

The City Record

Official Publication of the City of Cleveland

April the Fourteenth, Nineteen Hundred and Ninety-Nine

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

Containing	PAGE
City Council	3
The Calendar	20
Board of Control	21
Civil Service	26
Board of Zoning Appeals	29
Board of Building Standards and Building Appeals	29
Public Notices	29
Public Hearings	29
City of Cleveland Bids	30
Adopted Resolutions and Ordinances	36
Committee Meetings	37
Index	37

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Joseph T. Jones	15601 Lotus Drive	44128
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3032 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

MAYOR-Michael R. White
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy
Barry Withers, Executive Assistant for Administration
Judith Zimomra, Executive Assistant for Service
Kenneth Silliman, Executive Assistant for Economic Development
Laura Ann Williams, Director, Office of Equal Opportunity
Milan T. Polacek, Executive Assistant for Legislative Affairs

DEPT. OF LAW - Cornell P. Carter, Director, Lessie M. Milton, Chief Counsel, Room 106
George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch - Justice Center, 8th Flr., Court Towers, 1200 Ontario Street
Karen E. Martines, Law Librarian, Room 100

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

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

DEPT. OF PORT CONTROL - Solomon F. Balraj, Director,
Cleveland Hopkins International Airport, 5300 Riverside Drive;
Cleveland Hopkins International Airport - Mark D. Vanloh, Commissioner
Burke Lakefront Airport - Michael C. Barth, Commissioner

DEPT. OF PUBLIC SERVICE - Mark Ricchiuto, Director, Room 113
DIVISIONS - Waste Collection and Disposal - Randell T. Scott, Acting Commissioner, 5600 Carnegie Avenue.
Streets - Randell T. Scott, Commissioner, Room 25
Engineering and Construction - JoMarie Wasik, Acting Commissioner, Room 518
Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards
Architecture - Paul Burik, Acting Commissioner, Room 517

DEPT. OF PUBLIC HEALTH - Michelle Whitlow, Acting Director, Mural Building, 1925 St. Clair Avenue
DIVISIONS - Health - Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue
Environment - Robin Puriani-Rogers, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 Northfield Road

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The City Record



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WEDNESDAY, APRIL 14, 1999

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CITY COUNCIL

MONDAY, APRIL 12, 1999

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PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio April, 1999.

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

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

Also present were Mayor White and Directors Carmody, Konicek, Balraj, Ricchiuto, Jackson, Hudecek, Patterson, Warren, Axeirod and Acting Directors Whitlow, Williams.
Absent: Directors Carter and Guzman.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Reverend Andrew Jacob of Immanuel Presbyterian Church, located at 326 East 156th Street in Ward 11. Pledge of Allegiance.

MOTION

On the motion of Councilman Polensek the reading of the minutes of the last meeting was dispensed with and the journal approved.

COMMUNICATIONS

File No. 550-99.
From the Division of Purchases and Supplies re: Emergency Requisition (RE-21735). Received.

File No. 551-99.
From the Tax Incentive Review Council re: Tax Incentive Review Council Resolution to Cleveland City Council. Received.

File No. 552-99.

From the Division of Purchases and Supplies re: MacBride Principles and Fair Employment Practices in Northern Ireland. Received.

File No. 553-99.

From the Department of Public Utilities re: Notice of Subsidiary Agreements Contract No. 52206. Received.

File No. 554-99.

From The Cleveland Foundation re: Grant Number 99-0441. Received.

File No. 555-99.

From The Cleveland Foundation re: Grant Number 99-0456. Received.

File No. 556-99.

From the Cleveland Foundation re: Grant Number 99-0458. Received.

File No. 557-99.

From Herbert E. Strawbridge re: Approval of Change in Grass on Mall B. Received.

File No. 558-99.

From the Richard E. Jacobs Groups, Inc. re: Financial Agreements dated July 6, 1988 between the City of Cleveland and various Community Urban Redevelopment Corporations, pertaining to Tax Abatement for Key Center. Received.

File No. 559-99.

From the Civil Service Commission re: Bulletin for the filing period of April 5th through April 9th. Received.

File No. 560-99.

From the Board of Building Standards and Building Appeals re: public hearing agenda for Wednesday, April 14, 1999. Received.

File No. 561-99.

From the Cleveland Landmarks Commission re: Agenda - April 8, 1999. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 562-99.

Re: New Application - 97601540010 - Woodhill Best Grocery Co. dba Woodhill Shoprite, 2664 Woodhill Road. (Ward 4). Received.

File No. 563-99.

Re: Transfer of Ownership Application - 13106380070 - Case Western Reserve University dba Alumni Center, 2290 Murray Hill Road. (Ward 6). Received.

File No. 564-99.

Re: Transfer of Ownership Application - 9308425 - Volume English Enterprises LLC Cleveland Conven-

tion Center & Refreshment Stand, 1220 East 6th at Lakeside Avenue. (Ward 13). Received.

File No. 565-99.

Re: Transfer of Ownership Application - 8918565 - 3349 Fidelity Inc., 3349 West 117th Street. (Ward 19). Received.

File No. 566-99.

Re: Transfer of Ownership Application - 9831966 - Yie Inc., dba California Market, 7914 St. Clair Avenue. (Ward 8). Received.

File No. 567-99.

Re: Transfer of Ownership and Location Application - 9115379 - 2802 Detroit Avenue Corp., 2802 Detroit Avenue. (Ward 14). Received.

File No. 568-99.

Re: Stock Transfer Application - 1990748 - DEBC Management Co., Inc. dba Millenium, first & second floors and patio west/south, 1012 Sumner Court. (Ward 13). Received.

File No. 569-99.

Re: Stock Transfer Application - 27700250005 - Flat Iron Cafe, Inc. dba Flat Iron Cafe, 1114 Center Street. (Ward 13). Received.

File No. 570-99.

Re: Stock Transfer Application - 5673942 - Mazoza, Inc., 1113-1115 Norwood Road, first floor and basement. (Ward 13). Received.

**STATEMENT OF WORK
ACCEPTED**

File No. 571-99.

From the Department of Public Utilities re: Contract No. 53446A for Lott Construction Company, completed and accepted on November 30, 1998. Received.

File No. 572-99.

From the Department of Public Utilities re: Contract No. 52810A for Fabrizio Trucking & Paving Co., completed and accepted on September 11, 1998. Received.

CONDOLENCE RESOLUTIONS

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

- Res. No. 613-99**—Anthony J. Thomas.
Res. No. 614-99—Betty E. Worley.
Res. No. 615-99—David J. Dzurec.
Res. No. 616-99—Lee Childs.
Res. No. 617-99—Kimberly Kilgore.

CONGRATULATORY RESOLUTIONS

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

- Res. No. 618-99**—Antonio Ramos.
Res. No. 619-99—Club San Lorenzo.
Res. No. 620-99—Reverend Hence Coats.
Res. No. 621-99—Insurance Women of Cleveland, Ohio.
Res. No. 622-99—Barney Killian.
Res. No. 623-99—Paulette Patrick.
Res. No. 624-99—Reverend Otis F. Newton.
Res. No. 625-99—Reverend Ronald E. Maxwell.
Res. No. 626-99—Vietnamese Community in Greater Cleveland.
Res. No. 627-99—Collinwood High School Decathlon.
Res. No. 628-99—Villa Angela-St. Joseph High School Lady Vikings Basketball Team.

- Res. No. 629-99**—Allen C. Waddle.
Res. No. 630-99—Arthur Jenkins.
Res. No. 631-99—James Draper.
Res. No. 634-99—Patrick Sweeney.

RECOGNITION RESOLUTION

The rules were suspended and the following resolution was adopted without objection:

- Res. No. 632-99**—James Louis Bivins.

COMMEMORATION RESOLUTION

The rules were suspended and the following resolution was adopted without objection:

- Res. No. 633-99**—Irving B. Waterbury, Jr.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 573-99.

By Councilmen Westbrook and Johnson (by departmental request). An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Contract No. 46540 with Southwest Airlines, Co., to provide for the addition of certain space to the Lease, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into an Amendment to Lease between the City and Southwest Airlines, Co. ("Lessee"), City Contract No. 46540 to add to Lessee's right and obligation under the lease the following space, effective October 18, 1993: Office/Operational space — 646 square feet.

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

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

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

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

Ord. No. 574-99.

By Councilmen Westbrook and Johnson (by departmental request). An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain and repair elevators, escalators and moving walkways for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24867)

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

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

Ord. No. 575-99.

By Councilmen Westbrook and Johnson (by departmental request). An emergency ordinance authorizing the Director of Port Control to enter into a First Amendment to Lease By Way of Concession between the City and Park Corporation, City Contract No. 29768.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into a First Amendment to Lease By Way of Concession ("Lease") between the City of Cleveland and Park Corporation ("Lessee"), City Contract No. 29768, to amend various terms as follows: delete in its entirety Section 4.2 of the Lease, regarding an airport access fee; provide that any amounts paid to the City pursuant to Section 571.02 of the Codified Ordinances of the City shall be credited against yearly rent due under the Lease, but not to exceed 100% of said yearly rent; provide that the new term of the Lease shall begin February 1, 1999 and expire fifteen

(15) years thereafter; all other provisions under Section 3.1 of the Lease, regarding term, shall be of no further force and effect. All other terms and provisions of the Lease shall remain the same.

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

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

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

Ord. No. 576-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain and replace interior plants and exterior site landscaping for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24866)

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

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

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

Ord. No. 577-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of the transfer and disposal of municipal solid waste, for the Division of Waste Collection and Disposal, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of the transfer and disposal of municipal solid waste in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

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

Section 3. That cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23200)

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

EXHIBIT A

BID GUARANTY AND CONTRACT BOND

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

(Name and Address) as Principal and _____

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

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

The penal sum referred to herein shall be _____

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

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

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

IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Oblige against all damage suffered by failure to perform such contract according to

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

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

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

PRINCIPAL: _____ SURETY: _____

BY: _____ BY: _____
Attorney-in-Fact

TITLE: _____

SURETY COMPANY'S ADDRESS: _____

Agency Name _____
Street _____
City _____ State _____ ZIP _____

SURETY AGENT'S ADDRESS: _____

Street _____
City _____ State _____ ZIP _____

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

**Ord. No. 578-99.
By Councilmen Sweeney and Johnson (by departmental request).**

An emergency ordinance authorizing the purchase by requirement contract of the transfer and disposal of bulk waste, for the Division of Waste Collection and Disposal, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of the transfer and disposal of bulk waste in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a

unit basis for the Division of Waste Collection and Disposal, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

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

Section 3. That cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23197)

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

EXHIBIT A

BID GUARANTY AND CONTRACT BOND

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

(Name and Address) _____ as Principal and _____

(Name of Surety) _____ as Surety are hereby held and firmly bound unto the City of Cleveland, hereinafter called the Obligee, in the penal sum hereinafter stated, pertaining to the bid submitted by the Principal to the Obligee on _____ (date) to undertake the project known as _____

The penal sum referred to herein shall be _____

_____ For the payment of the penal sum well and

truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

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

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

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

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

SIGNED AND SEALED this
day of 19__

PRINCIPAL: SURETY:

BY: BY:
Attorney-in-Fact

TITLE:

SURETY COMPANY'S ADDRESS:

Agency Name
Street
City State ZIP

SURETY AGENT'S ADDRESS:

Street
City State ZIP

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

Ord. No. 579-99.

By Councilmen Sweeney and John-
son (by departmental request).

An emergency ordinance authoriz-
ing the purchase by requirement
contract of the transfer and dispos-
al of tires, for the Division of Waste
Collection and Disposal, Department
of Public Service.

Whereas, this ordinance consti-
tutes an emergency measure provid-
ing for the usual daily operation of
a municipal department; now, there-
fore,

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

Section 1. That the Director of
Public Service is hereby authorized
to make a written requirement con-
tract in accordance with the Charter
and the Codified Ordinances of
Cleveland, Ohio, 1976, for the
requirements for the period of one
year for the necessary items of the
transfer and disposal of tires in the
approximate amount as purchased
during the preceding year, to be pur-
chased by the Commissioner of Pur-
chases and Supplies upon a unit
basis for the Division of Waste Col-
lection and Disposal, Department of
Public Service. Bids shall be taken
in such manner as to permit an
award to be made for all items as
a single contract, or by separate
contract for each or any combina-
tion of said items as the Board of
Control shall determine. Alternate
bids for a period less than a year
may be taken if deemed desirable
by the Commissioner of Purchases
and Supplies until provision is made
for the requirements for the entire
year.

Section 2. That notwithstanding
any provision of the Codified Ordi-
nances of Cleveland, Ohio, 1976, to
the contrary, the Director of Public
Service may require that each bid be
accompanied by a single bond secur-
ing both the execution and perfor-
mance of each contract. If a single
bond securing both execution and
performance is required by the
Director, it shall be substantially in
accordance with the form attached
hereto as Exhibit "A". Each bond,
whether to secure the execution of a
contract, its performance, or both,
shall be in an amount determined by

the Director of Public Service. Each
bond submitted to secure the con-
tract or contracts authorized by this
ordinance shall be executed by a
surety authorized by this ordinance
to do business in the State of Ohio
and shall be acceptable to the Direc-
tor of Law.

Section 3. That cost of said con-
tract shall be charged against the
proper appropriation account and
the Director of Finance shall certi-
fy thereon the amount of the initial
purchase thereunder, which pur-
chase, together with all subsequent
purchases, shall be made on order of
the Commissioner of Purchases and
Supplies pursuant to a requisition
against such contract duly certified
by the Director of Finance. (RL
23174)

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

EXHIBIT A

BID GUARANTY AND
CONTRACT BOND

KNOW ALL MEN BY THESE
PRESENTS, that we the under-
signed

(Name and Address)
as Principal and

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

hereinafter called the Oblige, in the
penal sum hereinafter stated, per-
taining to the bid submitted by the
Principal to the Oblige on
(date) to
undertake the project known as

The penal sum referred to herein
shall be

For the pay-
ment of the penal sum well and
truly to be made, we hereby jointly
and severally bind ourselves, our
heirs, executors, administrators, suc-
cessors, and assigns.

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

NOW THEREFORE, if the Oblige
accepts the bid of the Principal
and the Principal fails to enter into
a proper contract in accordance
with the bid, plans, details, specifi-
cations, and bills of material; and
in the event the Principal pays to
the Oblige the difference not to
exceed ten percent of the penalty
hereof between the amount speci-
fied in the bid and such larger
amount for which the Oblige may
in good faith contract with the next
lowest and best bidder to perform
the work covered by the bid; or in
the event the Oblige does not
award the contract to the next low-
est and best bidder and resubmits
the project for bidding, the Princi-
pal will pay the Oblige the differ-
ence not to exceed ten percent of

the penalty hereof between the
amount specified in the bid, or the
costs in connection with the resub-
mission, of printing new contract
documents, required advertising,
and printing and mailing notices to
prospective bidders, whichever is
less, then this obligation shall be
void, otherwise to remain in full
force and effect. If the Oblige
accepts the bid of the Principal and
the Principal within ten days after
the awarding of the contract and
submitting to the Principal a con-
tract for execution, enters into a
proper contract in accordance with
the bid, plans, details, specifica-
tions, and bills of material, which
said contract is made a part of this
bond the same as though set forth
herein; and

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

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

SIGNED AND SEALED this
day of 19__

PRINCIPAL: SURETY:

BY: BY:
Attorney-in-Fact

TITLE:

SURETY COMPANY'S ADDRESS:

Agency Name
Street
City State ZIP

SURETY AGENT'S ADDRESS:

Street
City State ZIP

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

Ord. No. 580-99.
By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1074-98, passed June 15, 1998, relating to the purchase by requirement contract of various on-road vehicles and off-road equipment, and labor and materials necessary for repair and installation of packer bodies, for the various divisions of City government.

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

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

Section 1. That the title and Section 1 of Ordinance No. 1074-98, passed June 15, 1998, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing and directing the purchase by requirement contract of various on-road vehicles and off-road equipment, and labor and materials necessary for repair and installation of packer bodies, for the various divisions of City government.

