

The City Record

Official Publication of the City of Cleveland

September the Eleventh, Nineteen Hundred and Ninety-Six

Mayor	
Michael R. White	
President of Council	
Jay Westbrook	
Clerk of Council	
Artha Woods	
Ward	Name
1	Charles L. Patton, Jr.
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	Gary M. Paulenske
14	Helen K. Smith
15	James Rokakis
16	Patrick J. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Dale Miller
21	David M. McGuirk

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
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	Gary M. Paulenske	1020 East 61st Street	44103
14	Helen K. Smith	3016 Carroll Avenue	44113
15	James Rokakis	4685 Dornur Road	44109
16	Patrick J. O'Malley	6111 Brookside Drive	44144
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Dale Miller	4300 West 143rd Street	44135
21	David McGuirk	17101 Amber Drive	44111

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
 Richard Werner, Executive Assistant for Governmental Affairs.
 Linda Willis, Director, Office of Equal Opportunity

DEPT. OF LAW - Sharon Sobol Jordan, Director of Law, Room 106;
 Karen E. Martines, Law Librarian; Criminal Branch-Justice Center, 8th
 Fl., Court Towers, 1200 Ontario
 Carolyn Watts-Allen, Chief Asst. Prosecutor
 Steven J. Terry, Chief Counsel

DEPT. OF FINANCE - Kathryn Burrer Hyer, Director, Room 104; Carlean
 Alford, Manager, Internal Audit
DIVISIONS - Accounts - A. Schneider, Commissioner, Room 19
 City Treasury - Mary Christine Jackman, Treasurer, Room 115
 Assessments and Licenses - John Hunt, 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 - Keith D. Schuster, Controller, Room 18
 Information Systems Services - Martin Carmody, Acting 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 - M. Blech, Commissioner
 Cleveland Public Power - Nagah M. Ramadan, Commissioner
 Street Lighting Bureau - Frank Schilling, Acting Chief.

DEPT. OF PORT CONTROL - William F. Cunningham, Jr., Director,
 Cleveland Hopkins International Airport, 5300 Riverside Drive;
 Cleveland Hopkins International Airport - Stephen Sheehan, Commissioner
 Burke Lakefront Airport - Michael C. Barth, Commissioner

DEPT. OF PUBLIC SERVICE - Henry Guzmán, Director, Room 113
DIVISIONS - Waste Collection and Disposal - Larry Hines, Commissioner,
 5600 Carnegie Avenue.
 Streets - Randall T. Scott, Commissioner, Room 25
 Engineering and Construction - J. Christopher Nielson, Acting
 Commissioner, Room 518
 Motor Vehicle Maintenance, Donald L. Haskins, Commissioner, Harvard
 Yards
 Architecture - Kenneth Nobile, Commissioner, Room 517

DEPT. OF PUBLIC HEALTH - Robert O. Staib, Director, Mural Building
 1925 St. Clair Avenue.
DIVISIONS - Health - Juan Molina Crespo, Acting Commissioner, Mural
 Building, 1925 St. Clair Avenue
 Environment - Carolyn Wallace, Acting Commissioner, Mural Building,
 1925 St. Clair Avenue
 Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 North-
 field Road

DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, Room 230.
DIVISIONS - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300
 Ontario Street
 Fire - Robert M. Derrit, Acting Chief, 1645 Superior Avenue
 Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.
 Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
 Emergency Medical Service - Bruce Shade, Commissioner, 2001 Payne
 Ave.

DEPT. OF PARKS, RECREATION & PROPERTIES - Oliver B. Spellman,
 Jr., 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,
 E. 49th & Harvard
 Parking Facilities - Michael Cox, 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 - M. Fallon, Commissioner, Burke
 Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT - Terri Hamilton, Director,
 3rd Floor, City Hall.

DIVISIONS - Administrative Services - Terrence Ross, Commissioner.
 Neighborhood Services - Festus Cassels, Commissioner.
 Neighborhood Development - Terri Hamilton, Commissioner.
 Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.

DEPT. OF PERSONNEL AND HUMAN RESOURCES - Joseph Nolan,
 Director, Room 121

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

DEPT. OF AGING - Rm. 122, Susan Axelrod, Director

COMMUNITY RELATIONS BOARD - Room 11, Jackie R. Whitner,
 Acting Director; Mayor Michael R. White, Chairman Ex-Officio; Mary
 Adele Springman, Vice-Chairman; Councilmen Michael Polensek and
 Edward Rybka, City Council Representatives; Louise Boddie, Jr., Muqit
 Abdul Sabur, Clifford Savren, Henry Simon, George S. Smilnak, Harry
 Taketa, Timothy Cosgrove.

CIVIL SERVICE COMMISSION - Room 119, Freddie J. Fenderson,
 President; _____, Vice President; Donna K. Nelson, Secretary;
 Timothy J. Cosgrove, Earl Preston, Member.

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

BOARD OF ZONING APPEALS - Room 516, Valerie Schwonek, Chairman;
 Dona Brady, Vice-Chairman; Anna Chatman, Paula Phillips, Tony
 Petkovsek, Anthony Costanzo, Sec'y.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS - Room
 516, J. F. Denk, Chairman; J. Bowes, S. K. Birch, Alternate Members - D.
 Cox, P. Frank, E. P. O'Brien, Richard Pace, J.S. Sullivan. Exec. Sec'y.

BOARD OF REVISION OF ASSESSMENTS - Law Director, Sharon Sobol
 Jordan; Pres. Finance Director, Kathryn Burrer Hyer, Director Sec'y.
 Council President Jay Westbrook.

BOARD OF SIDEWALK APPEALS - Henry Guzmán, Service Director;
 Law Director, Sharon Sobol Jordan, Councilman Roosevelt Coats.

BOARD OF REVIEW - (Municipal Income Tax) - Law Director, Sharon
 Sobol Jordan, Utilities Director, Michael Konicek; President of Council, Jay
 Westbrook.

CITY PLANNING COMMISSION - Room 501 - Hunter Morrison, Director;
 Rev. Albert T. Rowan, Chairman; Todd W. Schmidt, Vice Chairman Thomas
 D. Corrigan, Anthony J. Coyne, Lawrence A. Lumpkin, Gloria Jean
 Pinkney, Councilman Edward W. Rybka.

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

MORAL CLAIMS COMMISSION - Sharon Sobol Jordan, Kathryn Burrer Hyer,
 Councilmen James Rokakis, Jay Westbrook.

BOARD OF EXAMINERS OF ELECTRICIANS - Ralph R. Carpinelli,
 Chairman; Marion J. Long, Anton J. Eichmuller, Samuel Montfort
 J. Gilbert Steele, Laszlo V. Kemes, Secretary.

BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.;
 _____, Jozef Valencik, Martin Gallagher,
 Laszlo V. Kemes, Secretary.

CLEVELAND LANDMARKS COMMISSION - Room 519 _____,
 Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert
 Keiser, Secretary; Judge Lillian Burke, James Gibans, Hunter Morrison,
 Kenneth Nobile, Theodore Sande, Randall Shorr, Shirley Thompson,
 Councilmen Craig E. Willis and Helen K. Smith.

**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 Salvatore R. Calandra	13A
Judge Colleen C. Cooney	14A
Judge C. Ellen Connally	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	12B
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	14C
Judge Gerald F. Sweeney	13D
Judge Robert S. Triozzi	12A

Earle B. Turner-Clerk of Courts, John J. O'Toole-Court Administrator, Robert
 C. Townsend, II-Bailiff; Kenneth Thomas-Chief Probation Officer, Michelle
 L. Paris-Chief Referee

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 83

WEDNESDAY, SEPTEMBER 11, 1996

No. 4318

CITY COUNCIL

MONDAY, SEPTEMBER 9, 1996

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

9:30 A.M.—**Public Parks, Property & Recreation Committee:** Johnson, Chairman; Rybka, Vice Chairman; Miller, Patton, Paulenske, Robinson, White.

9:30 A.M.—**Public Health Committee:** Robinson, Chairman; Miller, Vice Chairman; Britt, Jackson, Melena, O'Malley, Zone.

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Coats, Chairman; O'Malley, Vice Chairman; Britt, Johnson, McGuirk, Melena, Smith, Westbrook, White.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** Patton, Chairman; Smith, Vice Chairman; Jackson, Lewis, Melena, Polensek, Robinson.

MONDAY

2:00 P.M.—**Finance Committee:** Rokakis, Chairman; Westbrook, Vice Chairman; Coats, Johnson, Lewis, McGuirk, Patton, Polensek, Robinson, Rybka, Smith.

TUESDAY

10:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; Paulenske, Vice Chairman; Britt, Coats, Lewis, Melena, Patton, Smith, Willis.

1:30 P.M.—**Legislation Committee:** McGuirk, Chairman; Willis, Vice Chairman; Britt, Johnson, Patton, Rokakis, Rybka.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Miller, Chairman; Paulenske, Vice Chairman; McGuirk, Patton, Rokakis, White, Willis.

10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Willis, Vice Chairman; Jackson, Miller, O'Malley, Patton, Patton, Paulenske, Zone.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Patton, Chairman; Polensek, Vice Chairman; Coats, Lewis, McGuirk, O'Malley, Patton, Willis, Zone.

1:30 P.M.—**City Planning Committee:** Rybka, Chairman; Britt, Vice Chairman; O'Malley, Paulenske, Rokakis, White, Zone.

The following Committee is subject to Call of the Chairman:

Rules Committee: Westbrook, Chairman; Coats, Miller, Robinson, Smith.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio September 9, 1996.
The meeting of the Council was called to order, the President, Jay Westbrook in the chair.

Councilmen present: Coats, Jackson, Johnson, Lewis, McGuirk, Melena, Miller, O'Malley, Patton, Paulenske, Polensek, Robinson, Rokakis, Smith, Westbrook, White, Willis, Zone.

Also present were Mayor White and Directors Sobol-Jordan, Hyer, Konicek, Cunningham, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Axelrod, Willis, Morrison and Acting Directors Whitner and Ricchiuto.

Absent: Director Guzman.

Pursuant to Ordinance No. 2926-96, the Council Meeting was opened with a prayer offered by Father David Weber, Rector of St. John's Cathedral. Pledge of Allegiance.

MOTION

On the motion of Mr. Coats, the reading of the minutes of the last meeting be dispensed with and the journal approved.

COMMUNICATIONS

File No. 1653-96.
From the Division of Purchases and Supplies re: Excess City Property - Reference No. 007-96. Received.

File No. 1654-96.
From the Division of Purchases and Supplies re: Excess City Property - Reference No. 008-96. Received.

File No. 1655-96.
From Squire, Sanders & Dempsey Law Firm re: Information on the Cleveland Municipal Stadium project. Received.

File No. 1656-96.
From the Director of Finance re: Gateway Garages. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 1657-96.
Re: Transfer of Ownership Application - Application - 2287331 - Dove Co., dba Sav Way Mini Market II, 10808 Dove Avenue, first floor and basement. (Ward 2) Received.

File No. 1658-96.
Re: Transfer of Location Application - 4004452 - House of Cues Industries, Inc. dba House of Cues Cafe, 740 W. Superior Avenue, Suites 103 & 104. (Ward 13). Received.

File No. 1659-96.
Re: Transfer of Location Application - 2761555 - Flannery's Pub of Cleveland, Ltd., LLC, 2082 East 4th Street. (Ward 13). Received.

File No. 1660-96.
Re: Transfer of Ownership Application - 2967388 - Funa, Inc. dba Velvet Tango Room, 2095 Columbus Road, first floor and basement. (Ward 14). Received.

File No. 1661-96.
Re: Transfer of Ownership Application - 33900810010 - Ernest Grilly dba Grilly's Cafe, 2615 Lorain Avenue. (Ward 14). Received.

File No. 1662-96.
Re: Transfer of Ownership Application - 0067612 - Ady, Inc. dba K's Market, 3179 Scranton Road. (Ward 14). Received.

File No. 1663-96.
Re: New Application - 63360620005 - Neighborhood Social Club & Archives, 6609 Herman Avenue. (Ward 17). Received.

File No. 1664-96.
Re: Transfer of Location Application - KNSGroup, Inc. dba Gordon Square Center, 6504 Detroit Avenue. (Ward 17). Received.

File No. 1665-96.
Re: Stock Application - 1719921 - Cooley Lounge, Inc., 3670 West 130th Street. (Ward 20). Received.

File No. 1666-96.
Re: Transfer of Ownership Application - 65485910002 - 107 Corp. dba Savliner Supermarket, 10716 Woodland Avenue. (Ward 6). Received.

File No. 1667-96.
Re: Transfer of Ownership Application - 6281551 - Nader Sayed, Inc. dba Mike's Discount Foods #1, 7210 Superior Avenue. (Ward 7). Received.

File No. 1668-96.
Re: Transfer of Ownership Application - 0326695 - Aunt Charley's Inc., 9504-06 Detroit Avenue and basement. (Ward 17). Received.

File No. 1669-96.

Re: Stock Application - 5853053 - Merlin's Cave, Inc. dba Hopes & Dreams, 7507-11 Detroit Avenue, first floor and basement. (Ward 17). Received.

File No. 1670-96.

Re: Transfer of Location Application - 3463011 - Guzzler's Pub & Grub, Inc., 15318 Brookpark Road. (Ward 20). Received.

File No. 1671-96.

Re: New Application - 3463011 - Guzzler's Pub & Grub, Inc., 15318 Brookpark Road. (Ward 20). Received.

File No. 1672-96.

Re: Transfer of Ownership Application - 1897646 - Dailey's, Inc., 14222 Lorain Avenue, first floor and basement. (Ward 21). Received.

File No. 1673-96.

Re: Transfer of Ownership Application - 1840154 - CRV, Inc., 1229 West 6th Street, first floor and basement. (Ward 13). Received.

File No. 1674-96.

Re: Transfer of Ownership Application - 2853440 - Fox, Inc. dba Discount Foods, 4606 West 130th Street. (Ward 20). Received.

OATH OF OFFICE**File No. 1675-96.**

Oath of Office for Michael E. Cox, Commissioner for the Division of Recreation, Department of Parks, Recreation and Properties. Received.

COMMUNICATIONS**File No. 1591-96.**

August 16, 1996

The Honorable Jay Westbrook
Cleveland City Council
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Council President Westbrook:

I am pleased to recommend Mr. Tverner Collier for appointment to the Police Review Board. This appointment is for a four year term and will expire on August 8, 2000.

Thank you for your consideration.

Sincerely,

Michael R. White
Mayor

Received.
Referred to Committee on Mayor's Appointments.

File No. 1592-96.

August 16, 1996

The Honorable Jay Westbrook
Cleveland City Council
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Council President Westbrook:

I am pleased to recommend Ms. Martha Pontoni for appointment to the Police Review Board. This appointment is for a four year term and will expire on August 8, 2000.

Thank you for your consideration.

Sincerely,

Michael R. White
Mayor

Received.
Referred to Committee on Mayor's Appointments.

CONDOLENCE RESOLUTIONS

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

Res. No. 1676-96. Bernice Mae Motley.

Res. No. 1677-96. Charlie Bell, Jr.

Res. No. 1678-96. Alphonso Felder.

Res. No. 1679-96. Paul Gallagher.

Res. No. 1680-96. Florence Palmer Perry.

Res. No. 1681-96. Gwendolyn B. Smith.

Res. No. 1682-96. James P. Simpson.

Res. No. 1683-96. Elizabeth (Betty) Clark.

Res. No. 1684-96. Kevin and Angie Smith.

Res. No. 1685-96. Mary Vrettos.

Res. No. 1686-96. Margaret Coleman.

Res. No. 1687-96. John Auble.

Res. No. 1688-96. Ruth Archer.

Res. No. 1689-96. Troy Lee White.

CONGRATULATORY RESOLUTIONS

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

Res. No. 1690-96. Cleveland Job Corps Center.

Res. No. 1691-96. Rev. Donald G. Jacobs.

Res. No. 1692-96. Daniel Cardenas.

Res. No. 1693-96. Sylvester and Edna Washington.

Res. No. 1694-96. Anthony Brancatelli.

Res. No. 1695-96. Society of Ohio Archivist 1996 Archives Week.

Res. No. 1696-96. Rev. Dr. Emmett D. Foster.

RESOLUTIONS OF RECOGNITION

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

Res. No. 1697-96. Pastor John D. James.

Res. No. 1698-96. National Payroll Week.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1593-96.
By Councilmen Britt, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10603-05 Hulda Avenue to Lawrence Cooper.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-02-137, as more fully described in Section 2 below, to Lawrence Cooper.

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

P.P. No. 128-02-137

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lot No. 418 and bounded and described as follows: Beginning at a point in the Northerly line of Hulda Avenue, S.E., 45 feet wide proposed distant 1161.69 feet Easterly measured along said Northerly line from its intersection with the Easterly line of Woodhill Road, S.E.; thence Northerly at right angles to the Northerly line of Hulda Avenue, S.E. proposed, 106.47 feet to the Southerly line of the Luna Heights Subdivision as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records; thence Easterly along the Southerly line of said Subdivision, 40.01 feet; thence Southerly at right angles to the Northerly line of Hulda Avenue, S.E. proposed, 106.80 feet to the Northerly line of Hulda Avenue, S.E.; thence Westerly along said Northerly line of Hulda Avenue, S.E. proposed, 40 feet to the place of beginning, and being further known as Sublot No. 63 in Henry H. Johnson Proposed Subdivision, be the same more or less, but subject to all legal highways, Subject to Zoning Ordinances, if any.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

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

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

Ord. No. 1594-96.
By Councilmen Coats, Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Bargar Metal Fabricating Company, or its designee, to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to acquire new equipment and technology at 13000 St. Clair Avenue 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, Bargar Metal Fabricating Company (the "Enterprise") has proposed to modernize their facility located at 13000 St. Clair Avenue located in the Cleveland Area Enterprise Zone; 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; 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 Bargar Metal Fabricating Company, or its designee(s), for enterprise zone incentives on the basis that Bargar Metal Fabricating Company 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 Bargar Metal Fabricating Company or its designee(s), to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to acquire new equipment and technology to modernize their facility located at 13000 St. Clair Avenue, 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 term as set forth in the Executive Summary contained in File No. 1594-96-A.

Section 4. 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 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 Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 1595-96.
By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding of various infrastructure capital improvement projects and state funding to obtain credit enhancements and loan assistance in support of the City's 1996 general obligation bond issue for road and bridge improvements.

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

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

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

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

Section 1. That the Mayor is hereby authorized to apply for the District One Public Works Integrating Committee for state funding of the following infrastructure capital improvement projects:

1. Aetna Road Rehabilitation (from Broadway Avenue to East 93rd Street)
2. Bellaire Road Rehabilitation (from West 130th Street to West 105th Street)
3. Central Avenue Rehabilitation (from East 22nd Street to East 55th Street)
4. East 40th Street Rehabilitation (from Central Avenue to Superior Avenue)
5. East 79th Street Rehabilitation (from Chester Avenue to St. Clair Avenue)
6. London Road Rehabilitation (from Euclid Avenue to St. Clair Avenue)
7. Ridge Road Transfer Station
8. Western Road Rehabilitation (from West 117th Street to West 100th Street)

Section 2. That the Mayor is hereby authorized to apply to the District One Public Works Integrating Committee for state funding to obtain credit enhancements and loan assistance in support of the City's 1996 general obligation bond issue for bridge and road improvements.

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. 1596-96.
By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance to amend Section 7 of Ordinance No. 908-93, passed June 14, 1993 and Section 15 of Ordinance No. 1092-94, passed June 13, 1994, as amended, relating to the public improvement of rehabilitation East 79th Street and the rehabilitation of East 9th Street, respectively.

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 7 of Ordinance No. 908-93, passed June 14, 1993, is hereby amended to read as follows:

Section 7. That the costs of the Improvement, services and property acquisition herein contemplated shall be paid from Fund Nos. 20 SF 060, 20 SF 061, 20 SF 883, 20 SF 146, 20 SF 151, 20 SF 1600, 20 SF 170, 20 SF 181, 20 SF 190, 20 SF 302, 20 SF 302 and 20 SF 334, Request No. 14344.

Section 2. That existing Section 7 of Ordinance No. 908-93, passed June 14, 1993, is hereby repealed.

Section 3. That Section 15 of Ordinance No. 1092-94, passed June 13, 1994, as amended by Ordinance No. 1466-94, passed November 21, 1994, is hereby amended to read as follows:

Section 15. That the cost for the payment authorized in Section 8 of this ordinance, the cost of the public improvement authorized in Section 10 of this ordinance, and the cost of the professional services authorized in Section 11 of this ordinance shall be paid from the proceeds of the sale of the general obligation bonds of the City of Cleveland authorized by Ordinance No. 872-94, passed May 23, 1994, and from Fund Nos. 20 SF 060, 20 SF 061, 20 SF 883, 20 SF 146, 20 SF 151, 20 SF 160, 20 SF 170, 20 SF 181, 20 SF 190, 20 SF 302, 20 SF 312, and 20 SF 334, Request No. 21753.

Section 4. That existing Section 15 of Ordinance No. 1092-94, passed June 13, 1994, as amended by Ordinance No. 1466-94, passed November 21, 1994, is hereby repealed.

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 Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 1597-96.
By Councilman Jackson (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to the New Village Corporation, to construct an ornamental fence, gate, and a planting strip, approximately 330-feet long and 3.5 feet wide, which will encroach into the right-of-way of Central Avenue S.E. between East 37th and East 38th Streets at Central Commons Subdivision No. 5.

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 issue a permit, revocable at the will of Council to the New Village Corporation, General Partner, whose address is Glenville Enterprise Center; 540 East 105th Street; Cleveland, Ohio 44108; its successors and assigns for the construction, use and maintenance of an ornamental fence, a gate, and a planting strip approximately 330.00 feet long and approximately 3.5 feet wide along the Central Commons Subdivision No. 5 building front, and which fence, gate and planting strip will encroach into the public right-of-way of Central Avenue S.E. between East 37th and East 38th Streets, at the locations more fully described as follows:

**ENCROACHMENT / FENCE,
GATE, PLANTING STRIP
IN CENTRAL AVENUE S.E.**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Southerly 3.5 feet of Central Avenue S.E. (60.00 feet wide) extending Easterly from the Easterly line of East 37th Street (66.00 feet wide) to the Westerly line of East 38th Street (60.00 feet wide), be the same more or less but subject to all legal highways.

Section 2. That said fence, gate and planting strip will be constructed in the public right-of-way of Central Avenue S.E. at the locations described in Section 1, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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

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

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

Ord. No. 1598-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by

requirement contract of heating, ventilating and air conditioning equipment and supplies, including on-site supplies, including on-site service if necessary, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed four years.

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

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

Section 1. That the Director of Parks, Recreation and Properties is 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 four years for the necessary items of heating, ventilating and air conditioning equipment and supplies, including on-site service if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Property Management, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than four years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire four years.

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 20315)

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

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

Ord. No. 1599-96.
By Councilmen Melena, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3133 West 50 Street to Joseph J. and Jennie V. Dudash.

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

Whereas, real property acquired

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 016-14-013, as more fully described in Section 2 below, to Joseph J. and Jennie V. Dudash.

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

P.P. No. 016-14-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 132 in James A. Hoyt's Subdivision of part of Original Brooklyn Township Lot No. 47, as shown by the recorded plat in Volume 3 of Maps, Page 10 of Cuyahoga County Records, and being 40 feet front on the Easterly side of West 50th Street and extends back between parallel lines 125 feet deep, be the same more or less, but subject to all legal highways.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

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

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

Ord. No. 1600-96.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to maintain and repair the air conditioning systems 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 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 two years for the necessary items for labor and materials necessary to maintain and repair the air conditioning systems for the various divisions of the Department of Port Control 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 years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

Section 2. 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 20860)

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. 1601-96.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to maintain and repair building automation computer systems and associated equipment, 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 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 two years for the necessary items of labor and materials necessary to maintain and repair building automation computer systems and associated equipment 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 years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

Section 2. 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 20861)

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. 1602-96.
By Councilmen Miller, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at Carrington Avenue to Thomas J. Dlugo Jr. and Thomas J. Dlugo, Sr.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 020-14-145 and 020-14-145, as more fully described in Section 2 below, to Thomas J. Dlugo Jr. and Thomas J. Dlugo, Sr.

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

P.P. No. 020-14-146

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Western part of Sublot No. 481 in the Clark Manchester Company's Home-site Allotment No. 2 of part of Original Rockport Township Section No. 1, as shown by the recorded plat in Volume 54 of Maps, Page 35 of Cuyahoga County Records, and being 20 feet front on the Southerly side of Carrington Avenue, S.W., and extending back between parallel lines 120 feet deep, be the same more or less, but subject to all legal highways.

Subject to: Restrictions recited in Volume 1327, Page 69 of Cuyahoga County Records, dated January 14, 1911.

Also subject to zoning ordinances, if any.

P.P. No. 020-14-145

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 482 in the Clark Manchester Company's Home-site Allotment No. 2 of part of Original Rockport Township Section No. 1, as shown by the recorded plat in Volume 54 of Maps, Page 35 of Cuyahoga County Records and being 40 feet front on the Southerly side of Carrington Avenue, S.W., and extending back between parallel lines 120 feet deep, be the same more or less, but subject to all legal highways.

SUBJECT TO: Restrictions recited in Volume 1327, Page 69 of Cuyahoga County Records, dated January 14, 1911.

