPERMAN,
Chairman
Committee on City Planning

October 29, 2003 and November 5, 2003

CITY OF CLEVELAND BIDS**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, NOVEMBER 12, 2003

Various Size Front-End Loaders and Roll-Off Containers, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 1257-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, NOVEMBER 7, 2003 AT 10:00 A.M., DIVISION OF WASTE COLLECTION, 5600 CARNEGIE AVE., CLEVELAND, OHIO 44103.

October 29, 2003 and November 5, 2003

THURSDAY, NOVEMBER 13, 2003

Waste Collection Facility Site Improvements Charles V. Carr-South Bldg., E. 55th Street & Carnegie Ave., for the Division of Architecture, Department of Public Service as authorized by Ordinance No. 833-02, passed by the Council of the City of Cleveland, June 3, 2002.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, NOVEMBER 6, 2003 AT 10:00 A.M., CHARLES V. CARR CENTER, 5600 CARNEGIE AVE., CLEVELAND, OHIO 44103.

October 29, 2003 and November 5, 2003

FRIDAY, NOVEMBER 14, 2003

Keys, Locks & Hardware, for the Various Divisions, Department of Finance, as authorized by Ordinance No. 890-03, passed by the Council of the City of Cleveland, June 2, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, NOVEMBER 6, 2003 AT 11:30 A.M., 601 LAKESIDE AVE., CONFERENCE ROOM 104, CLEVELAND, OHIO 44114.

Gutter Broom Sets and Coreless Tube Brooms, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 369-03, passed by the Council of the City of Cleveland, March 24, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, NOVEMBER 6, 2003 AT 10:00 A.M., 601 LAKESIDE AVE., ROOM 26, CLEVELAND, OHIO 44114.

October 29, 2003 and November 5, 2003

WEDNESDAY, NOVEMBER 19, 2003

High Pressure Power Washers, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 1257-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, NOVEMBER 10, 2003 AT 10:00 A.M., DIVISION OF WASTE COLLECTION, 5600 CARNEGIE AVE., CLEVELAND, OHIO 44103.

Roll-Off-Haul-All Carrier Body & Tow Body, for Various Divisions, Department of Finance as authorized by Ordinance No. 1169-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, NOVEMBER 10, 2003 AT 3:30 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH ST., BUILDING #1, CLEVELAND, OHIO 44105.

October 29, 2003 and November 5, 2003

THURSDAY, NOVEMBER 20, 2003

Cold Mix, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 364-03, passed by the Council of the City of Cleveland, March 24, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, NOVEMBER 11, 2003 AT 10:30 A.M., DIVISION OF STREETS, ROOM 26, 601 LAKESIDE AVE., CLEVELAND, OHIO 44114.

Curb Bumpers and Plow Blades, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 362-03, passed by the Council of the City of Cleveland, March 24, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, NOVEMBER 11, 2003 AT 11:00 A.M., DIVISION OF STREETS, ROOM 26, 601 LAKESIDE AVE., CLEVELAND, OHIO 44114.

October 29, 2003 and November 5, 2003

THURSDAY, NOVEMBER 20, 2003

SS1 Tack Coat, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 430-03, passed by the Council of the City of Cleveland, May 12, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, NOVEMBER 11, 2003 AT 11:30 A.M., DIVISION OF STREETS, ROOM 26, 601 LAKESIDE AVE., CLEVELAND, OHIO 44114.

October 29, 2003 and November 5, 2003

WEDNESDAY, NOVEMBER 19, 2003

Ballistic Vests, Carriers and T-Shirts, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, NOVEMBER 13, 2003 AT 10:00 A.M., JUSTICE CENTER, 1300 ONTARIO ST., 8TH FLOOR, CLEVELAND, OHIO 44114.

Furnish & Installation of Carpeting, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 2025-02, passed by the Council of the City of Cleveland, November 18, 2002.

THERE WILL BE A **MANDATORY** PRE-BID MEETING, THURSDAY, NOVEMBER 13, 2003 AT 10:00 A.M., CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

November 5, 2003 and November 12, 2003

THURSDAY, NOVEMBER 20, 2003

Reflective Sheeting and Steel U-Channel Posts, for the Division of Traffic Engineering, Department of Public Service, as authorized by Ordinance No. 371-03, passed by the Council of the City of Cleveland, March 24, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, NOVEMBER 13, 2003 AT 10:30 A.M., CITY HALL, 601 LAKESIDE AVE., ROOM 518, CLEVELAND, OHIO 44114.

November 5, 2003 and November 12, 2003

FRIDAY, NOVEMBER 21, 2003

Furniture Equipment for Recreation Centers, for Various Divisions, Department of Parks, Recreation, and Properties, as authorized by Ordinance No. 1264-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, NOVEMBER 14, 2003 AT 11:30 A.M., DIVISION OF RECREATION, CITY HALL, 601 LAKESIDE AVE., ROOM 8, CLEVELAND, OHIO 44114.

Guard Rail Elements, Post, End Wings and Necessary Hardware, for the Division of Streets, Department of Public Service as authorized by Ordinance No. 368-03, passed by the Council of the City of Cleveland, March 24, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, NOVEMBER 14, 2003 AT 10:00 A.M., DIVISION OF RECREATION, CITY HALL, 601 LAKESIDE AVE., ROOM 26, CLEVELAND, OHIO 44114.

November 5, 2003 and November 12, 2003

WEDNESDAY, NOVEMBER 26, 2003

Landscape Installation at Various Water Works Facilities, for Various Divisions, Department of Public Utilities, as authorized by Ordinance No. 1153-03, passed by the Council of the City of Cleveland, August 13, 2003.

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

THERE WILL BE A **MANDATORY** PRE-BID MEETING, MONDAY, NOVEMBER 17, 2003 AT 10:00 A.M., PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 1ST FLOOR, CLEVELAND, OHIO 44114.

THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

Landscape Maintenance at Various Water Works Facilities, for Various Divisions, Department of Public Utilities, as authorized by Ordinance No. 1153-03, passed by the Council of the City of Cleveland, August 13, 2003.

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

THERE WILL BE A **MANDATORY** PRE-BID MEETING, MONDAY, NOVEMBER 17, 2003 AT 10:00 A.M., PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 1ST FLOOR, CLEVELAND, OHIO 44114.

THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

Lift Trucks, for Various Divisions, Department of Finance, as authorized by Ordinance No. 1169-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, NOVEMBER 18, 2003 AT 3:30 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH ST., BUILDING #1, CLEVELAND, OHIO 44105.