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

Section 2. That the existing title and Section 1 of Ordinance No. 1074-98, passed June 15, 1998, are hereby repealed.

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

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

Ord. No. 581-99.
By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 33-99, passed March 1, 1999, relating to a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 1999 Drug Prevention, Treatment and Intervention Program; to supplement by adding new Section 3; and to renumber existing Section 3 to "Section 4."

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. 33-99, passed March 1, 1999, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Public Health to accept a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 1999 Drug Prevention, Treatment and Intervention Program; and to enter into a contract for the lease of a facility to implement the Centerpoint Program.

Section 1. That the Director of Public Health is hereby authorized to accept a grant in the amount of **\$316,960.00**, from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 1999 Drug Prevention, Treatment and Intervention Program, for the purposes set forth in the application according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the existing title and Section 1 of Ordinance No. 33-99, passed March 1, 1999, are hereby repealed.

Section 3. That Ordinance No. 33-99, passed March 1, 1999, is hereby supplemented by adding new Section 3 thereof to read as follows:

Section 3. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Health is hereby authorized to lease a facility for the implementation of the Centerpoint Program. The term of the lease shall not exceed the grant period and shall be in an estimated amount of \$15,000.00 and shall be payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the purposes of the grant. That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

That the Director of Public Health, the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

Section 4. That existing Section 3 of Ordinance No. 33-99, passed March 1, 1999, is hereby renumbered to "Section 4."

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

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

Ord. No. 582-99.
By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of medical supplies, for the Division of Fire, Department of Public Safety, for a period not to exceed two years.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20623)

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

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

Ord. No. 583-99.
By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain overhead doors at various locations within the Division of Fire, Department of Public Safety, for a period not to exceed two years.

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

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

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

tract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio 1976 for the requirements for the period of two (2) years for the necessary items of labor and materials needed to repair and maintain overhead doors at various locations in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Fire, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder which purchase together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20624)

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

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

Ord. No. 584-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contrast of labor and materials necessary to repair, maintain and service MSA breathing apparatus, for the Division of Fire, Department of Public Safety, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary to repair, maintain and service MSA breathing apparatus in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Fire, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may

be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20625)

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

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

Ord. No. 585-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to accept a grant from the State of Ohio — Office of Criminal Justice Services for the Juvenile Accountability Incentive Block Grant Program; and to enter into contract for the lease of office space and the procurement of not to exceed seven vehicles.

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

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

Section 1. That the Director of Public Safety is hereby authorized to accept a grant in the amount of \$766,289.00, from the State of Ohio - Office of Criminal Justice Services, to conduct the Juvenile Accountability Incentive Block Grant Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 99-99-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$85,143.00 from Fund No. 01-60-02-0901, is hereby approved in all respects.

Section 3. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Safety is hereby authorized to lease office space at an east side location and a west side location for the implementation of the grant. The term of the lease or leases shall not exceed the grant period and shall be in an aggregate estimated annual amount of \$19,200.00.

That the lease or leases may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the pur-

poses of the grant. That the lease or leases may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

That the lease or leases shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

That the Director of Public Safety, the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease or leases authorized by this ordinance.

Section 4. That the Director of Public Safety is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the lease of not to exceed seven (7) vehicles, to be used for implementation of the program, to be procured by the Commissioner of Purchases and Supplies upon a unit basis.

Section 5. That the cost of the contracts authorized in Sections 3 and 4 above shall be paid from the fund or funds to which are credited the proceeds of the grant accepted pursuant to Section 1 of this ordinance.

Section 6. That the Director of Public Safety shall provide a report to the council regarding the work of this program within six months from the passage of this ordinance.

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

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

Ord. No. 586-99.

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to amend the agreement with the Board of County Commissioners of Cuyahoga County, Ohio, to dedicate and sell one hundred and fifty additional plots of ground in Highland Park Cemetery for the burial of Honorably Discharged Soldiers, Sailors, Marines and Nurses.

Whereas, pursuant to Ordinance No. 155-98, passed February 9, 1998, Council authorized the Director of Parks, Recreation and Properties to enter into an agreement with the Board of County Commissioners of Cuyahoga County, Ohio (the "County Commissioners"), to dedicate plots of ground in West Park Cemetery and Highland Park Cemetery for the burial of Honorably Discharged Soldiers, Sailors, Marines and Nurses; and

Whereas, on April 28, 1998, the Director of Parks, Recreation and Properties entered into such an agreement with the County Commissioners; and

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

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

Section 1. That the Director of Parks, Recreation and Properties is authorized to amend the agreement with the County Commissioners to dedicate and sell one hundred and fifty (150) additional plots of ground in Highland Park Cemetery for the burial of Honorably Discharged Soldiers, Sailors, Marines and Nurses, at the same prices and fees as set forth in Section 133.30 of the Codified Ordinances of Cleveland, Ohio, 1976.

Section 2. That said amendment shall provide that the Commissioners shall pay to the City of Cleveland for the cost of the land for each grave site the sum established by Section 133.30 of the Codified Ordinances of Cleveland, Ohio, 1976, and said funds shall be set aside and used as follows:

87.5% to the Cemetery Operating Fund;
12.5% to the Cemetery General Fund

Section 3. That the agreement shall be prepared by the Director of Law and shall contain such other terms and conditions as may be required to protect the interests of the parties.

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

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

Ord. No. 587-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance to amend Sections 2 and 5 of Ordinance No. 257-97, passed April 14, 1997, relating to expending Economic Development Initiative Grant Funds for the operation of the Empowerment Zone Business Opportunity Program and to enter into contracts under that program.

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 2 and 5 of Ordinance No. 257-97, passed April 14, 1997, are hereby amended to read, respectively, as follows:

Section 2. That any contract authorized hereby shall not exceed **\$30,000.00** to any single small business and shall receive the written approval of the Council person in whose ward said small business is located; the costs of said contract shall be paid from Fund No. 18 SF 003 and 18 SF 001, Request No. 22285. Contracts for purposes of the Program in excess of **\$30,000.00** may be approved by Council by appropriate legislation.

Section 5. That the contracting authority granted herein shall expire **on June 1, 2002**; the Director of Economic Development shall, within six months of the effective date of this ordinance, report to Council on activity of the Program, including, but not limited to, the number and value of contracts entered into and projects completed under the Program.

Section 2. That existing Sections 2 and 5 of Ordinance No. 257-97, passed April 14, 1997, are hereby repealed.

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

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

Ord. No. 588-99.

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

An emergency ordinance authorizing the Director of Economic Development Investment Fund contract with HMI Industries, Inc., to provide economic development assistance to partially finance the purchase of machinery, equipment, furniture and fixtures, and for tenant build-out for a new building to be constructed in Cleveland Business Park — West, Cleveland, Ohio.

Whereas, through Ordinance No. 56-94, passed June 13, 1994, the City established the Neighborhood Development Investment Program and the Neighborhood Development Investment Fund (NDIF) for the purpose of stimulating the development of major opportunities for job creation, retention, and expansion in the City's neighborhoods; 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, subject to the provisions of Section 8 of this Ordinance, the Director of Economic Development is hereby authorized to enter into a Neighborhood Development Investment Fund contract with HMI Industries, Inc., to provide economic development assistance to partially finance the purchase of machinery, equipment, furniture and fixtures, and for tenant build-out for a new building to be constructed in Cleveland Business Park - West, Cleveland, Ohio.

Section 2. That the terms of said contract shall comply with the requirements of the Neighborhood Development Investment Program and NDIF, as set forth in Section 1 of Ordinance No. 56-94 passed June 13, 1994, and shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 588-99-A.

Section 3. That the costs of said contract shall not exceed One Million Dollars (\$1,000,000.00), and shall be paid from Fund No. 10 SF 501, RL 24307.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in

repayment of such loan and to deposit said monies in Fund No. 10 SF 502.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

Section 8. That, prior to entering into any contract authorized herein, the Director of Finance is required and hereby is directed to certify that un-appropriated funds equal to the contract amount set forth in Section 3 of this ordinance have been collected by the City and are available to be allocated to such contract.

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

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

Ord. No. 589-99.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located north of Cleveland Hopkins Airport to Cleveland Business Park, Ltd.; and authorizing an application for release of land from Trust Indenture.

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 Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described properties are no longer needed for public use:

PROPOSED
CLEVELAND BUSINESS
PARK - WEST
PARCEL B

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of The C and D Southwest Subdivision I as recorded in Volume 174, Page 34 of Cuyahoga County Records and part of The C and D Southwest Subdivision II as recorded in Volume 184, Page 72 of Cuyahoga County Records. The parcel is further known as being part of Section No. 4 of Original Rockport Township, and bounded and described as follows:

Beginning at an iron pin in a monument box at the intersection of the centerline of Rocky River Drive and

the Easterly extension of the Southerly line of the Homeway Subdivision as recorded in Volume 70, Page 27 of Cuyahoga County Records;

Thence North 89° 05' 54" West along the Southerly line of The Homeway Subdivision as aforesaid, 1576.71 feet to an angle point;

Thence North 89° 17' 53" West, 1957.49 feet to a point being the principal place of beginning;

Thence South 03° 23' 16" East, 164.28 feet to a point;

Thence 39.34 feet along the arc of a circle deflecting to the right, having a radius of 200.00 feet whose chord bears North 85° 04' 00" East, a distance of 39.28 feet;

Thence South 89° 17' 53" East, 19.92 feet to a point;

Thence South 00° 42' 07" West, 160.00 feet to a point;

Thence North 89° 17' 53" West, 33.32 feet to a point;

Thence South 44° 44' 23" West, 38.20 feet to a point;

Thence South 00° 55' 46" West, 648.79 feet to a point;

Thence South 89° 03' 42" East, 476.52 feet to a point;

Thence South 00° 55' 46" West, 143.46 feet to a point;

Thence North 89° 04' 14" West, 636.52 feet to a point;

Thence South 00° 55' 46" West, 196.37 feet to a point;

Thence North 89° 04' 14" West, 215.00 feet to a point;

Thence 133.52 feet along the arc of a circle deflecting to the right, having a radius of 85.00 feet whose chord bears North 44° 04' 14" West a distance of 120.21 feet;

Thence North 89° 04' 14" West, 163.48 feet to a point;

Thence North 00° 55' 46" East, 254.85 feet to a point;

Thence North 89° 04' 14" West, 133.00 feet to a point;

Thence South 00° 55' 46" West, 75.00 feet to a point;

Thence North 89° 04' 14" West, 221.92 feet to a point;

Thence North 09° 06' 27" West, 75.23 feet to a point;

Thence North 11° 11' 06" West, 43.67 feet to a point;

Thence North 28° 32' 28" West, 46.37 feet to a point;

Thence North 00° 56' 48" East, 86.60 feet to a point;

Thence North 00° 56' 48" East, 479.88 feet to a point;

Thence North 36° 28' 43" East, 113.65 feet to a point;

Thence South 29° 13' 42" East, 4.40 feet to a point;

Thence North 46° 54' 01" East, 213.84 feet to a point;

Thence South 86° 22' 19" East, 211.15 feet to a point;

Thence North 01° 06' 06" East, 118.00 feet to a point;

Thence South 89° 17' 53" East, 577.78 feet to a point and the principal place of beginning, containing within said boundaries 1,203,439 square feet (27.6272 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

**PROPOSED
CLEVELAND BUSINESS
PARK - WEST
PARCEL C**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of the Riverside Park Subdivision as recorded in Volume 71, Page 30 of Cuyahoga County Records and part

of The Home Gardens Allotment as recorded in Volume 67, Page 35 Cuyahoga County Records. The parcel is further known as being part of Section No. 3 and Section No. 4 of Original Rockport Township, and bounded and described as follows:

Beginning at an iron pin found in a monument box at the intersection of the centerline of Rocky River Drive and the Easterly extension of the Southerly line of the Homeway Subdivision as recorded in Volume 70, Page 27 of Cuyahoga County Records;

Thence North 89° 05' 54" West along the Easterly extension of the Southerly line of The Homeway Subdivision as aforesaid, 43.93 feet to a point on the Westerly right of way line of Rocky River Drive;

Thence South 25° 19' 31" West along the Westerly right of way line of Rocky River Drive (80 feet wide), 716.57 feet to a point and the principal place of beginning;

Thence continuing along the Westerly right of way line of Rocky River Drive South 25° 19' 31" West, 813.37 feet to a point;

Thence South 58° 08' 31" West, 33.17 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence North 89° 04' 14" West, 27.69 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence South 31° 50' 28" East, 26.83 feet to a point;

Thence South 25° 19' 31" West, 216.91 feet to a point;

Thence South 58° 07' 51" West, 33.28 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence North 89° 04' 14" West, 27.66 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence South 31° 44' 41" East, 26.89 feet to a point;

Thence South 25° 19' 31" West, 88.16 feet to a point;

Thence South 25° 02' 26" West, 224.14 feet to a point;

Thence South 54° 55' 23" West, 36.44 feet to a point;

Thence South 00° 57' 10" West, 25.00 feet to a point;

Thence North 89° 02' 50" West, 21.90 feet to a point;

Thence South 00° 57' 10" West, 25.00 feet to a point;

Thence 34.17 feet along the arc of a circle deflecting to the right, having a radius of 20.00 feet whose chord bears South 23° 54' 03" East a distance of 30.16 feet;

Thence South 25° 02' 26" West, 190.22 feet to a point;

Thence North 89° 27' 34" West, 179.02 feet to a point;

Thence South 02° 23' 04" West, 35.16 feet to a point;

Thence South 73° 16' 00" West, 98.98 feet to a point;

Thence South 84° 29' 35" West, 41.08 feet to a point;

Thence North 25° 19' 31" East, 1374.85 feet to a point;

Thence North 89° 04' 14" West, 1981.22 feet to a point;

Thence North 00° 55' 46" East, 143.46 feet to a point;

Thence South 89° 04' 14" East, 428.08 feet to a point;

Thence North 01° 58' 06" East, 351.93 feet to a point;

Thence South 89° 04' 47" East a distance of 2046.06 feet to a point being the principal place of beginning, containing within said boundaries 1,349,656 square feet (30.9838 acres) of land, be the same more or

less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

Section 2. That the City acknowledges, states and affirms, pursuant to Article IX of the Trust Indenture from the City of Cleveland to the Chase Manhattan Trust Company, National Association, as successor trustee, dated November 1, 1976, as amended, that the City desires and requests that a certain portion of its land heretofore subject to the Trust Indenture be released and removed from all obligations under said Trust Indenture. The land to be released is described as Phase II and set forth in Section 1 above.

Further, the City acknowledges, states and affirms that it is not in default under said Indenture; that release of such land is necessary in order to serve the public purpose of economic development; and that certain public improvements will be constructed on the land to be released, including public roads and public utilities.

Section 3. That the Director of Port Control is authorized to apply to the Chase Manhattan Trust Company, National Association, as successor trustee, for release of the land known as Phase II, described in Section 1 pursuant to the Trust Indenture, dated November 1, 1976, as amended.

Section 4. That the Director of Port Control is further authorized, upon approval of the development plan by the City Planning Commission, to submit the development plan, the development agreement, the purchase agreement, the escrow agreement, and any other documents relating to the development or necessary to secure a land release of the aforementioned land, to the Federal Aviation Administration for approval of land release.

Section 5. That, upon approval of land release by the Federal Aviation Administration, the Director of Economic Development is authorized to enter into the development agreement, the purchase agreement, and escrow agreement, in substantially the form of the development agreement, purchase agreement, and escrow agreement on file with the Clerk of Council in File No. 589-99-A, with such changes as may be requested by the Federal Aviation Administration, for the development with Cleveland Business Park, Ltd.

Section 6. That, upon the approval of land release by the Federal Aviation Administration, by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Cleveland Business Park, Ltd. at a price not less than fair market value as determined by the Board of Control.