Also subject to zoning ordinances, if any.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

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

**Ord. No. 1603-96.
By Councilmen Patton and Rokakis (by departmental request).**

An emergency ordinance authorizing and directing the purchase by contract of not to exceed two portable TV inspection systems, for the Division of Water Pollution Control, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed two (2) portable TV inspection systems, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water Pollution Control, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 23002.

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

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

**Ord. No. 1604-96.
By Councilmen Patton and Rokakis (by departmental request).**

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide professional services to design, layout, and produce 1996 and 1997 annual reports and other consumer information publications, for the Divisions of Water, Cleveland Public Power and Water Pollution 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 Public Utilities is hereby authorized and directed to employ by contract one or more consultants or firm of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design, layout and produce 1996 and 1997 annual reports and other consumer information publications, including but not limited to

writing, photography, artwork and offset lithographic reproduction for the Divisions of Water, Cleveland Public Power, and Water Pollution Control.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund Nos. 52 SF 001, 53 SF 001 and 54 SF 001, Request No. 22109.

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

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

**Ord. No. 1605-96.
By Councilmen Patton and Rokakis (by departmental request).**

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide material testing and geotechnical services.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to employ by contract one or more consultants or firm of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide material testing and geotechnical services.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 54 SF 001, Request No. 23006.

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

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

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

**Ord. No. 1606-96.
By Councilmen Patton and Rokakis (by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of various parts for use at the pump stations, for the Division of Water Pollution Control, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized 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 for various parts for use at the pump stations in the estimated sum of \$80,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water Pollution Control, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23007)

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

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

**Ord. No. 1607-96.
By Councilmen Patton and Rokakis (by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to make emergency sewer repairs and installation of new sewers, for the Division of Water Pollution Control, Department of Public Utilities.

Whereas, this ordinance constitutes an emergency measure pro-

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

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

Section 1. That the Director of Public Utilities is hereby authorized 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 for labor and materials necessary to make emergency sewer repairs and installation of new sewers, in the estimated sum of \$100,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water Pollution Control, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23003)

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

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

Ord. No. 1608-96.

By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of constructing a booster pumping station at Broadview Road; authorizing the Director of Public Utilities to employ professional design engineering services to design the public improvement; authorizing the Director of Public Utilities to enter into contract for the making of such improvement; and authorizing the purchase of labor and materials necessary for this improvement.

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

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

Section 1. That, it is hereby determined to make the public improvement of constructing a booster pumping station at Broadview Road, including the installation of associated water mains and connectors (the "Improvement"), for the Division of Water, Department of Pub-

lic Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities is hereby authorized and directed to enter into contract for the making of the Improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, or such trades or components may be the subject of a separate contract upon a unit basis.

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

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

Section 4. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor, materials and equipment necessary to implement the Improvement, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

Section 5. That the costs of the Improvement, services herein contemplated shall be paid from Fund Nos. 52 SF 217, 52 SF 219 and 52 SF 223, Request No. 20962.

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

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

Ord. No. 1609-96.

By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of replacing the Invermere Avenue sewer, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

Whereas, this ordinance consti-

tutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of replacing the Invermere Avenue sewer, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 23005.

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

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

Ord. No. 1610-96.

By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance to amend the title and Section 1 of Ordinance No. 248-96, passed May 6, 1996, relating to the public improvement of rehabilitating the exterior surfaces of water towers, and authorizing the Director of Public Utilities to enter into contract therefor.

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. 248-96, passed May 6, 1996, are hereby amended to read, respectively, as follows:

An emergency ordinance determining the method of making the public improvement of rehabilitating the exterior surfaces of **five** water towers, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating the exterior surfaces of the **Ledge Tower in Northfield**, the 1.0 million gallon Keller Tower, 1.0 million gallon Strongsville Tower, and the 3.0 million gallon tower and the 0.5 million gallon tower at Blossom, for the Division of Water, Department of

Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the existing title and Section 1 of Ordinance No. 248-96, passed May 6, 1996, 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 Utilities, City Planning Commission, Finance, Law; Committees on Public Utilities, City Planning, Finance.

Ord. No. 1611-96.
By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of constructing the Kinsman-Green Water Supply Main in the Village of Highland Hills and the City of Beachwood; authorizing the Director of Public Utilities to enter into contracts for the making of such improvement; authorizing the acquisition of various rights and interests in real property; authorizing the relocation or modification of fixtures or features on said property; and authorizing professional service contracts for the Division of Water, Department of Public Utilities.

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

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

Section 1. That, it is hereby determined to make the public improvement of constructing the Kinsman-Green Water Supply Main in the Village of Highland Hills and the City of Beachwood (the "Improvement"), for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities is hereby authorized and directed to enter into contract for the making of the Improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, or such trades or components may be the subject of a separate contract upon a unit basis.

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 Commissioner of Purchases and Supplies is hereby authorized to purchase, lease or otherwise acquire easements, fee interests, licenses, permits and other rights or interests in real property necessary for the public improvement authorized by Section 1 of this ordinance.

Section 4. That the Director of Public Utilities is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire said rights or interests in

real property and to employ and pay all fees for title companies, surveyors, escrow agents, appraisers, environmental consultants, field service consultants and other consultants necessary for the acquisition or use of the rights or interests in real property authorized by Section 3 of this ordinance.

Section 5. That the Director of Public Utilities is hereby authorized to enter into agreements with the holders of said rights or interests in real property to relocate or otherwise modify existing fixtures or features of said property to permit the construction of the public improvement authorized by Section 1 of this ordinance.

Section 6. That the Director of Public Utilities is hereby authorized and directed to employ by contract one or more professional design engineering consultants or one or more firms of professional design engineering consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

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

Section 7. That the Director of Public Utilities is hereby authorized and directed to apply and pay for such permits, licenses, or other authorizations required by any regulatory entity or other public authority to perform the work authorized by this ordinance.

Section 8. That the Director of Public Utilities is hereby authorized and directed to enter into agreements with the State of Ohio, various municipalities, county governmental agencies and other public authorities as necessary for the making of the public improvement described in Section 1 of this ordinance.

Section 9. That the costs of the Improvement and the professional services herein contemplated shall be paid from Fund Nos. 52 SF 217, 52 SF 219 and 52 SF 223, Request No. 20963.

Section 10. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 1612-96.
By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance determining the method of making the

public improvement of rehabilitating Parma Reservoir; authorizing the Director of Public Utilities to employ professional design engineering services to design the public improvement; and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, it is hereby determined to make the public improvement of rehabilitating Parma Reservoir (the "Improvement"), for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities is hereby authorized and directed to enter into contract for the making of the Improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, or such trades or components may be the subject of a separate contract upon a unit basis.

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

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

Section 4. That the costs of the Improvement and the professional services herein contemplated shall be paid from Fund Nos. 52 SF 219 and 52 SF 223, Request No. 20961.

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 Utilities, City Planning Commission, Finance, Law; Committees on Public Utilities, City Planning, Finance.

Ord. No. 1613-96.

By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of cleaning and cement mortar lining trunk water mains, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of cleaning and cement mortar lining truck water mains, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 20964.

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

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

Ord. No. 1614-96.

By Councilmen Paulenske, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1638 East 49th Street to Enrique Solis and Magaly Heredia.

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

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

Whereas, this ordinance constitutes an emergency measure pro-

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 104-25-021, as more fully described in Section 2 below, to Enrique Solis and Magaly Heredia.

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

P.P. No. 104-25-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 40 feet 10 inches of Sublot No. 37 and all of Sublot No. 38 in Alexander McIntosh's Subdivision of part of Original Ten Acre Lot Nos. 126 and 127 as shown by the recorded plat in Volume 4 of Maps, Page 43 of Cuyahoga County Records and bounded and described as follows:

Beginning at the Southeasterly corner of said Sublot No. 38 and in the Westerly line of East 49th Street (formerly Kirtland Street), said point being also the Northerly line of a 10 foot alley as shown on said plat; thence Westerly along the Northerly line of said alley, 115 feet 10-3/4 inches to an angle in said alley; thence continuing Westerly along the Northerly line of said alley, 19 feet 6 inches to a point; thence Northwesterly along the Southerly line of said Sublot No. 38, 11 feet 4 inches to a point in the Easterly line of a 12 foot alley as shown on said plat; thence Northerly along the Easterly line of said 12 foot alley, a distance of 42 feet to the Northwesterly corner of Sublot No. 37 as aforesaid; thence Easterly along the Northerly line of said Sublot No. 37, 40 feet 10 inches; thence Southerly and parallel with East 49th Street, 30 feet to the Northerly line of Sublot No. 38; thence Easterly along the Northerly line of Sublot No. 38 as aforesaid, 100 feet to the Westerly line of East 49th Street; thence Southerly along the Westerly line of East 49th Street, 44 feet 1-1/2 inches to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of

Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

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

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

Ord. No. 1615-96.

By Councilmen Polensek and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Attorney General's Office for the 1996-97 DARE Program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$236,582.78, from the Ohio Attorney General's Office, to conduct the 1996-97 DARE 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. 1615-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 1616-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to install and design the placement of new and reconditioned furniture, and to make repairs to existing counter-tops and to design placement of new and existing counters and spaces, for the Department of Finance, on behalf of the office of the Clerk of the Cleveland Municipal Court, 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 Finance, on behalf of the office of the Clerk of the Cleveland Municipal Court 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 two years for the necessary items of labor and materials necessary to install and redesign the placement of new and reconditioned furniture, and to make repairs to existing countertops and to design placement of new and existing counters and spaces in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Finance, on behalf of the office of the Clerk of the Cleveland Municipal Court. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

Section 2. 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 22641)

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

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

Ord. No. 1617-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the payment of membership dues of the City of Cleveland in 1997 for NOACA.

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 and directed to cause payment of 1997 membership dues of the City of Cleveland, to be made to NOACA, from Fund No. 01-99-98-0232, Request No. 23201.

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

from and after the earliest period allowed by law.

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

Ord. No. 1618-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various security equipment, for the Department of Finance, on behalf of the office of the Clerk of Cleveland Municipal Court, 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 Finance, on behalf of the office of the Clerk of Cleveland Municipal Court 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 two years for the necessary items of security equipment, including but not limited to restricted access systems and camera monitors in the estimated sum of \$35,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Director of Finance, on behalf of the office of the Clerk of Cleveland Municipal Court. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

Section 2. 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 22640)

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

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

Ord. No. 1619-96.
By Councilmen Westbrook, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with Schilling Square Development, L.L.C., or its designee, for various pre-development and development activities for the Detroit Manor Building project, CDBG Year XXI.

Whereas, this ordinance constitutes an emergency measure pro-

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with Schilling Square Development, L.L.C., or its designee, for various pre-development and development activities related to the Detroit Manor Building project, including but not limited to acquisition, rehabilitation and relocation.

Section 2. That the cost of said contract shall be in an amount not to exceed \$160,000.00 and shall be paid from Fund No. 14 SF 021, Request No. 23056.

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

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

Ord. No. 1633-96.
By Councilmen Paulenske, Lewis and Robinson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Regional Transit Authority to stretch banners on Payne Ave. at E. 36th Street, on Union Ave. at Kinsman, and on Superior Ave. at Addison for the period from September 9, 1996 to October 9, 1996, inclusive, publicizing its new Circulator Bus Line in Cleveland's neighborhoods.

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 Regional Transit Authority to install, maintain and remove banners on Payne Ave. at E. 36th Street, on Union Ave. at Kinsman, and on Superior Ave. at Addison for the period from September 9, 1996 to October 9, 1996, inclusive. 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 to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which banners 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.

Referred to Committees on Public Service, Finance.

**FIRST READING
ORDINANCES REFERRED**

Ord. No. 1620-96.

By Councilman Jackson.

An ordinance to change the Use, Area, and Height Districts of lands on the northerly side of Central Avenue, S.E. between E. 33 Street and E. 40 Street and the south side of Central Avenue, S.E. between E. 37 Street and E. 40 Street. (Map Change No. 1916, Sheet No. 5)

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

Section 1. That the Use, Area, and Height Districts of lands bounded and described as follows, Beginning at the intersection of the center line of Central Avenue, S.E. and the center line of East 33 Street; thence northerly along said center line of East 33 Street to its intersection with the westerly extension of the southerly line of Sublot No. 38 in the John Blair Allotment as recorded in Volume 2, Page 8 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said southerly line of said Sublot No. 38 and continuing easterly along the southerly line of Sublot No. 5 in the Horace P. Weddell Allotment as recorded in Volume 2, Page 30 of the Cuyahoga County Map Records and along its easterly extension to the center line of East 35 Street; thence continuing easterly along the westerly extension of and southerly line of Sublot No. 36 in said Horace P. Weddell Allotment to its intersection with the southerly line of Sublot No. 48 in said Horace P. Weddell Allotment and along its easterly extension to the center line of East 36 Street; thence southerly along said center line of East 36 Street to its intersection with the westerly extension of the northerly line of Sublot No. 82 in said Horace P. Weddell Allotment; thence easterly along said westerly extension and along said northerly line of said Sublot No. 82 to its intersection with the easterly line thereof thence southerly along said easterly line of said Sublot No. 82 and along its southerly extension to its intersection with the westerly line of Sublot No. 90 in said Horace P. Weddell Allotment; thence southerly along said westerly line of said Sublot No. 90 to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 90 and along its easterly extension to the center line of East 37 Street; thence southerly along said center line of East 37 Street to its intersection with the westerly extension of the northerly line of Sublot No. 3 in the Taylor and J. M. Hoyt Subdivision as recorded in Volume 2, Page 34 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said northerly line of said Sublot No. 3 to its intersection with the westerly line of Sublot No. 17 in the William N. Williams Corrected Allotment as recorded in Volume 3, Page 6 of the Cuyahoga County Map Records; thence southerly along said westerly line of said Sublot No. 17 to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 17 and along its easterly extension to the center line

of East 38 Street; thence southerly along said center line of East 38 Street to its intersection with the westerly extension of a line located thirty six and six tenths (36.6) feet north of the southerly line of Sublot No. 24 in said William N. Williams Corrected Allotment; thence easterly along said westerly extension and along said line which is parallel to and thirty six and six tenths (36.6) feet north of said southerly line of said Sublot No. 24 to its intersection with the westerly line of Sublot No. 59 in said William N. Williams Corrected Allotment; thence southerly along said westerly line of said Sublot No. 59 to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 59 and along its easterly extension to the center line of East 39 Street; thence southerly along said center line of East 39 Street to its intersection with the westerly extension of the southerly line of Sublot No. 69 in said William N. Williams Corrected Allotment; thence easterly along said westerly extension and along said southerly line of said Sublot No. 69 to its intersection with the easterly line thereof; thence northerly along said easterly line of said Sublot No. 69 and along its northerly prolongation to its intersection with the northerly line of Sublot No. 100 in said William N. Williams Corrected Allotment; thence easterly along said northerly line of said Sublot No. 100 and along its easterly extension to the center line of East 40 Street; thence southerly along said center line of East 40 Street to the center line of Central Avenue, S.E.; thence southwestwardly along said center line of East 40 Street to its intersection with the southeasterly extension of the southwestwardly line of Sublot No. 268 in the Leonard Case Subdivision as recorded in Volume 8, Page 36 of the Cuyahoga County Map Records; thence northwestwardly along said southeasterly extension and along said southwestwardly line of said Sublot No. 268 and along its northwestwardly extension to the center line of East 39 Street; thence northeastwardly along said center line of East 39 Street to its intersection with the southeasterly extension of the northeasterly line of Sublot No. 112 in the Charles H. Norton Re Subdivision as recorded in Volume 3, Page 24 of the Cuyahoga County Map Records; thence northwestwardly along said southeasterly extension and along said northeasterly line of said Sublot No. 112 to its intersection with a line located one hundred twenty five (125) feet one (1) inch southeast of the southeasterly line of East 38 Street; thence southwestwardly along said line which is parallel to and one hundred twenty five (125) feet and (1) inch southeast of said southeasterly line of East 38 Street to its intersection with the southwestwardly line of Sublot No. 107 in said Charles H. Norton Re Subdivision; thence northwestwardly along said southwestwardly line of said Sublot No. 107 and along its northwestwardly extension to the center line of East 38 Street; thence southwestwardly along said center line of East 38 Street to the center line of Thurgood Avenue, S.E.; thence northwestwardly along said center line of Thurgood Avenue, S.E. to the center line of East 37 Street; thence northeastwardly along said center line of East 37 Street to the center line of Central Avenue, S.E.; thence northwestwardly along said center line of

Central Avenue, S.E. to the place of beginning, and as outlined in red on the map hereto attached, be and the same are hereby changed to a Two Family Use District, a 'B' Area District, and a '1' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1916, Sheet No. 5 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.

Ord. No. 1621-96.

By Councilman Patmon.

An ordinance establishing the Glenville Business Revitalization District. (Map Change No. 1914, Sheet Nos. 4, 8, & 9)

Whereas, the Board of Trustees of the Glenville Development Corporation has submitted a written request dated January 20, 1996 to the City Planning Commission for designation of a Business Revitalization District in accordance with the procedures outlined in Chapter 303 of the Codified Ordinances of the City of Cleveland; and

Whereas, such request is accompanied with a map identifying the boundaries of the proposed District; and

Whereas, the City Planning Commission has determined that the proposed District notwithstanding meeting the distance requirement meets the criteria for designation set forth in Section 303.04 of Chapter 303 of the Codified Ordinances of the City of Cleveland, Ohio 1988;

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

Section 1. That the following area, further defined and outlined on the map hereto attached, be and the same is hereby designated the Glenville Business Revitalization District

Beginning at the intersection of the center line of East 103 Street and the westerly extension of the northerly line of Sublot No. 19 in the John Crowell Subdivision as recorded in Volume 4, Page 31 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said northerly line of said Sublot No. 19 to its intersection with the westerly line of Sublot No. 36 in the P. Miller EST. C.P.R. Allotment as recorded in Volume 115, Page 307 of the Cuyahoga County Map Records; thence northerly along said westerly line of said Sublot No. 36 and continuing northerly along the westerly line of Sublot No. 32 in the Curtiss Ambler Realty Company Allotment as recorded in Volume 26, Page 30 of the Cuyahoga County Map Records; thence northerly along said westerly line of said Sublot No. 32 and along its northerly extension to the center line of Marlowe Avenue, N.E.; thence easterly along said center line of Marlowe Avenue, N.E. to its intersection with the southerly extension of the westerly line of Sublot No. 24 in said Curtiss Ambler Allotment; thence northerly along

said southerly extension and along said westerly line of said Sublot No. 24 to its intersection with the northerly line thereof; thence easterly along said northerly line of said Sublot No. 24 to its intersection with the easterly line of Sublot No. 19 in said Curtiss Ambler Allotment; thence northerly along said easterly line of said Sublot No. 19 and along its northerly extension to the center line of Colonial Avenue, N.E.; thence easterly along said center line of Colonial Avenue, N.E. to its intersection with the southerly extension of the easterly line of Sublot No. 3 in said Curtiss Ambler Allotment; thence northerly along said southerly extension and along said easterly line of said Sublot No. 3 to its intersection with the northerly line of Sublot No. 1 in said Curtiss Ambler Allotment; thence easterly along said northerly line of said Sublot No. 1 to its intersection with the easterly line of Sublot No. 14 in the Barrett Avenue Subdivision as recorded in Volume 58, Page 37 of the Cuyahoga County Map Records; thence northerly along said easterly line of said Sublot No. 14 and along its northerly extension to the center line of Barrett Avenue, N.E.; thence continuing northerly along the southerly extension of the easterly line and along said easterly line of Sublot No. 7 in said Barrett Avenue Subdivision to its intersection with the northerly line of Sublot No. 8 in said Barrett Avenue Subdivision; thence easterly along said northerly line of said Sublot No. 8 and along its easterly extension to the center line of East 105 Street; thence southerly along said center line of East 105 Street to its intersection with the westerly extension of the northerly line of Sublot No. 16 in the George C. Shumway Allotment as recorded in Volume 4, Page 35 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said northerly line of said Sublot No. 16 and along its easterly prolongation to the center line of East 106 Street; thence northerly along said center line of East 106 Street to its intersection with the westerly extension of a line located approximately six hundred sixty seven and ninety six hundredths (667.96) feet south of the southerly line of Glenville Avenue, N.E.; thence easterly along said westerly extension and along said line which is parallel to and six hundred sixty seven and ninety six hundredths (667.96) feet south of said southerly line of Glenville Avenue, N.E. to its intersection with the westerly line of Sublot No. 94 in the William Ambler Subdivision as recorded in Volume 38, Page 23 of the Cuyahoga County Map Records; thence southerly along said westerly line of said Sublot No. 94 and continuing southerly along the westerly lines of Sublots Nos. 95, 96, 97, 98, and 99 in said William Ambler Subdivision to its intersection with a line located thirty five (35) feet south of the southerly line of said Sublot No. 98; thence easterly along said line which is parallel to and thirty five (35) feet south of said southerly line of said Sublot No. 98 and along its easterly extension to the center line of East 107 Street; thence southerly along said center line of East 107 Street to the center line of St. Clair Avenue, N.E.; thence southwesterly along said center line of St. Clair Avenue, N.E. to the center line of East 107 Street; thence southerly along said center line of

East 107 Street to its intersection with the easterly extension of the northerly line of Sublot No. 3 in the Linn and Issel Subdivision as recorded in Volume 38, Page 16 of the Cuyahoga County Map Records; thence westerly along said easterly extension and along said northerly line of said Sublot No. 3 to its intersection with the westerly line thereof; thence southerly along said westerly line of said Sublot No. 3 and continuing southerly along the westerly lines of Sublots Nos. 4, 5, and 6 in said Linn and Issel Subdivision to its intersection with the southerly line thereof; thence westerly along the westerly prolongation of said southerly line of said Sublot No. 6 to its intersection with a line located approximately two hundred fifty (250) feet southeast of the southeasterly line of St. Clair Avenue, N.E.; thence southwesterly along said line which is parallel to and approximately two hundred fifty (250) feet southeast of said southeasterly line of St. Clair Avenue, N.E. and along its southwesterly extension to the center line of East 106 Street; thence northwesterly along said center line of East 106 Street to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 5 in the Frederick G. Hanks Subdivision as recorded in Volume 48, Page 6 of the Cuyahoga County Map Records; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 5 to its intersection with the southwesterly line thereof; thence southeasterly along said southwesterly line of said Sublot No. 5 to its intersection with the northwesterly line of Sublot No. 353 in the Cleveland Realty Company Subdivision as recorded in Volume 24, Page 17 of the Cuyahoga County Map Records; thence southwesterly along said northwesterly line of said Sublot No. 353 and along its southwesterly extension to the center line of Parkwood Drive, N.E.; thence continuing southwesterly along the northeasterly extension of the northwesterly line of Sublot No. 344 in said Cleveland Realty Company Subdivision and along said northwesterly line of said Sublot No. 344 to its intersection with the northeasterly line of Sublot No. 335 in said Cleveland Realty Company Subdivision; thence southeasterly along said northeasterly line of said Sublot No. 335 to its intersection with the easterly line thereof; thence southerly along said easterly line of said Sublot No. 335 and along its southerly extension to the center line of Helena Avenue, N.E.; thence westerly along said center line of Helena Avenue, N.E. to its intersection with the northerly extension of a line located one hundred forty four (144) feet east of the easterly line of East 105 Street; thence southerly along said line which is parallel to and one hundred forty four (144) feet east of said easterly line of East 105 Street and along its southerly prolongation to the center line of Kimberley Avenue, N.E.; thence westerly along said center line of Kimberley Avenue, N.E. to the center line of East 105 Street; thence southerly along said center line of East 105 Street to its intersection with the easterly extension of the northerly line of Sublot No. 6 in the Charles P. Born and Margaret E. Born Subdivision as recorded in Volume 16, Page 14 of the Cuyahoga County

Map Records; thence westerly along said easterly extension and along said northerly line of said Sublot No. 6 to its intersection with the northerly line of Sublot No. 7 in said Charles P. Born and Margaret E. Born Subdivision; thence westerly along said northerly line of said Sublot No. 7 to its intersection with the easterly line of Sublot No. 19 in the John Crowell Subdivision as recorded in Volume 4, Page 21 of the Cuyahoga County Map Records; thence northerly along said easterly line of said Sublot No. 19 and continuing northerly along the easterly lines of Sublots Nos. 18, 17, 16, 15, 14, 13, and 12 in said John Crowell Subdivision to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 12 and along its westerly extension to the center line of East 103 Street; thence southerly along said center line of East 103 Street to its intersection with the easterly extension of the southerly line of Sublot No. 27 in said John Crowell Subdivision; thence westerly along said easterly extension and along said southerly line of said Sublot No. 27 to its intersection with the westerly line thereof; thence northerly along said westerly line of said Sublot No. 27 and continuing northerly along the westerly line of Sublot No. 28 in said John Crowell Subdivision to its intersection with the northerly line of Sublot No. 4 in the Mrs. Charles P. Born Allotment as recorded in Volume 23, Page 23 of the Cuyahoga County Map Records; thence westerly along said northerly line of said Sublot No. 4 and along its westerly extension to the center line of East 102 Street; thence northerly along said center line of East 102 Street crossing St. Clair Avenue, N.E. to its intersection with the westerly extension of a line located approximately one hundred fifteen and thirty one hundredths (115.31) feet south of the southerly line of Sublot No. 8 in the A. L. Draper Allotment as recorded in Volume 22, Page 18 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said line which is parallel to and approximately one hundred fifteen and thirty one hundredths (115.31) feet south of said southerly line of said Sublot No. 8 for a distance of approximately one hundred three and three tenths (103.3) feet east of the easterly line of East 102 Street; thence northerly from said point to a point located one hundred six and ninety three hundredths (106.93) feet east of said easterly line of East 102 Street and approximately seventy five and fifty four hundredths (75.54) feet south of said southerly line of said Sublot No. 8; thence westerly along said line which is parallel to and approximately seventy five and fifty four hundredths (75.54) feet south of said southerly line of said Sublot No. 8 to its intersection with a line located approximately eighty and ninety one hundredths (80.91) feet east of said easterly line of East 102 Street; thence northerly for a distance of seventy five and fifty four hundredths (75.54) feet to its intersection with said southerly line of said Sublot No. 8; thence easterly along said southerly line of said Sublot No. 8 to its intersection with the westerly line of Sublot No. 4 in said John Crowell Subdivision; thence northerly along said westerly line of said Sublot No. 4 to its intersection with the northerly line

thereof; thence easterly along said northerly line of said Sublot No. 4 and along its easterly extension to the center line of East 103 Street; thence northerly along said center line of East 103 Street to the place of beginning.