One (1) Ice Resurfacer, for Various Divisions, Department of Finance, as authorized by Ordinance No. 1169-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, NOVEMBER 18, 2003 AT 4:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH ST., BUILDING #1, CLEVELAND, OHIO 44105.

November 5, 2003 and November 12, 2003

WEDNESDAY, DECEMBER 3, 2003

Sound Attenuation Improvements—Islamic Mosque (Phase II RSIP), for Department of Port Control, as authorized by Ordinance No. 930-95, 469-98 and 327-2000, passed by the Council of the City of Cleveland, June 19, 1995, May 18, 1998 and June 12, 2000.

THERE WILL BE A **REFUNDABLE FEE** FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, WEDNESDAY, NOVEMBER 19, AT 2:30 P.M., C & S ENGINEERS OF OHIO, ONE INTERNATIONAL PLACE, 20445 EMERALD PARKWAY, SUITE 100, CLEVELAND, OHIO 44135.

November 5, 2003 and November 12, 2003

ADOPTED RESOLUTIONS AND ORDINANCES**Res. No. 2098-03.**

By Council Members Dolan, Sweeney, O'Malley and Polensek.

An emergency resolution declaring Mayo County, Parish of Achill, Ireland, a sister city of the City of Cleveland.

Whereas, Achill Parish, located in County Mayo, Ireland, is known for its striking beauty and is home to one of the world's finest fishing regions; and

Whereas, over 85% of the 250,000 Irish in Greater Cleveland trace their ancestral origins to the Parish of Achill; and

Whereas, many of the Mayo County, Achill Parish Irish originally settled in "Irish bend", along the Cuyahoga River, south of Detroit and east of West 25th Street; and

Whereas, representatives of the City of Cleveland and Mayo County, Achill Parish have expressed interest in an active exchange of culture, tourism, business and education opportunities; and

Whereas, such exchange would serve to support the development and growth of both communities, to deepen the relationship that has existed between the communities for the past 200 years, and to expand and enhance knowledge and understanding between the communities; and

Whereas, the leaders of Cleveland and the Mayo County Council, Achill Parish, have expressed an interest in working toward establishing a permanent sister city relationship between their communities; and

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

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

Section 1. That this Council hereby declares Mayo County, Achill Parish, Ireland, a sister city of the City of Cleveland.

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

Adopted October 27, 2003.

Effective October 29, 2003.

Res. No. 2106-03.

By Council Member Brady.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 13429 Lakewood Heights Boulevard.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Cheer-Up, Inc., 13429 Lakewood Heights Boulevard, Cleveland, Ohio 44107, Permanent Number 1410123 to 2 Wolves, Inc., 13429 Lakewood Heights Boulevard, Cleveland, Ohio 44107, Permanent Number 9116441; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Cheer-Up, Inc., 13429 Lakewood Heights Boulevard, Cleveland, Ohio 44107, Permanent Number 1410123 to 2 Wolves, Inc., 13429 Lakewood Heights Boulevard, Cleveland, Ohio 44107, Permanent Number 9116441; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 27, 2003.

Effective October 29, 2003.

Res. No. 2107-03.

By Council Member Brady.

An emergency resolution objecting to the stock transfer of ownership of a D5 Liquor Permit to 3349 West 117th Street, 1st Floor.

Whereas, Council has been notified by the Department of Liquor Control of an application for a stock transfer of ownership of a D5 Liquor Permit to 3349 Fidelity, Inc., 3349 West 117th Street, 1st Floor, Cleveland, Ohio 44111, Permanent Number 8918565; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the stock transfer of ownership of a D5 Liquor Permit to 3349 Fidelity, Inc., 3349 West 117th Street, 1st Floor, Cleveland, Ohio 44111, Permanent Number 8918565; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 27, 2003.

Effective October 29, 2003.

Res. No. 2108-03.

By Council Member Johnson.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 8805 Buckeye Road and repealing Resolution No. 923-03, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 8805 Buckeye Road by Resolution No. 923-03 adopted by the Council on May 19, 2003; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 8805 Buckeye Road be and the same is hereby withdrawn and Resolution No. 923-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted October 27, 2003.

Effective October 29, 2003.

Res. No. 2109-03.

By Council Member Reed.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 3918 East 140th Street and repealing Resolution No. 1692-02, objecting to said renewal.

Whereas, this Council objected to a C2 and C2X Liquor Permit to 3918 East 140th Street by Resolution No. 1692-02 adopted by the Council on August 14, 2002; and

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

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

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

Section 1. That objection to a C2 and C2X Liquor Permit to 3918 Co., DBA East 140th Street Market, 3918 East 140th Street, Cleveland, Ohio 44128, Permanent Number 8917046, be and the same is hereby withdrawn and Resolution No. 1692-02, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted October 27, 2003.

Effective October 29, 2003.

Res. No. 2110-03.**By Council Member Brady.**

An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit at 11824 Lorain Avenue and repealing Resolution No. 2053-03, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 11824 Lorain Avenue by Resolution No. 2053-03 adopted by the Council on October 20, 2003; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 Liquor Permit to 11824 Lorain Avenue be and the same is hereby withdrawn and Resolution No. 2053-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted October 27, 2003.

Effective October 29, 2003.

Res. No. 2111-03.**By Council Member Brady.**

An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit at 4200 West 130th Street and repealing Resolution No. 1737-03, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 4200 West 130th Street by Resolution No. 1737-03 adopted by the Council on September 8, 2003; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 Liquor Permit to 4200 West 130th Street be and the same is hereby withdrawn and Resolution No. 1737-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted October 27, 2003.

Effective October 29, 2003.

Res. No. 2112-03.**By Council Member White.**

An emergency resolution withdrawing objection to a New C2 Liquor Permit at 3790 East 116th Street (aka 3790 Martin Luther King, Jr. Drive) and repealing Resolution No. 1566-03, objecting to said permit.

Whereas, this Council objected to a New C2 Liquor Permit to 3790 East 116th Street (aka 3790 Martin Luther King, Jr. Drive) by Resolution No. 1566-03 adopted by the Council on August 13, 2003; and

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

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

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

Section 1. That objection to a New C2 Liquor Permit to 3790 East 116th Street (aka 3790 Martin Luther King, Jr. Drive) be and the same is hereby withdrawn and Resolution No. 1566-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted October 27, 2003.