Section 7. That, notwithstanding and as an exception to Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that upon the approval of land release by the Federal Aviation Administration, the properties to be acquired by the Department of Port Control pursuant to the authority of the following ordinances are no longer needed for public use: Ordinance No. 929-95, passed June 12, 1995, as amended by Ordinance Nos. 482-96 and 240-98, passed May 6, 1996 and May 11, 1998, respectively, Ordinance No. 930-95, passed June 19, 1995, as

amended by Ordinance Nos. 2150-95, 307-98 and 1279-97, passed December 18, 1995, May 11, 1998 and May 11, 1998, respectively.

Section 8. That, upon the approval of land release by the Federal Aviation Administration, by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Cleveland Business Park, Ltd. at a price not less than fair market value as determined by the Board of Control.

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

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

Ord. No. 590-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with HMI Industries, Inc. to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to partially finance the purchase of machinery, equipment, furniture and fixtures, and for tenant build-out for a new building to be constructed in Cleveland Business Park — West, in the Cleveland Area Enterprise Zone.

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

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

Whereas, HMI Industries, Inc. (the "Enterprise") has proposed to expand its facilities at its operation in the City of Cleveland; and

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

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

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

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

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with HMI Industries, Inc. to provide for a ten (10) year abatement for sixty percent (60%) of certain tangible personal property and real estate taxes as an incentive to invest in real property improvements in the form of a tenant build-out and to purchase machinery, equipment, fixtures and furniture necessary to expand its facilities which will be located in Cleveland Business Park in Cleveland Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 590-99-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

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

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

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

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

Ord. No. 591-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Lums Service O.C.S. Division, Inc. to provide economic development assistance to partially finance the acquisition of equipment and the construction of an office and warehouse facility, located at West Parkway, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Lums Service O.C.S. Division, Inc. to provide economic development assistance to partially finance the acquisition of equipment and the construction of an office and warehouse facility, located at West Parkway, Cleveland, Ohio.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 591-99-A.

Section 3. That the costs of said contract shall not exceed Three Hundred Ninety-eight Thousand Dollars (\$398,000.00), and shall be paid from Fund Nos. 17 SF 008 and 12 SF 954, Request No. 24303.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

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

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

Ord. No. 592-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Lums Service O.C.S. Division to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to expand and relocate its facility to West Parkway located in the Cleveland Area Enterprise Zone.

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise

Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

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

Whereas, Lums Service O.C.S. Division (the "Enterprise") has proposed to expand and relocate its facilities to West Parkway in the City of Cleveland; and

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

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

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

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

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Lums Service O.C.S. Division to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to expand and relocate its facility to West Parkway in Cleveland Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 592-99-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

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

Section 5. That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provi-

sions as he deems necessary to protect the City's interest.

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

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

Ord. No. 593-99.

By Councilmen Rybka and Johnson (by departmental request).

An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept grants from the George Gund Foundation, the Cleveland Foundation and from other public and private entities for the Civic-Vision Citywide Plan Update; and to enter into contract for computer software, equipment, training and data conversion to implement the program.

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

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

Section 1. That the Director of the City Planning Commission is hereby authorized to apply for and accept a grant in the amount of \$100,000 from the George Gund Foundation, \$100,000 from the Cleveland Foundation and any other grants or gifts from public and private entities to prepare the Civic-Vision Citywide Plan Update, for the purposes set forth in the application and according thereto; that the Director of the City Planning Commission is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grants; and that said funds be and they hereby are appropriated for the purposes set forth in the applications for said grants.

Section 2. That the applications for said grants, File No. 593-99-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$127,000, from Fund No. 01-01-10-0901, is hereby approved in all respects.

Section 3. That the Director of the City Planning Commission is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the following: not to exceed two (2) work stations, one (1) server upgrade and one (1) printer to implement the above described program, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis.

Section 4. That the Director of the City Planning Commission is hereby authorized to enter into contract with Environmental Systems Research Institute ("ESRI") for professional services necessary to obtain GIS computer software, training, and data conversion services on the basis of its proposal dated December 28, 1998, in the total sum not to exceed \$25,000.00.

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

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

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

**FIRST READING
ORDINANCE REFERRED**

Ord. No. 594-99.

By Councilman Coats.

An ordinance to change the Use and Area Districts of lands on the westerly corner of Cliffview Road, N.E. and Belvoir Boulevard, N.E. (Map Change No. 1990, Sheet No. 7)

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

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

Bounded on the northeast by the center line of Cliffview Road, S.E.; bounded on the southeast by the center line of Belvoir Boulevard, bounded on the southwest and northwest by the southwesterly and northwesterly lines respectively of land conveyed to the Cliffview Land Company September 17, 1951, by deed recorded in Volume 7401, Page 245, of Cuyahoga County Records, and as outlined in red on the map hereto attached, be and the same are hereby changed to a One Family Use District and an 'A' Area District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1990, Sheet No. 7 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

**FIRST READING EMERGENCY
RESOLUTION REFERRED**

Res. No. 606-99.

By Councilman Coats.

An emergency resolution requesting that the Administration conduct an investigation of the Belvoir-Cliffs to determine its eligibility for the Spot Elimination of Blight Program.

Whereas, this Council of the City of Cleveland, through Resolution No. 340-99, adopted March 1, 1999, acknowledged that the Belvoir-Cliffs, a 160 unit apartment building, located at the intersection of Belvoir Blvd. and Cliffview Road in the Euclid Park community of the

City of Cleveland had fallen into severe disrepair, as evidenced by numerous significant code violations and its very low occupancy rate; and

Whereas, Resolution No. 340-99 also recognized that the Belvoir-Cliffs had become a haven for illegal drug activities and prostitution, presenting a nuisance and profound safety risk to the surrounding neighborhood; and

Whereas, this Council believes that the property may be eligible for acquisition through the City's Spot Elimination of Blight Program administered through the Division of Neighborhood Development; now, therefore,

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

Section 1. That the Council of the City of Cleveland requests that the Administration conduct an investigation into the Belvoir-Cliffs to determine whether that property is eligible for the Spot Elimination of Blight Program and that the results of that investigation are reported in writing to the Clerk of Council within 30 days of the adoption of this Resolution.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this Resolution to Andrew Cuomo, Secretary of the U.S. Department of Housing and Urban Development; Mayor Michael White; and Linda Hudecek, Director of Community Development.

Section 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.

Referred to Committee on Community and Economic Development.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 595-99.

By Councilman Dolan.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Westpark Gardens to hang baskets on utility poles (by separate permission) on the west side of Warren Road between Alger and Edgecliff Roads, for the period of April 12, 1999 to May 12, 1999, inclusive.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Westpark Gardens, to install, maintain and remove hanging baskets at the west side of Warren Road between Alger and Edgecliff Roads, to be attached to utility pole numbers 205040, 205042, 205037, 322444, and 205038 (by separate permission) for the period of April 12, 1999 to May 12, 1999, inclusive. Said hanging baskets shall be approved by the Director of Public Service in consultation with

the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a basket will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said baskets and said baskets shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 596-99.

By Mayor White and Councilman Cimperman.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Cleveland Community Relations Board to stretch three (3) banners on Cleveland Public Power utility poles (by separate permission) publicizing "Cleveland Unity Day", for the period of April 12, 1999 through May 7, 1999 inclusive.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Cleveland Community Relations Board to install, maintain and remove three (3) banners on Cleveland Public Power utility poles (by separate permission) at Euclid Avenue on the 3rd pole E. of E. 9th St. (S) #B61-10, and the 4th pole E. of E. 9th St. (S) #B60-10; and on Stokes Boulevard South of Carnegie (W) #88329, and South of Carnegie (E) #88330; and on 1936 W. 25th Street #AOM-125 and 1947 W. 25th Street No Tag; for the period of April 12, 1999 through May 7, 1999 inclusive, publicizing "Cleveland Unity Day". Said banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

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

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

Ord. No. 597-99.

By Councilman Johnson (by departmental request).

An emergency ordinance to amend Section 2 of Resolution No. 533-99, adopted March 29, 1999, relating to appointing an assessment equalization board to hear objections to estimated assessments with respect to the improvement of portions of the downtown area of the City of Cleveland by removing, planting, trimming, watering and creating or excavating cutouts for shade trees and other related activities in and along the streets of portions of the City of Cleveland.

Whereas, pursuant to Resolution No. 533-99, adopted March 29, 1999, this Council authorized the appointment of the assessment equalization board to hear and determine all written objections filed in accordance with law to the estimated assessments heretofore filed with the Clerk of Council; and

Whereas, one of the freeholders appointed to the assessment equalization board is unable to meet at the determined time and place authorized by the above-named resolution; and

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

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

Section 1. That Section 2 of Resolution No. 533-99, adopted March 29, 1999, is hereby amended to read as follows:

Section 2. That the assessment equalization board shall meet at 10:00 o'clock, a.m. on the 22nd day of April, 1999, at the Cleveland Convention Center, 500 Lakeside Avenue, Third Floor Conference Room, for the purposes aforesaid, and upon completion of such hearing and any adjournments thereof, shall report its recommendations including any changes which should be made in the estimated assessments, to this Council.

Section 2. That existing Section 2 of Resolution No. 533-99, adopted March 29, 1999, is hereby repealed.

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

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

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

Ord. No. 598-99.

By Councilman Johnson (by departmental request).

An emergency ordinance to amend Section 49 of Ordinance No. 520-99, passed March 29, 1999, relating to compensation for various classifications.

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

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

Section 1. That Section 49 of Ordinance No. 520-99, passed March 29, 1999, is hereby amended to read as follows:

Section 49. Division of Fire; Various Positions

The annual salaries of persons appointed to the following ranks of the Division of Fire shall be fixed by the appointing authority within the limits established in the following schedules:

	Minimum	Maximum
1. Battalion Chief	\$65,244.39	\$65,744.39
2. Captain	56,176.20	56,676.20
3. Lieutenant	48,358.79	48,858.79
4. Firefighter		
Journeyman	41,619.65	42,119.65
Apprentice — Medic III	37,697.95	38,197.95
Apprentice — Medic II	37,164.92	37,664.92
Apprentice — Medic I	36,098.87	36,598.87
Trainee	\$ 8.50 per hour	\$ 8.50 per hour

Section 2. That existing Section 49 of Ordinance No. 520-99, passed March 29, 1999, is hereby repealed, effective April 1, 1999.

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

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

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

Ord. No. 599-99.

By Councilman Johnson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Ohio Patrolmen's Benevolent Association; and to amend Section 14 of Ordinance No. 520-99, passed March 29, 1999, 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 and subject to an arbitration award, this Council hereby approves a collective bargaining agreement with the Ohio Patrolmen's Benevolent Association which contains the terms set forth in File No. 599-99-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

Section 2. That Section 14 of Ordinance No. 520-99, passed March 29, 1999, is hereby amended by read as follows:

Section 14. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Security Officer	\$10.42 per hour	\$16.19 per hour

Section 3. That existing Section 14 of Ordinance No. 520-99, passed March 29, 1999, is hereby repealed.

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

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

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

Ord. No. 609-99.
By Councilman Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Rockers for a walk on May 31, 1999, sponsored by the Cleveland Rockers and Hermes Race Systems.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,
 Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a race, sponsored by the Cleveland Rockers and Hermes Race Systems, on May 31, 1999, starting at Ontario heading southerly to Hope Memorial Bridge to W. 25th Street to Veterans Memorial Bridge to Huron to Ontario to finish in front of Jacobs Field Plaza, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director Law.

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

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

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

Ord. No. 610-99.
By Councilman Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Children's Run/Run For The Arts on May 23, 1999, sponsored by Hermes Race Systems.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,
 Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Children's Run/Run For The Arts, sponsored by Hermes Race Systems, on May 23, 1999, beginning on Ontario to Huron, Huron to East 6th Street and finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

Ord. No. 611-99.
By Councilman Melena.
An emergency ordinance consenting and approving the issuance of a permit for the Run for Roses Road Race on May 1, 1999, sponsored by Hermes Race Systems.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,
 Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Run for Roses Road Race, sponsored by Hermes Race Systems, on May 1, 1999, beginning on Detroit Ave. at W. 116th proceeding northbound to W. 115th then north on W. 115th to Lake Ave. Lake Ave. eastbound to Harborview. Harborview to Lake, proceeding eastbound on Lake to Cliff Drive, around Cliff back to Lake and retracing the route back to St. Roses Church on Detroit at W. 116th St., provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director Law.

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

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

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

Ord. No. 612-99.
By Councilmen Johnson and Westbrook.
An emergency ordinance authorizing the Director of Finance to pay as Moral Claim the sum herein set forth opposite the name of the claimant.

Whereas, pursuant to Ordinance No. 987-98, passed June 8, 1998, Council authorized this moral claim be paid to Mr. Keynan Williams at an amount of \$419.65 within six months from the effective date of that ordinance; and
 Whereas, due to Mr. Williams' unusual circumstances, he did not receive any applicable paperwork, including the release, necessary to receive his claim; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,
 Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Finance is hereby authorized to pay as Moral Claim the sum set forth opposite the name of the following claimant and charged against the fund number opposite the name of the claimant:

Claimant	Claim No.	Amount	Division	Fund
Keynan Williams	10429	\$419.95	Police	01-60-02-0720

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

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

Motion to suspend rules. Charter and statutory provisions and place on final passage.
 The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

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

Res. No. 600-99.

By Councilman Johnson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 2664 Woodhill Rd.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 97601540010, Woodhill Best Grocery Co., DBA Woodhill Shoprite, 2664 Woodhill Rd., Cleveland, Ohio 44104; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 97601540010, Woodhill Best Grocery Co., DBA Woodhill Shoprite, 2664 Woodhill Rd., Cleveland, Ohio 44104 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

from and after the earliest period allowed by law.

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

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

Res. No. 601-99.

By Councilman Polensek.

An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit to 16826 Lakeshore Blvd., and repealing Res. No. 2019-98, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to 16826 Lakeshore Blvd., by Res. No. 2019-98, adopted November 16, 1998; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership based upon and pursuant to a cooperation agreement signed April 8, 1999, a copy of which is in the file for this address with the City Law Department; and

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

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

Section 1. That objection to the transfer of ownership of a D5 Liquor Permit to 16826 Lakeshore Blvd., be and the same is hereby withdrawn and Res. No. 2019-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

Res. No. 602-99.

By Councilman Polensek.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 19600 South Waterloo Road West Side, and repealing Res. No. 1503-98, objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3 and D3A Liquor Permit to 19600 South Waterloo Road West Side, by Res. No. 1503-98, adopted August 19, 1998; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership based upon and pursuant to a cooperation agreement signed February 8, 1999, a copy of which is in the file for this address with the City Law Department; and

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

a municipal department; now, therefore,

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

Section 1. That objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 19600 South Waterloo Road West Side, be and the same is hereby withdrawn and Res. No. 1503-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

Res. No. 603-99.

By Councilman Patmon.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 7914 St. Clair Ave.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 7689944, Salmah Inc., DBA California Food Market, 7914 St. Clair Ave., Cleveland, Ohio 44103, to Permit No. 9831966, Yie Inc., DBA California Market, 7914 St. Clair Ave., Cleveland, Ohio 44103; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 7689944, Salmah Inc., DBA California Food Market, 7914 St. Clair Ave., Cleveland, Ohio 44103, to Permit No. 9831966, Yie Inc., DBA California Market, 7914 St. Clair Ave., Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 604-99.

By Councilmen Cimperman, Cinton, Coats, Dolan, Gordon, Jones, Melena, Patmon, Robinson, Sweeney, White, Willis, Zone and Rybka.

An emergency resolution urging state officials and legislators to take certain actions to strengthen the services and effectiveness of Medicaid HMOs.

Whereas, this Council of the City of Cleveland is greatly concerned with the health, safety and welfare of Cleveland residents, particularly families and children; and

Whereas, the first priority of Ohio's Medicaid system must be to ensure high quality health care for families and children who participate in the program; and

Whereas, participants in Cuyahoga County's Medicaid HMO have expressed various concerns about health care available to people with Medicaid HMOs; such concerns include confusing and inaccurate billing; difficulty accessing referrals, medication and the emergency room; and a lack of access to health care for low and middle income working parents; and

Whereas, this Council is concerned about the collapse of Personal Physician Care (PPC) and the problems faced by its former subscribers due to its collapse; now, therefore,

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

Section 1. That the Council of the City of Cleveland believes that all residents of the City of Cleveland and throughout the State of Ohio are entitled to receive quality medical health care and supports the expansion of Medicaid coverage to all working parents.