Section 2. That the designation of the area set forth in Section 1 hereof as the Glenville Business Revitalization District and shall be noted on 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 the following area, further defined and outlined in the map hereto attached, be and the same is hereby designated the Glenville Business Revitalization District.

Beginning at the intersection of the center line of East 108 Street and the center line of Rockhurst Avenue, N.E.; thence southwesterly along said center line of Rockhurst Avenue, N.E. to its intersection with the northerly extension of the westerly line of Sublot No. 181 in the Sarah Phillips Allotment as recorded in Volume 19, Page 23 of the Cuyahoga County Map Records; thence southerly along said northerly extension and along said westerly line of said Sublot No. 181 and continuing southerly along the westerly lines of Sublots Nos. 180 and 177 in said Sarah Phillips Allotment and along its southerly extension to the center line of Churchill Avenue, N.E.; thence westerly along said center line of Churchill Avenue, N.E. to its intersection with the northerly extension of the easterly line of Sublot No. 5 in said Sarah Phillips Allotment; thence southerly along said northerly extension and along said easterly line of said Sublot No. 5 to its intersection with the southerly line thereof; thence westerly along said southerly line of said Sublot No. 5 to its intersection with the westerly line of Sublot No. 144 in the J. H. Wade et al Re Subdivision as recorded in Volume 33, Page 18 of the Cuyahoga County Map Records; thence southerly along said westerly line of said Sublot No. 144, and along its southerly extension to the center line of Orville Avenue, N.E.; thence westerly along said center line of Orville Avenue, N.E. to its intersection with the northerly extension of a line located one hundred (100) feet east of the easterly line of East 105 Street; thence southerly along said northerly extension and along said line which is parallel to and one hundred (100) feet east of said easterly line of East 105 Street to its intersection with the northerly line of Sublot No. 81 in said J. H. Wade et al Re Subdivision; thence easterly along said northerly line of said Sublot No. 81 to its intersection with a line located one hundred ninety (190) feet east of said easterly line of East 105 Street; thence southerly along said line which is parallel to and one hundred ninety (190) feet east of said easterly line of East 105 Street and along its southerly extension to the center line of Lee Avenue, N.E.; thence westerly along said center line of Lee Avenue, N.E. to its intersection with the northerly extension of a line located forty seven (47) feet west of the easterly line of Sublot No. 1 in said J.H. Wade et al Re Subdivision; thence southerly along

said northerly extension and along said line which is parallel to and forty seven (47) feet west of said easterly line of said Sublot No. 1 and along its southerly extension to the center line of Ashbury Avenue, N.E.; thence northwesterly along said center line of Ashbury Avenue, N.E. continuing across East 105 Street to the center line of East 103 Street; thence northerly and northwesterly along said center line of East 103 Street to the center line of Churchill Avenue, N.E.; thence northeasterly along said center line of Churchill Avenue, N.E. to its intersection with the southeasterly extension of the northeasterly line of Sublot No. 26 in the Morley & Morison Subdivision as recorded in Volume 25, Page 26 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said northeasterly line of said Sublot No. 26 and along its northwesterly extension to the center line of Rockhurst Avenue, N.E.; thence southwesterly along said center line of Rockhurst Avenue, N.E. to the center line of East 103 Street; thence southerly along said center line of East 103 Street to its intersection with the easterly extension of the southerly line of Sublot No. 8 in said Morley and Morison Subdivision; thence westerly along said easterly extension and along said southerly line of said Sublot No. 8 and along its westerly extension to the center line of East Boulevard; thence northwesterly and northeasterly along said center line of East Boulevard to the center line of Superior Avenue, N.E.; thence southwesterly along said center line of Superior Avenue, N.E. to its intersection with its southeasterly extension of the southwesterly line of a parcel of land known as C.C. Baldwin Cooper Allotment as recorded in Volume 17, Page 7 of the Cuyahoga County Map Records (said southwesterly line of said parcel of land being located approximately one hundred thirty six and nineteen hundredths (136.19) feet southwest of the southwesterly line of East 102 Street); thence northwesterly along said southeasterly extension and along said southwesterly line of said parcel of land to its intersection with a line located one hundred twenty (120) feet northwest of the northwesterly line of Superior Avenue, N.E.; thence northeasterly along said line which is parallel to and one hundred twenty (120) feet northwest of said northwesterly line of Superior Avenue, N.E. continuing across East 102 Street to its intersection with the southerly line of Sublot No. 4 in the M. H. Solloway Subdivision as recorded in Volume 16, Page 6 of the Cuyahoga County Map Records; thence easterly along said southerly line of said Sublot No. 4 to its intersection with the westerly line of Sublot No. 50 in the Morley and Morison Subdivision as recorded in Volume 26, Page 24 of the Cuyahoga County Map Records; thence southerly along said westerly line of said Sublot No. 15 to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 50 and along its easterly extension to the center line of East 103 Street; thence northerly along said center line of East 103 Street to its intersection with the westerly extension of the northerly line of Sublot No. 59 in said Morley and Morison Subdivision; thence easterly along said

westerly extension and along said northerly line of said Sublot No. 59 to its intersection with the easterly line of Sublot No. 60 in said Morley and Morison Subdivision; thence northerly along said easterly line of said Sublot No. 60 and continuing northerly along the easterly lines of Sublots Nos. 61, 62, 63, 64, 65, 66, and 67 in said Morley and Morison Subdivision to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 67 to its intersection with a line located approximately one hundred twenty (120) feet west of the westerly line of East 105 Street; thence northerly along said line which is parallel to and one hundred twenty (120) feet west of said westerly line of East 105 Street to its intersection with the southerly line of Sublot No. 4 in the William Phillips Allotment as recorded in Volume 18, Page 8 of the Cuyahoga County Map Records; thence easterly along said southerly line of said Sublot No. 4 to its intersection with a line located approximately one hundred nine and fifty six hundredths (109.56) feet west of the westerly line of East 105 Street; thence northerly along said line which is parallel to and approximately one hundred nine and fifty six hundredths (109.56) feet west of said westerly line of East 105 Street and along its northerly extension to the center line of Olivet Avenue, N.E.; thence easterly along said center line of Olivet Avenue, N.E. to the center line of East 105 Street; thence northerly along said center line of East 105 Street to the center line of Olivet Avenue, N.E.; thence northeasterly along said center line of Olivet Avenue, N.E. to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 140 in the Boulevard Park Allotment as recorded in Volume 19, Page 26 of the Cuyahoga County Map Records; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 140 and along its southwesterly extension to the center line of Olivet Court, N.E.; thence southwesterly along said center line of Olivet Court, N.E. to the center line of East 106 Place, N.E.; thence northeasterly along said center line of East 106 Place, N.E. to the center line of Hathaway Avenue, N.E.; thence southwesterly along said center line of Hathaway Avenue, N.E. to its intersection with the northwesterly extension of the northeasterly line of Sublot No. 47 in the Curtiss Ambler and Johnson Allotment as recorded in Volume 16, Page 10 of the Cuyahoga County Map Records; thence southeasterly along said northwesterly extension and along said northeasterly line of said Sublot No. 47 and continuing southeasterly along the northeasterly lines of Sublots Nos. 46 and 45 in said Curtiss Ambler and Johnson Allotment and along its southeasterly extension to the center line of Tecumseh Court, N.E.; thence northeasterly along said center line of Tecumseh Court, N.E. to the center line of East 108 Street; thence southeasterly along said center line of East 108 Street continuing southeasterly across Superior Avenue, N.E. and continuing southeasterly along said center line of East 108 Street to the place of beginning.

Section 4. That the designation of the area set forth in Section 3 hereof as the Glenville Business Revi-

talization District shall be noted on 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 5. That the following area, further defined and outlined in red on the map hereto attached, be and the same is hereby designated the Glenville Business Revitalization District.

Beginning at the intersection of the center line of St. Clair Avenue, N.E. and the center line of East 93 Street; thence southerly along said center line of East 93 Street to its intersection with the northeasterly extension of a line located approximately one hundred (100) feet southeast of the southeasterly line of St. Clair Avenue, N.E.; thence southwesterly along said northeasterly extension and along said line which is parallel to and approximately one hundred (100) feet southeast of said southeasterly line of St. Clair Avenue, N.E. to its intersection with the northeasterly line of Sublot No. 3 in the Mary D. Stackpole Allotment as recorded in Volume 4, Page 28 of the Cuyahoga County Map Records; thence southeasterly along said northeasterly line of said Sublot No. 3 and along its southeasterly extension to the center line of an unnamed ten (10) foot alley; thence southwesterly along said center line of said unnamed ten (10) foot alley to its intersection with the southeasterly extension of the northeasterly line of a parcel of land conveyed to Lula D. Wade By Deed, as recorded in Volume 24960, Page 26 of the Cuyahoga County Records (said northeasterly line of said parcel of land being located approximately three hundred forty four (344) feet southwest of the southwesterly line of East 93 Street); thence northwesterly along said southeasterly extension of said northeasterly line of said parcel of land to its intersection with the southeasterly line thereof thence southwesterly along said southeasterly line of said parcel of land to its intersection with the southeasterly line of a parcel of land conveyed to George E. and Lula D. Wade, By Deed, as recorded in Volume 25645, Page 457 of the Cuyahoga County Records; thence southwesterly along said southeasterly line of said parcel of land to its intersection with the southeasterly line of a parcel of land conveyed to George E. and Lula D. Wade, By Deed, as recorded in Volume 86830, Page 28 of the Cuyahoga County Records; thence southwesterly along said southeasterly line of said parcel of land to its intersection with the southwesterly line thereof; thence northwesterly along said southeasterly line of said parcel of land to its intersection with the center line of Driving Park Court, N.E.; thence southwesterly along said center line of Driving Park Court, N.E. to its intersection with the westerly line of a parcel of land conveyed to Lillie J. and Robert L. Holmes, By Deed, as recorded in Volume 69900, Page 55 of the Cuyahoga County Records (said westerly line of said parcel of land being located approximately one hundred ninety four and seventy four hundredths (194.74) feet east of the intersection of the southeasterly line of St. Clair Avenue, N.E. and the northerly line of Yale

Avenue, N.E.); thence southerly along said westerly line of said parcel of land to the center line of Yale Avenue, N.E.; thence westerly along said center line of Yale Avenue, N.E. to the center line of East 88 Street; thence northerly along said center line of East 88 Street to its intersection with the southwesterly extension of a line located one hundred fifty (150) feet northwest of the northwesterly line of Yale Avenue, N.E.; thence northeasterly along said southwesterly extension and along said line which is parallel to and one hundred fifty (150) feet northwest of said northwesterly line of Yale Avenue, N.E. to its intersection with the southwesterly line of Sublot No. 6 in the Loyeman Non Recorded Subdivision (said southwesterly line of said Sublot No. 6 being located approximately eighty and eighty four hundredths (80.84) feet southwest of the southwesterly line of East 89 Street); thence southeasterly along said southwesterly line of said Sublot No. 6 to its intersection with the northwesterly line of Sublot No. 5 in said Loyeman Non Recorded Subdivision; thence northeasterly along said northwesterly line of said Sublot No. 5 and along its northeasterly extension to the center line of East 89 Street; thence continuing northeasterly across East 89 Street to its intersection with the northwesterly line of Sublot No. 12 in said Loyeman Non Recorded Subdivision; thence northeasterly along said northwesterly line of said Sublot No. 12 to its intersection with the southwesterly line of Sublot No. 14 in said Loyeman Non Recorded Subdivision; thence southeasterly along said southwesterly line of said Sublot No. 14 to its intersection with the southeasterly line thereof thence northeasterly along said southeasterly line of said Sublot No. 14 and along its northeasterly extension to the center line of East 90 Street; thence northwesterly along said center line of East 90 Street to its intersection with the southwesterly extension of the southeasterly line of Sublot No. 12 in the Gordon Farm (Realty Trust Co.) Allotment as recorded in Volume 36, Page 28, of the Cuyahoga County Map Records; thence northeasterly along said southwesterly extension and along said southeasterly line of said Sublot No. 12 and continuing northeasterly along the southeasterly line of Sublot No. 17 in said Gordon Farm (Realty Trust Co.) Allotment and along its northeasterly extension to the center line of East 91 Street; thence northwesterly along said center line of East 91 Street to its intersection with the southwesterly extension of the southeasterly line of Sublot No. 63 in said Gordon Farm (Realty Trust Co.) Allotment; thence northeasterly along said southwesterly extension and along said southeasterly line of said Sublot No. 63 to its intersection with the northeasterly line thereof thence northwesterly along said northeasterly line of said Sublot No. 63 to its intersection with the southeasterly line of Sublot No. 68 in said Gordon Farm (Realty Trust Co.) Allotment; thence northeasterly along said southeasterly line of said Sublot No. 68 and along its northeasterly extension to the center line of East 92 Street; thence southeasterly along said center line of East 92 Street to its intersection with the southwesterly extension of the southeasterly line of Sublot No. 138 in said Gordon Farm (Realty

Trust Co.) Allotment; thence northeasterly along said southwesterly extension and along said southeasterly line of said Sublot No. 138 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Sublot No. 138 to its intersection with the southeasterly line of Sublot No. 143 in said Gordon Farm (Realty Trust Co.) Allotment; thence northeasterly along said southeasterly line of said Sublot No. 143 and along its northeasterly extension to the center line of East 93 Street; thence southeasterly along said center line of East 93 Street to the center line of St. Clair Avenue, N.E.; thence northeasterly along said center line of St. Clair Avenue, N.E. to the place of beginning.

Section 6. That the designation of the area set forth in Section 5 hereof as the Glenville Business Revitalization District shall be noted on 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 7. 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.

Ord. No. 1622-96.

By Councilman Zone.

An ordinance to change the Use, Area, and Height Districts of lands on the west side of West Boulevard north of Lorain Avenue and to establish a specific 35' Setback Building line from the northerly line of said parcel to be changed to the northerly line of Lorain Avenue on West Boulevard. (Map Change No. 1917, Sheet Nos. 1 & 2)

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

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

Beginning at the intersection of the northeasterly extension of a line located twelve and six hundredths (12.06) feet northwest of the northwesterly line of Sublot No. 325 in the West Boulevard Allotment as recorded in Volume 34, Page 11 of the Cuyahoga County Map Records and the center line of West Boulevard; thence southeasterly along said center line of West Boulevard to its intersection with the northeasterly extension of (vacated) Regina Avenue, N.W.; thence southwesterly along said center line of said (vacated) Regina Avenue, N.W. to its intersection with a line located one hundred forty five (145) feet southwest of the southwesterly line of West Boulevard; thence northwesterly along said line which is parallel to and one hundred forty five (145) feet southwest of said southwesterly line of West Boulevard to its intersection with a line located sixteen and sixteen hundredths (16.16) feet northwest of said northwesterly line of said Sublot No. 325; thence northeasterly along said line and along its northeasterly extension to the place of beginning, and as outlined in red on the map hereto attached be and the same is hereby changed to a General Retail Use District, a 'C' Area District, and a '2' Height District.

Section 2. That said changed des-

ignation of lands described in Section 1 shall be identified as Map Change No. 1917, Sheet Nos. 1 and 2 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. To establish a specific Building Setback Line of thirty five (35) feet. Beginning at a line located twelve and six hundredths (12.06) feet

northwest of the northwesterly line of Sublot No. 325 in the West Boulevard Allotment as recorded in Volume 34, Page 11 of the Cuyahoga County Map Records on the southwesterly side of West Boulevard; thence southeasterly to the northwesterly line of Lorain Avenue, and as outlined in green on the map hereto attached, a specific thirty five (35) foot Building Setback line is hereby established.

Section 4. That said changed designation of lands described in Section 3 shall be identified as Map Change No. 1917, Sheet Nos. 1 & 2

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 5. 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 RESOLUTIONS REFERRED

Res. No. 1623-96.

By Councilman Rokakis (by departmental request).

An emergency resolution to adopt and declare a Tax Budget for the year 1997, as required by State law, Chapter 5705 of the Revised Code.

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

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

Section 1. That the Council, pursuant to the provisions of Chapter 5705 of the Revised Code, after public hearings thereon as required by law, does hereby adopt the statements of the 1997 requirements for the several funds of the City of Cleveland, as being the budget required by state law to be submitted to the County Budget Commission which requirements are as follows:

	Amount to be Derived From Levies Outside 10-Mill Limitation Column II	Amount Approved By Budget Commission Inside 10-Mill Limitation Column IV	County Auditor's Estimate of Tax Rate To Be Levied	
			Inside 10-Mill Limit Column V	Outside 10-Mill Limit Column VI

GENERAL FUND	\$
BOND RETIREMENT FUND	
POLICE PENSION FUND	
FIRE PENSION FUND	
TOTAL	\$

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	MAXIMUM RATE AUTHORIZED TO BE LEVIED	TAX YEAR COUNTY AUDITOR'S ESTIMATE OF YIELD OF LEVY (carry to schedule A, column 3)
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GENERAL FUND:

Current Expense Levy authorized by City Charter effective 11/21/67.	8.3 mills	
Current Expense Levy authorized by voters on __/__/__, not to exceed ____ years. Auth. under Sect. ____, R.C.		
Current Expense Levy authorized by voters on __/__/__, not to exceed ____ years. Auth. under Sect. ____, R.C.		
Current Expense Levy authorized by voters on __/__/__, not to exceed ____ years. Auth. under Sect. ____, R.C.		
Current Expense Levy authorized by voters on __/__/__, not to exceed ____ years. Auth. under Sect. ____, R.C.		

TOTAL GENERAL FUND OUTSIDE 10 M.LIMITATION	8.3 mills	
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	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
GENERAL FUND				
LOCAL TAXES				
Property Tax	\$ 38,722,272	\$ 40,145,357	\$ 40,019,853	\$ 40,420,052
Income Tax	196,308,642	209,153,484	215,428,100	219,736,662
Admission Tax	3,889,597	7,173,255	6,200,000	7,000,000
Exhibition Tax	59	0	1,000	1,000
Video Game Tax	79,548	71,187	75,000	75,000
Motor Vehicle Lessor Tax	1,877,361	2,257,925	2,970,000	2,940,000
Parking Tax		1,898,140	7,100,000	8,100,000
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Total	\$ 240,877,479	\$ 260,699,348	\$ 271,793,953	\$ 278,272,714
LICENSES & PERMITS				
Building Licenses and Permits	\$ 5,122,826	\$ 5,811,939	\$ 5,499,550	\$ 5,750,000
Other Licenses and Permits	1,365,227	1,152,371	1,723,165	1,755,966
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Total	\$ 6,488,053	\$ 6,964,310	\$ 7,222,715	\$ 7,505,966
INTERGOVERNMENTAL REVENUE				
Local Government Fund	\$ 43,431,190	\$ 46,407,322	\$ 48,021,518	\$ 49,567,216
State Cigarette and Liquor Tax	359,242	1,674,252	930,000	930,000
Estate Tax	3,941,072	4,804,979	4,000,000	4,000,000
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Total	\$ 47,731,504	\$ 52,886,553	\$ 52,951,518	\$ 54,497,216
SALES AND CHARGES FOR SERVICE				
Misc. City Sales	\$ 292,345	\$ 276,210	\$ 192,200	\$ 192,200
Cable TV-Franchise Fees	1,411,563	1,364,637	1,400,000	1,400,000
Charges for Service	11,326,072	8,635,706	8,940,650	9,429,900
Commissions	0	0	0	10,000
Concession Revenue	104,666	39,804	20,000	25,000
Rental of City Property	954,759	917,721	960,592	885,600
Commercial Waste Collection	948,963	926,274	990,000	1,039,500
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Total	\$ 15,038,368	\$ 12,160,352	\$ 12,503,442	\$ 12,982,200
FINES AND FORFEITURES				
Fines	\$ 11,763,476	\$ 11,020,235	\$ 11,335,650	\$ 11,505,650
Cash Bonds	67,979	95,934	91,000	92,000
Court Trustee	4,706	4,226	4,200	4,200
Court Costs	2,040,716	2,237,651	2,226,500	2,240,500
Criminal Bond Forfeiture	12,839	1,489	115,000	100,000
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Total	\$ 13,889,716	\$ 13,359,535	\$ 13,772,350	\$ 13,942,350
MISCELLANEOUS REVENUE				
Special Assessments Revenue	\$ 271,007	\$ 303,999	\$ 305,000	\$ 305,000
Sale of Capital Plant	7,820	0	0	0
Sale of City Assets	115,513	59,855	75,000	75,000
Sale of Recyclable Waste	9,439	29,354	20,000	5,000
Royalties-Sale Mine	7,793	43,729	50,000	50,000
Refunds	455,611	533,623	1,125,000	1,125,000
Miscellaneous Revenue	2,251,376	2,310,204	6,157,179	3,218,150
Interest Income	1,106,011	2,059,819	1,940,000	1,950,000
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Total	\$ 4,224,570	\$ 5,340,583	\$ 9,672,179	\$ 6,728,150
EXPENDITURE RECOVERIES				
Damaged City Property Reimbursement	\$ 62,822	\$ 143,263	\$ 142,000	\$ 158,100
Expenditure Recoveries	17,471,415	14,669,023	22,530,688	19,386,124
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Total	\$ 17,534,237	\$ 14,812,286	\$ 22,672,688	\$ 19,544,224
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TOTAL	\$ 345,783,927	\$ 366,222,967	\$ 390,588,845	\$ 393,472,820
EXPENDITURES				
Security of Persons and Property (Safety)				
Salaries and Wages	\$ 142,136,192	\$ 149,555,685	\$ 154,332,516	\$ 162,336,955
Employee Benefits	52,560,634	54,067,868	57,395,710	60,527,790
Training and Professional Dues	60,630	66,714	54,025	77,092
Utilities	1,923,590	2,316,617	2,256,073	2,283,295
Contractual Services	1,389,949	2,330,643	1,942,985	2,006,086
Material and Supplies	2,055,526	1,826,541	2,010,325	2,167,417

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
Maintenance	627,694	509,351	679,050	713,052
Claims, Refunds and Misc.	162,397	147,258	174,500	178,500
Inter-Departmental Services	6,624,352	7,004,445	7,268,564	7,168,477
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Total Security of Persons and Property	\$ 207,540,964	\$ 217,825,122	\$ 226,113,748	\$ 237,458,664
Public Health Services (Health & Aging)				
Salaries and Wages	\$ 6,141,516	\$ 6,033,479	\$ 6,513,279	\$ 6,721,371
Employee Benefits	2,155,380	2,191,251	2,265,909	2,381,562
Training and Professional Dues	13,565	7,979	6,750	6,954
Utilities	392,365	368,262	381,637	386,411
Contractual Services	845,122	913,204	727,176	748,992
Material and Supplies	748,993	606,436	605,295	623,454
Maintenance	44,044	45,775	62,507	64,382
Claims	901	1,452	0	0
Inter-Departmental Services	428,435	288,341	319,547	341,859
Capital Outlay	0	0	0	0
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Total Public Health Services	\$ 10,770,321	\$ 10,456,179	\$ 10,882,100	\$ 11,274,985
Leisure Time Activities (Parks, Recreation & Properties)				
Salaries and Wages	\$ 17,317,020	\$ 17,568,913	\$ 19,532,614	\$ 20,115,159
Employee Benefits	5,845,150	6,163,436	6,984,606	7,445,616
Training and Professional Dues	20,539	16,587	11,526	11,871
Utilities	1,784,191	2,169,040	2,293,711	2,331,440
Contractual Services	1,188,610	1,275,141	1,371,736	1,412,887
Material and Supplies	1,543,130	1,635,026	1,752,314	1,823,938
Maintenance	281,256	212,477	178,248	164,540
Claims, Refunds and Misc.	5,500	4,346	0	0
Inter-departmental Services	2,140,759	2,075,989	2,219,023	2,378,841
Capital Outlay	0	0	0	0
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Total Leisure Time Activities	\$ 30,126,155	\$ 31,120,955	\$ 34,343,778	\$ 35,684,292
Community Environment (Service)				
Salaries and Wages	\$ 13,985,926	\$ 13,106,756	\$ 13,847,083	\$ 14,476,839
Employee Benefits	6,346,135	6,833,833	6,857,959	7,100,118
Training and Professional Dues	7,624	13,761	11,500	11,845
Utilities	375,682	671,211	496,443	507,278
Contractual Services	6,136,153	7,201,900	6,671,035	7,589,259
Material and Supplies	134,094	142,965	254,708	262,350
Maintenance	143,402	130,163	145,650	150,020
Claims, Refunds and Misc.	960	4,378	2,000	2,000
Inter-departmental Services	2,305,225	2,252,443	2,448,263	2,659,942
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Total Community Environment	\$ 29,435,201	\$ 30,357,410	\$ 30,734,641	\$ 32,759,651
Legal/Financial Administration				
Salaries and Wages	\$ 6,188,749	\$ 6,268,092	\$ 6,884,452	\$ 7,172,521
Employee Benefits	1,589,277	1,663,857	1,902,326	1,989,342
Training and Professional Dues	95,369	103,135	87,772	90,406
Contractual Services	1,175,267	2,250,930	1,486,510	1,547,378
Material and Supplies	99,545	97,624	114,494	127,929
Maintenance	10,526	37,513	48,592	50,051
Claims, Refunds and Misc.	958,813	1,114,876	937,350	937,350
Inter-departmental Services	713,598	375,283	419,510	426,289
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Total Legal/Financial Administration	\$ 10,831,144	\$ 11,911,310	\$ 11,881,006	\$ 12,341,266
Urban Planning & Development (CD, ED, Harbors)				
Salaries and Wages	\$ 4,640,619	\$ 4,642,523	\$ 5,200,076	\$ 5,336,867
Employee Benefits	1,516,897	1,484,944	1,636,978	1,698,655
Training and Professional Dues	15,903	13,044	11,085	11,418
Contractual Services	101,256	107,447	333,037	343,028
Material and Supplies	54,116	84,679	72,285	74,454
Maintenance	6,937	5,822	10,971	11,300
Claims, Refunds and Misc.	724	32,307	3,000	3,000
Inter-departmental Services	785,461	1,161,818	563,678	595,124
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Total Urban Planning & Development	\$ 7,121,913	\$ 7,532,584	\$ 7,831,110	\$ 8,073,846
General Government				
Salaries and Wages	\$ 16,507,596	\$ 17,363,062	\$ 19,089,402	\$ 19,799,527
Employee Benefits	4,869,108	4,755,142	5,292,761	5,543,610