Effective October 29, 2003.

Res. No. 2113-03.**By Council Member Reed.**

An emergency resolution withdrawing objection to a New C2 Liquor Permit at 14510 Kinsman Avenue and repealing Resolution No. 843-03, objecting to said permit.

Whereas, this Council objected to a New C2 Liquor Permit to 14510 Kinsman Avenue, by Resolution No. 843-03 adopted by the Council on May 12, 2003; and

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

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

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

Section 1. That objection to a New C2 Liquor Permit to 14510, Inc., DBA Kinsman Sunoco, 14510 Kinsman Avenue, Cleveland, Ohio 44120, Permanent Number 6549670, be and the same is hereby withdrawn and Resolution No. 843-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate issuance thereof.

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

Adopted October 27, 2003.

Effective October 29, 2003.

Ord. No. 1510-03.**By Council Member Lewis.**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6914 Superior Avenue to 6920 Superior LLC.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 106-02-007 and 106-02-008, as more fully described below, to 6920 Superior LLC.

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

P. P. No. 106-02-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 344 and bounded and described as follows:

Beginning on the Southerly line of Superior Avenue, N.E. at the North-westerly corner of Sublot No. 15 in Henry Keller's Allotment as shown by the recorded plat in Volume 20 of Maps, Page 18 of Cuyahoga County Records; thence Southerly along the Westerly line of said Sublot No. 15, 150 feet to the Northerly line of Sublot No. 16 in said Allotment;

thence Westerly along the Northerly line of Sublot No. 16 and the Northerly line of Sublot No. 12 in said Allotment 47 feet to the Southeasterly corner of Sublot No. 14 in said Allotment; thence Northerly along the Easterly line of said Sublot No. 14, 150 feet to the Southerly line of Superior Avenue, N.E.; thence Easterly along said Southerly line, 47 feet to the place of beginning.

P. P. No. 106-02-008

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 100 feet of Sublot No. 15 in Henry Keller Allotment of part of Original One Hundred Acre Lot No. 344, as shown by the recorded plat in Volume 20 of Maps, Page 18 of Cuyahoga County Records, and forming a parcel of land 50 feet front on the Southerly side of Superior Avenue (formerly Superior Street) and extending back between parallel lines 100 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed October 27, 2003.

Effective October 29, 2003.

Ord. No. 1690-03.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with AirSports Aviation, LTD for the lease of office space at Burke Lakefront Airport, for the Department of Port Control.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with AirSports Aviation, LTD ("Lessee") for use and occupancy of approximately 1,887 square feet of office space located in Rooms 108, 127, and 149 and approximately 486 square feet of space located immediately outside of Room 149 of the terminal building at Burke Lakefront Airport ("Leased Premises"). The term of the Lease shall be for a two year period, commencing on the effective date of the Lease. For use of the Leased Premises, Lessee shall pay the City an annual rate of Twenty-Two Thousand Six Hundred Forty-Four Dollars (\$22,644.00) which is equal to \$12.00 per square foot.

Section 2. That the Lease authorized shall be prepared by the Director of Law and shall contain additional terms and conditions as the Director deems necessary to protect and benefit the public interest.

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

Passed October 27, 2003.

Effective October 29, 2003.

Ord. No. 1692-03.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Circadian Knight Corp. dba TOP GUN for the lease of office space at Burke Lakefront Airport, for the Department of Port Control.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with Circadian Knight Corp. dba TOP GUN ("Lessee") for use and occupancy of approximately 205.34 square feet of office space located in Room 162 of the terminal building at Burke Lakefront Airport ("Leased Premises"). The term of the Lease shall be for a two year period, commencing on the effective date of the Lease. For use of the Leased Premises, Lessee shall pay the City an annual rate of Two Thousand Four Hundred Sixty-Four Dollars and Eight Cents (\$2,464.08) which is equal to \$12.00 per square foot.

Section 2. That the Lease authorized shall be prepared by the Director of Law and shall contain additional terms and conditions as the Director deems necessary to protect and benefit the public interest.

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

Passed October 27, 2003.

Effective October 29, 2003.

Ord. No. 1693-03.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with American Flyers, Inc. for the lease of office space at Burke Lakefront Airport, for the Department of Port Control.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with American Flyers, Inc. ("Lessee") for use and occupancy of approximately 1,711.71 square feet of office space located in Rooms 179, 193, and 194 of the terminal building at Burke Lakefront Airport ("Leased Premises"). The term of the Lease shall be for a two year period, commencing on the effective date of the Lease. For use of the Leased Premises, Lessee shall pay the City an annual rate of Twenty Thousand Five Hundred Forty Dollars and Fifty-Two Cents (\$20,540.52) which is equal to \$12.00 per square foot.

Section 2. That the Lease authorized shall be prepared by the Director of Law and shall contain additional terms and conditions as the Director deems necessary to protect and benefit the public interest.

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

Passed October 27, 2003.

Effective October 29, 2003.

Ord. No. 1694-03.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with T & G Flying Club, Inc. for the lease of office space at Burke Lakefront Airport, for the Department of Port Control.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with T & G Flying Club, Inc. ("Lessee") for use and occupancy of approximately 486 square feet of office space located in Room 115 of the terminal building at Burke Lakefront Airport ("Leased Premises"). The term of the Lease shall be for a two year period, commencing on the effective date of the Lease. For use of the Leased Premises, Lessee shall pay the City an annual rate of Five Thousand Eight Hundred Thirty-Two Dollars (\$5,832.00) which is equal to \$12.00 per square foot.

Section 2. That the Lease authorized shall be prepared by the Director of Law and shall contain additional terms and conditions as the Director deems necessary to protect and benefit the public interest.

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

Passed October 27, 2003.
Effective October 29, 2003.

Ord. No. 1804-03.
By Council Members Sweeney and Jackson (by departmental request).
An emergency ordinance to amend the title and Section 1 of Ordinance No. 808-03, passed June 10, 2003, relating to the Director of Public Service entering into one or more requirement contracts for Leach packer parts, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the title and Section 1 of Ordinance No. 808-03, passed June 10, 2003, are amended to read as follows:

An emergency ordinance authorizing the Director of Public Service to enter into one or more requirement contracts with Bell Equipment Company for Leach packer parts, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Section 1. That this Council has determined that the within services are non-competitive and cannot be secured from any source other than Bell Equipment Company. Therefore, the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years of the necessary items of Leach packer parts, for the Division of Motor Vehicle Maintenance, Department of Public Service. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a finan-

cial advantage shall be determined by the Director of Public Service by comparing the prices received for both terms.