Section 2. That the Council urges the State General Assembly to implement policies to more effectively

oversee and monitor the services and treatment offered by Medicaid HMOs.

Section 3. That the Council is concerned about the collapse of Personal Physician Care (PPC) and the impact of that collapse on its former subscribers and supports a full investigation by the State Auditor and the office of the State Attorney General into the cause of the collapse and to determine whether any criminal wrongdoing has occurred.

Section 4. That the Clerk of Council is hereby requested to transmit a copy of this resolution to the following: Secretary of Health and Human Services Donna Shalala; Governor Robert Taft; Speaker of the House JoAnn Davidson; State Auditor James DePetro; and Attorney General Betty Montgomery.

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

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

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

Res. No. 605-99.

By Councilmen Cimperman, Willis and Coats.

An emergency resolution urging AT&T to refrain from implementing a minimum monthly charge for long distance telephone calls.

Whereas, AT&T has approximately 70 million long distance customers, many of whom are elderly, poor or living on a fixed income; and

Whereas, AT&T recently announced its intention to implement a \$3.00 monthly charge to long distance customers regardless of whether any long distance telephone calls have been made, effective July, 1999; and

Whereas, the Council of the City of Cleveland is opposed to the proposed \$3.00 monthly minimum charge for long distance subscribers as it negatively impacts many residents of the City of Cleveland and places an undue financial burden on them; now, therefore,

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

Section 1. That the Council of the City of Cleveland urges AT&T to reconsider its proposed policy of implementing a \$3.00 minimum monthly charge to long distance subscribers regardless of whether any long distance telephone calls have been made and urges state and federal representatives to join with this Council in voicing opposition to this burdensome tax.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this resolution to the following: Senator George Voinovich; Senator Mike DeWine; Governor Robert Taft; Congressmen Dennis Kucinich and Steve Latourette; Congresswoman Stephanie Tubbs-Jones and the Chairman of AT&T.

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

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

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

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

Res. No. 607-99.

By Councilmen Patmon and White. An emergency resolution recognizing the necessity for strong MBE/FBE programs and urging opposition to proposed state legislation that would discontinue such programs.

Whereas, the Council of the City of Cleveland recognizes that minority and female businesses have historically been at an extreme disadvantage in seeking business opportunities; and

Whereas, the Council applauds the goal of Minority and Female Business Enterprise programs to encourage, promote and safeguard the viability and strength of minority and female businesses; and

Whereas, the Council is supportive of and encouraged by the recent decision of the Ohio Supreme Court that declared a minority set-aside program for state construction contracts constitutional; and

Whereas, the Council urges Governor Taft to reactivate the minority set-aside program for state construction contracts that had been discontinued in November, 1998 as soon as possible; and

Whereas, the Council is strongly opposed to the legislation introduced in the state legislature by Senator Eugene Watts that would replace Ohio's current set-aside program with a "Challenged Business Enterprise Program"; now, therefore,

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

Section 1. That the Council of the City of Cleveland recognizes the necessity for strong Minority and Female Business Enterprise programs and urges Governor Taft to reinstitute the state minority set-aside program as soon as possible.

Section 2. That the Council strongly urges state legislators to oppose the recent legislation introduced by State Senator Eugene Watts that would discontinue MBE programs.

Section 3. That the Clerk is hereby requested to transmit a copy of this resolution to the following: Governor Robert Taft; Ohio Speaker of the House JoAnn Davidson; President of the Ohio Senate Richard Finan; and State Senator Eugene Watts.

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

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

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

**Res. No. 608-99.
By Councilmen Willis and Westbrook.**

An emergency resolution supporting a lawsuit filed by the City of Cleveland to require firearms manufacturers to act safely and responsibly and opposing attempts to pass legislation at the state level to bar the filing of such lawsuits.

Whereas, this Council of the City of Cleveland, through Resolution No. 2125-98 adopted December 7, 1998, acknowledged the danger of firearms and urged the Mayor and Director of Law to institute a lawsuit against firearm manufacturers on the basis of public nuisance and product liability; and

Whereas, the Mayor recently filed an action in Cuyahoga County Common Pleas Court against firearms manufacturers for failing to act safely and responsibly; and

Whereas, in response to the actions of this Council and the Administration, the National Rifle Association (NRA) announced its intent to seek a sponsor for legislation at the state level to bar lawsuits against firearm manufacturers; and

Whereas, the NRA has lobbied for similar legislation to limit lawsuits in Alabama, Louisiana and Wyoming; and

Whereas, this Council believes that firearm manufacturers must be held to the same, if not heightened, standards as other manufacturers of dangerous products, and is therefore opposed to any attempts to limit lawsuits against firearm manufacturers; now, therefore

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

Section 1. That this Council of the City of Cleveland is supportive of attempts to hold firearm manufacturers accountable to act safely and responsibly in the manufacturing and marketing of its products.

Section 2. That this Council opposes the intent of the National Rifle Association to seek a legislative prohibition at the state level to filing lawsuits against firearm manufacturers and strongly urges state legislators to reject such attempts by the NRA.

Section 3. That the Clerk of Council is requested to transmit a copy of this Resolution to Speaker of the House JoAnn Davidson; Ohio Senate President Richard Finan; and Mayor Michael White.

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

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

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

**SECOND READING EMERGENCY
ORDINANCE AMENDED
AND PASSED**

**Ord. No. 1143-98.
By Mayor White.**

An emergency ordinance authorizing the Mayor to enter into an agreement with The City of Cleve-

land and Omni Outdoor & Company Limited Partnership, or its designee, to develop a system of informational kiosks to assist both tourists and local residents visiting cultural and other attractions in Cleveland's neighborhoods and downtown.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance; when amended as follows:

1. In the title, at the end, strike the period and insert the following: ", designating the programs for royalties received from that kiosk system, granting encroachment permits and outlining other aspects of the kiosk system."

2. In Section 2, line 1, after "That" insert the following: "notwithstanding any other ordinance or Codified Ordinance to the contrary,"

3. In Section 2, at Agreement Section 1.1, line 3, strike "175" and insert in lieu thereof "195"; strike lines 4, 5, 6 and 7 in their entirety and insert in lieu thereof the following: "in Section 2.4 herein ("Network"), at those locations agreed to by the City and Company that satisfy the location criteria stated in Section 4 herein. The initial locations shall be substantially in accordance with the locations identified in Exhibit "A." [Exhibit A is contained in Council File No. 1143-98-A.]"

4. In Section 2, at Agreement Section 2.1, lines 2 and 3, strike "175 kiosks or 275" and insert in lieu thereof the following: "195 kiosks or 295".

5. In Section 2, at Agreement Section 4., insert a new subsection at the end to read as follows:

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

6. In Section 2, at Agreement Section 8.1.6, at the end, strike the period and insert in lieu thereof the following: ", and display on each kiosk a telephone number, which number is in service twenty-four (24) hours, to which maintenance requests may be made."

7. In Section 2, at Agreement Section 9., insert a new subsection at the end to read as follows:

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

8. In Section 2, at Agreement Section 11.1, line 1, strike "destined" and insert in lieu thereof "designated".

9. In Section 2, at Agreement Section 11., insert a new subsection at the end to read as follows:

"11.2 No elected official's name, picture or likeness shall appear on the kiosk structure or the face designated for tourist orientation or public information or on any other

face, except as part of a paid advertisement, provided that it is in accordance with applicable laws."

10. In Section 2, at Agreement Section 12.3, line 2, strike "175" and insert in lieu thereof "195".

11. In Section 2, at Agreement Section 12.4, line 2, strike "five percent (5%) of its kiosk inventory" and insert in lieu thereof the following: "ten percent (10%) of its kiosk advertising faces"; and in line 4, strike "inventory" and insert in lieu thereof "faces".

12. In Section 2, at Agreement Section 14.2, line 1, strike "The" and insert in lieu thereof the following: "Unless directed otherwise by the City, the".

13. In Section 2, at Agreement Section 14.3, strike line 2 in its entirety and insert in lieu thereof the following: "shall have no further".

14. In Section 2, at Agreement Section 14.4, line 1, strike "The" and insert in lieu thereof the following: "Upon an assignment pursuant to Section 14.2, the".

15. In Section 2, at Agreement Section 14. insert a new subsection at the end to read as follows:

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

16. In Section 2, at Agreement Section 15.2, line 6, strike "The" and insert in lieu thereof the following: "Recognizing that there are select areas of the City in which advertising of alcoholic beverage products is allowed, the"; in lines 8 and 9, strike "be predominant on" and insert in lieu thereof the following: "dominate".

17. In Section 2, at Agreement Section 18., line 1, strike "18. EQUAL EMPLOYMENT OPPORTUNITY" and insert in lieu thereof the following: "18. EQUAL EMPLOYMENT OPPORTUNITY AND CITY RESIDENTS".

18. In Section 2, at Agreement Section 18.1, line 5, strike "thirty percent (30%) and insert in lieu thereof the following: "fifteen percent (15%)"; in lines 7 and 8, strike "ten percent (10%) and insert in lieu thereof "five percent (5%)"; and in the second paragraph of Agreement Section 18.1, in lines 3 and 3, strike "thirty percent (30%) and ten percent (10%) and insert in lieu thereof the following: "fifteen percent (15%) and five percent (5%)".

19. In Section 2, at Agreement Section 18., insert a new subsection at the end to read as follows:

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

20. In Section 2, at Section 21.3, line 2, after "except" insert the following: "when authorized by an ordinance of the City and".

21. In Section 2, at Section 23.6, insert a new Section 24. to read as follows:

"24. REPORTS

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

22. In Section 2, the fifth line from the end of the section, strike "SYLVESTER SUMMERS, JR." and insert in lieu thereof "CORNELL P. CARTER".

23. Insert new Sections 4, 5, 6, 7 and 8 to read, respectively, as follows:

"Section 4. That all royalties received by the City pursuant to the Agreement authorized by Section 1 of this ordinance shall be used for the City's Storefront Renovation Program, except that annually no greater than Ten Thousand Dollars (10,000) may be paid to the Downtown Development Partnership and no greater than Ten Thousand Dollars (10,000) may be paid to the Cleveland Neighborhood Development Corp. from the royalties for their services to administer the tourist and public information aspects of the kiosk program. The maximum amount that may be paid to the Downtown Development Partnership and the Cleveland Neighborhood Development Corp. shall be adjusted each year by the annual percentage change in the Cleveland, Ohio Consumer Price Index for the twelve (12) month period ending the previous June 30, rounded to the nearest dollar. The revised maximum shall take effect on January 1 of each year.

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

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

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

security requirements stated in the Agreement described in Section 2 of this ordinance.

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

24. Renumber existing Section 4 to new "Section 9".

25. In the preamble, between the third and fourth "Whereas" clauses, insert the following new clauses:

"Whereas, the system of informational kiosks to be developed through this legislation is intended to improve the quality of life and further the public convenience;

Whereas, this Council finds that it is necessary to impose restrictions, based on health, safety and welfare considerations, on the use of the informational kiosks for certain purposes that are inconsistent with the positive goals intended by the creation of this forum.

Whereas, the system of informational kiosks to be developed through this legislation is declared by this Council to be a limited public forum;

Whereas, the creation of a limited public forum is intended to preserve the positive goals intended by the introduction of kiosks into the community;

Whereas, this Council finds that the public policy that was established by the passage last year of Chapters 680A and 680B of the Codified Ordinances, which imposed time, place and scope limitations on the placement of advertisements for alcohol and tobacco products, should be continued and furthered by the establishment of restrictions on the placement of such advertisements on the informational kiosks;

Whereas, these additional restrictions are being imposed for the same public policy reasons that led to the passage of Chapters 680A and 680B;

Whereas, this Council further finds that the public policy established by Sections 350.11 and 623.14 of the Codified Ordinances, which prohibits, among other things, the posting of political signs upon any public property, should be continued and furthered by prohibiting the placement of political advertisements on the informational kiosks;

Whereas, in addition to continuation of the existing public policy established by Sections 350.11 and 623.14, political advertisements would detract aesthetically from the informational kiosks, especially because this type of advertisement tends to remain posted after the election or event for which the political advertisement was placed;

Whereas, limiting kiosk advertising to innocuous and less controversial commercial and service-oriented advertising minimizes the chances of abuse, appearances of political favoritism, public dissension and complaints and the risk of imposing upon an unwilling audience;

Whereas, this Council finds that there are many other forums for the exercise of political speech, and for the placement of political ads, and many other forums for the advertisement of alcohol and tobacco products;

Whereas, this Council finds that the restrictions being imposed by this legislation on the placement of advertisements on kiosks for alcohol

and tobacco products and political advertisements are narrow, reasonable, and necessary to the goals intended by the creation of this limited public forum;"

26. In Section 1, in line 2, after the phrase "to the contrary," insert "and in accordance with the Whereas clauses found in the preamble of this ordinance, which are hereby declared to be legislative findings of this Council,".

27. In Section 2, at Agreement Section 11, insert a new subsection at the end to read as follows (this amendment supersedes any previous amendment adding a new subsection to Section 11, recommended by any Council committee):

"11.2 No elected official's name, picture or likeness shall appear on the kiosk structure or the face designated for tourist orientation or public information or on any other face, except as part of a paid advertisement, provided that the paid advertisement is not a political advertisement prohibited in Section 15.2."

28. In Section 2, at Agreement Section 15., at the end of Section 15.2, insert the following new paragraph:

"The Company acknowledges and agrees that it shall not post or allow to be posted on the Network any advertising for a ballot issue, a candidate for office, a partisan political activity or a position on a political issue."

29. Insert new Section 5 to read as follows (this amendment supersedes any previous amendment inserting a new Section 5 recommended by any Council committee):

"Section 5. That no elected official's name, picture or likeness shall appear on the maps or tourist information signs or any other signs, except as part of a paid advertisement, provided that the paid advertisement is not advertising a ballot issue, a candidate for office, a partisan political activity or a position on a political issue."

Amendments agreed to.

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

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

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried that the absence of Councilman Patricia A. Britt and Councilman Kenneth L. Johnson be and is hereby authorized.

The Council adjourned at 8:15 p.m. to meet on Monday, April 19, 1999, at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

April 7, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 7, 1999, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Absent: Director Guzman.

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

On motion, the following resolutions were adopted.

Resolution No. 170-99.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Terrace Construction Co., Inc. for the public improvement of West 49th Street sewer replacement for the Division of Water Pollution Control, Department of Public Utilities, received on March 4, 1999, pursuant to the authority of Ordinance No. 757-98, passed June 15, 1998, upon a unit basis for the improvement in the aggregate amount of Two Hundred Fifteen Thousand Three Hundred Sixty-Nine Dollars 00/100 (\$215,369.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities 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 to Terrace Construction Co., Inc., for the contract authorized herein is approved:

SUBCONTRACTOR WORK

Granger Trucking MBE Material supply

Rockport Construction FBE Concrete paving

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 171-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Hertz Equipment Rental Corporation for the following: Three (3) Welders With Trailers for the Division of Water, Department of Public Utilities, received on the February 10, 1999, pursuant to the authority of Ordinance No. 2180-97, passed February 2, 1998, which on the basis of the order quantities would amount to Thirty Two Thousand Two Hundred Twenty Two Dollars (\$32,220.00), (Net 30 Days) is hereby approved as the lowest and best bid; and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto,

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

Nays: None.

Absent: None.