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
Training and Professional Dues	137,187	125,326	163,275	168,174
Contractual Services	3,335,006	3,260,315	3,469,156	3,556,202
Material and Supplies	343,477	366,852	466,966	481,276
Maintenance	209,743	218,806	232,620	254,589
Claims, Refunds and Misc.	0	12,500	0	0
Inter-departmental Services	930,758	925,874	1,008,541	990,712
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Total General Government	\$ 26,332,875	\$ 27,027,877	\$ 29,722,721	\$ 30,794,090
Non-Departmental				
Transfers (Interfund Subsidies)	\$ 12,204,749	\$ 17,584,946	\$ 26,257,191	\$ 28,478,924
Training and Professional Dues	177,464	210,148	133,238	237,738
Utilities	8,174,698	8,578,198	8,720,000	8,925,000
Contractual Services	3,390,774	4,054,523	4,391,003	4,891,912
Maintenance	45,000	0	0	0
Claims, Refunds and Misc.	8,153	0	0	0
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Total Other Uses of Funds	\$ 24,000,838	\$ 30,427,815	\$ 39,501,432	\$ 42,533,574
TOTAL EXPENDITURES	\$ 346,159,411	\$ 366,659,252	\$ 391,010,536	\$ 410,920,368
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Revenues over/(under) Expenditures	\$ (375,484)	\$ (436,285)	\$ (421,691)	\$ (17,447,548)
Decertifications	\$ 427,973	\$ 552,121	\$ 0	\$ 0
Beginning Unencumbered Balance	\$ 315,490	\$ 367,979	\$ 483,815	\$ 62,124
Estimated Ending Unencumbered Fund Balance	\$ 367,979	\$ 483,815	\$ 62,124	\$ (17,385,424)
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LEGISLATIVE BRANCH				
Council and Clerk of Council	\$ 2,905,673	\$ 3,122,562	\$ 3,474,942	\$ 3,631,921
I Personnel	1,968,701	2,077,740	2,314,442	2,434,889
II Other	936,972	1,044,822	1,160,500	1,197,032
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Total Legislative Branch	\$ 2,905,673	\$ 3,122,562	\$ 3,474,942	\$ 3,631,921
MUNICIPAL COURT				
Judicial Division	\$ 9,530,968	\$ 10,283,726	\$ 11,607,841	\$ 12,033,477
I Personnel	8,091,808	9,018,390	10,138,564	10,491,090
II Other	1,439,160	1,265,336	1,469,277	1,542,387
Clerks Division	6,553,064	6,186,040	6,358,566	6,494,556
I Personnel	4,963,313	4,620,121	4,849,313	5,004,336
II Other	1,589,751	1,565,919	1,509,253	1,490,220
Housing Division	1,091,256	1,151,544	1,447,794	1,500,089
I Personnel	1,033,101	1,109,527	1,394,777	1,443,667
II Other	58,155	42,017	53,017	56,422
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Total Municipal Court	\$ 17,175,288	\$ 17,621,310	\$ 19,414,201	\$ 20,028,122
EXECUTIVE BRANCH				
Office of the Mayor	\$ 1,505,318	\$ 1,525,952	\$ 1,686,991	\$ 1,753,419
I Personnel	1,291,902	1,316,603	1,461,057	1,510,168
II Other	213,416	209,349	225,934	243,251
Public Safety				
Public Safety Administration	\$ 10,860,052	\$ 10,230,819	\$ 10,591,113	\$ 10,741,534
I Personnel	9,905,759	9,517,318	9,824,815	9,944,757
II Other	954,293	713,501	766,298	796,777
Division of Police	122,624,830	130,077,430	135,402,198	141,482,654
I Personnel	114,082,329	120,353,176	125,887,719	132,114,914
II Other	8,542,501	9,724,254	9,514,479	9,367,740
Division of Fire	60,496,206	63,341,421	64,323,042	67,174,273
I Personnel	58,533,507	61,230,749	61,945,353	64,685,568
II Other	1,962,699	2,110,672	2,377,689	2,488,705

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
Division of Emergency Medical Services	9,977,734	10,549,886	11,922,074	13,934,156
I Personnel	9,269,451	9,795,677	11,105,871	12,962,199
II Other	708,283	754,209	816,203	971,957
Division of Traffic Engineering	3,002,255	3,040,760	3,233,856	3,460,313
I Personnel	2,398,037	2,264,249	2,455,268	2,630,171
II Other	604,218	776,511	778,588	830,142
Division of Dog Pound	579,887	584,806	641,465	665,734
I Personnel	507,743	462,382	509,200	527,136
II Other	72,144	122,424	132,265	138,598
Total Public Safety	\$ 207,540,964	\$ 217,825,122	\$ 226,113,748	\$ 237,458,664
Community Relations Board	\$ 677,866	\$ 700,126	\$ 728,278	\$ 754,540
I Personnel	621,645	639,319	669,298	690,699
II Other	56,221	60,807	58,980	63,841
Public Service				
Public Service Administration	\$ 171,100	\$ 232,699	\$ 289,217	\$ 308,557
I Personnel	159,808	223,547	277,549	296,504
II Other	11,292	9,152	11,668	12,053
Division of Architecture	618,660	556,502	607,762	628,117
I Personnel	564,951	503,570	552,194	570,901
II Other	53,709	52,932	55,568	57,216
Division of Waste Collection and Disposal	24,169,815	25,259,925	25,200,994	26,789,572
I Personnel	15,435,074	15,194,571	15,744,964	16,200,648
II Other	8,734,741	10,065,354	9,456,030	10,588,924
Division of Engineering and Construction	4,475,626	4,308,284	4,636,668	5,033,405
I Personnel	4,172,228	4,018,900	4,130,335	4,508,904
II Other	303,398	289,384	506,333	524,501
Total Public Service	\$ 29,435,201	\$ 30,357,410	\$ 30,734,641	\$ 32,759,651
Parks, Recreation and Properties				
Parks, Recreation, and Properties Admin.	\$ 687,078	\$ 638,491	\$ 685,856	\$ 709,664
I Personnel	507,133	476,524	521,287	537,793
II Other	179,945	161,967	164,569	171,871
Division of Research, Planning, and Dev.	666,895	655,362	707,611	730,500
I Personnel	586,081	579,081	623,188	643,143
II Other	80,814	76,281	84,423	87,357
Division of Recreation	8,290,106	8,902,594	9,281,905	9,596,958
I Personnel	6,308,564	6,686,585	6,949,296	7,204,124
II Other	1,981,542	2,216,009	2,332,609	2,392,834
Division of Parking Facilities	1,013,781	961,157	1,010,916	1,046,694
I Personnel	947,958	925,569	975,116	1,007,630
II Other	65,823	35,588	35,800	39,064
Division of Property Management	7,054,093	8,335,459	10,026,144	10,497,227
I. Personnel	4,906,576	6,157,315	7,871,598	8,281,387
II Other	2,147,517	2,178,144	2,154,546	2,215,840
Division of Park Maintenance and Properties	12,414,202	11,627,892	12,631,346	13,103,249
I Personnel	9,905,858	8,907,274	9,576,735	9,886,698
II Other	2,508,344	2,720,618	3,054,611	3,216,551
Total Parks, Recreation and Properties	\$ 30,126,155	\$ 31,120,955	\$ 34,343,778	\$ 35,684,292
Boxing and Wrestling Commission	\$ 8,582	\$ 7,139	\$ 8,415	\$ 8,711
I Personnel	8,582	7,139	8,265	8,527
II Other	0	0	150	184

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
Urban Planning & Development				
Community Development				
Director's Office	\$ 86,091	\$ 95,837	\$ 97,604	\$ 100,650
I Personnel	86,091	95,837	97,604	100,650
Division of Administrative Services	74,571	79,604	82,642	85,183
I Personnel	74,571	79,604	82,642	85,183
Division of Rehabilitation and Conservation	71,185	0	0	0
I Personnel	71,185	0	0	0
Division of Redevelopment	37,793	0	0	0
I Personnel	37,793	0	0	0
Division of Building and Housing	5,769,926	6,173,902	5,833,350	6,064,940
I Personnel	4,880,834	4,804,107	5,128,853	5,324,577
II Other	889,092	1,369,795	704,497	740,363
Division of Neighborhood Services	0	73,710	75,996	78,958
I Personnel	0	73,710	75,996	78,958
Division of Neighborhood Development	448	37,761	494,409	456,354
I Personnel	448	37,761	244,409	198,854
II Other			250,000	257,500
Subtotal Community Development	\$ 6,040,014	\$ 6,460,814	\$ 6,584,001	\$ 6,786,085
Regulatory Boards & Commissions				
Landmarks Commission	\$ 84,171	\$ 81,670	\$ 89,205	\$ 92,538
I Personnel	78,125	74,662	77,243	79,667
II Other	6,046	7,008	11,962	12,871
Bd. of Bldg. Standards and Appeals	120,479	84,746	110,642	114,206
I Personnel	109,429	78,759	96,422	99,526
II Other	11,050	5,987	14,220	14,680
Board of Zoning Appeals	237,153	236,699	245,696	245,103
I Personnel	219,706	221,942	225,805	224,634
II Other	17,447	14,757	19,891	20,469
Bd. of Examiners of Plumbers and Elect.	74,802	76,087	81,486	84,323
I Personnel	72,667	73,371	77,921	80,423
II Other	2,135	2,716	3,565	3,900
Fair Campaign Finance Commission	0	0	10,000	10,300
I Personnel	0	0	0	0
II Other	0	0	10,000	10,300
Total Regulatory Boards	\$ 516,605	\$ 479,202	\$ 537,029	\$ 546,470
Economic Development	\$ 1,025,683	\$ 1,016,500	\$ 1,190,569	\$ 1,229,425
I Personnel	950,378	981,177	1,151,010	1,188,964
II Other	75,305	35,323	39,559	40,461
Office of Equal Opportunity	\$ 509,802	\$ 467,749	\$ 474,082	\$ 543,055
I Personnel	397,764	405,080	386,969	451,126
II Other	112,038	62,669	87,113	91,929
City Planning Commission	\$ 1,015,378	\$ 1,101,343	\$ 1,152,378	\$ 1,243,383
I Personnel	963,657	1,038,440	1,091,336	1,180,657
II Other	51,721	62,903	61,042	62,726
Port Control-Harbor Development	\$ 56,215	\$ 55,270	\$ 56,540	\$ 58,336
I Personnel	56,215	55,270	56,540	58,336
II Other	0	0	0	0
Total Urban Planning & Development	\$ 9,163,697	\$ 9,580,878	\$ 9,994,599	\$ 10,406,754

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
Public Health				
Health Administration	\$ 280,563	\$ 215,198	\$ 288,789	\$ 300,868
I Personnel	163,654	109,648	167,067	176,447
II Other	116,909	105,550	121,722	124,421
Division of Correction	5,211,590	5,260,549	5,257,912	5,448,720
I Personnel	3,920,767	4,002,924	4,149,930	4,303,506
II Other	1,290,823	1,257,625	1,107,982	1,145,214
Division of Health	3,065,691	2,887,235	2,887,120	2,977,999
I Personnel	2,308,728	2,308,011	2,300,671	2,372,879
II Other	756,963	579,224	586,449	605,120
Division of The Environment	1,987,447	1,898,271	2,195,376	2,282,370
I Personnel	1,737,320	1,653,648	1,962,184	2,041,332
II Other	250,127	244,623	233,192	241,038
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Total Public Health	\$ 10,545,291	\$ 10,261,253	\$ 10,629,197	\$ 11,009,957
Aging				
Aging	\$ 225,030	\$ 194,926	\$ 252,903	\$ 265,028
I Personnel	166,427	150,498	199,336	208,769
II Other	58,603	44,428	53,567	56,259
SUPPORT FUNCTIONS				
Financial & Legal Administration				
Finance Department				
Director' s Office	\$ 598,771	\$ 339,445	\$ 289,820	\$ 295,511
I Personnel	512,730	297,894	238,970	241,488
II Other	86,041	41,551	50,850	54,023
Division of Accounts	1,097,496	949,365	1,043,513	1,092,907
I Personnel	658,030	614,113	706,678	733,201
II Other	439,466	335,252	336,835	359,706
Division of Assessments and Licenses	399,131	765,319	928,013	1,065,574
I Personnel	338,164	642,491	776,308	913,424
II Other	60,967	122,828	151,705	152,150
Division of Treasury	321,439	363,808	414,232	434,202
I Personnel	253,359	321,406	346,449	359,663
II Other	68,080	42,402	67,783	74,539
Division of Purchases and Supplies	613,615	608,198	649,857	679,490
I Personnel	506,109	514,035	551,889	570,192
II Other	107,506	94,163	97,968	109,298
Bureau of Internal Audit	229,204	214,274	400,107	413,566
I Personnel	113,545	94,538	170,117	176,773
II Other	115,659	119,736	229,990	236,793
Division of Financial Reporting and Control	1,092,660	914,598	951,840	980,088
I Personnel	860,053	838,718	851,440	876,111
II Other	232,607	75,880	100,400	103,977
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Total Finance Department	\$ 4,352,316	\$ 4,155,007	\$ 4,677,382	\$ 4,961,338
Office of Budget and Mgmt.-Budget Admin.	\$ 450,949	\$ 407,684	\$ 444,632	\$ 459,433
I Personnel	427,615	394,719	422,057	435,245
II Other	23,334	12,965	22,575	24,188
Law	6,027,879	7,348,619	6,758,992	6,920,495
I Personnel	4,108,421	4,214,033	4,722,870	4,855,766
II Other	1,919,458	3,134,586	2,036,122	2,064,729
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Total Finance & Legal Administration	\$ 10,831,144	\$ 11,911,310	\$ 11,881,006	\$ 12,341,266
PERSONNEL ADMINISTRATION				
Personnel	\$ 1,095,278	\$ 1,054,683	\$ 1,235,065	\$ 1,340,044
I Personnel	888,375	812,557	944,745	978,612
II Other	206,903	242,126	290,320	361,432

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
Civil Service Commission	923,086	947,811	1,011,340	944,425
I Personnel	667,929	624,547	646,006	665,116
II Other	255,157	323,264	365,334	279,309
Total Personnel Administration	\$ 2,018,364	\$ 2,002,494	\$ 2,246,405	\$ 2,284,469
NONDEPARTMENTAL				
County Auditor Deductions	\$ 844,999	\$ 772,392	\$ 857,000	\$ 1,228,210
II Other	844,999	772,392	857,000	1,228,210
Other Administrative	10,951,090	12,070,477	12,387,241	12,826,440
II Other	10,951,090	12,070,477	12,387,241	12,826,440
Total NonDepartmental	\$ 11,796,089	\$ 12,842,869	\$ 13,244,241	\$ 14,054,650
TOTAL SUPPORT FUNCTIONS	\$ 24,645,597	\$ 26,756,673	\$ 27,371,652	\$ 28,680,385
SUBSIDIES TO OTHER FUNDS	12,204,749	17,584,946	26,257,191	28,478,924
TOTAL GENERAL FUND EXPENDITURES	\$ 346,159,411	\$ 366,659,252	\$ 391,010,536	\$ 410,920,368
Excess (deficiency) of Revenues over Expenditures	(375,484)	(436,285)	(421,691)	(17,447,548)
Decertifications	427,973	552,121	0	0
UNENCUMBERED CASH				
Beginning Balance	315,490	367,979	483,815	62,124
Ending Balance	\$ 367,979	\$ 483,815	\$ 62,124	\$ (17,385,424)
SPECIAL REVENUE FUND GROUP				
RESTRICTED INCOME TAX FUND				
REVENUE				
LOCAL TAXES				
City Income Tax	\$ 24,537,721	\$ 26,144,185	\$ 26,928,512	\$ 27,467,083
Total Source	\$ 24,537,721	\$ 26,144,185	\$ 26,928,512	\$ 27,467,083
Total Revenues	\$ 24,537,721	\$ 26,144,185	\$ 26,928,512	\$ 27,467,083
EXPENDITURES				
II Other Operating Costs	\$ 24,716,049	\$ 25,373,130	\$ 27,697,867	\$ 27,479,099
Total Expenditures	\$ 24,716,049	\$ 25,373,130	\$ 27,697,867	\$ 27,479,099
Excess (deficiency) of Revenues over Expenditures	\$ (178,328)	\$ 771,055	\$ (769,355)	\$ (12,016)
Decertifications	57,060	1	0	0
UNENCUMBERED CASH				
Beginning Balance	131,583	10,315	781,371	12,016
Ending Balance	\$ 10,315	\$ 781,371	\$ 12,016	\$ 0
STREET CONSTRUCTION MAINTENANCE AND REPAIR				
REVENUES				
LICENSES & PERMITS				
Other Licenses & Permits	\$ 394,766	\$ 454,963	\$ 475,000	\$ 500,000
Total Source	\$ 394,766	\$ 454,963	\$ 475,000	\$ 500,000
INTERGOVERNMENTAL REVENUE				
Gasoline Excise Tax	\$ 5,955,801	\$ 5,892,558	\$ 5,900,000	\$ 5,850,000
Motor Vehicle License Tax	4,725,755	4,781,184	4,750,000	4,650,000
Total Source	\$ 10,681,556	\$ 10,673,742	\$ 10,650,000	\$ 10,500,000

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
SALES AND CHARGES FOR SERVICE				
Miscellaneous City Sales	\$ 17,525	\$ 2,250	\$ 20,000	\$ 20,000
Charges for Service	1,048,526	1,222,595	1,400,000	1,600,000
Commissions			100	100
Total Source	\$ 1,066,051	\$ 1,224,845	\$ 1,420,100	\$ 1,620,100
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 230	\$ 120	\$ 0	\$ 0
Total Source	\$ 230	\$ 120	\$ 0	\$ 0
TRANSFERS IN				
Subsidies from Other Funds	\$ 7,614,676	\$ 5,828,343	\$ 6,729,366	\$ 7,498,975
Total Source	\$ 7,614,676	\$ 5,828,343	\$ 6,729,366	\$ 7,498,975
EXPENDITURE RECOVERIES				
Damaged City Property Reimbursement	\$ 2,996	\$ (315)	\$ 0	\$ 0
Expenditure Recoveries	3,258,984	3,328,464	4,600,000	4,000,000
Total Source	\$ 3,261,980	\$ 3,328,149	\$ 4,600,000	\$ 4,000,000
Total Revenues	\$ 23,019,259	\$ 21,510,162	\$ 23,874,466	\$ 24,119,075
EXPENDITURES				
I Personnel Costs	\$ 13,013,943	\$ 12,143,323	\$ 12,677,057	\$ 13,077,712
II Other Operating Costs	10,039,610	9,446,931	11,197,409	11,041,363
Total Expenditures	\$ 23,053,553	\$ 21,590,254	\$ 23,874,466	\$ 24,119,075
Excess (deficiency) of Revenues over Expenditures	\$ (34,294)	\$ (80,092)	\$ 0	\$ 0
Decertifications	34,294	80,092	0	0
UNENCUMBERED CASH				
Beginning Balance	0	0	0	0
Ending Balance	\$ 0	\$ 0	\$ 0	\$ 0

SCHOOLS RECREATION AND CULTURAL ACTIVITIES FUND

REVENUES				
REVENUE TRANSFERS				
Revenue from other funds	\$ 0	\$ 0	\$ 2,000,000	\$ 2,000,000
Total Source	\$ 0	\$ 0	\$ 2,000,000	\$ 2,000,000
Total Revenues	\$ 0	\$ 0	\$ 2,000,000	\$ 2,000,000
EXPENDITURES				
II Other Operating Costs	\$ 0	\$ 0	\$ 2,000,000	\$ 2,000,000
Total Expenditures	\$ 0	\$ 0	\$ 2,000,000	\$ 2,000,000
Excess (deficiency) of Revenues over Expenditures	\$ 0	\$ 0	\$ 0	\$ 0
UNENCUMBERED CASH				
Beginning Balance	0	0	0	0
Ending Balance	\$ 0	\$ 0	\$ 0	\$ 0

DEBT SERVICE FUND

REVENUES				
SALES AND CHARGES FOR SERVICE				
Sales and Charges for Service	\$ 164	\$ 150	\$ 0	\$ 0
Total Source	\$ 164	\$ 150	\$ 0	\$ 0
REVENUE TRANSFERS				
Revenue from Other Funds	\$ 50,000	\$ 98,566	\$ 300,741	\$ 0
Total Source	\$ 50,000	\$ 98,566	\$ 300,741	\$ 0

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
TRANSFERS IN				
Subsidies from Other Funds	\$ 232,082	\$ 339,128	\$ 0	\$ 314,719
Total Source	\$ 232,082	\$ 339,128	\$ 0	\$ 314,719
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 112,000	\$ 0	\$ 130,177	\$ 150,000
Total Source	\$ 112,000	\$ 0	\$ 130,177	\$ 150,000
Total Revenues	\$ 394,246	\$ 437,844	\$ 430,918	\$ 464,719
EXPENDITURES				
I Personnel Costs	\$ 75,867	\$ 77,954	\$ 79,968	\$ 103,175
II Other Operating Costs	\$ 321,016	\$ 359,954	\$ 350,950	\$ 361,544
Total Expenditures	\$ 396,883	\$ 437,908	\$ 430,918	\$ 464,719
Excess (deficiency) of Revenues over Expenditures	\$ (2,637)	\$ (64)	\$ 0	\$ 0
Decertifications	0	0	0	0
UNENCUMBERED CASH				
Beginning Balance	2,701	64	0	0
Ending Balance	\$ 64	\$ 0	\$ 0	\$ 0
UNVOTED TAX SUPPORTED OBLIGATIONS				
REVENUES				
LOCAL TAXES				
Property Tax	\$ 20,173,811	\$ 20,939,325	\$ 20,684,557	\$ 20,891,402
Total Source	\$ 20,173,811	\$ 20,939,325	\$ 20,684,557	\$ 20,891,402
INTERGOVERNMENTAL REVENUE				
Grant Revenue	\$ 0	\$ 1,068,190	\$ 1,068,000	\$ 0
Total Source	\$ 0	\$ 1,068,190	\$ 1,068,000	\$ 0
MISCELLANEOUS REVENUE				
Interest Income	\$ 961,754	\$ 285,850	\$ 245,403	\$ 345,000
Revenue from Visitors Bureau	1,200,000	1,200,000	1,200,000	1,200,000
Total Source	\$ 2,161,754	\$ 1,485,850	\$ 1,445,403	\$ 1,545,000
REVENUE TRANSFERS				
Revenue from Bond Funds	\$ 38,258	\$ 0	\$ 0	\$ 3,000,000
Total Source	\$ 38,258	\$ 0	\$ 0	\$ 3,000,000
TRANSFERS IN				
Subsidies from Other Funds	\$ 10,999,999	\$ 10,450,000	\$ 11,800,000	\$ 10,250,000
Total Source	\$ 10,999,999	\$ 10,450,000	\$ 11,800,000	\$ 10,250,000
Total Revenues	\$ 33,373,822	\$ 33,943,365	\$ 34,997,960	\$ 35,686,402
EXPENDITURES				
II Other Operating Costs	\$ 33,182,285	\$ 33,960,155	\$ 35,421,605	\$ 35,823,760
Total Expenditures	\$ 33,182,285	\$ 33,960,155	\$ 35,421,605	\$ 35,823,760
Excess (deficiency) of Revenues over Expenditures	191,537	(16,790)	(423,645)	(137,358)
UNENCUMBERED CASH				
Beginning Balance	2,021,233	2,212,770	2,195,980	1,772,335
Ending Balance	\$ 2,212,770	\$ 2,195,980	\$ 1,772,335	\$ 1,634,977
REVENUES				
MISCELLANEOUS REVENUE				
Interest Income	\$ 39,121	\$ 63,446	\$ 34,785	\$ 8,428
Total Source	\$ 39,121	\$ 63,446	\$ 34,785	\$ 8,428
REVENUE TRANSFERS				
Revenue from Bond Funds	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
TRANSFERS IN				
Enterprise Debt Service	\$ 4,411,213	\$ 2,727,946	\$ 1,698,905	\$ 200,000
Total Source	\$ 4,411,213	\$ 2,727,946	\$ 1,698,905	\$ 200,000
Total Revenues	\$ 4,450,334	\$ 2,791,392	\$ 1,733,690	\$ 208,428
EXPENDITURES				
II Other Operating Costs	\$ 4,576,925	\$ 2,810,246	\$ 2,601,477	\$ 352,169
Total Expenditures	\$ 4,576,925	\$ 2,810,246	\$ 2,601,477	\$ 352,169
Excess (deficiency) of Revenues over Expenditures	(126,591)	(18,854)	(867,787)	(143,741)
UNENCUMBERED CASH				
Beginning Balance	1,181,791	1,055,200	1,036,346	168,559
Ending Balance	\$ 1,055,200	\$ 1,036,346	\$ 168,559	\$ 24,818