Section 2. That the title and Section 1 of Ordinance No. 808-03, passed June 10, 2003, are repealed.

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

Passed October 27, 2003.
Effective October 29, 2003.

Ord. No. 1889-03.
By Council Members Johnson and Jackson (by departmental request).
An emergency ordinance authorizing the purchase by one or more requirement contracts of electrical motors and pumps, including attachments, parts, and equipment, and labor and materials necessary to repair electric motor and pumps, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed two years.

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

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

Section 1. That the Director of Parks, Recreation and Properties is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of electrical motors and pumps, including attachments, parts, and equipment, and labor and materials necessary to repair electric motor and pumps, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Property Management, Department of Parks, Recreation and Properties. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than two years may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 143130)

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

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

Passed October 27, 2003.
Effective October 29, 2003.

Ord. No. 1969-03.
By Council Members Sweeney and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Public Service to enter into one or more requirement contracts without competitive bidding with E.J. Ward, Inc. for spare replacement parts for the fuel control terminals and for telephone consultation needed to maintain the terminals, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That this Council has determined that the within commodities are non-competitive and cannot be secured from any source other than E.J. Ward, Inc. Therefore, the Director of Public Service is authorized to make one or more written requirement contracts with E.J. Ward, Inc. under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years for spare replacement parts for the fuel control terminals and for telephone consultation needed to maintain the terminals, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130059)

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

Passed October 27, 2003.
Effective October 29, 2003.

Ord. No. 1970-03.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of tires, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year or two years for the necessary items of tires in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130064)

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

Passed October 27, 2003.
Effective October 29, 2003.

Ord. No. 1971-03.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials needed to repair, rebuild and replace hydraulic cylinders, pumps, motors, valves, fuel injectors, drive shafts gear boxes and trailers, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year or two years for the necessary items of labor and materials needed to repair, rebuild and replace hydraulic cylinders, pumps, motors, valves, fuel injectors, drive shafts gear boxes and trailers in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130058)

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

Passed October 27, 2003.
Effective October 29, 2003.

Ord. No. 1972-03.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to repair and maintain generators, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year or two years for the necessary items of labor and materials necessary to repair and maintain generators in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130062)

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

Passed October 27, 2003.
Effective October 29, 2003.

Ord. No. 1973-03.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of automotive paint and supplies, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year or two years for the necessary items of automotive paint and supplies in the approximate amount as purchased during the preceding term, pur-

chased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130057)

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

Passed October 27, 2003.

Effective October 29, 2003.

Ord. No. 1974-03.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of remanufactured vehicle transmissions, including installation, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year or two years for the necessary items of remanufactured vehicle transmissions, including installation, in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and

Supplies on a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130055)

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

Passed October 27, 2003.

Effective October 29, 2003.

Ord. No. 1975-03.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary for the repair of vehicle frames and vehicle alignments, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year or two years for the necessary items of labor and materials necessary for the repair of vehicle frames and vehicle alignments in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies on a

unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130067)

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

Passed October 27, 2003.

Effective October 29, 2003.

Ord. No. 1976-03.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts for purchase of anti-freeze, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year or two years for the necessary items for the purchase of anti-freeze in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in a manner that per-

mits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130063)

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

Passed October 27, 2003.
Effective October 29, 2003.

Ord. No. 1977-03.
By Council Members Sweeney and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Public Service to enter into one or more requirement contracts without competitive bidding with Finley Fire Equipment Co., Inc. for Pierce fire apparatus parts, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That this Council has determined that the within commodities are non-competitive and cannot be secured from any source other than Finley Fire Equipment Co., Inc. Therefore, the Director of Public Service is authorized to make one or more written requirement contracts with Finley Fire Equipment Co., Inc. under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years for Pierce fire apparatus parts, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Motor Vehicle Maintenance, Department of Public Service. The Director of Public Service is authorized to

enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130060)

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

Passed October 27, 2003.
Effective October 29, 2003.

Ord. No. 1978-03.
By Council Members Sweeney and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Public Service to enter into one or more requirement contracts with Maltese Fire Equipment Co. for the purchase of Duplex cab and chassis fire apparatus parts and LTI and Grumman fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That this Council has determined that the within services are non-competitive and cannot be secured from any source other than Maltese Fire Equipment Co. Therefore, the Director of Public Service is authorized to make one or more written requirement contracts with Maltese Fire Equipment Co. under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years for the purchase of Duplex cab and chassis fire apparatus parts and LTI and Grumman fire apparatus parts, including labor if necessary, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Motor Vehicle Maintenance, Department of Public Service. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the cost of the contract or contracts shall be charged against the proper appropriation account and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases shall be made on order of the Director of Public Service under a requisition against the contract or contracts certified by the Director of Finance. (RL 130061)

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

Passed October 27, 2003.
Effective October 29, 2003.

Ord. No. 1979-03.
By Council Members Sweeney and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Public Service to enter into one or more requirement contracts without competitive bidding with APO Holdings, Inc. for Ingersoll Rand air compressor parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That this Council has determined that the within commodities are non-competitive and cannot be secured from any source other than APO Holdings, Inc. Therefore, the Director of Public Service is authorized to make one or more written requirement contracts with APO Holdings, Inc. under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years for Ingersoll Rand air compressor parts, including labor if necessary, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Motor Vehicle Maintenance, Department of Public Service. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130053)

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

Passed October 27, 2003.

Effective October 29, 2003.

Ord. No. 1980-03.
By Council Members Sweeney and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Public Service to enter into one or more requirement contracts without competitive bidding with Hertz Equipment Rental Corporation for Sullivan air compressor parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That this Council has determined that the within commodities are non-competitive and cannot be secured from any source other than Hertz Equipment Rental Corporation. Therefore, the Director of Public Service is authorized to make one or more written requirement contracts with Hertz Equipment Rental Corporation under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years for Sullivan air compressor parts, including labor if necessary, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Motor Vehicle Maintenance, Department of Public Service. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130054)

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

Passed October 27, 2003.

Effective October 29, 2003.

Ord. No. 1981-03.
By Council Members Sweeney and Jackson (by departmental request).
An emergency ordinance authorizing the purchase by one or more requirement contracts of Ford vehicle parts, including installation, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year or two years for the necessary items of Ford vehicle parts, including installation, in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130056)

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

Passed October 27, 2003.