Resolution No. 172-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 450-81, passed by the Council of the City of Cleveland on November 30, 1981, as amended by Ordinance No. 131-A-82, passed by Council on April 26, 1982, and further amended by Ordinance No. 2350-82, passed by Council on October 18, 1982, and further amended by Ordinance No. 1608-83, passed by Council on June 27, 1983, and further amended by Ordinance No. 1427-84, passed by Council on December 17, 1984, the City of Cleveland entered into a Lease By Way of Concession with The Airplane Company, Inc. ("Lessee"), City Contract No. 32625, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Resolution No. 656-82, adopted by the Board of Control of the City of Cleveland on November 17, 1982, the City approved the assignment of the Lease By Way of Concession, City Contract No. 32625 from The Airplane Company, Inc. to The Airplane Company Hangars, Inc.; and

Whereas, pursuant to Section 9, General Provisions of said Lease By Way of Concession, The Airplane Company Hangars, Inc. desires to sublease part of its lease premises known as the Business Aircraft Center Hangar at Burke Lakefront Airport to Gateway Avionics Corp.; and

Whereas, subleasing of said premises to Gateway Avionics Corp. shall not constitute a release or waiver of any of The Airplane Company Hangars, Inc.'s obligations under Contract No. 32625; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 9, General Provisions of the Lease By Way of Concession with The Airplane Company Hangars, Inc., City Contract No. 32625, this Board hereby consents to the request of the Lessee to sublease a part of the Business Aircraft Center Hangar at Burke Lakefront Airport to Gateway Avionics Corp. for the use of a hangar facility on a month-to-month basis, subject to all terms of City Contract No. 32625.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 173-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 450-81, passed by the Council of the City of Cleveland on November 30, 1981, as amended by Ordinance No. 131-A-82, passed by Council on April 26, 1982, and further amended by Ordinance No. 2350-

82, passed by Council on October 18, 1982, and further amended by Ordinance No. 1608-83, passed by Council on June 27, 1983, and further amended by Ordinance No. 1427-84, passed by Council on December 17, 1984, the City of Cleveland entered into a Lease By Way of Concession with The Airplane Company, Inc. ("Lessee"), City Contract No. 32625, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Resolution No. 656-82, adopted by the Board of Control of the City of Cleveland on November 17, 1982, the City approved the assignment of the Lease By Way of Concession, City Contract No. 32625 from The Airplane Company, Inc. to The Airplane Company Hangars, Inc.; and

Whereas, pursuant to Section 9, General Provisions of said Lease By Way of Concession, The Airplane Company Hangars, Inc. desires to sublease part of its lease premises known as the Business Aircraft Center Hangar at Burke Lakefront Airport to Business Aircraft Group, Inc.; and

Whereas, subleasing of said premises to Business Aircraft Group, Inc. shall not constitute a release or waiver of any of The Airplane Company Hangars, Inc.'s obligations under Contract No. 32625; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 9, General Provisions of the Lease By Way of Concession with The Airplane Company Hangars, Inc., City Contract No. 32625, this Board hereby consents to the request of the Lessee to sublease a part of the Business Aircraft Center Hangar at Burke Lakefront Airport to Business Aircraft Group, Inc. for the use of a hangar facility on a month-to-month basis, subject to all terms of City Contract No. 32625.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 174-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to North Coast Aircraft Radio, Inc.; and

Whereas, subleasing of said premises to North Coast Aircraft Radio, Inc. shall not constitute a

release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to North Coast Aircraft Radio, Inc. for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 175-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to Baltimore Helicopter Transport, Inc.; and

Whereas, subleasing of said premises to Baltimore Helicopter Transport, Inc. shall not constitute a release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to Baltimore Helicopter Transport, Inc. for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 176-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to Helicopter Minit-Men; and

Whereas, subleasing of said premises to Helicopter Minit-Men shall not constitute a release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to Helicopter Minit-Men for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 177-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to Crow Executive Air, Inc.; and

Whereas, subleasing of said premises to Crow Executive Air, Inc. shall not constitute a release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to Crow Executive Air, Inc. for the use of a hangar

facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 178-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to Cardinal American Corporation; and

Whereas, subleasing of said premises to Cardinal American Corporation shall not constitute a release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to Cardinal American Corporation for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 179-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to Air Stewart, Inc.; and

Whereas, subleasing of said premises to Airport to Air Stewart, Inc. shall not constitute a release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to Airport to Air Stewart, Inc. for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 180-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to Pegasus Aviation; and

Whereas, subleasing of said premises to Pegasus Aviation shall not constitute a release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to Pegasus Aviation for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 181-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to North Coast Flyers, Inc.; and

Whereas, subleasing of said premises to North Coast Flyers, Inc. shall not constitute a release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to North Coast Flyers, Inc. for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 182-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to Jose Ramos; and

Whereas, subleasing of said premises to Jose Ramos shall not constitute a release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke

Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to Jose Ramos for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 183-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to Sioux Falls Aviation, Inc.; and

Whereas, subleasing of said premises to Sioux Falls Aviation, Inc. shall not constitute a release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to Sioux Falls Aviation, Inc. for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 184-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Ser-

vices, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to Prestige Aviation, Inc.; and

Whereas, subleasing of said premises to Prestige Aviation, Inc. shall not constitute a release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to Prestige Aviation, Inc. for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 185-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to Precision Helicopter Services, Inc.; and

Whereas, subleasing of said premises to Precision Helicopter Services, Inc. shall not constitute a release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to Precision Helicopter Services, Inc. for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sub-

lease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 186-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to Petroleum Helicopters, Inc.; and

Whereas, subleasing of said premises to Petroleum Helicopters, Inc. shall not constitute a release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to Petroleum Helicopters, Inc. for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 187-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to Northwind Aviation of Ohio, Inc.; and

Whereas, subleasing of said premises to Northwind Aviation of Ohio, Inc. shall not constitute a

release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to Northwind Aviation of Ohio, Inc. for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 188-99.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to the City for use by its Department of Public Safety; and

Whereas, subleasing of said premises to the City for use by its Department of Public Safety shall not constitute a release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to the City for use by its Department of Public Safety for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 189-99.

By Director Jackson.
 Be it resolved by the Board of Control of the City of Cleveland that, pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to enter into a concession agreement with APCOA, Inc. for the operation of the Gateway Garages consisting of the East Garage, located at 650 Huron Road, and the North Garage, located at 2151 Ontario Avenue, for a period not exceeding thirty (30) days commencing April 7, 1999, for such payment as is mutually acceptable to APCOA, Inc. and the Director of Parks, Recreation and Properties.

Be it further resolved that concession agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as he deems necessary to benefit and protect the public interest.

Yeas: Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
 Absent: Mayor White.

Resolution No. 190-99.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 006-27-038 (Westerly half) located at 7617 Clark Avenue in Ward 18; and

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

Whereas, James Edward Hunley and Margaret Mary Hunley, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 18 has consented to the proposed sale;
2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;
3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with James Edward Hunley and Margaret Mary Hunley for the sale and development of Permanent Parcel No. 006-27-038 (Westerly half) located at 7617 Clark Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
 Absent: Mayor White.

Resolution No. 191-99.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 006-26-043 located at 3192-94 West 73rd Street in Ward 18; and

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

Whereas, Dolores Perez, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 18 has consented to the proposed sale;
2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;
3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Dolores Perez for the sale and development of Permanent Parcel No. 006-26-043 located at 3192-94 West 73rd Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
 Absent: Mayor White.

Resolution No. 192-99.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 004-15-055 located at 2239 West 11th Street in Ward 13; and

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

Whereas, Mary E. Meyer, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Mary E. Meyer for the sale and development of Permanent Parcel No. 004-15-055 located at 2239 West 11th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$700, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.
 Absent: Mayor White.

Resolution No. 193-99.

By Director Balraj.
 Be it resolved by the Board of Control of the City of Cleveland, that pursuant to Section 139.041 of the Codified Ordinance of Cleveland, Ohio, 1976, the Department of Port Control is hereby authorized to make the following charges for each landing made by aircraft as fixed by the Commissioner of Cleveland Hopkins International Airport, other than those aircraft of airlines which are signatories to the Agreement and Lease authorized by Ordinance No. 1585-A-76, passed on August 16, 1976, at Cleveland Hopkins International Airport in accordance with the following schedule of rates:

Single Engine Aircraft	\$10.00
Multi-engine Aircraft by Gross Weight	
0-10,000 lbs.	\$16.00
10,000-12,500 lbs.	\$19.00
12,501 lbs. and over	See (a), (b) and (c) below

(a) For non-signatory air carriers operating under Parts 121 or 135 of the Federal Aviation Regulations

but which operate on a scheduled basis, the fee will be 125% of the prevailing rate applicable to signatory airlines under the Agreement and Lease.

(b) For all other itinerant aircraft the fee will be 150% of the prevailing rate applicable to the signatory airlines under the Agreement and Lease.

(c) For non-signatory carriers which have submitted a letter of intent to become a signatory under the Agreement and Lease which has been accepted to the signatory airlines.

(d) For based aircraft operating under written agreements requiring the payment of landing fees, the fee will be 125% of the prevailing rate applicable to the signatory airlines under the Agreement and Lease.

"Gross Weight" shall mean the maximum allowable gross landing weight.

An airline operating on a "scheduled basis" shall mean airlines which submit schedules in advance and report landings on a monthly basis to the Division of Cleveland Hopkins International Airport.

Be it further resolved that Resolution No. 1028-93, adopted November 24, 1993, be and the same is hereby rescinded, and that the rates herein fixed shall be in force and effect from and after the adoption date of this Resolution.

Yeas: Directors Carter, Carmody, Acting Director Crombie, Directors Balraj, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: Mayor White.

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 stated in the examination announcement.

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

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

FREDDIE J. FENDERSON,
President

CIVIL SERVICE NOTICE

ANNOUNCEMENTS - 1999

Announcement No.	Classification
16-A	Superintendent of Water Distribution (Open)
26	Assistant Chief of Water Distribution (Open)
27	Caseworker Supervisor (Open)
28	Chief Senior Electric Switchboard Operator (Open)
29	Legal Secretary (Open)
30	Manager of Recreation (Open)

PROOF OF CITY RESIDENCY

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing.** The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current.** Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

Lease - from rental agency.

Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.

Utility bills bearing the property address **and** your name.

Post Office change of address form properly date stamped.

Official documents relating to home ownership including deed, purchase agreement, or insurance policy.

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

Car registration **or** Driver's License **or** Ohio I.D. (**One only**).

Loans and credit card statements (Within last three months).

Rental contracts (e.g.: furniture, tools, car, etc.).

Current bills not listed above (Within last three months).

The following are examples of **unacceptable** categories of proof:

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

Rental receipts from independent party without cancelled checks or money order receipt.

APPROVED C.S.C. MINUTES ANNOUNCEMENT NO. 16-A

SUPERINTENDENT OF WATER DISTRIBUTION (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an open Examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,231.40 to \$47,489.48 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, APRIL 19, 1999 UNTIL 4:30 P.M. ON FRIDAY, APRIL 23, 1999.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON APRIL 23, 1999.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

DUTIES OF THE POSITION

Under administrative direction, supervises the work performed by water distribution supervisory personnel. Oversees the assignment of work crews to repair jobs. Prioritizes repair work to be performed. Evaluates and determines overtime requirements. Interviews job candidates. Participates in pre-disciplinary employee hearings. Performs other job-related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Bachelor's degree in Engineering, Business/Public Administration or related field required; three (3) years of experience in the management of water distribution operating systems required; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. Supervisory experience required. Must possess a valid State of Ohio driver's license.

NOTE: Applicants will be required to pay a nonrefundable \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

NOTE: Those persons who are residents of the City of Cleveland and who received passing scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of resi-

dency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 26**

ASSISTANT CHIEF OF WATER DISTRIBUTION (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an open Examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$23,647.11 to \$52,914.21 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, APRIL 19, 1999 UNTIL 4:30 P.M. ON FRIDAY, APRIL 23, 1999.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON APRIL 23, 1999.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

DUTIES OF THE POSITION

Under general direction, supervises Water Distribution work units including administration, Communication Center, warehouse, and safety operations. Approves and oversees implementation of work schedules and employee work assignments. Provides recommendations concerning employee disciplinary action and merit increases. Provides direction to supervisors in the design and implementation of training programs. Provides recommendations concerning the purchase of supplies and equipment. Performs other job-related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

High School Diploma or G.E.D. required; five (5) years of responsible Water Distribution experience with three (3) of those years in management of water distribution operating systems; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. Must obtain a valid Water Distribution License as issued by the State of Ohio within two (2) years of legal appointment.

NOTE: Applicants will be required to pay a nonrefundable \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

NOTE: Those persons who are residents of the City of Cleveland and who received passing scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 27**

CASEWORKER SUPERVISOR (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an open Examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,065.93 to \$34,503.43 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, APRIL 19, 1999 UNTIL 4:30 P.M. ON FRIDAY, APRIL 23, 1999.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON APRIL 23, 1999.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: ORAL EXAMINATION

DUTIES OF THE POSITION

Under general direction, supervises the work performed by counseling staff workers. Monitors and prepares reports on counseling staff activities. Performs quality assurance activities. Provides support and clinical services to clients. Performs direct service activities and conducts crisis interventions. Assists in the development of programs and grant proposals and supervises program implementation. Performs general administration duties.

Provides community outreach services, education, advocacy, support, and networking. Performs other job-related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Bachelor's degree in psychology, sociology, social work, or related field plus four (4) years of paid experience in related social work required OR Master's degree plus two (2) years related work required; four (4) years paid work experience in a supervisory capacity required; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. Must obtain a valid Water Distribution License as issued by the State of Ohio within two (2) years of legal appointment.

lent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. Must have a State of Ohio driver's license. Must be State Certified in Drug Prevention.

NOTE: Applicants will be required to pay a nonrefundable \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

NOTE: Those persons who are residents of the City of Cleveland and who received passing scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 28**

CHIEF SENIOR ELECTRIC SWITCHBOARD OPERATOR (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an open Examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$22,333.40 to \$50,221.06 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, APRIL 19, 1999 UNTIL 4:30 P.M. ON FRIDAY, APRIL 23, 1999.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON APRIL 23, 1999.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

DUTIES OF THE POSITION

Under direction, supervises the daily operation of the electrical switchboard during a shift. Schedules purchase power supply to meet system power requirements. Prepares detailed shift reports concerning shift activities, electrical troubles, and actions taken. Records switchboard readings and tie line information. Monitors SCADA computer screens and reports alarms or unusual occurrences. Supervises senior switchboard operators and trains new operators as needed.

Serves as a working Chief Senior Electric Switchboard Operator in charge of a shift. Checks accuracy of log sheet, station curve sheet, and calculation for K.W. hour output (night shift). Provides training for new operators as needed.

ators. Prepares daily time cards for all senior operators on the shift. Supervises operators in emergencies. Performs other job-related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

High School Diploma or G.E.D. required; two (2) years of responsible experience in electrical operations; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. Must be capable of operating Gas Turbines, SCADA (Supervisory Control And Data Acquisition) and other control equipment. Must pass the examination to be administered by the North American Electric Reliability Council (NERC) and achieve NERC Certification as an Electric System Dispatcher at the first opportunity made available by NERC after legal appointment. (It is expected that NERC will offer a training program and examination in Fall 1999.) Supervisory experience preferred.

NOTE: Applicants will be required to pay a nonrefundable \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

NOTE: Those persons who are residents of the City of Cleveland and who received passing scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 29

LEGAL SECRETARY (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an open Examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$17,189.55 to \$31,410.17 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, APRIL 19, 1999 UNTIL 4:30 P.M. ON FRIDAY, APRIL 23, 1999.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON APRIL 23, 1999.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION & PERFORMANCE EXAMINATION (Applicants must be able to type a minimum of 55 words per minute)

DUTIES OF THE POSITION

Under supervision, assists in the preparation of legal documents and other papers. Performs general clerical duties. Takes and transcribes legal dictation as required. Tracks legislation as necessary. Performs other job-related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

High school diploma or G.E.D. plus (1) year of legal secretarial experience required; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job.