UNVOTED BOND & NOTE REDEMPTION OBLIGATIONS

REVENUES				
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 25,321,905	\$ 0	\$ 0	\$ 21,400,000
Interest Income	44,095	0	0	0
Total Source	\$ 25,366,000	\$ 0	\$ 0	\$ 21,400,000
Total Revenues	\$ 25,366,000	\$ 0	\$ 0	\$ 21,400,000
EXPENDITURES				
II Other Operating Costs	\$ 25,366,000	\$ 0	\$ 0	\$ 21,400,000
Total Expenditures	\$ 25,366,000	\$ 0	\$ 0	\$ 21,400,000
Excess (deficiency) of Revenues over Expenditures	\$ 0	\$ 0	\$ 0	\$ 0
UNENCUMBERED CASH				
Beginning Balance	0	0	0	0
Ending Balance	\$ 0	\$ 0	\$ 0	\$ 0

SUBORDINATED INCOME TAX BOND FUND

REVENUES				
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 1,690	\$ 11,742	\$ 0	\$ 0
Interest Income	2,211,039	5,236,299	5,202,176	5,400,000
Principal Payment				
Total Source	\$ 2,212,729	\$ 5,248,041	\$ 5,202,176	\$ 5,400,000
TRANSFERS IN				
Subsidies from Other Funds	\$ 0	\$ 0	\$ 0	\$ 0
Total Source	\$ 0	\$ 0	\$ 0	\$ 0
Total Revenues	\$ 2,212,729	\$ 5,248,041	\$ 5,202,176	\$ 5,400,000
EXPENDITURES				
II Other Operating Costs	\$ 1,821,449	\$ 4,673,852	\$ 5,350,647	\$ 5,400,000
Total Expenditures	\$ 1,821,449	\$ 4,673,852	\$ 5,350,647	\$ 5,400,000
Excess (deficiency) of Revenues over Expenditures	391,280	574,189	(148,471)	0
UNENCUMBERED CASH				
Beginning Balance	0	391,280	965,469	816,998
Ending Balance	\$ 391,280	\$ 965,469	\$ 816,998	\$ 816,998

RESERVE

REVENUES				
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 0	\$ 203,293	\$ 0	\$ 0
Interest Income	142,962	465,639	143,438	0
Total Source	\$ 142,962	\$ 668,932	\$ 143,438	\$ 0
Total Revenues	\$ 142,962	\$ 668,932	\$ 143,438	\$ 0

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
EXPENDITURES				
II Other Operating Costs	\$ 299,419	\$ 152,144	\$ 337,396	\$ 5,832,940
Total Expenditures	\$ 299,419	\$ 152,144	\$ 337,396	\$ 5,832,940
Excess (deficiency) of Revenues over Expenditures	\$ (156,457)	\$ 516,788	\$ (193,958)	\$ (5,832,940)
UNENCUMBERED CASH				
Beginning Balance	5,666,567	5,510,110	6,026,898	5,832,940
Ending Balance	\$ 5,510,110	\$ 6,026,898	\$ 5,832,940	\$ 0

**DEPARTMENT OF PUBLIC UTILITIES
UTILITIES GENERAL ADMINISTRATION**

REVENUES				
MISCELLANEOUS REVENUE				
Interest Income	\$ 7,881	\$ 19,571	\$ 10,581	\$ 12,000
Total Source	\$ 7,881	\$ 19,571	\$ 10,581	\$ 12,000
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 2,015,058	\$ 2,110,173	\$ 2,251,419	\$ 2,626,407
Total Source	\$ 2,015,058	\$ 2,110,173	\$ 2,251,419	\$ 2,626,407
Total Revenues	\$ 2,022,939	\$ 2,129,744	\$ 2,262,000	\$ 2,638,407
EXPENDITURES				
I Personnel Costs	\$ 494,232	\$ 623,521	\$ 736,462	\$ 761,908
II Other Operating Costs	108,945	130,919	208,157	214,215
Total Division	\$ 603,177	\$ 754,440	\$ 944,619	\$ 976,123

UTILITIES FISCAL CONTROL

I Personnel Costs	\$ 1,343,309	\$ 1,351,289	\$ 1,479,011	\$ 1,524,779
II Other Operating Costs	79,361	87,231	136,069	137,505
Total Division	\$ 1,422,670	\$ 1,438,520	\$ 1,615,080	\$ 1,662,284
Total Expenditures	\$ 2,025,847	\$ 2,192,960	\$ 2,559,699	\$ 2,638,407
Excess (deficiency) of Revenues over Expenditures	\$ (2,908)	\$ (63,216)	\$ (297,699)	\$ 0
Decertifications	6,436	6,314	0	0
UNENCUMBERED CASH				
Beginning Balance	630,798	634,326	577,424	279,725
Ending Balance	\$ 634,326	\$ 577,424	\$ 279,725	\$ 279,725

**DIVISION OF WATER
WATER GENERAL OPERATIONS**

REVENUES				
SALES AND CHARGES FOR SERVICE				
Water Sales	\$ 140,665,572	\$ 148,705,485	\$ 145,900,000	\$ 145,600,000
Water-Other Operating Revenues	8,964,277	8,607,873	8,300,000	8,300,000
Total Source	\$ 149,629,849	\$ 157,313,358	\$ 154,200,000	\$ 153,900,000
MISCELLANEOUS REVENUE				
Interest Income	\$ 6,397,898	\$ 7,114,114	\$ 7,700,000	\$ 8,000,000
Total Source	\$ 6,397,898	\$ 7,114,114	\$ 7,700,000	\$ 8,000,000
Total Revenues	\$ 156,027,747	\$ 164,427,472	\$ 161,900,000	\$ 161,900,000
EXPENDITURES				
I Personnel Costs	\$ 55,594,100	\$ 56,729,175	\$ 62,229,605	\$ 64,105,731
II Other Operating Costs	97,189,615	99,901,532	107,235,645	99,528,932
Total Expenditures	\$ 152,783,715	\$ 156,630,707	\$ 169,465,250	\$ 163,634,663
Expenditures	\$ 3,244,032	\$ 7,796,765	\$ (7,565,250)	\$ (1,734,663)
Decertifications	1,402,576	147	0	0

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
UNENCUMBERED CASH				
Beginning Balance	15,913,726	20,560,334	28,357,246	20,791,996
Ending Balance	\$ 20,560,334	\$ 28,357,246	\$ 20,791,996	\$ 19,057,333

DIVISION OF WATER POLLUTION CONTROL
WATER POLLUTION GENERAL OPERATIONS

REVENUES				
SALES AND CHARGES FOR SERVICE				
Water Pollution Control Sales	\$ 16,141,188	\$ 15,985,062	\$ 16,853,000	\$ 16,727,809
Total Source	\$ 16,141,188	\$ 15,985,062	\$ 16,853,000	\$ 16,727,809
MISCELLANEOUS REVENUE				
Sale of City Assets	\$ 22,056	\$ 0	\$ 0	\$ 0
Miscellaneous Revenue	0	0	0	0
Interest Income	591,401	971,240	374,809	500,000
Total Source	\$ 613,457	\$ 971,240	\$ 374,809	\$ 500,000
Total Revenues	\$ 16,754,645	\$ 16,956,302	\$ 17,227,809	\$ 17,227,809
EXPENDITURES				
I Personnel Costs	\$ 6,182,689	\$ 5,956,756	\$ 7,053,890	\$ 7,304,065
II Other Operating Costs	10,303,885	9,684,535	10,173,919	9,222,175
Total Expenditures	\$ 16,486,574	\$ 15,641,291	\$ 17,227,809	\$ 16,526,240
Excess (deficiency) of Revenues over Expenditures	\$ 268,071	\$ 1,315,011	\$ 0	\$ 701,569
Decertifications	396,532	41,378	0	0
UNENCUMBERED CASH				
Beginning Balance	1,481,153	2,145,756	3,502,145	3,502,145
Ending Balance	\$ 2,145,756	\$ 3,502,145	\$ 3,502,145	\$ 4,203,714

CLEVELAND PUBLIC POWER
CLEVELAND PUBLIC POWER GENERAL OPERATIONS

REVENUES				
SALES AND CHARGES FOR SERVICE				
C.P.P. Sales	\$ 76,212,729	\$ 93,748,755	\$ 112,989,615	\$ 117,556,560
Total Source	\$ 76,212,729	\$ 93,748,755	\$ 112,989,615	\$ 117,556,560
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 0	\$ 0	\$ 0	\$ 0
Interest Income	166,990	283,813	334,000	300,000
Total Source	\$ 166,990	\$ 283,813	\$ 334,000	\$ 300,000
Total Revenues	\$ 76,379,719	\$ 94,032,568	\$ 113,323,615	\$ 117,856,560
EXPENDITURES				
I Personnel Costs	\$ 18,645,514	\$ 20,821,791	\$ 22,611,270	\$ 23,336,840
II Other Operating Costs	58,604,226	72,809,515	90,338,253	95,936,370
Total Expenditures	\$ 77,249,740	\$ 93,631,306	\$ 112,949,523	\$ 119,273,210
Excess (deficiency) of Revenues over Expenditures	\$ (870,021)	\$ 401,262	\$ 374,092	\$ (1,416,650)
Decertifications	819,598	262,358	0	0
UNENCUMBERED CASH				
Beginning Balance	821,268	770,845	1,434,465	1,808,557
Ending Balance	\$ 770,845	\$ 1,434,465	\$ 1,808,557	\$ 391,907

DEPARTMENT OF PORT CONTROL
AIRPORT GENERAL OPERATIONS

REVENUES				
SALES AND CHARGES FOR SERVICES				
Charges for Service	\$ 3,100,509	\$ (5,820)	\$ 0	\$ 0
Airport Landing Fees	16,970,671	12,038,631	20,217,240	20,763,325
Airport Space Rentals	7,123,314	6,094,217	8,499,510	8,727,297
Airport Ground Rentals	530,215	493,254	556,370	571,280
Airport Concession Revenue	17,464,390	21,123,899	20,928,120	21,488,993
Airport Utility Sales	2,270,700	1,970,222	2,505,000	2,572,582
Airport Customs Fees	101,465	106,477	100,000	102,680
Total Source	\$ 47,561,264	\$ 41,820,880	\$ 52,806,240	\$ 54,226,157

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
MISCELLANEOUS REVENUE				
Sales of Capital Plant	\$ 0	\$ 0	\$ 0	\$ 0
Sale of City Assets	7,250	0	0	0
Miscellaneous Revenue	1,138,194	1,579,275	1,336,000	1,371,805
Small Claims	12,751	10,012	0	0
Interest Income	656,246	908,855	482,000	494,918
Total Source	\$ 1,814,441	\$ 2,498,142	\$ 1,818,000	\$ 1,866,723
EXPENDITURE RECOVERIES				
Damaged City Property Reimbursement	\$ 52,909	\$ 1,562	\$ 0	\$ 0
Total Source	\$ 52,909	\$ 1,562	\$ 0	\$ 0
Total Revenues	\$ 49,428,614	\$ 44,320,584	\$ 54,624,240	\$ 56,092,880
EXPENDITURES				
I Personnel Costs	\$ 13,667,436	\$ 13,363,196	\$ 15,550,812	\$ 16,120,336
II Other Operating Costs	31,433,769	35,338,064	39,073,428	39,972,544
Total Expenditures	\$ 45,101,205	\$ 48,701,260	\$ 54,624,240	\$ 56,092,880
Excess (deficiency) of Revenues over Expenditures	\$ 4,327,409	\$ (4,380,676)	\$ 0	\$ 0
Decertifications	226,176	709,404	0	0
UNENCUMBERED CASH				
Beginning Balance	4,939,850	9,493,435	5,822,163	5,822,163
Ending Balance	\$ 9,493,435	\$ 5,822,163	\$ 5,822,163	\$ 5,822,163

AIRPORT DEVELOPMENT FUND

REVENUES				
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 0	\$ 0	\$ 0	\$ 0
Interest Income	37,410	59,779	850,000	0
Total Source	\$ 37,410	\$ 59,779	\$ 850,000	\$ 0
Total Revenues	\$ 37,410	\$ 59,779	\$ 850,000	\$ 0
EXPENDITURES				
II Other Operating Costs	\$ 441,883	\$ 0	\$ 850,000	\$ 0
Total Expenditures	\$ 441,883	\$ 0	\$ 850,000	\$ 0
Excess (deficiency) of Revenues over Expenditures	\$ (404,473)	\$ 59,779	\$ 0	\$ 0
Decertifications	225,234	40,000	0	0
UNENCUMBERED CASH				
Beginning Balance	230,551	51,312	151,091	151,091
Ending Balance	\$ 51,312	\$ 151,091	\$ 151,091	\$ 151,091

DIVISION OF CEMETERIES
CEMETERIES GENERAL OPERATIONS

REVENUES				
SALES AND CHARGES FOR SERVICES				
Cemetery Fees	\$ 1,266,348	\$ 1,503,566	\$ 1,518,000	\$ 1,355,000
Total Source	\$ 1,266,348	\$ 1,503,566	\$ 1,518,000	\$ 1,355,000
MISCELLANEOUS REVENUE				
Sale of City Assets	\$ 7,337	\$ 0	\$ 0	\$ 0
Interest Income	164,108	110,296	117,500	117,500
Total Source	\$ 171,445	\$ 110,296	\$ 117,500	\$ 117,500
TRANSFERS IN				
Subsidies from Other Funds	\$ 433,655	\$ 108,055	\$ 226,901	\$ 463,376
Total Source	\$ 433,655	\$ 108,055	\$ 226,901	\$ 463,376
Total Revenues	\$ 1,871,448	\$ 1,721,917	\$ 1,862,401	\$ 1,935,876

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
EXPENDITURES				
I Personnel Costs	\$ 1,549,881	\$ 1,446,040	\$ 1,534,211	\$ 1,582,090
II Other Operating Costs	322,358	266,903	336,690	354,538
Total Expenditures	\$ 1,872,239	\$ 1,712,943	\$ 1,870,901	\$ 1,936,628
Excess (deficiency) of Revenues over Expenditures	\$ (791)	\$ 8,974	\$ (8,500)	\$ (752)
Decertifications	791	278	0	0
UNENCUMBERED CASH				
Beginning Balance	0	0	9,252	752
Ending Balance	\$ 0	\$ 9,252	\$ 752	\$ 0
GOLF COURSES				
REVENUES				
SALES AND CHARGES FOR SERVICES				
Charges for Service	\$ 1,255,194	\$ 1,314,128	\$ 1,320,000	\$ 1,325,000
Concession Revenue	268,210	448,134	458,000	518,000
Total Source	\$ 1,523,404	\$ 1,762,262	\$ 1,778,000	\$ 1,843,000
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 0	\$ 0	\$ 8,000	\$ 0
Interest Income	1,678	15,596	13,630	14,000
Total Source	\$ 1,678	\$ 15,596	\$ 21,630	\$ 14,000
Total Revenues	\$ 1,525,082	\$ 1,777,858	\$ 1,799,630	\$ 1,857,000
EXPENDITURES				
I Personnel Costs	\$ 263,332	\$ 795,895	\$ 905,365	\$ 936,359
II Other Operating Costs	1,161,860	846,180	894,265	917,224
Total Expenditures	\$ 1,425,192	\$ 1,642,075	\$ 1,799,630	\$ 1,853,583
Excess (deficiency) of Revenues over Expenditures	\$ 99,890	\$ 135,783	\$ 0	\$ 3,417
Decertifications	2,502	22,108	0	0
UNENCUMBERED CASH				
Beginning Balance	12,786	115,178	273,069	273,069
Ending Balance	\$ 115,178	\$ 273,069	\$ 273,069	\$ 276,486
MUNICIPAL PARKING LOTS				
REVENUES				
LOCAL TAXES				
Parking Tax	\$ 0	\$ 55,139	\$ 300,000	\$ 300,000
Total Source	\$ 0	\$ 55,139	\$ 300,000	\$ 300,000
SALES AND CHARGES FOR SERVICES				
Charges for Service	\$ 1,361,087	\$ 2,874,459	\$ 4,637,500	\$ 3,940,307
Concession Revenue	2,000	583	0	0
Rental of City Property	216,000	216,000	180,000	180,000
Total Source	\$ 1,579,087	\$ 3,091,042	\$ 4,817,500	\$ 4,120,307
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 34,721	\$ 352,240	\$ 0	\$ 0
Interest Income	83,621	655,191	110,000	240,800
Total Source	\$ 118,342	\$ 1,007,431	\$ 110,000	\$ 240,800
REVENUE TRANSFERS				
Revenue from General Fund	\$ 0	\$ 3,531,557	\$ 3,000,000	\$ 3,899,722
Revenue from Bond Funds	0	1,244,446	1,295,000	1,200,000
Total Source	\$ 0	\$ 4,776,003	\$ 4,295,000	\$ 5,099,722
EXPENDITURE RECOVERIES				
Damaged City Property Reimbursement	\$ 613	\$ 396	\$ 0	\$ 0
Expenditure Recoveries	403,793	394,020	523,842	328,595
Total Source	\$ 404,406	\$ 394,416	\$ 523,842	\$ 328,595
Total Revenues	\$ 2,101,835	\$ 9,324,031	\$ 10,046,342	\$ 10,089,424

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
EXPENDITURES				
I Personnel Costs	\$ 836,114	\$ 621,288	\$ 823,973	\$ 853,849
II Other Operating Costs	1,171,524	11,041,982	9,199,902	9,586,858
	\$ 2,007,638	\$ 11,663,270	\$ 10,023,875	\$ 10,440,707
Excess (deficiency) of Revenues over Expenditures	\$ 94,197	\$ (2,339,239)	\$ 22,467	\$ (351,283)
Decertifications	68	4,213	0	0
UNENCUMBERED CASH				
Beginning Balance	2,569,577	2,663,842	328,816	351,283
Ending Balance	\$ 2,663,842	\$ 328,816	\$ 351,283	\$ 0
REVENUES				
LOCAL TAXES				
Hotel Tax	\$ 2,236,465	\$ 2,694,961	\$ 2,695,000	\$ 2,875,000
Total Source	\$ 2,236,465	\$ 2,694,961	\$ 2,695,000	\$ 2,875,000
SALES AND CHARGES FOR SERVICE				
Charges for Service	\$ 229,203	\$ 340,017	\$ 230,000	\$ 249,000
Commissions	9,083	5,854	5,000	0
Rental of City Property	763,238	686,393	600,000	0
Convention Center Ticket Receipts	2,009,913	1,926,844	1,597,000	1,712,000
Total Source	\$ 3,011,437	\$ 2,959,108	\$ 2,432,000	\$ 1,961,000
MISCELLANEOUS REVENUE				
Sale of City Assets	\$ 0	\$ 75	\$ 0	\$ 0
Refunds	43,025	25	0	0
Miscellaneous Revenue	981	1,072	0	0
Interest Income	8,009	27,370	12,350	40,000
Total Source	\$ 52,015	\$ 28,542	\$ 12,350	\$ 40,000
TRANSFERS IN				
Subsidies from Other Funds	\$ 0	\$ 0	\$ 0	\$ 752,120
Total Source	\$ 0	\$ 0	\$ 0	\$ 752,120
EXPENDITURE RECOVERIES				
Damaged City Property Reimbursement	\$ 3,809	\$ 2,103	\$ 0	\$ 4,000
Expenditure Recoveries	440,846	372,726	447,010	335,000
Total Source	\$ 444,655	\$ 374,829	\$ 447,010	\$ 339,000
Total Revenues	\$ 5,744,572	\$ 6,057,440	\$ 5,586,360	\$ 5,967,120
EXPENDITURES				
I Personnel Costs	\$ 2,670,521	\$ 1,921,949	\$ 2,061,028	\$ 2,135,421
II Other Operating Costs	2,934,125	3,511,643	4,017,630	4,119,322
Total Expenditures	\$ 5,604,646	\$ 5,433,592	\$ 6,078,658	\$ 6,254,743
Excess (deficiency) of Revenues over Expenditures	\$ 139,926	\$ 623,848	\$ (492,298)	\$ (287,623)
Decertifications	6,235	9,912	0	0
UNENCUMBERED CASH				
Beginning Balance	0	146,161	779,921	287,623
Ending Balance	\$ 146,161	\$ 779,921	\$ 287,623	\$ 0
WEST SIDE MARKET				
REVENUES				
SALES AND CHARGES FOR SERVICE				
Rental of City Property	\$ 922,435	\$ 923,391	\$ 988,631	\$ 1,107,237
Total Source	\$ 922,435	\$ 923,391	\$ 988,631	\$ 1,107,237
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 7,827	\$ 7,444	\$ 6,150	\$ 4,000
Interest Income	5,136	11,101	4,000	10,000
Total Source	\$ 12,963	\$ 18,545	\$ 10,150	\$ 14,000

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 23,830	\$ 24,889	\$ 25,637	\$ 16,470
Total Source	\$ 23,830	\$ 24,889	\$ 25,637	\$ 16,470
Total Revenues	\$ 959,228	\$ 966,825	\$ 1,024,418	\$ 1,137,707
EXPENDITURES				
I Personnel Costs	\$ 343,815	\$ 340,262	\$ 378,699	\$ 392,812
II Other Operating Costs	526,787	579,628	737,072	754,062
Total Expenditures	\$ 870,602	\$ 919,890	\$ 1,115,771	\$ 1,146,874
Excess (deficiency) of Revenues over Expenditures	\$ 88,626	\$ 46,935	\$ (91,353)	\$ (9,167)
Decertifications	63	11	0	0
UNENCUMBERED CASH				
Beginning Balance	59,079	147,768	194,714	103,361
Ending Balance	\$ 147,768	\$ 194,714	\$ 103,361	\$ 94,194

EAST SIDE MARKET

REVENUES				
SALES AND CHARGES FOR SERVICE				
Charges for Services	\$ 0	\$ 0	\$ 184,288	\$ 271,705
Total Source	\$ 0	\$ 0	\$ 184,288	\$ 271,705
Total Revenues	\$ 0	\$ 0	\$ 184,288	\$ 271,705
EXPENDITURES				
I Personnel Costs	\$ 0	\$ 0	\$ 64,792	\$ 67,322
II Other Operating Costs	0	0	119,496	123,240
Total Expenditures	\$ 0	\$ 0	\$ 184,288	\$ 190,562
Excess (deficiency) of Revenues over Expenditures	\$ 0	\$ 0	\$ 0	\$ 81,143
Decertifications	0	0	0	0
UNENCUMBERED CASH				
Beginning Balance	0	0	0	0
Ending Balance	\$ 0	\$ 0	\$ 0	\$ 81,143

INTERNAL SERVICE FUND GROUP
TELEPHONE EXCHANGE

REVENUES				
SALES AND CHARGES FOR SERVICE				
Commissions	\$ 533,107	\$ 373,399	\$ 375,000	\$ 375,000
Total Source	\$ 533,107	\$ 373,399	\$ 375,000	\$ 375,000
MISCELLANEOUS REVENUE				
Interest Income	\$ 13,967	\$ 41,782	\$ 0	\$ 0
Total Source	\$ 13,967	\$ 41,782	\$ 0	\$ 0
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 4,301,702	\$ 4,105,922	\$ 3,660,278	\$ 3,863,609
Total Source	\$ 4,301,702	\$ 4,105,922	\$ 3,660,278	\$ 3,863,609
Total Revenues	\$ 4,848,776	\$ 4,521,103	\$ 4,035,278	\$ 4,238,609
EXPENDITURES				
I Personnel Costs	\$ 281,524	\$ 282,709	\$ 340,994	\$ 352,497
II Other Operating Costs	4,397,677	4,247,483	3,884,284	3,893,997
Total Expenditures	\$ 4,679,201	\$ 4,530,192	\$ 4,225,278	\$ 4,246,494
Excess (deficiency) of Revenues over Expenditures	\$ 169,575	\$ (9,089)	\$ (190,000)	\$ (7,885)
Decertifications	14,303	294	0	0
UNENCUMBERED CASH				
Beginning Balance	22,802	206,680	197,885	7,885
Ending Balance	\$ 206,680	\$ 197,885	\$ 7,885	\$ 0