Effective October 29, 2003.

Ord. No. 2088-03.
By Council Members Coats and Jackson (by departmental request).
An emergency ordinance authorizing the retention and use of revenue by the general fund from tax remittances collected by Cleveland Public Power during the year 2004, and authorizing Cleveland Public Power to apply up to \$2 million from previously collected tax remittances, and up to \$2 million from revenues generated by an existing charge, to the replacement of copper naphthenate poles in the Cleveland Public Power System.

Whereas, under Ordinance No. 910-98, passed February 14, 2000, this Council authorized, among other things, that Cleveland Public Power shall receive from the general fund an amount equal to eighty-five percent (85%) of the tax remittances due the City collected by Cleveland Public Power under Section 5727.81 of the Revised Code; and

Whereas, under Ordinance No. 1886-02, passed October 28, 2002, this Council directed that the general fund shall retain all of the tax remittances collected by Cleveland Public Power during 2003; and

Whereas, additional legislative authority is necessary in order for the general fund to retain all such tax remittances collected during calendar year 2004; and

Whereas, Ordinance No. 1886-02 also authorized Cleveland Public Power to apply up to \$1,000,000 from revenues generated by an increase in the incremental charge described in Ordinance No. 910-98, and up to \$1,000,000 of tax remittances collected by Cleveland Public Power under Section 5727.81 of the Revised Code and received by Cleveland Public Power from the general fund prior to January 1, 2003, to the cost in calendar year 2003 of replacing utility poles treated with copper naphthenate in the Cleveland Public Power distribution system; and

Whereas, legislative authority is necessary to authorize Cleveland Public Power to apply up to \$2,000,000 from such incremental charge, and up to \$2,000,000 from such tax remittances, to the cost in calendar year 2004 of replacing the copper naphthenate poles; 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 Ordinance No. 910-98, passed February 14, 2000, as amended by Ordinance No. 1886-02, passed October 28, 2002, the general fund shall retain 100% of the tax remittances collected under Section 5727.81 of the Revised Code during calendar year 2004.

Section 2. That, notwithstanding and as an exception to Ordinance No. 910-98, passed February 14, 2000, as amended by Ordinance No. 1886-02, passed October 28, 2002, Cleveland Public Power is authorized to apply up to \$2,000,000 from revenues generated by the increase in the incremental charge described in Ordinance No. 910-98, and up to \$2,000,000 of tax remittances collected by Cleveland Public Power under Section 5727.81 of the Revised Code and received by Cleveland Public Power from the general fund prior to January 1, 2003, to the cost in calendar year 2004 of replacing utility poles treated with copper naphthenate in the Cleveland Public Power distribution system.

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

Passed October 27, 2003.

Effective October 29, 2003.

Ord. No. 2093-03.
By Council Members Scott, Gordon and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Glenville Development Corporation to provide economic development assistance to partially finance a holiday street beautification project in the Glenville neighborhood.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a grant agreement with Glenville Development Corporation to provide economic development assistance to partially finance a holiday street beautification project in the Glenville neighborhood.

Section 2. That the costs of the grant shall not exceed \$75,000 and shall be paid from Fund No. 17 SF 652, Request No. 103598.

Section 3. That the Director of Law is authorized to prepare the grant agreement and other documents as may be appropriate to complete the transaction.

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

Passed October 27, 2003.
 Effective October 29, 2003.

Ord. No. 2095-03.
By Council Members Cimperman, Gordon and Jackson (by departmental request).

An emergency ordinance to amend Sections 1 and 5 of Ordinance No. 983-03, passed June 10, 2003, relating to the sale of Economic Development Revenue Bonds for the Lower Euclid Avenue Project.

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

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

Section 1. That Sections 1 and 5 of Ordinance No. 983-03, passed June 10, 2003, are amended to read as follows:

Section 1. Definitions. In addition to the words and terms defined elsewhere in this Ordinance or in the Indenture, the following words and terms as used in this Ordinance shall have the meanings set forth below. Capitalized words and terms not defined in this Section or elsewhere in this Ordinance and used herein shall have the meanings assigned to them in the Indenture, including Exhibit A thereto which is incorporated herein by reference, unless the context or use clearly indicates another meaning or intent: "238 Euclid" means 238 Euclid, LLC, an Ohio limited liability company, and its successors and assigns.

"238 Euclid Loan Agreement" means the Agreement, to be dated as of the first day of the month in which the Closing Date of the Series 2003A Bonds occurs, by and between the Issuer and 238 Euclid, as amend-

ed and supplemented from time to time.

"238 Euclid Project" means the construction and renovation of commercial restaurant and retail facilities, all as more fully described in Exhibit A to the 238 Euclid Loan Agreement.

"318 Euclid" means 318 Euclid, LLC, an Ohio limited liability company, and its successors and assigns.

"318 Euclid Loan Agreement" means the Agreement, to be dated as of the first day of the month in which the Closing Date of the Series 2003A Bonds occurs, by and between the Issuer and 318 Euclid, as amended and supplemented from time to time.

"318 Euclid Project" means the construction and renovation of commercial restaurant and retail facilities, all as more fully described in Exhibit A to the 318 Euclid Loan Agreement.

"Act" means Chapter 165, Ohio Revised Code, as enacted and amended from time to time pursuant to Section 13 of Article VIII of the Ohio Constitution.

"Agreement" or "Agreements" means the 238 Euclid Loan Agreement, the 318 Euclid Loan Agreement and the OSF Loan Agreement.

"Authorized Denominations" means \$100,000 and any larger denomination constituting an integral multiple of \$1,000, unless otherwise provided in the Final Terms Certificate.

"Bond" or "Bonds" means the Series 2003A and the Series 2003B Bonds.

"Bond Funds" means the Series 2003A Bond Fund and the Series 2003B Bond Fund created under the Indenture.

"Bond Service Charges" means, for any period of time, the principal of (whether at stated maturity, by mandatory sinking fund redemption, or otherwise) and interest, and any premium due on the Bonds for that period or payable at that time, as the case may be.

"Borrower" or "Borrowers" means 238 Euclid, 318 Euclid and OSF, and their lawful successors and assigns, to the extent permitted by the Agreements.

"City" means the City of Cleveland, Ohio.

"Clerk" means the Clerk of the Council of the Issuer.

"Closing Date" means, with respect to any Series of Bonds, the date on which the Bonds of that Series are delivered to the Original Purchaser thereof and payment therefor is made to the Issuer.