NOTE: Applicants will be required to pay a nonrefundable \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

NOTE: Those persons who are residents of the City of Cleveland and who received passing scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 30

MANAGER OF RECREATION (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an open Examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$42,000.00 to \$61,647.62 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, APRIL 19, 1999 UNTIL 4:30 P.M. ON FRIDAY, APRIL 23, 1999.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON APRIL 23, 1999.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under administrative direction, supervises the operations of a Division of Recreation program area. Plans and implements program area services. Conducts staff training and supervises staff activities. Coordinates program area operations with other program areas activities. Maintains records and prepares operational reports.

Manages and assists recreation staff in coordinating, program planning, and organizing leisure time activities in neighborhood recreation facilities. Assists in various recreational activities as required. Orients recreation staff in recreation facility operational procedures. Coordinates community and facility operational procedures. Coordinates community and special events. Conducts recreation staff meetings. Inspects buildings, grounds, and equipment for compliance with safety requirements. Serves as a representative for the Commissioner of Recreation and attends community, civic, special youth, and other meetings as required. Performs other job-related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Bachelor's degree in Business/Public Administration, Recreation, or related field and four (4) years of experience as a manager of a recreational facility, or seven (7) years experience in recreation program development and management; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. Certification as a lifeguard and knowledge of general maintenance and pool filtration systems preferred.

NOTE: Applicants will be required to pay a nonrefundable \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

NOTE: Those persons who are residents of the City of Cleveland and who received passing scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

FREDDIE J. FENDERSON,
President
April 14, 1999

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 26, 1999

9:30 A.M.

Calendar No. 99-62: 9901 Broadway Avenue (Ward 2)
John P. Papouras, owner, and Eller Media Company c/o Scott Rowland, appeal to install a 24' x 12', 288 sq. ft. billboard sign on a 24" diameter steel pole with an overall height of 37' above grade and located in a One-Family District and situated on a 62' x 200' irregular triangular parcel at the northeasterly side of Broadway Avenue at 9901 Broadway; said installation being contrary to Section 350.02 where a billboard is not permitted in a One-Family District and contrary to Section 350.10 where a billboard must be setback 25' from the street line and 13' are proposed, and that it shall setback at least 200' from a Residential District, and that certification must be submitted which indicates no other billboard exists within 1000' of the proposed billboard as stated in Section 350.10 of the Codified Ordinances.

Calendar No. 99-63: Appeal of Jeanette Butler.
Jeanette Butler appeals under Section 76-6 and the Charter of the City of Cleveland and Section 674.04 of the Codified Ordinances from being denied, upon the recommendation of Martin Flask, Chief of the Cleveland Police Division, a handgun registration and a handgun owner's identification card as filed for on December 27, 1998.

Calendar No. 99-64: 4848 West 130th Street (Ward 20)
MPW Industrial Services, owner, appeal to install a temporary parking lot for 10 tractor trailers on an approximate 200' x 175' area on a compacted gravel surface on the west portion of an approximate 237' x 769' parcel located in a Semi-Industry District at the southwesterly corner of Enterprise Avenue and West 130th Street; said parking area being contrary to the Off-Street Parking and Loading Requirements of Section 349.07(a) where an asphalt, concrete or similar surface is required and contrary to the Landscaping and Screening Requirements where a 0' landscaping strip is proposed and a 10' landscaping strip is required as per Section 352.10 of the Codified Ordinances.

Calendar No. 99-65: 2095 Columbus Road (Ward 14)
Paul Nasvytis, dba F.U.N.A., Inc., owner, appeals to construct a 30' x 23'-3" one-story wood frame addition to the rear of an existing building located in a Semi-Industry District on the east side of Columbus Road at 2095 Columbus Road; said construction being contrary to the Off-Street Parking and Loading Requirements of Section 349.04 where 10 parking spaces are required and none are shown and contrary to Landscaping and Screening Requirements where a 0' landscaping strip is proposed and a 10' landscaping strip is required as per Section 352.10 of the Codified Ordinances.

Calendar No. 99-66: Appeal of Allen Humphrey
Allen Humphrey, appeals under Section 76-6 and the Charter of the City of Cleveland and Section 674.04 of the Codified Ordinances from being denied, upon the recommendation of Martin Flask, Chief of the Cleveland Police Division, a handgun registration and a handgun owner's identification card as filed for on February 25, 1999.

Calendar No. 99-68: 1211 West 9th Street (Ward 13)
Neil Viny and Old Cleveland Properties Ltd., owner, and Magnate Properties, LLC, prospective purchaser, and Anthony Jerdine, tenant, appeal to change the use of an existing 6-story masonry warehouse building to 41 dwelling units and to add a one-story penthouse to the existing roof and situated on a 66' x 132' parcel and located in a Limited Retail Business District on the northwest corner of Old Lakeside Avenue and West 9th Street at 1211 West 9th Street; said change of use being contrary to the Yards and Courts Regulations of Section 357.04 where the required front yard setback is 20' and 0' is proposed and Section 357.03(b) where the required rear yard setback is 30' and 0' is proposed and contrary to the Area Requirements Regulations of Section 355.04 where the maximum gross floor area proposed is 58,920 sq. ft. for the residential building and the maximum gross floor area for residential buildings is equal to the size of the lot or 8,712' and can be increased by three and a half times to allow a maximum of 26,136 sq. ft. as pursuant to Section 357.03(b) of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 12, 1999

At the Meeting of the Board of Zoning Appeals on Monday, April 12, 1999, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 99-48: 10002 Empire Avenue
Michele Person, owner, appeals, to enclose a 7' x 24' one-story front porch area of an existing 24' x 37' one dwelling two-story house located in a One-Family District

Calendar No. 99-49: 882 East 185th Street
Scott Nathanson, owner, appeals to change the use of an existing 47' x 36' two-story one dwelling unit and tavern/restaurant building and 21' x 20' attached one-story building into a restaurant and to paint new signage on the south side of the existing two-story building all located on an approximate 50' x 120' irregular shaped parcel in a Local Retail District.

The following appeal was **Denied:**

Calendar No. 99-50: 3205 West 138th Street
Miriam Santiago, owner, appeals to install approximately 100 linear

ft. of 6' high stockade fencing on the southerly portion of approximately 88' x 100' triangular corner parcel located in a One-Family District.

The following appeal was **Withdrawn:**

Calendar No. 98-256: 12013 Ashbury Avenue
David Morrow, owner, appealed to change the use of an existing 45' x 87' two-story masonry building and a 20' x 41' one-story masonry garage building into a day care and a Youth Development Center for youths ages 5 through 15.

The following appeals were **Postponed:**

Calendar No. 99-41: 2255 Hamilton Avenue postponed to April 26, 1999.

Calendar No. 99-51: 942 East 152nd Street postponed to April 26, 1999.

Calendar No. 99-52: 936 East 152nd Street postponed to April 26, 1999.

Calendar No. 99-55: 13021 Lorain Avenue postponed to May 3, 1999.

Calendar No. 99-24: 1361 East Boulevard postponed to May 10, 1999.

On Monday, April 12, 1999, in Executive Session:

The following appeals were heard on Monday, April 5, 1999, and said decision to **GRANT** was approved and adopted by the Board on April 12, 1999:

Calendar No. 99-44: 2421 Bridge Avenue
Michael Kaplan, owner, appealed to change the use of an existing 28' x 60' masonry welding building located in a General Retail Business District.

Calendar No. 99-45: 5208 Memphis Avenue
Memphis Fulton Association, owner and Metropolitan Health Medical Center, tenant, appealed to change the use of an existing 47' x 140' retail tenant space into a medical office and 4 physicians and 7 support staff members.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

FRIDAY, APRIL 23, 1999

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

April 7, 1999 and April 14, 1999

THURSDAY, APRIL 29, 1999

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

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

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

April 7, 1999 and April 14, 1999

THURSDAY, MAY 13, 1999

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

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

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

April 7, 1999 and April 14, 1999

THURSDAY, APRIL 29, 1999

Direct Haul/Contingency Municipal Solid Waste Contract, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 317-99, passed by the Council of the City of Cleveland, April 5, 1999.

The Rehabilitation of Aetna Road from Broadway to East 93rd St., for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1257-97, passed by the Council of the City of Cleveland, July 16, 1997.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

Ridge Road Landfill - Clay Capp Installation and Hillside Cleaning, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 323-93, passed by the Council of the City of Cleveland, May 3, 1993.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

Great Materials/Promotional Items, for the Department of Public Safety, as authorized by Ordinance No. 183-99, passed by the Council of the City of Cleveland.

Laser Speed Measuring Devices, for the Division of Police, Department of Public Service, as

authorized by Ordinance No. 1954-98, passed by the Council of the City of Cleveland, December 14, 1998.

April 14, 1999 and April 21, 1999

FRIDAY, APRIL 30, 1999

Gasoline, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2171-98, passed by the Council of the City of Cleveland, March 1, 1999.

Exterminating Service, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 2096-98, passed by the Council of the City of Cleveland, February 1, 1999.

April 14, 1999 and April 21, 1999

WEDNESDAY, MAY 5, 1999

Recreation Center Doors and Frame Renovation, for the Division of Architecture, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1605-98, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON APRIL 27, 1999, 10:00 A.M. AT CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE, ROOM 517, 601 LAKESIDE AVENUE, CLEVELAND, OHIO.

April 14, 1999 and April 21, 1999

THURSDAY, MAY 13, 1999

Outdoor Lighting Program (Material and Installation), for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 508-98, passed by the Council of the City of Cleveland, May 13, 1998.

A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, APRIL 29, 1999, 10:00 A.M., AT 1300 LAKESIDE AVENUE.

April 14, 1999 and April 21, 1999

THURSDAY, MAY 27, 1999

12 and 2.4 kV Transformers, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 13, 1999, 10:00 A.M., AT 1300 LAKESIDE AVENUE.

April 14, 1999 and April 21, 1999

**Certified MBEs and FBEs
First Quarter, 1999**

Pursuant to Chapter 187 of the Codified Ordinances of the City of Cleveland, Ohio, listed below are the firms that have been certified as Minority Business Enterprise (MBE) and Female Business Enterprise (FBE) by the Mayor's Office of Equal Opportunity during the First Quarter of 1999.

MBE/FBE	Company	Date	Description
FBE	Abele Davis Corp.	3/30/99	Law enforcement supplies
FBE	Able Contracting Group, Inc.	1/12/99	Sales/service/install: fences, guard rails; traffic control products
FBE	Affordable Roll-Off, Inc.	3/29/99	Small dumpsters
FBE	Albert Herman Draperies, Inc.	2/09/99	Manufacturer of custom draperies; supplier and installation of blinds
FBE	Atlas Electric Co., Inc.	2/14/99	Electrical contractor: commercial, industrial and institutional projects
FBE	Barrow Sign Company	2/10/99	Sign making: exterior and interior including fabrication and installation
FBE	Christina Farinella, Inc.	3/04/99	Construction management consultant
FBE	Collinwood Shale, Brick and Supply Co.	3/24/99	Manufacturer & supplier of ready mix concrete
FBE	Compliance Solutions, Inc.	3/21/99	Environmental consulting including investigations, cleanup, training, sampling, mobile lab services
FBE	Creative Works, Inc.	3/15/99	Marketing consultant, full service marketing communications; special projects & events including planning & implementation
FBE	Cuyahoga Supply & Tool, Inc.	1/05/99	Construction and highway supplies
FBE	Dean Contracting, Inc.	3/16/99	Industrial and commercial painting, and sheeting and metal roofing
FBE	Donato Electric, Inc.	3/22/99	Electrical contractor
FBE	Emily Braman Appraisal Services	2/17/99	Real estate appraisals and appraisal reviews
FBE	Fried, Koester and Co.	3/18/99	Public accounting and certified audit services
FBE	I Design	2/17/99	Full service graphic design and typesetting
FBE	Integrated Business Supplies, Inc.	2/21/99	Computers: hardware, software & supplies, office supplies
FBE	J.F. Novak Company	3/12/99	Embroidered emblems, badges, flags, and miscellaneous commemorative bars and service medals
FBE	Kalapos Architects	3/09/99	Architectural services including construction management
FBE	Keeble Construction Co., Inc.	2/20/99	General contractor specializing in communication towers, installation and maintenance of flag poles, repair of elevated water tanks, all types of high work and repairs
FBE	L.V. Surveying, Inc.	3/20/99	Surveys including boundary, topographic, construction staking
FBE	Lorig Mechanical, Inc.	3/18/99	Mechanical contractor: commercial sprinkler and HVAC installation
FBE	Lynda J. Gillinov & Associates, Inc.	3/16/99	Real estate appraiser and financial planner
FBE	Office Pro, Inc.	1/08/99	Secretarial services
FBE	OneNet International Communications, Inc.	3/23/99	Computer consulting services
FBE	Orion Painting & Contracting, Inc.	3/30/99	Commercial painting contractor including painting, prep of structural steel, sandblasting, lead abatement, concrete patching and sealing

MBE/FBE	Company	Date	Description
FBE	Pat Henry Market Research, Inc.	2/24/99	Market research
FBE	Peggy Brown, Landscape Architect	3/16/99	Landscape architect
FBE	Preisler Lumber Company	3/31/99	Supplier of lumber, building materials and hardware
FBE	Richmond Valve & Pipe Company, Inc.	2/05/99	Supplier of waterline materials, hydrants, valves, ductile iron pipe, plastic pipe, copper fittings and accessories
FBE	Rivera Construction dba Regency Construction	3/18/99	Construction management performing estimating, scheduling, construction administration; general contractor including carpentry
FBE	Rockport Financial Services	2/18/99	Insurance, investments, financial planning
FBE	Secretariat Company	3/29/99	Secretarial services including transcriptions, word processing, correspondence and documentation preparation, editing, copying and fax services
FBE	Sheri Mechanical Contracting Co.	2/18/99	HVAC, plumbing, process piping, fire sprinkler systems
FBE	Snider-Blake Business Service, Inc.	1/06/99	Employment service: temporary and permanent placement services
FBE	Thanos Contracting Company	3/04/99	Electrical contractor; fire alarm systems installation
FBE	Traditional Building Systems, Inc.	2/09/99	Temperature control contractor, automation of temperature controls, service of HVAC systems
FBE	U.S. Communications & Electric, Inc.	2/02/99	Telecommunication installation and electrical contracting
FBE	Universal Valve & Fittings Co.	2/12/99	Distribution of pipes, valves, fittings & related industrial products
MBE	A & L Sewer Company	3/31/99	All types of sewer work; septic tanks and trenching; water and gas lines
MBE	Arnold Trucking Company	1/25/99	Dump trucking; hauling of excavating materials. Supplier of slag, gravel and limestone
MBE	Avatar Healthcare Services, Inc.	1/31/99	Professional healthcare services
MBE	BAM Electrical, Inc.	1/01/99	Electrical contracting: commercial and industrial
MBE	Britt Business Systems, Inc.	3/03/99	Supplier: Xerox copiers, fax machines and supplies; service fax machines
MBE	Charles Coleman Corp.	2/25/99	HVAC contractor and sprinkler system installation
MBE	Clark's Transportation Service, Inc.	1/23/99	Local charter bus service, long distance charter bus service and commuter bus service
MBE	Cleo Miller & Associates, Inc.	1/11/99	Temporary and permanent placing of clerical and industrial workers
MBE	CommSteel, Inc.	1/26/99	General contractor specializing in structural steel erection, fabrication, miscellaneous steel and steel supplies
MBE	Cook Paving and Construction Co., Inc.	2/22/99	General contractor: excavation, residential renovations; concrete, asphalt paving, landscaping, snow removal; under-ground utilities, fiber optic conduits, construction materials
MBE	David G. Hill & Associates, Co., LPA	1/27/99	Legal services