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
INFORMATION SYSTEMS SERVICES				
REVENUES				
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 948	\$ 1,103	\$ 0	\$ 0
Interest Income	4,693	7,484	0	0
Total Source	\$ 5,641	\$ 8,587	\$ 0	\$ 0
TRANSFERS IN				
Subsidies from other funds	\$ 133,297	\$ 0	\$ 0	\$ 0
Total Source	\$ 133,297	\$ 0	\$ 0	\$ 0
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 2,938,793	\$ 2,692,685	\$ 2,952,414	\$ 3,207,390
Total Source	\$ 2,938,793	\$ 2,692,685	\$ 2,952,414	\$ 3,207,390
Total Revenues	\$ 3,077,731	\$ 2,701,272	\$ 2,952,414	\$ 3,207,390
EXPENDITURES				
I Personnel Costs	\$ 1,595,136	\$ 1,330,885	\$ 1,559,982	\$ 1,610,432
II Other Operating Costs	1,615,861	1,321,772	1,550,605	1,596,949
Total Expenditures	\$ 3,210,997	\$ 2,652,657	\$ 3,110,587	\$ 3,207,381
Excess (deficiency) of Revenues over Expenditures	\$ (133,266)	\$ 48,615	\$ (158,173)	\$ 9
Decertifications	23,679	109,549	0	0
Beginning Balance	109,587	0	158,164	(9)
Ending Balance	\$ 0	\$ 158,164	\$ (9)	\$ 0
MOTOR VEHICLE MAINTENANCE				
REVENUES				
SALES AND CHARGES FOR SERVICE				
Miscellaneous City Sales	\$ 525	\$ 350	\$ 500	\$ 500
Total Source	\$ 525	\$ 350	\$ 500	\$ 500
MISCELLANEOUS REVENUE				
Sale of City Assets	\$ 0	\$ 0	\$ 0	\$ 0
Miscellaneous Revenue	298	180	200	200
Interest Income	3,397	16,376	10,443	10,443
Total Source	\$ 3,695	\$ 16,556	\$ 10,643	\$ 10,643
EXPENDITURE RECOVERIES				
Damaged City Property Reimbursement	\$ 299	\$ 654	\$ 500	\$ 500
Expenditure Recoveries	12,952,576	12,363,510	13,472,735	14,631,784
Total Source	\$ 12,952,875	\$ 12,364,164	\$ 13,473,235	\$ 14,632,284
Total Revenues	\$ 12,957,095	\$ 12,381,070	\$ 13,484,378	\$ 14,643,427
EXPENDITURES				
I Personnel Costs	\$ 4,142,043	\$ 3,952,053	\$ 4,326,864	\$ 4,540,542
II Other Operating Costs	8,769,828	8,877,596	9,295,062	10,102,885
Total Expenditures	\$ 12,911,871	\$ 12,829,649	\$ 13,621,926	\$ 14,643,427
Excess (deficiency) of Revenues over Expenditures	\$ 45,224	\$ (448,579)	\$ (137,548)	\$ 0
Decertifications	197,262	236,946	0	0
UNENCUMBERED CASH				
Beginning Balance	106,695	349,181	137,548	0
Ending Balance	\$ 349,181	\$ 137,548	\$ 0	\$ 0
PRINTING AND REPRODUCTION				
REVENUES				
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 136	\$ 404	\$ 0	\$ 0
Interest Income	527	1,976	0	0
Total Source	\$ 663	\$ 2,380	\$ 0	\$ 0

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 712,075	\$ 684,854	\$ 796,500	\$ 1,178,652
Total Source	\$ 712,075	\$ 684,854	\$ 796,500	\$ 1,178,652
Total Revenues	\$ 712,738	\$ 687,234	\$ 796,500	\$ 1,178,652
EXPENDITURES				
I Personnel Costs	\$ 478,254	\$ 471,067	\$ 524,694	\$ 545,127
II Other Operating Costs	203,629	252,236	298,371	635,500
Total Expenditures	\$ 681,883	\$ 723,303	\$ 823,065	\$ 1,180,627
Excess (deficiency) of Revenues over Expenditures	\$ 30,855	\$ (36,069)	\$ (26,565)	\$ (1,975)
Decertifications	4,201	5,171	0	0
UNENCUMBERED CASH				
Beginning Balance	24,382	59,438	28,540	1,975
Ending Balance	\$ 59,438	\$ 28,540	\$ 1,975	\$ 0

CITY STOREROOM AND WAREHOUSE

REVENUES				
MISCELLANEOUS REVENUE				
Interest Income	\$ 389	\$ 1,081	\$ 0	\$ 0
Total Source	\$ 389	\$ 1,081	\$ 0	\$ 0
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 1,022,406	\$ 1,176,296	\$ 1,102,050	\$ 803,368
Total Source	\$ 1,022,406	\$ 1,176,296	\$ 1,102,050	\$ 803,368
Total Revenues	\$ 1,022,795	\$ 1,177,377	\$ 1,102,050	\$ 803,368
EXPENDITURES				
I Personnel Costs	\$ 161,549	\$ 136,836	\$ 94,808	\$ 97,106
II Other Operating Costs	889,944	1,041,765	1,008,000	713,138
Total Expenditures	\$ 1,051,493	\$ 1,178,601	\$ 1,102,808	\$ 810,244
Excess (deficiency) of Revenues over Expenditures	\$ (28,698)	\$ (1,224)	\$ (758)	\$ (6,876)
Decertifications	469	6,087	0	0
UNENCUMBERED CASH				
Beginning Balance	31,000	2,771	7,634	6,876
Ending Balance	\$ 2,771	\$ 7,634	\$ 6,876	\$ 0

CENTRAL COLLECTION AGENCY

REVENUES				
LOCAL TAXES				
City Income Tax	\$ 3,360,000	\$ 2,310,000	\$ 3,940,000	\$ 4,085,910
Total Source	\$ 3,360,000	\$ 2,310,000	\$ 3,940,000	\$ 4,085,910
MISCELLANEOUS REVENUE				
Miscellaneous Revenue	\$ 18,177	\$ 30,262	\$ 0	\$ 0
Total Source	\$ 18,177	\$ 30,262	\$ 0	\$ 0
EXPENDITURE RECOVERIES				
Expenditure Recoveries	\$ 1,440,000	\$ 990,000	\$ 1,693,000	\$ 1,755,695
Total Source	\$ 1,440,000	\$ 990,000	\$ 1,693,000	\$ 1,755,695
Total Revenues	\$ 4,818,177	\$ 3,330,262	\$ 5,633,000	\$ 5,841,605
EXPENDITURES				
I Personnel Costs	\$ 2,702,607	\$ 2,954,817	\$ 3,700,952	\$ 3,843,581
II Other Operating Costs	1,595,716	1,481,143	1,932,940	2,000,631
Total Expenditures	\$ 4,298,323	\$ 4,435,960	\$ 5,633,892	\$ 5,844,212
Excess (deficiency) of Revenues over Expenditures	\$ 519,854	\$ (1,105,698)	\$ (892)	\$ (2,607)
Decertifications	7,613	14,937	0	0

	1994 ACTUAL	1995 ACTUAL	1996 BUDGET	1997 TAX BUDGET
UNENCUMBERED CASH				
Beginning Balance	566,793	1,094,260	3,499	2,607
Ending Balance	\$ 1,094,260	\$ 3,499	\$ 2,607	\$ 0

STATEMENT OF PERMANENT IMPROVEMENT

Description	Estimated Cost of Permanent Improvement	Amount to be Budgeted During Current Year	Name of Paying Fund
Transportation Network	\$500,000	\$500,000	Restricted Income Tax
Vehicle Purchases & Leases	8,000,000	8,000,000	Restricted Income Tax
Major Equipment/Non-Vehicular Purchase & Lease	6,729,099	6,729,099	Restricted Income Tax
Public Buildings & Facilities	2,000,000	2,000,000	Restricted Income Tax
TOTAL	\$17,229,099	\$17,229,099	

STATEMENT OF AMOUNTS REQUIRED FOR PAYMENT OF FINAL JUDGMENTS

Description of Judgment	Amount of Judgment	Fund Paying Judgment
Employment	\$125,000	General Fund
Employment	116,000	General Fund
Employment	84,000	Enterprise Fund
TOTAL	\$325,000	

ISSUE DESCRIPTION	DEBT SERVICE DUE MONTH	ISSUE DATE	FINAL MATURITY	INTEREST RATE	BALANCE 12/31/96	***** PRINCIPAL	1997 INTEREST	***** TOTAL
UNVOTED SELF SUPPORTED G.O.								
AIRPORT IMPROVEMENT	MAY/NOV.	1974	1997	5.125%	\$335,000	\$335,000	\$17,169	\$352,169
TOTAL UNVOTED SELF SUPPORTED G.O.					\$335,000	\$335,000	\$17,169	\$352,169

ISSUE DESCRIPTION	DEBT SERVICE DUE MONTH	ISSUE DATE	FINAL MATURITY	INTEREST RATE	BALANCE 12/31/96	***** PRINCIPAL	1997 INTEREST	***** TOTAL
TOTAL								

UNVOTED TAX SUPPORTED G.O.

ADMIN. FACILITIES	FEB./AUG	1988	2009	7.50%	\$25,000	\$0	\$1,875	\$1,875
AUDITORIUM IMP	FEB./AUG	1977	2003	6.000%	\$420,000	\$60,000	\$25,200	\$85,200
BREAKWALL	FEB./AUG	1977	2003	6.000%	\$350,000	\$50,000	\$21,000	\$71,000
BREAKWALL	FEB./AUG	1977	2003	6.000%	\$570,000	\$85,000	\$34,200	\$119,200
BRIDGE IMPROVEMENTS	JUNE/DEC	1976	2003	7.000%	\$420,000	\$60,000	\$27,300	\$87,300
BRIDGE IMP	FEB./AUG	1977	2003	6.000%	\$140,000	\$20,000	\$8,400	\$28,400
BRIDGES & ROADWAYS	FEB./AUG	1988	2009	7.50%	\$350,000	\$0	\$26,250	\$26,250
BRIDGES & ROADWAYS	FEB./AUG	1987	2008	7.375%	\$375,000	\$0	\$27,656	\$27,656
BRIDGES & ROADWAYS	FEB./AUG	1986	2007	7.375%	\$665,000	\$665,000	\$49,044	\$714,044
BRIDGES & ROADWAYS	JAN./JULY	1989	2009	VAR	\$515,000	\$0	\$33,990	\$33,990
BRIDGES & ROADWAYS	JAN./JULY	1992	2009	VAR	\$8,945,000	\$375,000	\$545,980	\$920,980
BRIDGES & ROADWAYS	APR./OCT	1990	2008	VAR	\$1,085,000	\$0	\$73,237	\$73,237
BRIDGES & ROADWAYS	MAR./SEPT	1993	2009	VAR	\$7,905,000	\$455,000	\$392,769	\$847,769
BRIDGES & ROADWAYS	MAR./SEPT	1996	2013	VAR	\$17,835,000	\$690,000	\$459,661	\$1,149,661
BRIDGES & ROADWAYS	MAY/NOV	1994	2012	VAR	\$23,505,000	\$930,000	\$1,449,890	\$2,379,890
BUILDINGS & FACILITIES	MAY/NOV	1994	2018	VAR	\$9,630,000	\$220,000	\$614,518	\$834,518

ISSUE DESCRIPTION	DEBT SERVICE DUE MONTH	ISSUE DATE	FINAL MATURITY	INTEREST RATE	BALANCE 12/31/96	***** PRINCIPAL	1997 INTEREST	***** TOTAL
CEMETERY	APR/OCT	1991A	2001	VAR	\$620,000	\$110,000	\$37,895	\$147,895
CEMETERY IMPROVEMENT	JAN/JULY	1992	2002	VAR	\$1,170,000	\$170,000	\$65,820	\$235,820
CENTRAL POLICE HQ	JUNE/DEC	1976	1998	7.375%	\$1,420,000	\$710,000	\$78,543	\$788,543
CENTRAL POLICE HQ	JUNE/DEC	1976	2002	7.000%	\$1,570,000	\$260,000	\$100,800	\$360,800
CITY HALL IMP	FEB/AUG	1977	2000	6.000%	\$80,000	\$20,000	\$4,800	\$24,800
CITY'S PORTION CTS	JUNE/DEC	1976	2003	7.000%	\$1,645,000	\$235,000	\$106,925	\$341,925
CITY'S PORTION CTS	JUNE/DEC	1976	2003	7.000%	\$990,000	\$145,000	\$64,225	\$209,225
CITY'S PORTION PAVING	JUNE/DEC	1976	1998	7.000%	\$600,000	\$300,000	\$31,500	\$331,500
CITY'S PORTION PAVING	JUNE/DEC	1976	1997	7.375%	\$100,000	\$100,000	\$3,687	\$103,687
COMMUNITY SERVICE CTR	JUNE/DEC	1976	2000	7.000%	\$60,000	\$15,000	\$3,675	\$18,675
CONVENTION CENTER	JUNE/DEC	1984	2003	6.000%	\$1,225,000	\$175,000	\$73,500	\$248,500
CONVENTION CENTER	APR./OCT	1990	2010	VAR	\$280,000	\$0	\$18,900	\$18,900
CONVENTION CENTER	MAR./SEPT	1996	2015	VAR	\$2,010,000	\$65,000	\$52,351	\$117,351
CORRECTIONAL FACILITIES	FEB/AUG	1986	2007	7.375%	\$120,000	\$120,000	\$8,850	\$128,850
FIRE STATION	FEB/AUG	1977	2003	6.000%	\$280,000	\$40,000	\$16,800	\$56,800
FREEWAY	FEB/AUG	1977	2003	6.000%	\$350,000	\$50,000	\$21,000	\$71,000
HEALTH FACILITIES	FEB/AUG	1988	2009	7.50%	\$15,000	\$0	\$1,125	\$1,125
JUDGMENT BONDS	APR./OCT	1991C	2011	VAR	\$11,015,000	\$435,000	\$665,920	\$1,100,920
NEIGHBORHOOD DEVELOPMENT	MAR./SEPT	1996	2014	VAR	\$1,055,000	\$35,000	\$27,341	\$62,341
PARKS & RECREATION	MAY/NOV	1994	2012	VAR	\$6,155,000	\$140,000	\$392,790	\$532,790
PARKS & RECREATION	MAR./SEPT	1996	2015	VAR	\$5,045,000	\$165,000	\$131,391	\$296,391
PARK ACQUISITION	FEB/AUG	1977	2003	6.000%	\$70,000	\$10,000	\$4,200	\$14,200
PARK IMPROVEMENT	JUNE/DEC	1976	1997	7.375%	\$25,000	\$25,000	\$922	\$25,922
PARKING	FEB/AUG	1977	2002	6.000%	\$2,490,000	\$415,000	\$149,400	\$564,400
PAVING	FEB/AUG	1977	1998	6.000%	\$300,000	\$150,000	\$18,000	\$168,000
PUBLIC BUILDING IMP	JAN./JULY	1989	2009	VAR	\$1,685,000	\$0	\$111,210	\$111,210
PUBLIC FACILITIES	JAN./JULY	1992	2012	VAR	\$6,610,000	\$195,000	\$409,678	\$604,678
PUBLIC FACILITIES	MAR./SEPT	1993	2013	VAR	\$8,835,000	\$345,000	\$450,396	\$795,396
PUBLIC FACILITIES	MAR./SEPT	1996	2020	VAR	\$2,545,000	\$55,000	\$67,465	\$122,465
PUBLIC SERVICE	APR./OCT	1991A	2011	VAR	\$2,090,000	\$180,000	\$132,535	\$312,535
PUBLIC SERVICE	APR./OCT	1990	2010	VAR	\$995,000	\$0	\$67,162	\$67,162
PUBLIC SERVICE FACILITIES	FEB/AUG	1988	2009	7.50%	\$130,000	\$0	\$9,750	\$9,750
PUBLIC SERVICE FACILITIES	FEB/AUG	1986	2007	7.375%	\$50,000	\$50,000	\$3,688	\$53,688
PUBLIC SERVICE FACILITIES	FEB/AUG	1987	2008	7.375%	\$200,000	\$0	\$14,750	\$14,750
RECREATION FACILITIES	FEB/AUG	1987	2008	7.375%	\$145,000	\$0	\$10,694	\$10,694
RECREATION FACILITIES	FEB/AUG	1988	2009	7.50%	\$235,000	\$0	\$17,625	\$17,625
RECREATION FACILITIES	FEB/AUG	1986	2007	7.375%	\$80,000	\$80,000	\$5,900	\$85,900
RECREATION FACILITIES	APR./OCT	1991A	2008	VAR	\$1,760,000	\$95,000	\$113,045	\$208,045
RECREATION FACILITIES	APR./OCT	1990	2010	VAR	\$1,670,000	\$0	\$112,725	\$112,725
RECREATION FACILITIES	JAN./JULY	1992	2012	VAR	\$6,485,000	\$190,000	\$401,949	\$591,949
RECREATION FACILITIES	MAR./SEPT	1993	2012	VAR	\$3,460,000	\$150,000	\$175,470	\$325,470
RECREATION & PROPERTIES	FEB/AUG	1987	2008	7.375%	\$15,000	\$0	\$1,106	\$1,106
REFUNDING BONDS	JAN./JULY	1989	2009	VAR	\$14,775,000	\$3,490,000	\$975,055	\$4,465,055
REFUNDING BONDS	JAN./JULY	1992	2002	VAR	\$825,000	\$310,000	\$44,548	\$354,548
REFUNDING BONDS 1996	MAR./SEPT	1996	2002	VAR	\$15,650,000	\$4,255,000	\$775,135	\$5,030,135
REFUNDING BONDS-SERIES 1993	MAR./SEPT	1993	2011	VAR	\$90,595,000	\$990,000	\$4,628,160	\$5,618,160
REFUNDED CONVENTION CTR	APR./OCT	1991B	2011	VAR	\$9,975,000	\$855,000	\$632,570	\$1,487,570
RESIDENT REDEVELOPMENT	JAN./JULY	1992	2012	VAR	\$980,000	\$25,000	\$60,773	\$85,773
RESIDENT REDEVELOPMENT	MAY/NOV	1994	2018	VAR	\$995,000	\$25,000	\$63,454	\$88,454
SAFETY FACILITIES	FEB/AUG	1987	2008	7.375%	\$165,000	\$0	\$12,169	\$12,169
SAFETY FACILITIES	FEB/AUG	1988	2009	7.50%	\$265,000	\$0	\$19,875	\$19,875
SAFETY FACILITIES	FEB/AUG	1986	2007	7.375%	\$75,000	\$75,000	\$5,531	\$80,531
STREET IMPROVEMENT	FEB/AUG	1977	2000	6.000%	\$180,000	\$45,000	\$10,800	\$55,800
STREET IMPROVEMENT	FEB/AUG	1977	2000	6.000%	\$180,000	\$45,000	\$10,800	\$55,800
URBAN DEVELOPMENT	APR./OCT	1990	2010	VAR	\$150,000	\$0	\$10,125	\$10,125
URBAN DEVELOPMENT	APR./OCT	1991A	2011	VAR	\$420,000	\$35,000	\$26,630	\$61,630
URBAN RENEWAL/RES	MAR./SEPT	1993	2013	VAR	\$1,925,000	\$75,000	\$98,134	\$173,134
WATERWAY IMPROVEMENT	JAN./JULY	1989	2009	VAR	\$55,000	\$0	\$3,630	\$3,630
WEST SIDE MARKET	FEB/AUG	1986	2007	7.375%	\$50,000	\$50,000	\$3,688	\$53,688

UNVOTED TAX SUPPORTED TOTAL
 G.O. BONDS \$291,665,000 \$19,585,000 \$15,738,760 \$35,323,760

Section 2. That the Clerk of Council be and she hereby is directed to certify a copy of the resolution to the County Auditor of said 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.

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

Res. No. 1624-96.**By Councilman O'Malley.**

An emergency resolution declaring an emergency and urging the United States Congress and the President to reduce defense spending while maintaining federal programs which invest in the infrastructure and people of the community.

Whereas, no area in this country will remain prosperous unless the resources available to the federal government are invested in the infrastructure and people of the cities; and

Whereas, the United States National Security Committee on May 1, 1996 voted to give the Pentagon \$13 billion more than the \$254 billion requested by President Clinton for fiscal year 1997, most of it for a new weapons system, and all of this extra \$13 billion is at the expense of environmental, job training, housing, education and mass transit programs; and

Whereas, Council, as leaders of the City of Cleveland, urge prompt action by the President and members of Congress on a non-partisan basis to stop borrowing from our children and begin investing in the future, and we also urge a commitment to swift action on a fair and balanced budget that calls for all Americans to make shared sacrifices; and

Whereas, to enact a balanced plan, there must be these shared sacrifices by the American people to achieve fair and balanced deficit elimination, and all parts of the federal budget, including defense spending, must be on the table; and

Whereas, there can be no sacred cows in the process because there can be no equity if only half the federal budget is subject to deficit reduction; it is inequitable for the federal government to ask those with the least, including the elderly at risk, to pay a disproportionately high share to balance years of federal deficits and it is inequitable to provide new tax breaks until there is a clearly defined achievement, to which all Americans contribute, to reduce the deficit and national debt; and

Whereas, we, both community leaders and community residents, are stewards of the futures of our communities and therefore bear a high responsibility to ensure that every child has an opportunity to succeed and has a future unburdened of today's debts; 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 this Council hereby urges all members of the United States Congress and the President of the United States to, when considering federal budget resolutions, reduce defense spending and maintain environmental, job training, housing, education, mass transit and other programs which invest in the infrastructure and people of the country.

Section 2. That the Clerk of Council be and she is hereby directed to transmit copies of this resolution to the Northeast Ohio delegates of the United States Congress, to Senators John Glenn and Mike DeWine, to the Senate Majority Leader, Speaker of the House Newt Gingrich and to President Bill Clinton.

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 Director of Law; Committee on Finance.

Res. No. 1625-96.**By Councilman Paulenske (by request).**

An emergency resolution declaring the intention to vacate a portion of King Court N.E.

Whereas, this Council is satisfied that there is good cause for vacating a portion of King Court N.E., as hereinafter described, and

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

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

Section 1. That it hereby declares its intention to vacate: The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as being all that portion of:

KING COURT N.E. (16.5 feet wide), extending Easterly from the Easterly line of East 33rd Street (66.00 feet wide), to the Westerly line of East 38th Street (99.00 feet wide).

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

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

Res. No. 1626-96.**By Councilman Zeno.**

An emergency resolution urging the United States Congress to enact legislation which will prohibit states and political subdivisions from granting corporate tax abatement and to enact, as an alternative, programs and incentives to encourage corporations to relocate in areas with slum and blight conditions and high unemployment levels.

Whereas, many states have enacted laws which attempt to encourage corporations to locate in inner-city neighborhoods with high unemployment rates by means of offering corporate tax abatement; and

Whereas, these laws have been passed in the anticipation that employers would have an incentive to adapt outmoded buildings, improve inferior infrastructure and hire from the local population and help drive-down unemployment; and

Whereas, the reality of the use of corporate tax abatement has been very different than anticipated; and

Whereas, often these laws extend tax abatements to suburbs and rural areas with the result that tax abatements are no longer used only in declining cities; and

Whereas, these laws have enabled states and municipalities that do

not have large concentrations of poor and unemployed persons residing within their borders to attract businesses from states and municipalities which are economically disadvantaged; and

Whereas, corporate tax abatement shifts the property tax burden from abated corporations to non-abated small taxpayers, which means that long-term businesses will be paying a larger share of the property tax burden; and

Whereas, corporate tax abatement undercuts a local government's ability to provide basic services like education and public infrastructure; and

Whereas, by giving away property taxes on which public schools depend, cities almost guarantee to weaken the resource base for the schools, thereby weakening a key element which encourages business location; and

Whereas, corporate tax abatement pits city against city and state against state, to the detriment of all; and

Whereas, there are alternatives to corporate tax abatement which cities and states can invest in to benefit inner-city neighborhoods, such as worker training programs and grants offered to corporations who are willing to clean-up "brown-fields" in order to relocate to areas with slum and blight conditions; and

Whereas, since residential tax abatement helps restore urban areas, this Council emphasizes that it is only opposed to the continued availability of corporate tax abatement as provided in existing state law and supports the continued availability of residential tax abatement; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that corporate tax abatement is a tragic game where the only winners are the corporations, with the school systems, municipalities and states numbered among the losers; now, therefore,

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

Section 1. That this Council hereby urges the members of the United States Congress to enact legislation which will prohibit states and political subdivisions from granting corporate tax abatement.

Section 2. That this Council hereby further urges the United States Congress to enact, as an alternative to corporate tax abatement, programs and incentives to encourage corporations to relocate in areas with slum and blight conditions and high unemployment levels.

Section 3. That the Clerk of Council is hereby directed to transmit copies of this resolution to the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, and the members of the Congressional delegation from the Greater Cleveland area.

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.