"Codified Ordinances" means the Codified Ordinances of the City of Cleveland.

"Council" means the Council of the City of Cleveland, Ohio.

"District" means the real property described in Ordinance No. 2247-02, passed by the Council on December 16, 2002.

"Economic Development Director" means the Director of Economic Development of the City.

"Euclid/Prospect II TIF Fund" means the urban redevelopment tax increment equivalent fund established by the City in Ordinance No. 2247-02 pursuant to Section 5709.43, Ohio Revised Code.

"Final Terms Certificate" means the Series 2003A Final Terms Certificate, the Series 2003B-1 Final Terms Certificate and the Series 2003B-2 Final Terms Certificate.

"Fiscal Officer" means the Director of Finance of the Issuer.

"Holder" or "Holder of a Bond" means the person in whose name a Bond is registered on the Register for which provision is made in the Indenture.

"Indenture" means the Trust Indenture, between the Issuer and the Trustee, to be dated as of the first day of the month in which the Closing Date of the Series 2003A Bonds occurs, as amended or supplemented from time to time.

"Interest Payment Date" means each June 15 and December 15 commencing December 15, 2003, or such other Interest Payment Date as defined in the applicable Final Terms Certificate.

"Issuer" means the City.

"Law Director" means the Director of Law of the Issuer.

"Loan" means the loan by the Issuer to each Borrower of a portion of the proceeds received from the sale of the various Series of Bonds.

"Loan Payments" means the amounts required to be paid by each Borrower in repayment of the Loan pursuant to the provisions of each respective Agreement.

"Mandatory Redemption Dates" means the Principal Payment Date or Dates on which each Series of Bonds shall be subject to Mandatory Sinking Fund Redemption.

"Mandatory Sinking Fund Redemption Requirements" means, as to the Bonds, the deposits required to be made in respect of the mandatory redemption requirements as set forth in the Indenture.

"Mayor" means the Mayor of the City.

"Nontax Revenues" means all money of the Issuer that is not money raised by taxation, to the extent available, if needed, for deposit in the Bond Fund as provided in the Indenture, including but not limited to the following: (a) charges for services and payments received in reimbursement for services; (b) payments in lieu of taxes now or hereafter authorized by State statute; (c) fines and forfeitures; (d) fees from properly imposed licenses and permits; (e) investment earnings on any funds of the Issuer that are credited to the Issuer's General Fund; (f) proceeds from the sale of assets; (g) rental income; (h) grants from the United States of America and the State of Ohio; (i) gifts and donations; and (j) Project Revenues.

"Ordinance" means this Ordinance providing for the issuance of the Bonds and approving the Agreements, the Indenture and related matters.

"Original Purchaser" means with respect to the Series 2003A Bonds and the Series 2003B-1 Bonds, the City, and with respect to the 2003B-2 Bonds, Cleveland Development Partnership II, L.P., or its designee.

"OSF" means OSF Properties, Inc., an Ohio corporation, and its successors and assigns.

"OSF Loan Agreement" means the Agreement, to be dated as of the first day of the month in which the Closing Date of the Series 2003A Bonds occurs, by and between the Issuer and OSF, as amended and supplemented from time to time.

"OSF Project" means the construction of an approximately 550-space parking garage, all as more fully described in Exhibit A to the OSF Loan Agreement.

"Other Property Excess Service Payments" means Service Payments in excess of \$25,000 in the aggregate derived from property owned by any property owner or its affiliates (other than affiliates of OSF, and its successors and assigns) who has not received proceeds of the Bonds.

"Person" or words importing persons mean firms, associations, partnerships (including without limitation, general and limited partnerships), joint ventures, societies, estates, trusts, corporations, public

or governmental bodies, other legal entities, and natural persons.

"Pledged Nontax Revenues" means (i) all Project Revenues, (ii) proceeds of any series of Bonds to be used to pay capitalized interest or otherwise to be available to pay Bond Service Charges, (iii) all money in the Special Funds, and (iv) all income and profit from the investment of the foregoing money.

"Principal Payment Date" means Principal Payment Date as defined in the applicable Final Terms Certificate.

"Projects" means, collectively, the 238 Euclid Project, the 318 Euclid Project and the OSF Project.

"Project Fund" means the Series 2003A Project Fund and the Series 2003B Project Fund as established under the Indenture.

"Project Purposes" means the acquisition, construction, rehabilitation and renovation of real and personal property consisting of commercial facilities for parking, entertainment and retail sales purposes, or any other use which may be permitted by the Act and the Agreements.

"Project Revenues" means (a) the Service Payments (other than the Other Property Excess Service Payments); (b) the Loan Payments, (c) all amounts payable to the Trustee with respect to the principal or redemption price of, or interest on, the Bonds (i) by each Borrower as required under the Agreements and (ii) upon deposit in the Bond Fund from the proceeds of the Bonds, (d) any moneys and investments in each Project Fund, and (e) investment income with respect to any of the foregoing.

"Regular Record Date" means the first day of the calendar month in which an Interest Payment Date occurs.

"Series 2003A Bond Fund" means the Series 2003A Bond Fund established under the Indenture.

"Series 2003A Bonds" means the Series 2003A-1 Bonds and the Series 2003A-2 Bonds.

"Series 2003A Final Terms Certificate" means the certificate or certificates authorized under Section 5 of this Ordinance with respect to the Series 2003A-1 Bonds and the Series 2003A-2 Bonds, to be signed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Series 2003A Bonds and their issuance, sale, and delivery as this Ordinance requires or authorizes to be set forth or determined therein, in substantially the form put on file with the Clerk in connection with this Ordinance in File No. 983-03-A.

"Series 2003A-1 Bonds" means the City of Cleveland, Ohio Economic Development Revenue Bonds, Series 2003A-1 (Lower Euclid Avenue Project).

"Series 2003A-2 Bonds" means the City of Cleveland, Ohio Economic Development Revenue Bonds, Series 2003A-2 (Lower Euclid Avenue Project).

"Series 2003B Bond Fund" means the Series 2003B Bond Fund established under the Indenture.

"Series 2003B Bonds" means the Series 2003B-1 Bonds and the Series 2003B-2 Bonds.

"Series 2003B-1 Final Terms Certificate" means the certificate or certificates authorized under Section 5 of this Ordinance with respect to the Series 2003B-1 Bonds, to be signed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale, and delivery as this Ordinance requires

or authorizes to be set forth or determined therein, in substantially the form put on file with the Clerk in connection with this Ordinance in the above-mentioned File.