MBE/FBE	Company	Date	Description
MBE	Desman Associates	2/07/99	Architectural and engineering services; parking facilities and restoration of parking structures
MBE	Doi Dickinson Architects, Ltd.	1/28/99	Architectural services
MBE	E.M. Nuckley Packaging Company, Inc.	2/14/99	Packaging & crating service for export and domestic shipments
MBE	East-West Construction Co., Inc.	2/10/99	General contractor, construction management
MBE	Energy and Water Management, Inc.	1/04/99	Water treatment services and products for control of scaling and corrosion in boilers, cooling towers and other water systems
MBE	Enterprise Company	3/21/99	Supplier of janitorial and maintenance supplies
MBE	Faison & Pinson	2/20/99	Install lightweight insulating concrete and slabs; install various types of preformed roof decks
MBE	G & T Associates, Inc.	2/13/99	Consulting engineers and surveyors
MBE	G.A. Construction Co., Inc.	2/26/99	General contractor specializing in excavation, painting, carpet & floor installation, drywall, masonry, concrete laying, glass, glazing, ornamental metal door installing; renovation
MBE	G.E. Roofing	2/25/99	General contractor specializing in domestic and commercial roofing
MBE	Gilcrest Electric & Supply Company	3/09/99	General contractor specializing in electrical work; electrical supplies
MBE	Granger Trucking, Inc.	2/17/99	Trucking and excavation, supplier of aggregate materials
MBE	H.C. Painting Company	1/27/99	Painting; exterior and interior painting, wall coverings
MBE	H.I. Environmental Technologies	1/21/99	Engineer, P.E., environmental & OSHA audits, soil, water and air testing; indoor air quality, phases I, II & III assessments
MBE	Hicks Insurance Agency, Inc.	2/24/99	All lines of insurance
MBE	Jones Technologies Enterprises, Inc.	1/28/99	General construction, facilities operations & maintenance, construction mgmt., mechanical & electric engineering, industrial services, communications, control systems, engineering
MBE	KNM Consultants, Inc.	2/09/99	Construction management and inspection services; administrative, environmental & engineering services for contractors, engineers and architects
MBE	Kelly-N-Son Painting & Decorating	1/27/99	General contractor specializing in painting and decorating
MBE	Kevin L. Penn, Inc.	3/11/99	Certified public accountant services
MBE	L. Gray Barrel & Drum Co., Inc.	2/28/99	Recondition and resale steel drums including fiber and plastic drums
MBE	Lal C. Jagetia, CPA	3/02/99	CPA: accounting, auditing, consulting, tax and financial planning
MBE	LonColeman Corporation	3/28/99	Construction management, facilities management, real estate development

MBE/FBE	Company	Date	Description
MBE	Lott Construction Company, Inc.	1/21/99	General contractor specializing in excavation, underground utilities, bridges, main main, culvert, water & sewer construction
MBE	Lott Construction Company, Inc.	1/21/99	General contractor specializing in excavation, underground utilities, bridges, water mains, culvert, water & sewer construction
MBE	Lott Construction Company, Inc.	1/21/99	Supplier: pre-cast concrete pipes, steel pipes, fittings, concrete o-ring lubricant
MBE	Magitech Corp. dba Pinnacle Systems	3/02/99	Supplier and manufacturer of personal computers and components including repairs and installation computer networks
MBE	Mar-Eo Construction & Supply Company, Inc.	3/22/99	General contractor
MBE	Meroe Contracting & Supply Co.	1/19/99	Field painting steel, prime, finish, intermediate coats, system OZEU, painting of conduits, trim & siding of buildings & bridges
MBE	Miles Mechanical, Inc.	3/20/99	HVAC and mechanical contractor
MBE	Nav-Tech Industries, Inc.	3/19/99	Manufacturer & supplier of precision machine tools, products, and services
MBE	North Coast Business Systems, Inc.	3/19/99	Sales & service of facsimile machines and copiers
MBE	North Electric, Inc.	3/11/99	Electrical contractor
MBE	O.B.O. Trucking Co., Inc.	2/26/99	Trucking & transporting; hauling all types of materials and debris
MBE	Obon, Inc.	1/01/99	Dump trucks: dump trucks, single unit tri-axle
MBE	On-Time Delivery Services, Inc.	3/19/99	Courier and delivery services
MBE	Pinkney-Perry Insurance Agency	2/23/99	General insurance agency
MBE	Poly Carb, Inc.	1/26/99	Manufacturer: epoxy/urethane based bonding agents, coatings, chemical anchors, waterproofing overlays, concrete sealers
MBE	Poly Service, Inc.	2/01/99	Supplier: bonding, wrapping & packaging materials, equipment maintenance (pumps, seals, bearings) for steel mills, material handling equipment & specialty orders
MBE	Precious Communications, Inc.	3/10/99	Voice & data communications; electronic business systems, PBX & paging systems, network design, voice mail, cellular & pay phones, fiber optics
MBE	Precision Electric, Inc.	2/12/99	Electrical contractor; and provider of instrumentation computer systems application
MBE	R & W Lewis Contracting, Inc.	3/23/99	General contractor specializing in residential rehabilitation and renovation, i.e., carpentry, dry wall and roofing
MBE	R. Heard Painting	3/31/99	Painter: exterior and interior
MBE	R.W. Delivery, Inc.	2/01/99	Delivery services: all phases
MBE	Ramos Trucking Corporation	2/20/99	Supplier: construction materials; Trucking: Dump truck for demolition and excavation

MBE/FBE	Company	Date	Description
MBE	Ray Bertolini Trucking Co.	2/12/99	Trucking
MBE	Rodney L. Brown Photography	2/26/99	Commercial photography studio & related services; executive portraits; special events coverage, interior/exterior scene development; construction progress photos, advertising
MBE	Saunders Office and Computer Products	1/20/99	Office supplies
MBE	Servco Products, Inc.	3/21/99	Supplier: various types & sizes of fasteners, hex head cap screws, rods, washers, NYL insert insert L/N, hand & power tools, lubricants, parabolts electrical
MBE	Steward Supply Company	2/01/99	Painting
MBE	Thompson Ground Development, Inc.	2/22/99	General contractor specializing in hauling (slag, gravel, asphalt, excavation materials); excavation, supplier of aggregates
MBE	Vallejo Company, The	3/30/99	Trucking and hauling of excavation materials; installation & repair of water and sewer lines
MBE	Wake Forest Garden Center	2/27/99	Construction landscaping and landscaping maintenance, lawn and garden services
MBE	White's Information Systems, Inc.	3/05/99	Computer programmer, design analyst and consultant; training of custom software and technical support services
MBE	White's Information Systems, Inc.	3/05/99	Supplier: computer hardware
MBE	Wilkerson & Associates, LPA	1/26/99	Legal services
MBE	Wright, Richardson & Company, Inc.	3/21/99	CPA: accounting, auditing, management & financial consulting services
MBE/FBE	B. Ransom Professional Office Services	3/04/99	All phases of secretarial/clerical support: i.e., mailings, brochures, newsletters, labels, resumes, dictation, transcription & fax services
MBE/FBE	Bonnie Banks Design, Inc.	2/02/99	Interior design services and consulting: residential and commercial
MBE/FBE	D. Thigpen & Associates, Inc.	1/06/99	Public relations, advertising/marketing, fund raising, publicity and promotions
MBE/FBE	Davis Management Group	3/16/99	Consultant: diversity management and organizational effectiveness
MBE/FBE	Education-Yours, Inc.	3/04/99	College and career planning services
MBE/FBE	Emerald Supply, Inc.	3/01/99	Supplier of industrial maintenance and janitorial supplies
MBE/FBE	G.E. Construction Company	1/06/99	General contractor specializing in exterior and interior renovations, HVAC and masonry
MBE/FBE	IEA Corporation	3/24/99	Construction management
MBE/FBE	Starr Catering and Food Service, Inc.	3/22/99	Food service including delivery of prepared meals, individually packaged and bulk packaged
MBE/FBE	Water Resources & Coastal Engineering	3/18/99	Water engineering including data management, programming and coastal engineering

MBEs/FBEs DELETED FROM OEO'S DATABASE**First Quarter, 1999**

The attached firms, that were previously certified as a MBE and/or FBE have been dropped from the MBE/FBE database. The firms listed were sent at least two (2) letters and elected not to re-certify for various reasons, including going out of business and changes in geographic location.

MBE/FBE	Company
FBE	A.S.D., Inc.
FBE	BJ Limited, Inc.
FBE	BVM Enterprises
FBE	Bradley Equipment Leasing, Inc.
FBE	Cygnat Graphics, Inc.
FBE	DataPro Systems International, Inc.
FBE	Euro-Cleveland Corp dba Phoenix Coffeehouse
FBE	Focal Plane Photography
FBE	Heartland Electric Contractors, Inc.
FBE	Heckaman, Maria and Associates, Inc.
FBE	Malloy McFall Consulting
FBE	S & N Engineering Services Corp.
FBE	StarTech Consulting Services
MBE	Low Cost Construction
MBE	M.L. Mullins Painting and Wallcovering
MBE	MBH Construction Company
MBE	Michael B. Hobbs, Architect
MBE	Perfect Connection, The
MBE	Regional Tree Service
MBE	Specialty Materials Resource, Inc.
MBE	Stateside Landscaping Construction, Inc.
MBE	U.S. Demolition & Contracting, Inc.
MBE	World Tours, Inc.
MBE/FBE	B.F. Management Consulting, Inc.
MBE/FBE	Chi-Square
MBE/FBE	Churchill and Company, Inc.
MBE/FBE	LMT Productions

**ADOPTED RESOLUTIONS
AND ORDINANCES****Res. No. 1271-98.**

By Councilman Jackson (by request).

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

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

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

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

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

Being all that portion of EAST 53RD STREET, (50.00 feet wide) extending Southerly from the Southerly line of Woodland Avenue S.E. (99.00 feet wide) to that portion of East 53rd Street vacated by the Council of the City of Cleveland by

Ordinance Number 897-68, passed May 27, 1968.

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

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

Res. No. 340-99.

By Councilman Coats.

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

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

community of the City of Cleveland; and

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

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

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

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

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

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

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

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

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

Adopted March 1, 1999.

Awaiting the approval or disapproval of the Mayor.

Recreation and Properties and Personnel and Human Resources to employ one or more temporary employment agencies, to provide professional services to supply temporary and seasonal personnel for the Department of Parks, Recreation and Properties for a period of one year.

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

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

Section 1. That the Directors of Parks, Recreation and Properties and Human Resources are hereby authorized and directed to employ by contract one or more temporary employment agency or agencies for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to supply temporary and seasonal personnel for a period of one year for the Departments of Parks, Recreation and Properties and Personnel and Human Services from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Directors of Parks, Recreation and Properties and Personnel and Human Resources for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Directors of Parks, Recreation and Properties and Personnel and Human Resources, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund Nos. 13 SF 708, 13 SF 800, 62 SF 001, 63 SF 001, 01-70-12-0380, Request No. 22473.

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

Passed March 22, 1999.

Effective March 24, 1999.

COUNCIL COMMITTEE MEETINGS

Monday, April 12, 1999

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

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

Tuesday, April 13, 1999

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

REPRINT

Ord. No. 185-99.
By Councilmen Jones, White and Johnson (by departmental request).
An emergency ordinance authorizing the Directors of Parks,

Index to Council Proceedings

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

Alcohol and Drug Addiction Services Board

To amend title and Section 1 of Ordinance No. 33-99, passed March 1, 1999, relating to a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 1999 Drug Prevention, Treatment and Intervention Program (O 581-99)..... 602

Assessment Equalization Board

Amend Section 2 of Ordinance No. 533-99 — assessment equalization board to hear objections to estimated assessment (O 597-99) 608

Banners

Cleveland Community Relations Board - banners publicizing "Cleveland Unity Day" (O 596-99) 608

Belvoir-Cliffs Apartments

Urging HUD to demolish the Belvoir-Cliffs apartment building and to grant title to the property to the City of Cleveland for compatible neighborhood development (R 340-99) 630

Board of Building Standards and Building Appeals

Public hearing agenda for Wednesday, April 14, 1999 - From the Board of Building Standards and Building Appeals (F 560-99) 597

Board of County Commissioners

Authorizing the Director of Parks, Recreation and Properties to amend the agreement with the Board of County Commissioners of Cuyahoga County, Ohio, to dedicate and sell one hundred and fifty additional plots in Highland Park Cemetery (O 586-99)..... 603

City Council

Tax Incentive Review Council Resolution to Cleveland City Council - from the Tax Incentive Review Council (F 551-99)..... 597

City Planning Commission

Cliffview Road, N.E. and Belvoir Boulevard, N.E. — Change the Use and Area Districts (O 594-99) 607
 Grants from public and private entities - Civic- Vision Citywide Plan Update - contract for computer software, equipment, training and data conversion (O 593-99)..... 607

Civic Vision Program

Grants from public and private entities - Civic- Vision Citywide Plan Update - contract for computer software, equipment, training and data conversion (O 593-99)..... 607

Civil Service Commission

Bulletin for the filing period of April 5th through April 9th - From the Civil Service Commission (F 559-99) 597

Cleveland Business Park - West

Cleveland Business Park, Ltd. — City owned property located north of Cleveland Hopkins Airport — sell — release from Trust Indenture — Purchases and Supplies Department (O 589-99) 604
 Enterprise Zone Agreement with HMI Industries, Inc., for a ten year abatement for certain tangible personal property and real estate taxes - Cleveland Business Park - West (O 590-99) 606

Cleveland Foundation

Grant Number 99-0441 - From the Cleveland Foundation (F 554-99)..... 597
 Grant Number 99-0456 - From the Cleveland Foundation (F 555-99)..... 597
 Grant Number 99-0458 - From the Cleveland Foundation (F 556-99)..... 597

Cleveland Hopkins International Airport

Authorizing the Director of Port Control to enter into an amendment to Contract No. 46540 with Southwest Airlines, Co., to provide for the addition of certain space to the lease for Cleveland Hopkins International Airport (O 573-99)..... 598
 Cleveland Business Park, Ltd. — City owned property located north of Cleveland Hopkins Airport — sell — release from Trust Indenture — Purchases and Supplies Department (O 589-99) 604

Commemoration

Waterbury, Irving B. Jr. (R 633-99) 598

Communications

Agenda - April 8, 1999 - From the Cleveland Landmarks Commissions (F 561-99) 597
 Approval of Change in Grass on Mall B - From Herbert E. Strawbridge (F 557-99) 597
 Bulletin for the filing period of April 5th through April 9th - From the Civil Service Commission (F 559-99) 597
 Emergency Requisition (RE-21735) from the Division of Purchases & Supplies (F 550-99) 597
 Financial Agreements dated July 6, 1998, between the City of Cleveland and various Community Urban Redevelopment Corporations, pertaining Tax Abatement for Key Center - From the Richard E. Jacobs Groups, Inc. (F 558-99)..... 597
 Grant Number 99-0441 - From the Cleveland Foundation (F 554-99)..... 597
 Grant Number 99-0456 - From the Cleveland Foundation (F 555-99)..... 597
 Grant Number 99-0458 - From the Cleveland Foundation (F 556-99)..... 597
 MacBride Principles and Fair Employment Practices in Northern Ireland - From the Division of Purchases and Supplies (F 552-99) 597

Notice of Subsidiary Agreements Contract No. 52206 - From the Department of Public Utilities (F 553-99) 597

Public hearing agenda for Wednesday, April 14, 1999 - From the Board of Building Standards and Building Appeals (F 560-99)..... 597

Tax Incentive Review Council Resolution to Cleveland City Council - from the Tax Incentive Review Council (F 551-99)..... 597

Community Development

Investigation of the Belvoir-Cliffs - Spot Elimination of Blight Program (R 606-99) 607

Condolences

Childs, Lee (R 616-99) 598

Dzurec, David J. (R 615-99)..... 598

Kilgore, Kimberly (R 617-99) 598

Thomas, Anthony J. (R 613-99)..... 598

Worley, Betty E. (R 614-99)..... 598

Congratulations

Club San Lorenzo (R 619-99)..... 598

Coats, Reverend Hence (R 620-99)..... 598

Collinwood High School Decathlon (R 627-99)..... 598

Draper, James (R 631-99)..... 598

Insurance Women of Cleveland, Ohio (R 621-99) 598

Jenkins, Arthur (R 630-99)..... 598

Killian, Barney (R 622-99)..... 598

Maxwell, Reverend Ronald E. (R 625-99) 598

Newton, Reverend Otis F. (R 624-99) 598

Patrick, Paulette (R 623-99)..... 598

Ramos, Antonio (R 618-99)..... 598

Sweeney, Patrick (R 634-99) 598

Vietnamese Community in Greater (R 626-99)..... 598

Villa Angela-St. Joseph High School - Lady Vikings Basketball Team (R 628-99) 598