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

**FIRST READING EMERGENCY
ORDINANCES READ IN FULL
AND PASSED**

**Ord. No. 1627-96.
By Councilmen Britt, Jackson,
Rybka and Rokakis (by departmental
request).**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2211, 2182 East 81 Street and 2175, 2214 East 80 Street to Fairfax Renaissance Development Corp.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-28-097, 119-28-109, 119-28-142, and 119-28-153, as more fully described in Section 2 below, to Fairfax Renaissance Development Corp.

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

P.P. No. 119-28-097

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 108 in The Curtiss-Ambler Realty Company's Subdivision of part of Original One Hundred Acre Lot No. 407 as shown by the recorded plat of said Subdivision in Volume 32 of Maps, Page 22 of Cuyahoga County Records. Said Sublot No. 108 has a frontage of 40 feet on the easterly side of East 81st Street, formerly 81st Street S.E., and extends back between parallel lines 101 50/100 feet, as appears by said plat.

Also subject to Zoning Ordinances, if any.

P.P. No. 119-28-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 92 in the Curtiss-Ambler Realty Company's Subdivision of part of Original 100 Acre Lot No. 407 as shown by this recorded plat in Volume 32 of Maps, Page 22 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 81st Street and extends back between parallel lines 101.5 feet deep as appears by said plat, be the same more or less but subject to all legal highways.

Also subject to Zoning Ordinances; if any.

P.P. No. 119-28-142

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 51 in the Curtiss-Ambler Realty Company's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 32 of Maps, Page 22 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 80th Street and extending back of equal width 101.50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P.P. No. 119-28-153

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 36 in the Curtiss-Ambler Realty Company's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 32 of Maps, Page 22 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 80th Street, and extending back of equal width 102 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

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

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

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

**Ord. No. 1628-96.
By Councilmen Coats and Rokakis
(by departmental request).**

An emergency ordinance to repeal Ordinance Nos. 873-96 and 874-96, passed June 10, 1996, relating to the levy of special assessments for the repair or improvement of underground vaults encroaching on the public right-of-way on Prospect Avenue from Ontario Street extend-

ing east to East 9th Street, except for the south side of Prospect Avenue between East 4th Street and East 6th Street, and on Huron Road from approximately 100 feet east of East 6th Street extending east to approximately 200 feet east of East 9th Street and on Prospect Avenue from East 9th Street extending east to East 55th Street, and on East 4th Street from Euclid Avenue extending south to Prospect Avenue in the City of Cleveland.

Whereas, in Ordinance No. 874-96, passed June 10, 1996, the Council of the City levied special assessments for the repair or improvement of underground vaults encroaching upon the public right-of-way on Prospect Avenue from Ontario Street extending east to East 9th Street and on Huron Road from East 6th Street extending east to approximately 200 feet east of East 9th Street in the City of Cleveland; and

Whereas, in Ordinance No. 873-96, passed June 10, 1996, the Council of the City levied special assessments for the repair or improvement of underground vaults encroaching upon the public right-of-way on Prospect Avenue from East 9th Street extending east to East 55th Street, and on East 4th Street from Euclid Avenue extending south to Prospect Avenue in the City of Cleveland;

Whereas, the actual cost of the special assessments has not been finally ascertained; 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 Ordinance No. 874-96, passed June 10, 1996 and Ordinance No. 873-96, passed June 10, 1996, are hereby repealed.

Section 2. That the Clerk of Council is hereby directed to file a certified copy of this ordinance with the Auditor of Cuyahoga County within twenty (20) days of the date of its passage.

Section 3. That the Commissioner of Assessments and Licenses is hereby directed to notify the affected property owners forthwith of the passage of this ordinance.

Section 4. That the Commissioner of Assessments and Licenses is directed to prepare revised assessments and file them in the Office of the Clerk of Council with all deliberate speed but in no event later than one year from the date of passage of this ordinance.

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

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. 1629-96.
By Councilman Jackson (by
departmental request).**

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1012-96, passed June 18, 1996, relating to a contract with Castle Precision Industries, or its designee.

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. 1012-96, June 18, 1996, are hereby amended to read, respectively, as follows:

Authorizing the Director of Economic Development to enter into a contract with Castle Precision Industries, or its designee, to provide economic development assistance to partially finance the acquisition of **land and building and the purchase of machinery and equipment** to produce aircraft landing gear, located at 12401 Taft Avenue, Cleveland, Ohio.

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Castle Precision Industries, or its designee, to provide economic development assistance to partially finance the acquisition of **land and building and the purchase of machinery and equipment** to produce aircraft landing gear, located at 12401 Taft Avenue, Cleveland, Ohio.

Section 2. That the existing title and Section 1 of Ordinance No. 1012-96, June 18, 1996, 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.

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. 1630-96.

By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of constructing Phase II of the Spring Road Relief Sewer project, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing Phase II of the Spring Road Relief Sewer project, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities is hereby authorized and directed to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however,

that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 23004.

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. 1631-96.

By Councilmen Melena and Westbrook.

An emergency ordinance consenting and approving the issuance of a permit for the Cleveland AIDS Walk on September 29, 1996, sponsored by the Health Issues Task Force of Cleveland.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Cleveland AIDS Walk Race, sponsored by the Health Issues Task Force of Cleveland, on September 29, 1996, beginning at Edgewater Park, through Edgewater Park to Edgewater Drive, west on Edgewater Drive to the Cleveland-Lakewood border, outside the City limits into the City of Lakewood, return back into Cleveland at West 117th Street and Clifton, east on Clifton to West Blvd., West Blvd. back into Edgewater Park 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. 1632-96.

By Councilman Paulenske.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Cleveland State University's Department of Student Life to stretch a banner across Euclid Avenue, between East 21st and East 22nd Streets, for the period from September 16, 1996 to September 28, 1996, inclusive, publicizing the Opening of the School Year to New and Returning Students.

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 Cleveland State University's Department of Student Life to install, maintain and remove a banner across Euclid Avenue, between East 21st and East 22nd Streets, (pole numbers B-65-21 and BO-21-14) for the period from September 16, 1996 to September 28, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 1634-96.

By Councilmen Paulenske and Smith.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to United Way Services to stretch banners on Euclid Ave. at E. 12th Street, in front of 419 Euclid Ave., on Carnegie Ave. at E. 9th Street by I-77/I-71, on Superior Ave. at W. Roadway, and on Lorain Ave. east of W. 26th Street for the period from October 1, 1996 to November 1, 1996, inclusive, publicizing its Fund-Raising Campaign.

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 United Way Services to install, maintain and remove banners on Euclid Ave. at E. 12th Street (pole numbers B62-4 and B63-4), in front of 419 Euclid Ave. (pole numbers B59-8 and B58-8), on Carnegie Ave. at E. 9th Street by I-77/I-71 (pole numbers B7-71 and B7-74), on Superior Ave. at W. Roadway (pole numbers B15-1 and B13-16), and on Lorain Ave. east of W. 26th Street for the period from October 1, 1996 to November 1, 1996, inclusive. 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 to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which banners 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. 1635-96.

By Councilman Smith.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to St. Ignatius High School to stretch small flags on various light poles on Lorain Avenue, between W. 28th and W. 30th Streets, for the period from September 15, 1996 to October 15, 1996, inclusive, publicizing its Reunion and Cleveland's Bicentennial.

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 St. Ignatius High School to install, maintain and remove small flags on various light poles on Lorain Avenue, between W. 28th and W. 30th Streets, for the period from September 15, 1996 to October 15, 1996, inclusive. Said small flags shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which small flags will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or

permitted on said small flags and said small flags 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. 1636-96.

By Councilman White.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Cornerstone Missionary Baptist Church to stretch a banner in front of the church, 8915 Miles Park, for the period from September 10, 1996 to October 10, 1996, inclusive, publicizing its Revival.

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 Cornerstone Missionary Baptist Church to install, maintain and remove a banner in front of the church, 8915 Miles Park, for the period from September 10, 1996 to October 10, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 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. 1637-96.

By Councilman Britt.

An emergency resolution to amend Section 1 of Res. No. 1493-96 objecting to the renewal of a Liquor Permit at 8502 Quincy Avenue.

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 Section 1 of Res. No. 1493-96, adopted August 14, 1996, be and the same is hereby amended to read as follows:

"Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2455445, owned by Quincy Savor, 8502 Quincy Avenue, Cleveland, Ohio 44104, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code."

Section 2. That Section 1 of Res. No. 1493-96, adopted August 14, 1996, be and the same is hereby repealed.

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. 1638-96.

By Councilman Britt.

An emergency resolution to amend Section 1 of Res. No. 1494-96 objecting to the renewal of a Liquor Permit at 8624 Cedar Avenue.

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 Section 1 of Res. No. 1494-96, adopted August 14, 1996, be and the same is hereby amended to read as follows:

"Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 3657326, owned by All American Food Market, 8624 Cedar Avenue, Cleveland, Ohio 44104, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code."

Section 2. That Section 1 of Res. No. 1494-96, adopted August 14, 1996, be and the same is hereby repealed.

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. 1639-96.**By Councilman Miller.****An emergency resolution to amend Section 1 of Res. No. 1501-96 objecting to the renewal of a Liquor Permit at 13840 Bellaire Road.**

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 Section 1 of Res. No. 1501-96, adopted August 14, 1996, be and the same is hereby amended to read as follows:

"Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 7707800, owned by Sam's Bellaire Mini Mart Inc., dba Sam's Mini Mart, 13840 Bellaire Road, Cleveland, Ohio 44135, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code."

Section 2. That Section 1 of Res. No. 1501-96, adopted August 14, 1996, be and the same is hereby repealed.

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. 1640-96.**By Councilman Miller.****An emergency resolution to amend Section 1 of Res. No. 1502-96 objecting to the renewal of a Liquor Permit at 16120 Brookpark Road.**

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 Section 1 of Res. No. 1502-96, adopted August 14, 1996, be and the same is hereby amended to read as follows:

"Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 6703214, owned by Parkbrook Inc., 16120 Brookpark Road, Cleveland, Ohio 44135, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code."

Section 2. That Section 1 of Res. No. 1502-96, adopted August 14, 1996, be and the same is hereby repealed.

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. 1641-96.**By Councilman O'Malley.****An emergency resolution to amend Section 1 of Res. No. 1518-96 objecting to the renewal of a Liquor Permit at 6125 Denison Avenue.**

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 Section 1 of Res. No. 1518-96, adopted August 14, 1996, be and the same is hereby amended to read as follows:

"Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 0699142, owned by Big O Inc., 6125 Denison Avenue, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code."

Section 2. That Section 1 of Res. No. 1518-96, adopted August 14, 1996, be and the same is hereby repealed.

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. 1642-96.**By Councilman O'Malley.****An emergency resolution to amend the Title and Section 1 of Res. No. 1522-96 objecting to the renewal of a Liquor Permit at 4484-88 State Road.**

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

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

Section 1. That the Title and Section 1 of Res. No. 1522-96, adopted August 14, 1996, be and the same is hereby amended to read as follows:

"An Emergency Resolution objecting to the renewal of a Liquor Permit at 4484-88 State Road."

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2589593-0001, owned by Evelyn E. Kinsey Inc., DBA Paradise Inn, 4484-88 State Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code."

Section 2. That the Title and Section 1 of Res. No. 1522-96, adopted August 14, 1996, be and the same is hereby repealed.

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. 1643-96.**By Councilman O'Malley.****An emergency resolution with-drawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4533 State Road, and repealing Res. No. 1504-96, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 4533 State Road by Res. No. 1504-96, adopted August 14, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4533 State Road be and the same is hereby withdrawn and Res. No. 1504-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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. 1644-96.**By Councilman Paulenske.****An emergency resolution objecting to the transfer of ownership of a C1 and C2X Liquor Permit to 3291 East 49th Street.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 62196230005, Husam R. Muhammad, dba Sunshine Market, 3291 East 49th Street, Cleveland, Ohio 44127, to Permit No. 4636771, Kimberly Inc., dba F & H Market, 3291 East 49th Street, Cleveland, Ohio 44127; and

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

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard

of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 62196230005, Husam R. Muhammad, dba Sunshine Market, 3291 East 49th Street, Cleveland, Ohio 44127, to Permit No. 4636771, Kimberly Inc., dba F & H Market, 3291 East 49th Street, Cleveland, Ohio 44127, 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. 1645-96.

By Councilman Paulenske.

An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 5238 St. Clair Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 8789616, Tom & Tang Company, 5238 St. Clair Avenue, first floor and basement, Cleveland, Ohio 44103, to Permit No. 9693968, Wing San Inc., dba Golden House Restaurant, 5238

St. Clair Avenue, 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 D5 and D6 Liquor Permit from Permit No. 8789616, Tom & Tang Company, 5238 St. Clair Avenue, first floor and basement, Cleveland, Ohio 44103, to Permit No. 9693968, Wing San Inc., dba Golden House Restaurant, 5238 St. Clair Avenue, 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. 1646-96.

By Councilman Polensek.

An emergency resolution to amend Section 1 of Res. No. 1512-96

objecting to the renewal of a Liquor Permit at 15610 Lakeshore Blvd.

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 Section 1 of Res. No. 1512-96, adopted August 14, 1996, be and the same is hereby amended to read as follows:

"Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 7152011, owned by Sunoco Food Mart, 15610 Lakeshore Blvd., Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code."

Section 2. That Section 1 of Res. No. 1512-96, adopted August 14, 1996, be and the same is hereby repealed.

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. 1647-96.

By Councilman Rokakis.

An emergency resolution withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit to 5200 Memphis Avenue, and repealing Res. No. 1367-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D5 and D6 Liquor Permit to 5200 Memphis Avenue by Res. No. 1367-96, adopted July 17, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a D5 and D6 Liquor Permit to 5200 Memphis Avenue be and the same is hereby withdrawn and Res. No. 1367-96, 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. 1648-96.**By Councilman Rybka.**

An emergency resolution to amend Section 1 of Res. No. 1531-96 objecting to the renewal of a Liquor Permit at 6557 Broadway Avenue.

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 Section 1 of Res. No. 1531-96, adopted August 14, 1996, be and the same is hereby amended to read as follows:

"Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8200744, owned by Key Beverage, 6557 Broadway Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code."

Section 2. That Section 1 of Res. No. 1531-96, adopted August 14, 1996, be and the same is hereby repealed.

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. 1649-96.**By Councilman Westbrook.**

An emergency resolution to amend Section 1 of Res. No. 1544-96 objecting to the renewal of a Liquor Permit at 8601 Detroit Avenue.

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 Section 1 of Res. No. 1544-96, adopted August 14, 1996, be and the same is hereby amended to read as follows:

"Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2682528, owned by Feras Corp. and Salwa Sou Sou, 8601 Detroit Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code."

Section 2. That Section 1 of Res. No. 1544-96, adopted August 14, 1996, be and the same is hereby repealed.

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. 1650-96.**By Councilman White.**

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 10808 Dove Avenue, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 64143750010, Nile Star Inc., dba Sav Way Mini Market II, 10808 Dove Avenue, first floor and basement, Cleveland, Ohio 44105, to Permit No. 2287731, Dove Co., dba Sav Way Mini Market II, 10808 Dove Avenue, first floor and basement, Cleveland, Ohio 44105; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 64143750010, Nile Star Inc., dba Sav Way Mini Market II, 10808 Dove Avenue, first floor and basement, Cleveland, Ohio 44105, to Permit No. 2287731, Dove Co., dba Sav Way Mini Market II, 10808 Dove Avenue, first floor and basement, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two

copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

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

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

Res. No. 1651-96.**By Councilman White.**

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 12401 Corlett Avenue, first floor, and repealing Res. No. 1063-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 12401 Corlett Avenue, first floor, by Res. No. 1063-96, adopted June 3, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 12401 Corlett Avenue, first floor, be and the same is hereby withdrawn and Res. No. 1063-96, 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. 1652-96.**By Councilman Willis.**

An emergency resolution to repeal Res. No. 1547-96 objecting to the renewal of a Liquor Permit at 422 Eddy Road.

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 Res. No. 1547-96, adopted August 14, 1996, objecting to the renewal of a liquor permit at 422 Eddy Road, be and the same is hereby repealed.

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.

SECOND READING EMERGENCY ORDINANCES

Ord. No. 1162-96.

By Councilman Coats.

An emergency ordinance to amend Section 305.99 of the Codified Ordinances of Cleveland, Ohio, 1976; and to repeal Section 305.09 thereof, both as amended by Ordinance No. 535-51, passed December 10, 1951; relating to the notice of failure to display building numbering and the penalty therefor.

Approved by Directors of Public Service, Finance, Law; Recommended by Committees on Public Service, Legislation, Finance, when amended as follows:

1. In Section 1, at Section 305.99, line 2, before "Whoever" insert "(a); in line three, strike "or 305.08"; and at the end, add the following new paragraph:

"(b) Whoever fails to comply with the provision of Section 305.08 shall be fined not less than one hundred fifty dollars (\$150.00) and not more than two hundred dollars (\$200.00)."

2. After Section 1, insert new Section 2 to read as follows:

"Section 2. The Administration is urged to notify the public about the need to display proper building numbers, and about the increased penalties provided in this ordinance for defacing or failing to display them, by including a notice with applications for certificates of occupancy and by broadcasting Channel 35 public television announcements."

3. Renumber existing Sections 2 and 3 to read "Section 3" and "Section 4", respectively.

Amendments agreed to.

Ord. No. 1222-96.

By Councilman Westbrook.

An emergency ordinance determining the need to develop programs to combat the proliferation of broken glass and other litter in City neighborhoods and authorizing the President of Council, on behalf of the Council, to accept gifts and grants in conjunction with litter control programs and the implementation of programs developed by the Council to combat litter.

Approved by Director of Law; Recommended by Committee on Finance.

Ord. No. 1316-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 158-96, passed March 4, 1996, relating to the purchase by contract of maintenance for a mainframe computer system and associated appurtenances.

Approved by Director of Law; Recommended by Committee on Finance.

Ord. No. 1437-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of one hydraulic side-dumping trailer with steel bins, for the Division of Waste Collection and Disposal, Department of Public Service.

Approved by Directors of Public Service, Finance, Law; Recommended by Committees on Public Service, Finance.

Ord. No. 1438-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of one aluminum gravity dump trailer, for the Division of Waste Collection and Disposal, Department of Public Service.

Approved by Directors of Public Service, Finance, Law; Recommended by Committees on Public Service, Finance.

Ord. No. 1556-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of manufacturing, printing, encoding, sorting, and mailing of income tax statements and returns, for the Division of Taxation, Department of Finance, for a period not to exceed two years.

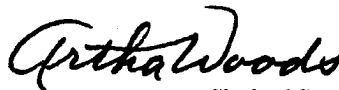
Approved by Director of Law; Recommended by Committee Finance.

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried, that the absence of Councilwoman Pat Britt and Councilman Edward Rybka be and is hereby authorized.

MOTION

The Council adjourned at 8:45 p.m. to meet on Monday, September 16, 1996 at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

ORDINANCES

Ord. No. 1162-96.

By Councilman Coats.

An emergency ordinance to amend Section 305.99 of the Codified Ordinances of Cleveland, Ohio, 1976; and to repeal Section 305.09 thereof, both as amended by Ordinance No. 535-51, passed December 10, 1951; relating to the notice of failure to display building numbering and the penalty therefor.

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 305.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by

Ordinance No. 535-51, passed December 10, 1951, is hereby amended to read as follows:

Section 305.99 Penalty

(a) Whoever fails to comply with the provisions of Sections 305.05 shall be guilty of a minor misdemeanor and shall be fined not less than seventy-five dollars (\$75.00) and not more than one hundred dollars (\$100.00).

(b) Whoever fails to comply with the provision of Section 305.08 shall be fined not less than one hundred fifty dollars (\$150.00) and not more than two hundred dollars (\$200.00).

Section 2. The Administration is urged to notify the public about the need to display proper building numbers, and about the increased penalties provided in this ordinance for defacing or failing to display them, by including a notice with applications for certificates of occupancy and by broadcasting Channel 35 public television announcements.

Section 3. That existing Sections 305.09 and 305.99 of the Codified Ordinances of Cleveland, Ohio, 1976, both as amended by Ordinance No. 535-51, passed December 10, 1951, are 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.

Ord. No. 1222-96.

By Councilman Westbrook.

An emergency ordinance determining the need to develop programs to combat the proliferation of broken glass and other litter in City neighborhoods and authorizing the President of Council, on behalf of the Council, to accept gifts and grants in conjunction with litter control programs and the implementation of programs developed by the Council to combat litter.

Ord. No. 1316-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 158-96, passed March 4, 1996, relating to the purchase by contract of maintenance for a mainframe computer system and associated appurtenances.

Ord. No. 1437-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of one hydraulic side-dumping trailer with steel bins, for the Division of Waste Collection and Disposal, Department of Public Service.

Ord. No. 1438-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of one aluminum gravity dump trailer, for the Division of Waste Collection and Disposal, Department of Public Service.

Ord. No. 1556-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of manufacturing, printing, encoding, sorting, and mailing of income tax statements and returns, for the Division of Taxation, Department of Finance, for a period not to exceed two years.

BOARD OF CONTROL

September 4, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 4, 1996, at 11:00 a.m., with Acting Mayor Sobol Jordan presiding.

Present: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Robinson, Ross, Director Nolan, Acting Director Balraj, Director Axelrod.

Absent: Director Hyer.

Others: Willie Williamson, Acting Commissioner, Purchases and Supplies, Linda Willis, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 591-96.

By Director Hyer,

Resolved by the Board of Control of the City of Cleveland that all bids received on August 21, 1996 for Paint and Paint Supplies (Automotive Paint) for the Various Divisions of City Government, Department of Finance, pursuant to the authority of Ordinance No. 642-96, passed by the Council of the City of Cleveland on May 13, 1996, be and the same are hereby rejected.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Robinson, Ross, Director Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent:None.

Resolution No. 592-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on July 3, 1996 for labor and materials to fabricate ring and pinion gears (all items) for the Division of Water, Department of Public Utilities, pursuant to the authority of Ordinance No. 314-96, passed by the Council of the City of Cleveland on May 6, 1996, be and the same are hereby rejected.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Robinson, Ross, Director Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent:None.

Resolution No. 593-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Avo International Inc. for an estimated quantity of high voltage test equipment, item nos. 2 thru 6 inclusive, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 21st day of March, 1996, pursuant to the authority of Ordinance No. 213-93, passed March 15, 1993, which on the basis of the estimated quantity would amount to One Hundred Thirty-Nine Thousand One Hundred Twenty and no/100 Dollars, (\$139,120.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is here-

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

Requisition No. 85091

which shall be certified against such contract in the sum of Thirty-Nine Thousand Two Hundred and no/100 Dollars, (\$39,200.00).

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

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Robinson, Ross, Director Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent:None.

Resolution No. 594-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Wesco Distribution, Inc. for an estimated quantity of FRE Duct and Fittings, item nos. 1 thru 24, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 30th day of May, 1996, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Forty-Seven Thousand Three Hundred Eighty-Two and 17/100 Dollars, (\$47,382.17), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 87106

which shall be certified against such contract in the sum of Two Thousand Five Hundred Eighty-Nine and no/100 Dollars, (\$2,589.00).

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

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Robinson, Ross, Director Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent:None.

Resolution No. 595-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Inc. for the following: two (2) mini vans and two (2) full size vans (items 1 and 2) for the Division of Water, Department of Public Utilities, received on the 24th day of July, 1996, pursuant to the authority of Ordinance No. 1228-95, passed

January 29, 1996, which on the basis of order quantities would amount to Eighty-Six Thousand Eight Hundred Fourteen Dollars, (\$86,814.00), (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.

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

SUBCONTRACTOR**WORK**

Logical Services

\$350.00 per unit
MBE

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Robinson, Ross, Director Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent:None.

Resolution No. 596-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Old Dominion Brush Co. for an estimated quantity of Gutterbrooms and Gutterbroom Refills (Item #1 Only) for the Division of Streets, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 11th day of July, 1996, pursuant to the authority of Ordinance No. 236-96, passed April 1, 1996, which on the basis of the estimated quantity would amount to approximately Eight Thousand Nine Hundred Thirty-Eight and no/100 Dollars, (\$8,938.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 95832

which shall be certified against such contract in the sum of Four Hundred Forty-Six and 90/100 Dollars, (\$446.90).

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

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Robinson, Ross, Director Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent:None.

Resolution No. 597-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of United Rotary Brush Corporation for an estimated quantity of Gutterbrooms and Gutterbroom Refills (Items #2 and #3) for the Division of Streets, Department of Public Ser-

vice, for the period of one (1) year beginning with the date of execution of a contract received on the 11th day of July, 1996, pursuant to the authority of Ordinance No. 236-96, passed April 1, 1996, which on the basis of the estimated quantity would amount to approximately Thirty-Five Thousand Nine Hundred Seventy and 40/100 Dollars, (\$35,970.40), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 95833 which shall be certified against such contract in the sum of One Thousand Seven Hundred Ninety-Eight and 52/100 Dollars, (\$1,798.52).

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

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Robinson, Ross, Director Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 598-96.

By Director Spellman.

Whereas, pursuant to the authority of Ordinance Nos. 1835-83, 1302-84, 2270-85 and 342-86, passed by the Council of the City of Cleveland on June 27, 1983, June 11, 1984, October 21, 1985 and February 10, 1986 respectively, and Resolution Nos. 0892-95 and 0285-96 adopted by this Board on December 6, 1995, and April 30, 1996 respectively, the City, through its Director of Parks, Recreation and Properties entered into City Contract No. 49456 with The Osborn Engineering Company ("Engineer") to provide the professional services necessary to perform an engineering study of the structural distress of the parapet stone facade at the Convention Center.