"Series 2003B-2 Final Terms Certificate" means the certificate or certificates authorized under Section 5 of this Ordinance with respect to the Series 2003B-2 Bonds, to be signed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale, and delivery as this Ordinance requires or authorizes to be set forth or determined therein, in substantially the form put on file with the Clerk in connection with this Ordinance in the above-mentioned File.

"Series 2003B-1 Bonds" means the City of Cleveland, Ohio Economic Development Revenue Bonds, Series 2003B-1 (Lower Euclid Avenue Project).

"Series 2003B-2 Bonds" means the City of Cleveland, Ohio Economic Development Revenue Bonds, Series 2003B-2 (Lower Euclid Avenue Project).

"Service Payments" means the service payments in lieu of taxes made pursuant to the TIF Agreement, to be held in the Euclid/Prospect II TIF Fund.

"Special Funds" means the Special Funds as defined in the Indenture.

"State" means the State of Ohio.

"TIF Agreement" means the Tax Increment Financing Agreement between the City and Lower Euclid Avenue LLC, dated as of December 20, 2002.

"Trustee" means the Trustee as set forth in each Final Terms Certificate, until a successor Trustee shall have become such pursuant to the applicable provisions of the Indenture, and thereafter "Trustee" shall mean the successor Trustee.

The captions and headings in this Ordinance are solely for convenience of reference and do not define, limit, or describe the scope or intent of any provisions or Sections of this Ordinance.

Section 5. Sale of the Bonds. The Fiscal Officer is hereby authorized and directed to negotiate and approve the sale of each Series of Bonds with the Original Purchaser for such Bonds, at the purchase price established in each Final Terms Certificate, which purchase price shall not be less than the principal amount of each series of Bonds plus accrued interest, and in accordance with the terms and provisions of this Ordinance, and to determine the interest rates on and the aggregate principal amount and principal maturities of the Bonds in order to consummate the sale of the Series 2003A Bonds and the Series 2003B-1 Bonds on or around June 1, 2003, and the Series 2003B-2 Bonds on or around December 1, 2004, subject to the limitations contained in Section 4 hereof. Such approval shall be evidenced by the signing of each Final Terms Certificate by the Fiscal Officer that sets forth and shall set forth the principal amount of and interest rates on the Bonds and the maturity schedule of the Bonds together with any other matters required under this Ordinance. Each Final Terms Certificate shall be incorporated in and form a part of this Ordinance. The Fiscal Officer is also hereby authorized and directed to determine the extent, if any, and manner in which the Issuer's pledge of Nontax Revenues with respect to the Bonds will be subordinated to the pledge of such Revenues with respect to any obligations designated in each Final Terms Certificate

as senior to each Series of Bonds.

The agreement of Cleveland Development Partnership II, L.P., or its designee, as Original Purchaser to purchase the Series 2003B-2 Bonds shall be evidenced by its signature on the Final Terms Certificate for the Series 2003B-2 Bonds. The Fiscal Officer is authorized to make the necessary arrangements on behalf of the Issuer to establish the date, location, procedure, and conditions for the delivery of each Series of Bonds to each Original Purchaser. That officer is further authorized to take all actions necessary to effect due signing, authentication, and delivery of the Bonds under the terms of this Ordinance and the Indenture.

It is determined that the parameters for the terms of the Bonds, and the sale thereof at private sale, all as provided for in this Ordinance, are in the best interest of and most advantageous for the Issuer and in compliance with all legal requirements.

Section 2. That existing Sections 1 and 5 of Ordinance No. 983-03, passed June 10, 2003, are repealed.

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

Passed October 27, 2003.

Effective October 29, 2003.

Ord. No. 2007-03.
By Council Member Cimperman (by departmental request).
An emergency ordinance to name the Cleveland Browns Football Stadium Roadway "Alfred Lerner Way".

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 Citizens of the City of Cleveland wish to pay special tribute and honor to Mr. Alfred ("Al") Lerner, who will be remembered for bringing our beloved Cleveland Browns Football Team home again. Mr. Lerner will also be remembered for his humanitarian gifts and kindness to local hospitals and charities. The Cleveland Browns Football Fans and Players will remember him as a "Fan" and one of their own. Therefore, we propose the following.

Section 2. That the name of all that portion of of the Cleveland Browns Football Stadium Roadway (width varies) directly bordering the Cleveland Browns Football Stadium on its Southerly perimeter, and running between Relocated Erieside Avenue (70.00 feet wide) and West 3rd Street (99.00 feet wide) be and the same is now named "Alfred Lerner Way".

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 October 27, 2003.

Effective October 29, 2003.

Ord. No. 2102-03.

By Council Member Jackson.

An emergency ordinance to amend Section 113.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 230-01, passed February 12, 2001, relating to fees for publications and services.

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

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

Section 1. That Section 113.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 230-01, passed February 12, 2001, is hereby amended to read as follows:

Section 113.12 Fees for Publications and Services

(a) The Clerk of Council is hereby authorized to collect the following fees for Codified Ordinance publications reflecting amendments passed by Cleveland City Council through June 10, 2003:

<u>Unit</u>	<u>Cost</u>
Charter	\$ 7.03
Part I, Administrative Code	\$ 28.10
Part II, Health Code	\$ 17.04
Part III, Land Use Code, Planning and Housing	\$ 14.94
Part III, Zoning Code	\$ 10.40
Part III, Land Use Code, Housing Code	\$ 14.25
Part III, Land Use Code, Fire Prevention Code	\$ 19.60
Building Code	\$ 10.40
Part IV, Traffic Code	\$ 14.37
Part V, Municipal Utilities and Services Code	\$ 28.10
Part VI, Offenses and Business Activities Code	\$ 19.75
 <u>Complete Set</u>	
Complete Set	 \$323.12

A Complete set of the Codified Ordinances includes the Charter and all Parts, the General Index, User's Guide, tabbed dividers, and binder.

(a) The Clerk of Council shall charge one dollar (\$1.00) for each certification and five cents (\$0.05) per page for copies of ordinances, resolutions, reports, communications, and other documents.

(b) The Clerk of Council shall annually publish a supplement to the Codified Ordinance publication provided that the first supplement to the Codified Ordinance publication reflecting amendments passed by Cleveland City Council through June 10, 2003 shall be printed in 2005 and shall incorporate all legislative changes enacted by Cleveland City Council during the time period of June 11, 2003 and December 31, 2004.