Waddle, Allen C. (R 629-99)..... 598

Contracts

Contract with Lums Service O.C.S. Division, Inc. — construction of an office and warehouse facility - West Parkway (O 591-99)..... 606

Neighborhood Development Investment Fund — contract HMI Industries, Inc. — Cleveland Business Park - West — Economic Development Department — \$1,000,000.00 (O 588-99) 604

Criminal Justice Services

Authorizing the Director of Public Safety to accept a grant from the Justice Services for the Juvenile Accountability Incentive Block Grant Program (O 585-99)..... 603

Economic Development Department

Cleveland Business Park, Ltd. — City owned property located north of Cleveland Hopkins Airport — sell — release from Trust Indenture — Purchases and Supplies Department (O 589-99) 604

Contract with Lums Service O.C.S. Division, Inc. — construction of an office and warehouse facility - West Parkway (O 591-99)..... 606

Enterprise Zone Agreement with HMI Industries, Inc., for a ten year abatement for certain tangible personal property and real estate taxes - Cleveland Business Park - West (O 590-99) 606

Enterprise Zone Agreement with Lums Service O.C.S. Division - ten year abatement - expand and relocate to West Parkway (O 592-99) 606

Neighborhood Development Investment Fund — contract HMI Industries, Inc. — Cleveland Business Park - West — Economic Development Department — \$1,000,000.00 (O 588-99) 604

To amend Sections 2 and 5 of Ordinance No. 257-97, passed April 14, 1997, relating to expending Economic Development Initiative Grant funds for the operation of Empowerment Zone Business Opportunity Program (O 587-99) 604

Empowerment Zone

To amend Sections 2 and 5 of Ordinance No. 257-97, passed April 14, 1997, relating to expending Economic Development Initiative Grant funds for the operation of Empowerment Zone Business Opportunity Program (O 587-99) 604

Enterprise Zone Agreement

Enterprise Zone Agreement with HMI Industries, Inc., for a ten year abatement for certain tangible personal property and real estate taxes - Cleveland Business Park - West (O 590-99)	606
Enterprise Zone Agreement with Lums Service O.C.S. Division - ten year abatement - expand and relocate to West Parkway (O 592-99)	606

Female Business Enterprise

Opposition to discontinue MBE/FBE programs (R 607-99).....	612
------------------------------------------------------------	-----

Finance Department

Amend Section 14 of Ordinance No. 520-99 — Ohio Patrolmen's Benevolent Association — compensation for various Classifications (O 599-99)	609
Amend Section 49 of Ordinance No. 520-99 - compensation for various classifications (O 598-99)	609
Authorizing the Director of Port Control to enter into a First Amendment to Lease By Way of Concession between the City and Park Corporation, Contract No. 29768 (O 575-99)	598
Authorizing the Director of Port Control to enter into an amendment to Contract No. 46540 with Southwest Airlines, Co., to provide for the addition of certain space to the lease for Cleveland Hopkins International Airport (O 573-99).....	598
Authorizing the purchase by requirement contract of labor and materials necessary to maintain and repair elevators, escalators and moving walkways for the various divisions, of the Department of Port Control. (O 574-99).....	598
Authorizing the purchase by requirement contract of the transfer and disposal of bulk waste, for the Division of Waste Collection and Disposal, Department of Public Service (O 578-99).....	600
Authorizing the purchase by requirement contract of labor and materials necessary to maintain and replace interior plants and exterior site landscaping for the various division of the Department of Port Control (O 576-99).....	599
Authorizing the purchase by requirement contract of the transfer and disposal of municipal solid waste, for the Division of Waste Collection and Disposal, Department of Public Service (O 577-99).....	599
Authorizing the purchase by requirement contract of the transfer and disposal of tires, for the Division of Waste Collection and Disposal, Department of Public Service (O 579-99)	601
Moral Claim - Mr. Keynan Williams (O 612-99).....	610
To amend title and Section 1 of Ordinance No. 1074-98, passed June 15, 1998, relating to the purchase by requirement contract of various on-road vehicles and off-road equipment (O 580-99).....	602

Fire Division

Amend Section 49 of Ordinance No. 520-99 - compensation for various classifications (O 598-99)	609
Authorizing the purchase by requirement contract of labor and materials necessary to repair, maintain and service MSA breathing apparatus, for the Division of Fire, Department of Public Safety (O 584-99)	603
Authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain overhead doors at various locations within the Division of Fire, Department of Public Safety (O 583-99)	602
Authorizing the purchase by requirement contract of medical supplies, for the Division of Fire, Department of Public Safety (O 582-99)	602

Firearms

Supporting lawsuit by the City of Cleveland — firearms manufacturers — Opposing state legislation (R 608-99).....	613
-------------------------------------------------------------------------------------------------------------------	-----

Grants

Grants from public and private entities - Civic- Vision Citywide Plan Update - contract for computer software, equipment, training and data conversion (O 593-99).....	607
------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

HMI Industries, Inc.

Enterprise Zone Agreement with HMI Industries, Inc., for a ten year abatement for certain tangible personal property and real estate taxes - Cleveland Business Park - West (O 590-99)	606
Neighborhood Development Investment Fund — contract HMI Industries, Inc. — Cleveland Business Park - West — Economic Development Department — \$1,000,000.00 (O 588-99)	604

Health Department

To amend title and Section 1 of Ordinance No. 33-99, passed March 1, 1999, relating to a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 1999 Drug Prevention, Treatment and Intervention Program (O 581-99)..... 602

Hermes Race Systems

Run for Roses Road Race (O 611-99)..... 610

Highland Park Cemetery

Authorizing the Director of Parks, Recreation and Properties to amend the agreement with the Board of County Commissioners of Cuyahoga County, Ohio, to dedicate and sell one hundred and fifty additional plots in Highland Park Cemetery (O 586-99)..... 603

Kiosks

Informational Kiosks — develop a system — agreement with Omni Outdoor & Company Limited Partnership — assist tourist and local residents visiting cultural and other attractions in Cleveland’s neighborhoods and downtown (O 1143-98)..... 613

Landmarks Commission

Agenda - April 8, 1999 - From the Cleveland Landmarks Commissions (F 561-99) 597

Liquor Permits

Center Street, 1114 (Ward 13) - Flat Iron Cafe, Inc. dba Flat Iron Cafe - Stock Transfer Application - 27700250005 (F 569-99) 598
Detroit Avenue, 2802 (Ward 14) - 2802 Detroit Avenue Corp. - Transfer of Ownership and Location Application - 9115379 (F 567-99) 598
East 6th, 1220 at Lakeside Avenue (Ward 13) - Volume English Enterprises LLC Cleveland Convention Center & Refreshment Stand - Transfer of Ownership Application - 9308425 (F 564-99) 597
Lakeshore Blvd., 16826 - Withdrawing objection to the transfer of ownership of a D5 Liquor Permit - Repealing Res. No. 2019-98. (R 601-99) 611
Murray Hill Road, 2290 (Ward 6) - Case Western Reserve University dba Alumni Center - Transfer of Ownership Application - 13106380070 (F 563-99) 597
Norwood Road, 1113-1115 (Ward 13) - Mazoza, Inc. first floor and basement - Stock Transfer Application - 5673942 (F 570-99)..... 598
South Waterloo Road, 19600 West Side - Withdrawing objection to a renewal - repealing Resolution No. 1503-98 (R 602-99)..... 611
St. Clair Avenue, 7914 (Ward 8) - Yie Inc. dba California Market - Transfer of Ownership Application - 9831966 (F 566-99)..... 598
St. Clair Avenue, 7914 - Objecting to transfer of ownership (R 603-99)..... 611
Sumner Court, 1012 - DBDC Management Co., Inc. dba Millenium, first & second floors and patio west/south - Stock Transfer Application - 1990748 (F 568-99)..... 598
West 117th Street, 3349 (Ward 19) - 3349 Fidelity Inc. - Transfer of Ownership Application - 8918565 (F 565-99) 598
Woodhill Road, 2664 (Ward 4) - Woodhill Best Grocery Co. dba Woodhill Shoprite - new application - 97601540010 (F 562-99) 597
Woodhill Road, 2664 - Objection of a C1 Liquor Permit (R 600-99) 611

Mayor’s Office

Informational Kiosks — develop a system — agreement with Omni Outdoor & Company Limited Partnership — assist tourist and local residents visiting cultural and other attractions in Cleveland’s neighborhoods and downtown (O 1143-98)..... 613

Minority Business Enterprises

Opposition to discontinue MBE/FBE programs (R 607-99)..... 612

Moral Claims

Moral Claim - Mr. Keynan Williams (O 612-99)..... 610

Neighborhood Development Investment Fund

Neighborhood Development Investment Fund — contract HMI Industries, Inc. — Cleveland Business Park - West — Economic Development Department — \$1,000,000.00 (O 588-99) 604

Parks, Recreation and Properties Department

- Authorizing the Director of Parks, Recreation and Properties to amend the agreement with the Board of County Commissioners of Cuyahoga County, Ohio, to dedicate and sell one hundred and fifty additional plots in Highland Park Cemetery (O 586-99)..... 603
- Authorizing the Directors of Parks, Recreation and Properties and Personnel and Human Resources to employ one or more temporary employment agencies, to provide professional services to supply temporary and seasonal personnel (O 185-99) **631-R**

Permits

- Children's Run/Run for the Arts (O 610-99)..... 610
- Cleveland Community Relations Board - banners publicizing "Cleveland Unity Day" (O 596-99) 608
- Cleveland Rockers - Walk on May 31, 1999 (O 609-99)..... 610
- Run for Roses Road Race (O 611-99)..... 610
- Westpark Gardens - baskets on utility poles - Warren Road between Alger and Edgecliff Roads (O 595-99)..... 608

Personnel and Human Resources Department

- Authorizing the Directors of Parks, Recreation and Properties and Personnel and Human Resources to employ one or more temporary employment agencies, to provide professional services to supply temporary and seasonal personnel (O 185-99) **631-R**

Port Control Department

- Authorizing the Director of Port Control to enter into an amendment to Contract No. 46540 with Southwest Airlines, Co., to provide for the addition of certain space to the lease for Cleveland Hopkins International Airport (O 573-99)..... 598
- Authorizing the Director of Port Control to enter into a First Amendment to Lease By Way of Concession between the City and Park Corporation, Contract No. 29768 (O 575-99) 598
- Authorizing the purchase by requirement contract of labor and materials necessary to maintain and repair elevators, escalators and moving walkways for the various divisions, of the Department of Port Control. (O 574-99)..... 598
- Authorizing the purchase by requirement contract of labor and materials necessary to maintain and replace interior plants and exterior site landscaping for the various division of the Department of Port Control (O 576-99)..... 599

Purchases and Supplies Department

- Cleveland Business Park, Ltd. — City owned property located north of Cleveland Hopkins Airport — sell — release from Trust Indenture — Purchases and Supplies Department (O 589-99) 604
- Emergency Requisition (RE-21735) from the Division of Purchases & Supplies (F 550-99) 597
- MacBride Principles and Fair Employment Practices in Northern Ireland - From the Division of Purchases and Supplies (F 552-99) 597

Real Estate

- Cleveland Business Park, Ltd. — City owned property located north of Cleveland Hopkins Airport — sell — release from Trust Indenture — Purchases and Supplies Department (O 589-99) 604
- Enterprise Zone Agreement with HMI Industries, Inc., for a ten year abatement for certain tangible personal property and real estate taxes - Cleveland Business Park - West (O 590-99) 606
- Enterprise Zone Agreement with Lums Service O.C.S. Division - ten year abatement - expand and relocate to West Parkway (O 592-99) 606

Recognitions

- Bivins, James Louis (R 632-99)..... 598

Resolutions — Miscellaneous

- AT&T — monthly charge - Long distance telephone calls (R 605-99)..... 612
- Investigation of the Belvoir-Cliffs - Spot Elimination of Blight Program (R 606-99) 607
- Medicaid HMOs — Urging state officials and legislators to take action to strengthen the services and effectiveness (R 604-99)..... 612
- Opposition to discontinue MBE/FBE programs (R 607-99)..... 612

Supporting lawsuit by the City of Cleveland — firearms manufacturers — Opposing state legislation (R 608-99)..... 613

Urging HUD to demolish the Belvoir-Cliffs apartment building and to grant title to the property to the City of Cleveland for compatible neighborhood development (R 340-99) 630

Safety Department

Authorizing the Director of Public Safety to accept a grant from the Justice Services for the Juvenile Accountability Incentive Block Grant Program (O 585-99)..... 603

Authorizing the purchase by requirement contract of labor and materials necessary to repair, maintain and service MSA breathing apparatus, for the Division of Fire, Department of Public Safety (O 584-99) 603

Authorizing the purchase by requirement contract of medical supplies, for the Division of Fire, Department of Public Safety (O 582-99) 602

Authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain overhead doors at various locations within the Division of Fire, Department of Public Safety (O 583-99) 602

Service Department

Authorizing the purchase by requirement contract of the transfer and disposal of bulk waste, for the Division of Waste Collection and Disposal, Department of Public Service (O 578-99)..... 600

Authorizing the purchase by requirement contract of the transfer and disposal of tires, for the Division of Waste Collection and Disposal, Department of Public Service (O 579-99) 601

Authorizing the purchase by requirement contract of the transfer and disposal of municipal solid waste, for the Division of Waste Collection and Disposal, Department of Public Service (O 577-99)..... 599

Cleveland Community Relations Board - banners publicizing "Cleveland Unity Day" (O 596-99) 608

To amend title and Section 1 of Ordinance No. 1074-98, passed June 15, 1998, relating to the purchase by requirement contract of various on-road vehicles and off-road equipment (O 580-99)..... 602

Westpark Gardens - baskets on utility poles - Warren Road between Alger and Edgecliff Roads (O 595-99) 608

Southwest Airlines

Authorizing the Director of Port Control to enter into an amendment to Contract No. 46540 with Southwest Airlines, Co., to provide for the addition of certain space to the lease for Cleveland Hopkins International Airport (O 573-99)..... 598

Statement of Work Acceptance

Contract No. 52810A for Fabrizi Trucking & Paving Co., completed and accepted on September 11, 1998 - Department of Public Utilities (F 572-99) 598

Contract No. 53446A for Lott Construction Company, completed and accepted on November 30, 1998 - from the Department of Public Utilities (F 571-99)..... 598

Streets - Vacation

East 53rd Street (Ward 5) - intention to vacate portions (R 1271-98)..... **630**

Tax Abatement

Financial Agreements dated July 6, 1998, between the City of Cleveland and various Community Urban Redevelopment Corporations, pertaining Tax Abatement for Key Center - From the Richard E. Jacobs Groups, Inc. (F 558-99)..... 597

Trees, Shade

Amend Section 2 of Ordinance No. 533-99 — assessment equalization board to hear objections to estimated assessment (O 597-99) 608

Utilities Department

Contract No. 52810A for Fabrizi Trucking & Paving Co., completed and accepted on September 11, 1998 - Department of Public Utilities (F 572-99) 598

Contract No. 53446A for Lott Construction Company, completed and accepted on November 30, 1998 - from the Department of Public Utilities (F 571-99)..... 598

Notice of Subsidiary Agreements Contract No. 52206 - From the Department of Public Utilities (F 553-99) 597

Waste Collection and Disposal Division

Authorizing the purchase by requirement contract of the transfer and disposal of tires,
for the Division of Waste Collection and Disposal, Department of Public Service
(O 579-99) 601

Authorizing the purchase by requirement contract of the transfer and disposal of bulk
waste, for the Division of Waste Collection and Disposal, Department of Public
Service (O 578-99)..... 600

Authorizing the purchase by requirement contract of the transfer and disposal of municipal
solid waste, for the Division of Waste Collection and Disposal, Department of Public
Service (O 577-99)..... 599