(c) All fees specified herein are net and any sales tax or postage, if applicable, shall be in addition to the fees set forth herein.

(d) All fees collected in accordance with division (a) of this Section shall be deposited into a special revenue fund and such funds shall be used only for costs associated with reviewing, compiling, updating, indexing, printing, and/or codifying the Codified Ordinances and any supplements to the Codified Ordinances, including any costs associated with alternative formats and internet accessibility.

Section 2. That existing Section 113.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 230-01, passed February 12, 2001, is hereby repealed.

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

Passed October 27, 2003.

Effective October 29, 2003.

Ord. No. 2103-03.

By Council Members Cimperman, Jones, White, Reed, Britt, Scott, Conwell, Polensek, Rybka, Cintron, Gordon, O'Malley, Zone, Westbrook, Brady, Sweeney and Dolan.

An emergency ordinance amending the Title and Sections 1 and 2 of Ordinance No. 1034-03 passed June 2, 2003, as amended by Ordinance No. 1114-03, passed June 10, 2003, and as amended by Ordinance No. 1574-03, passed August 13, 2003 as it relates to the Cleveland Fire Fighters Memorial Fund for Cleveland Fire Fighters' Memorial Relocation/Enhancement Project through the use of Ward(s) 13, 1, 2, 3, 6, 8, 9, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21 Neighborhood Equity Funds.

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

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

Section 1. That the Title and Sections 1 and 2 of Ordinance No. 1034-

03 passed June 2, 2003, as amended by Ordinance No. 1114-03, passed June 10, 2003, and as amended by Ordinance No. 1574-03, passed August 13, 2003 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Parks, Properties and Recreation to enter into an agreement with the Cleveland Fire Fighters Memorial Fund for Cleveland Fire Fighters' Memorial Relocation/Enhancement Project through the use of Ward(s) 13, 1, 2, 3, 6, 8, 9, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21 Neighborhood Equity Funds.

Section 1. That the Director of Parks, Properties and Recreation is authorized to enter into an agreement with the Cleveland Fire Fighters Memorial Fund for the Cleveland Fire Fighters' Memorial Relocation/Enhancement Project for the public purpose of creating a sculpture that describes the profession of fire fighting to City of Cleveland residents through the use of

Ward(s) 1, 2, 3, 6, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$16,500 and shall be paid from Fund No. 10 SF 166.

Section 2. That the Title and Sections 1 and 2 of Ordinance No. 1034-03 passed June 2, 2003, as amended by Ordinance No. 1114-03, passed June 10, 2003, and as amended by Ordinance No. 1574-03, passed August 13, 2003 are hereby are hereby repealed.

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

Passed October 27, 2003.

Effective October 29, 2003.

Ord. No. 2104-03.
By Council Member Johnson.
An emergency ordinance authorizing the Director of Community Development Department to enter into an agreement with the Buckeye Area Development Corporation for the Buckeye Area Housing Rehabilitation Program through the use of Ward 4 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development Department is authorized to enter into an agreement with the Buckeye Area Development Corporation for the Buckeye Area Housing Rehabilitation Program for the public purpose of rehabilitating homes in the Buckeye area for City of Cleveland residents through the use of Ward 4 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$80,000 and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said

contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed October 27, 2003.
 Effective October 29, 2003.

Ord. No. 2105-03.
By Council Member White.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Custom Enrichment Center for the Corlett Empowerment Program through the use of Ward 2 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement effective October 3, 2003 to May 30, 2004 with the Custom Enrichment Center for the Corlett Empowerment Program for the public purpose of providing a social support program for Cleveland school children and their parents through the use of Ward 2 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$47,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed October 27, 2003.
 Effective October 29, 2003.

Ord. No. 2096-03.
By Council Members Lewis and Jackson (by departmental request).
An emergency ordinance approving the collective bargaining agreement with Treasurers and Ticket Sellers Union, Local 756; and to amend Section 42 of Ordinance No. 384-03, passed March 10, 2003, as amended by Ordinance No. 1801-03, passed October 20, 2003, relating to compensation for various classifications.

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with Treasurers and Ticket Sellers Union, Local 756, which contains the terms set forth in File No. 2096-03-A, for the period from April 1, 2001 through March 31, 2004, which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

<u>Increase</u>	<u>Effective Date of Increase</u>
Three percent (3%)	April 1, 2001
Three and one-half percent (3.5%)	April 1, 2002
Four percent (4%)	April 1, 2003

Section 2. That Section 42 of Ordinance No. 384-03, passed March 10, 2003, as amended by Ordinance No. 1801-03, passed October 20, 2003, is amended to read as follows:

Section 42. Part-Time/Seasonal Group
 That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Box Office Cashier.....	\$ 10.33	\$ 15.49
2. Chaplain.....	\$ 9.34	\$ 11.48
3. Checker.....	\$ 9.34	\$ 9.34
4. Conservation Aide.....	\$ 9.34	\$ 9.34
5. Dentist.....	\$ 13.38	\$ 28.58
6. Head Usher.....	\$ 9.34	\$ 11.35
7. Law Clerk.....	\$ 9.34	\$ 12.48
8. Medical Examiner.....	\$ 21.40	\$ 58.61
9. Organ Tuner.....	\$ 9.63	\$ 25.07
10. Park Maintenance Aide.....	\$ 9.34	\$ 9.34
11. Ranger.....	\$ 9.34	\$ 11.20
12. School Crossing Guard (Per Day).....	\$ 20.50	\$ 26.00
13. Section Supervisor.....	\$ 9.34	\$ 9.34
14. Snow Removal Vehicle Operator.....	\$ 10.40	\$ 15.04
15. Stage Hand.....	\$ 19.11	\$ 27.34
16. Stage Hand Casual.....	\$ 20.60	\$ 27.00
17. Stage Hand - Show Rate (Per Show).....	\$ 64.89	\$ 88.75
18. Student Aide.....	\$ 9.34	\$ 9.34
19. Student Assistant.....	\$ 9.34	\$ 9.34
20. Usher.....	\$ 9.34	\$ 9.34
21. Usher Captain.....	\$ 9.34	\$ 9.34

Section 3. That existing Section 42 of Ordinance No. 384-03, passed March 10, 2003, as amended by Ordinance No. 1801-03, passed October 20, 2003, is repealed.

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

Passed October 27, 2003.
Effective October 29, 2003.

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NO MEETINGS

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