Whereas, the City has determined to expand the scope of work to include field observations of the entire facade to locate and quantify repairs, formulation of repair methods and details for tuckpointing mortar joints and repair of cracked and spelled stones, development of details for loose stones on the entire facade as well as details to secure cornice stone around the entire perimeter of the building, preparation of construction documents, and performance of construction supervision duties.

Whereas, Engineer has proposed by its letters dated July 8, 1996 and July 12, 1996, to perform the additional professional services necessary for this additional work; now therefore,

Be it resolved, by the Board of Control of the City of Cleveland that the Director of Parks, Recreation and Properties is hereby authorized to enter into a second Modification to City Contract No. 49456 with The Osborn Engineering Company on

the basis of Engineer's letters dated July 8, 1996 and July 12, 1996, to add the professional services necessary to include field observations of the entire facade to locate and quantify repairs, formulation of repair methods and details for tuckpointing mortar joints and repair of cracked and spelled stones, development of details for loose stones on the entire facade as well as details to secure cornice stone around the entire perimeter of the building, preparation of construction documents, and performance of construction supervision duties, and increasing the fees for such services by Forty-Five Thousand Eight Hundred and No/100 Dollars (\$45,800.00), to One Hundred Forty-Six Thousand Seven Hundred Fifty and No/100 Dollars (\$146,750.00) and increasing the reimbursable expenses by One Thousand and No/100 Dollars (\$1,000.00) to Two Hundred Twelve Thousand and No/100 Dollars (\$212,000.00), for a total contract not to exceed Three Hundred Fifty-Eight Thousand Seven Hundred Fifty and No/100 Dollars (\$358,750.00).

Be it further resolved, that all other terms and provisions of City Contract No. 49456 not expressly modified herein shall remain unchanged and in full force and effect.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Robinson, Ross, Director Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 599-96.

By Director Hyer.

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to the authority of Section 127.10 of the Codified Ordinances of Cleveland, Ohio, 1976, Davis & Associates, Inc. is hereby selected upon the nomination of the Director of Finance as the firm best qualified to be employed by contract for the purpose of providing professional actuarial services including accounting, auditing and claims management services necessary to reduce the premium rate to the City of Workers' Compensation, as well as obtain credits through audit of the Workers' Compensation account and merit rating experience by providing such professional services to the City of Cleveland, for the period of January 1, 1996 through December 31, 1996.

Be it further resolved that the Director of Finance is hereby authorized to enter into a written contract for such a period with Davis & Associates, Inc., which contract shall be prepared by the Director of Law, shall provide that the total fee for such services shall not exceed \$189,000 and shall contain such additional terms and conditions as she deems necessary to protect and benefit the public interest.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Robinson, Ross, Director Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, SEPTEMBER 23, 1996

9:30 A.M.

Calendar No. 96-160: 4303 Clark Ave., S.W.

Kamal Elseikali, owner, and Kamal's Tire Shop Inc., tenant, c/o Kamal Elseikali, to make alterations and convert the 40' x 22' accessory garage building to a tire installation shop and to erect a 40' x 3'4" addition and a 22' x 25' addition to said garage which addition to connect same to the 40' x 76' two story tire sales building on a 42' x 132' corner lot located in a Semi-Industry District on the southwest corner of Clark Ave. and W. 43 St. at 4303 Clark Ave.; said conversion being contrary to the off-street parking requirements of Sections 349.02, 349.03 and 349.04 of the Codified Ordinances.

Calendar No. 96-162: 3301 Monroe Ave., S.W.

Brandon Partners, owner, c/o William Bauman, and North East Chemical Corp., tenant, c/o Philip Staph, appeal, under authority of Section 76-6 of the Charter of the City of Cleveland, from the "Notice of Violation", dated August 13, 1996, issued by Carolyn M. Wallace, Acting Commissioner, Division of the Environment, relating to purported violations of Section 209.01 at the premises known as 3301 Monroe Ave.

Calendar No. 96-163: 1024 Nathaniel Rd., N.E.

Raymond L. Pasquale, owner, and Daniel L. Day, prospective purchaser, to convert to two dwelling units the first floor storeroom and to install a dwelling unit on the third floor of the 35' x 52' 2 1/2 story

brick nonconforming stores and 3 dwelling units building, for a total of 6 dwelling units, on the 40' x 89' irregular shaped corner lot located in a B-Two-Family District on the northwest corner of Nathaniel Rd. and Mandalay Ave. at 1024 Nathaniel Rd.; said use for 6 dwelling units being contrary to the two family limit of Section 337.03 and the interior sideyards being 5' and 0' instead of both being 8' in width as required by Section 357.09 and the side street yard being 5' instead of 10' as required by Section 357.05 and said proposed conversion being subject to the substitution provisions of Section 359.01 of the Codified Ordinances.

Calendar No. 96-164: 1683 E. 70 St.
Willie M. Clark, owner, to erect an 25' 6" x 8' two story porch to the front of the 26' x 46' two story frame one family dwelling house on a 87' x 80' irregular shaped lot located in a Two Family District at 1683 E. 70 St.; said proposed porch being contrary to the setback encroachment provisions of Section 357.13 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, SEPTEMBER 9, 1996

At the Meeting of the Board of Zoning Appeals, on, Tuesday, September 3, 1996, the following appeals were heard by the Board, and decided on Monday, September 9, 1996.

The following appeals were **Granted:**

Calendar No. 96-131: 716-4814 Tillman Ave., N.W.
City of Cleveland, owner, and Detroit Shoreway Community Development Organization, prospective purchaser, c/o Jeff Ramsey, to construct a 139' x 38' 6 unit, a 50' x 55' two unit and two 86' x 38' 4 unit 3 level townhouse buildings.

Calendar No. 96-134: 2183 Murray Hill Rd., S.E.
George J. Argie, owner, and Supper's Ready Inc., tenant, c/o Sal Geraci, to convert to a restaurant the 35' x 35' one story masonry non-conforming carryout restaurant. (Heard on August 26, 1996.)

The following appeals were **Refused:**

Calendar No. 96-136: 3088-3100 W. 106th St.
Oberlin Farms Inc., owner, and Dan Malley, tenant, to install a 25' x 40' painted billboard advertising sign.

Calendar No. 96-147: 3938 E. 147th St.
Ralph Clemons, owner, to use as a food store the 20' x 38' one story frame nonconforming store building on a 50' x 137' irregular shaped corner lot.

The following appeals were **Postponed:**

Calendar No. 96-149: 18200 Brookpark Rd., S.W. to September 23, 1996.

Calendar No. 96-152: 10522 Edgewater Dr., N.W. to October 14, 1996.

Calendar No. 96-154: 4210 Franklin Blvd., N.W. to September 23, 1996.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
September 4, 1996

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

* * *

Docket A-95-96.

RE: Appeal of John L. Gillota, Owner of the Residential Property located on the premises known as 2172 West 5th Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated June 6, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 2172 West 5th Street to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-109-96.

RE: Continuance of Appeal of Dennis P. Horgan, Owner of the Residential Property and Swimming Pool located on the premises known as 17914 Maplecliff Avenue from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated June 27, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to require that the pool be relocated not less than ten feet (10 ft.) from the rear property line; the Appellant is granted until May 1997 to comply with the Board ruling of September 9, 1996. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: Mr. Bowes.

* * *

Docket A-126-96.

RE: Appeal of Ramadhan Mahmoud, Owner of the Property located on the premises known as 9911 Olivet Avenue from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing dated June 19, 1996 requiring compliance with the Codified Ordinances of the City of Cleveland, and Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the

Appellant or the new owner sixty days (60 das.) in which to obtain permits and begin rehabilitation of the property and to require that the property remain boarded and secured and the grounds debris free during that period of time; the property is REMANDED to the Division of Building and Housing for supervision and further action at the end of sixty days (60 das.). Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

* * *

Docket A-129-96.

RE: Appeal of Michael & Donna Corrigan, Owners of the Residential Property and Swimming Pool located on the premises known as 2100 West 100th Street from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated August 6, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the pool to remain installed five feet (5 ft.) from the south property line, noting the letter of concurrence from the south property owner. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-130-96.

RE: Appeal of Evelyn E. Kinsey Inc., Owner of the Property located on the premises known as 4492 State Road from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated August 1, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to require the Appellant to either backfill and reestablish the adjacent property and maintain that to a point beyond the property line adequate to allow the erection of a conforming fence; and to maintain the excavation for a period of not more than sixty days (60 das.) or backfill the hole entirely and repair the property as required and to REMAND the property at 4492 State Road to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

Docket A-145-96.

RE: Appeal of Ronald & Katherine Burgess, Owners of the Residential Property and Proposed Swimming Pool located on the premises known as 4211 Henritze from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated August 15, 1996, requiring compliance with the Codified Ord-

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

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the pool to be installed as indicated two feet (2 ft.) from the property located at 4215 Henritze Avenue, noting the letter of concurrence from the property owner. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

* * *

**OTHER BOARD BUSINESS:
AMENDED RESOLUTION:**

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

Docket A-91-96.

North East Chemical Corporation - 3301 Monroe Avenue:

FROM: . . . to find that the obligation of the VIOLATION NOTICE dated May 23, 1996 has been fulfilled, noting the letters of compliance dated July 10, 1996 and July 31, 1996 . . .

TO: . . . to find that the obligation of the (VIOLATION NOTICE dated May 23, 1996) is being fulfilled and that the Appellant is maintaining their schedule as set forth in their letters of July 10, 1996 and July 31, 1996; the docket is REMANDED at this time to the Division of Building and Housing to review the continuing improvements as stated in the letters of July 10, 1996 and July 31, 1996. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders . . .

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

* * *

APPROVAL OF RESOLUTIONS:

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

- L-5-96—Michael D. Estok.
- A-96-96—Thomas J. Branch Sr.
- A-116-96—United Companies Lending Corp.
- A-117-96—Ohio Savings Bank.
- A-118-96—In-Time Investment.
- A-122-96—Nader Assad.
- A-123-96—Arthur Friedman.

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

APPROVAL OF MINUTES:

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

August 21, 1996

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

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, SEPTEMBER 18, 1996

Repair of the Stack and Roof Including Masonry Repairs at the Nottingham Waterworks Plant, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1443-94, passed by the Council of the City of Cleveland, November 14, 1994.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

September 4 and September 11, 1996

WEDNESDAY, SEPTEMBER 25, 1996

Paint and Paint Supplies (Automotive Paint), for the Various Divisions of the Department of Finance, as authorized by Ordinance No. 642-96, passed by the Council of the City of Cleveland, May 13, 1996.

September 4 and September 11, 1996

FRIDAY, SEPTEMBER 27, 1996

Towing Unattended Vehicles, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 543-96, passed by the Council of the City of Cleveland, May 6, 1996.

New Tires, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1014-96, passed by the Council of the City of Cleveland, June 18, 1996.

September 4 and September 11, 1996

WEDNESDAY, OCTOBER 2, 1996

Criminal and Civil File System, for the Department of Finance, on behalf of the Cleveland Municipal Court, as authorized by Ordinance No. 1041-96, passed by the Council of the City of Cleveland, June 19, 1996.

September 4 and September 11, 1996

WEDNESDAY, OCTOBER 2, 1996

Drug House Board Up, for the Department of Community Development, as authorized by Ordinance No. 622-96, passed by the Council of the City of Cleveland, May 20, 1996.

September 11 and September 18, 1996

THURSDAY, OCTOBER 3, 1996

Phase II A-Renovations Roof Repair-12302 Kirby Avenue, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 535-94, passed by the Council of the City of Cleveland, June 6, 1994.

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.

September 11 and September 18, 1996

THURSDAY, OCTOBER 10, 1996

Lake Road Exterior Maintenance, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 424-96, passed by the Council of the City of Cleveland, May 6, 1996.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, SEPTEMBER 25, 1996, 10:00 A.M. AT THE OFFICES OF CLEVELAND PUBLIC POWER, 1300 LAKE-SIDE AVENUE.

September 11 and September 18, 1996

**ADOPTED RESOLUTIONS
AND ORDINANCES**

NONE

**OFFICE OF
EQUAL OPPORTUNITY
RULES AND REGULATIONS OF
THE DIRECTOR OF
EQUAL OPPORTUNITY
(Effective as of July 1, 1996)**

Pursuant to the authority vested in the Director of Equal Opportunity ("Director") by the Council of the City of Cleveland ("City") under Section 123.08 and Chapter 187 of the Codified Ordinances of the City of Cleveland, 1976 (the "Code"), the Director hereby revises, promulgates and orders published in the City Record the following rules and regulations ("Regulations"). They are effective as of and from July 1, 1996.

I. INTRODUCTION

The Minority Business and Female Business Enterprise ("MBE/FBE") Code, Chapter 187 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended, was enacted originally and continues to be necessary to remedy the effects of past and present discrimination in the City's contracting market. The purpose of the Code is to increase the utilization of minorities and females in City contracting to a proportion more representative of their presence in the City's contracting market both by increasing MBE/FBE participation in City contracts and by encouraging affirmative actions by all parties who contract with the City to employ persons and treat employees during employment without regard to race, sex, religion, color, sexual orientation, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status. The following standards, rules, regulations and procedures implement the City's MBE/FBE Code.

II. DEFINITIONS

2.01 All words, phrases and terms used in these Regulations shall have the same definitions as contained in Section 187.01 of the Code or if not therein defined, as defined in this Part II or as the context requires.

2.02 "Affirmative action" means taking and includes specific steps intended to eliminate discrimination and its effects and to ensure nondiscriminatory practices in the future.

2.03 "Concession agreement", in addition to the definitions in Sections 183.04 and 183.041 of the Codified Ordinances of Cleveland, Ohio, 1976, includes a lease by way of concession which grants the privilege of vending commodities or rendering services to the public upon or in publicly owned facilities.

2.04 "Minority" means a person who is a citizen or lawful permanent resident of the United States and who is:

(a) Black, i.e., a person having origins in any of the black racial groups of Africa; or

(b) Hispanic, i.e., a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Hispanic culture or origin, regardless of race; or

(c) Asian-Indian, i.e., a person having origins in any of the original peoples of the Indian subcontinent; or

(d) Asian-Pacific, i.e., a person having origins in any of the original peoples of the Far East, south-east Asia, or the Pacific Islands; or

(e) Native American, i.e., a person having origins in any of the original peoples of the continental United States.

2.05 "OEO" means the Office of Equal Opportunity of the City of Cleveland.

2.06 A "Set-aside" is a technique in which consideration for award of a contract is limited to bids or proposals submitted by MBEs and FBEs.

III. MBE/FBE UTILIZATION

3.01 Certification Process

(a) Any business enterprise seeking recognition as an MBE or FBE for purposes of the Code and these Regulations must have certification by OEO as a bona fide minority or female business enterprise prior to submitting a bid or proposal for a contract.

(b) For purposes of the Code and these Regulations, any contractor proposing to subcontract work to MBEs or FBEs in the performance of a contract must ascertain that the MBEs and FBEs have been certified by OEO as bona fide minority or female business enterprises prior to submitting a bid or proposal for a contract.

(c) Each applicant for certification as an MBE or FBE must complete and submit an application to OEO on a form approved by the Director and provided by OEO. In

the application, the applicant must identify the specific type(s) of work it has performed for at least one year prior to the application for certification. Each application must be legibly printed or typewritten and the signatures of the owner(s) of the business enterprise notarized, and accompanied by an affidavit on a form approved by the Director and provided by OEO, verifying the truth and accuracy of the information supplied in the application, and by copies of all documents requested in the application. OEO shall have the right to request additional information or to visit site(s) relevant to the application as part of the certification process. An Administrator may require the applicant to submit records, including any tax returns, for the Administrator's consideration in determining whether to certify the applicant. Failure to submit these records upon request will result in a denial of the application for certification. The Administrator and OEO shall protect the confidentiality of tax returns and any information or records which the applicant identifies as proprietary information or trade secret, in accordance with law.

(d) An Administrator will base any recommendation to the Director whether to certify an applicant as an MBE or FBE on the factors delineated in Section 3.02 of these Regulations, as verified in the application and documentation submitted. An applicant will be notified in writing of the action of the Director on its application. If the Director determines that the applicant should be certified as an MBE or FBE, a certificate will accompany the notice of determination by OEO. In the event of an adverse determination by the Director, an applicant may request a conference in accordance with division (j) of this Section 3.01.

(e) Certification as an MBE or FBE in accordance with this Section 3.01 shall be effective for a period of one year from the date of the determination by the Director, unless the certification is withdrawn sooner in accordance with Part VI of these Regulations.

(f) In order to add to the type(s) of work performed listed on an MBE or FBE's certificate, the certificateholder must make a written request to the appropriate Administrator to amend its certificate to reflect such additional type(s) of work. The request should contain information sufficient for OEO to verify that the MBE or FBE has performed the new type of work for a period of at least one (1) year prior to the date of the request. If, based upon the recommendation of the Administrator, the Director determines to include the new type of work on the certificate of the MBE or FBE, an amended certificate will be issued with the written notice of determination by OEO. If the Director determines not to grant any or all of the request, the certificateholder may request a conference in the same manner prescribed on division (j) of this Section 3.01. Amendments to the descriptions of the type of work on a certificate will not affect the expiration date of the certificate.

(g) All requests for recertification must be on a form approved by the Director and provided by OEO. The

completed recertification form will not be accepted unless the responses are legibly printed or typewritten and the signature(s) of the owner(s) of the business enterprise are notarized. In order to avoid a lapse in certification, all requests for recertification must be received at least thirty (30) days prior to the expiration of the certification.

(h) Notwithstanding the provisions of division (g) of this Section 3.01, no later than five (5) years from the initial certification date of a business enterprise as an MBE or FBE and every fifth (5th) year thereafter, a business enterprise that has remained continuously certified by OEO as an MBE or FBE must submit an application for certification on the form referenced in division (c) of this Section 3.01 and in the same manner as a business enterprise first applying for MBE or FBE certification.

(i) Each certificateholder is responsible to initiate its recertification process. The failure of the certificateholder to apply for recertification by the annual anniversary date will result in the expiration of the certificate.

(j) An applicant may request a conference with the Director on a denial of an application for certification or recertification by depositing the request in the U.S. mail within five (5) business days of receipt of the denial. After considering the information supplied by the applicant at the conference, reviewing the file and such additional information as the Director may require or request, and determining that a certificate should have been issued, the Director may issue the appropriate certificate. If, following the conference, the Director determines that the certificate was properly denied, the applicant will be notified in writing of such determination.

(k) An applicant denied MBE or FBE certification may not reapply for certification for a period of six (6) months after the date of the final determination by the Director.

3.02 Factors Considered in Certification of MBEs and FBEs

(a) In order to demonstrate that a business enterprise applying for certification as an MBE or FBE is "owned, operated, and controlled" by one or more females or minorities, the applicant for certification must submit information and documentation sufficient in the sole judgment of an Administrator to demonstrate that:

(1) If the MBE or FBE is a corporation, at least fifty-one percent (51%) of each class of corporate voting stock is owned by minorities or females; that at least fifty-one percent (51%) of the members of the board of directors and fifty-one percent (51%) of the principal executive officers of the corporation are minorities or females; and that the rights of any stock class to control the management and day-to-day operations of the business and the interest of any stock class in the capital, assets, profits and losses of the business are proportionate to the stock ownership of that class;

(2) If the MBE or FBE is a part-

nership, at least fifty-one percent (51%) of each class of partnership interest is owned by minorities or females; that such owners have control of the management and day-to-day operations of the business; and that such owners have an interest in the capital, assets, profits and losses of the business proportionate to their percentage of ownership;

(3) If the MBE or FBE is a sole proprietorship, the proprietor is a minority or female; that such owner has control over the management and day-to-day operations of the business; and that such owner has the entire interest in the capital, assets, profits and losses of the business, not including mortgages and other types of financial arrangements secured by assets;

(4) If the MBE or FBE is a certified joint venture, at least fifty-one percent (51%) of the joint venture is controlled by a certified MBE or FBE; that the owner(s) of the certified MBE or FBE co-venturer control the management and day-to-day operations of the certified joint venture; and that such persons have an interest in the capital, assets, profits and losses of the certified joint venture proportionate to their percentage of control;

(5) While part ownership of a business enterprise by non-minority or non-female persons may be necessary to ensure adequate capital and management for the business enterprise's development, any property, equipment, supplies, services and/or financial assistance which are sold, rented or donated to the MBE or FBE by the non-minority or non-female owners must be reported to OEO annually;

(6) For the purpose of MBE certification, the owner or operator identifies himself or herself to the public as a member of the claimed minority group;

(7) The females or minorities who own the majority interest in the business enterprise have maintained control of the business enterprise proportionate to their ownership interest in the enterprise for at least one year immediately preceding the application date, including but not limited to, exercising the power to make significant policy and management decisions for the business enterprise, deciding how contracts will be performed by the business enterprise, organizing and controlling the finances of the business enterprise and supervising the employees and/or subcontractors who will be performing the contractual obligations of the business enterprise;

(8) The females or minorities who own the majority interest in the business enterprise enjoy incidents of ownership customary in or to such business entities; and

(9) The ownership, management and control of the business enterprise by the females or minorities are real and substantial and exist in fact and not merely as statements in the official documents of the business enterprise.

(b) Among the factors that OEO will consider in evaluating the actual control of the day-to-day operations of the MBE or FBE are:

(1) Previous or current employment of the minority or female owner(s) by the non-minority or non-female owners or managers of the business enterprise;

(2) Affiliation of the non-minority or non-female owner(s) or manager(s) with another business enterprise in the same or similar type of business as the applicant for MBE or FBE certification;

(3) Exercise by the non-minority or non-female owner(s) or manager(s) of final authority over any aspect of the day-to-day operations, management or control of the business enterprise;

(4) Whether control of the operations of the business enterprise by the non-minority or non-female owner(s) or manager(s) directly or indirectly restricts the economic growth of the business enterprise;

(5) Possession by the minority or female owner(s) of management abilities sufficient to exercise effective control of the business;

(6) The compensation received by the non-minority or non-female owner(s) or manager(s) in relation to the compensation received by the minority or female owner(s) or manager(s); and

(7) Whether non-minority or non-female stockholders, officers, directors or employees of the business enterprise exercise actual, ultimate control or have the authority to exercise such control over any aspect of the day-to-day operations, finances or management decisions and policies of the business enterprise.

(c) All applicants for certification as an MBE or FBE must use when applying for fields of work listing, business classifications and/or types of work which are consistent with current industry standards, and to substantiate such listing must:

(1) Possess all licenses, permits and authorities required by law, to perform the types of work within each classification requested; and

(2) Demonstrate capability and/or experience within those classifications for a period of one year immediately prior to the date of application for certification.

(d) Each applicant seeking certification as an MBE or FBE shall demonstrate that it has and will perform a "commercially useful function" in the conduct of its business with respect to prior contracts and the contract bid by information documentation submitted with its application. Such information shall substantiate that the business enterprise is directly responsible for providing materials, equipment, and supplies and is executing a distinct element of the work required by the solicitation for bids or request for proposals by actually performing, managing, and/or supervising the work involved through its own employees or principals and not through independent contractors. In determining whether a business enterprise is performing a commercially useful function, the City may also consider the dollar proportion of the contractor's work which is

subcontracted, industry practices, and other relevant factors.

(e) Each applicant for certification as an MBE or FBE must be located and doing business in the Cleveland contracting market. In order to demonstrate that a business enterprise is "located and doing business" in the Cleveland contracting market, the applicant for certification must submit information and documentation sufficient in the sole discretion of an Administrator to demonstrate that:

(1) The business enterprise either owns or leases an office or operating space located in the Cleveland contracting market from which it will conduct its business throughout the period of certification as an MBE or FBE;

(2) If the business enterprise leases but does not own an office or operating space within the Cleveland contracting market, the term of at least one such lease must extend beyond one year after the date of the application for certification;

(f) A business enterprise will not be certified as an MBE or FBE if:

(1) The female or minority owner(s) and managers of the business enterprise are not responsible for the management, operation or control of the business enterprise in direct proportion to their ownership interest in the enterprise.

(2) More than fifty percent (50%) of the contractual obligations of the business enterprise are regularly performed by non-FBE or non-MBE subcontractors.

(3) The business enterprise is not performing a "commercially useful function" in the performance of its contractual obligations, as defined in division (d) of this Section 3.02.

(4) The business enterprise is not located and doing business in the Cleveland contracting market.

3.03 Joint Ventures: Certification and Appeal Process

(a) A joint venture is a contractual relationship for profit between two or more business enterprises which have joined together by means of a written agreement to supply a specified service for a particular contract or accomplish a specific project. The joint venture application must identify the project(s) or service(s) for which the joint venture was created and specify project length, responsibilities and profit and loss division.

(b) Participation of MBEs and FBEs in joint ventures is encouraged. In order to be certified as a joint venture for purposes of the Code and these Regulations, and in addition to demonstrating that the minority or female business co-venturer is certified as an MBE or FBE pursuant to Section 3.02 of these Regulations, the applicant must demonstrate that there is a community of interest among the co-venturers as to the purpose of the undertaking, and that each co-venturer stands in the relation of principal as well as agent to each of the other co-venturers, with a right of control of the means employed to carry out the common purpose of

the venture and a fiduciary duty toward the joint venture. The MBE or FBE co-venturer must have a right of control of and a fiduciary duty toward the joint venture and must be responsible for performance of a clearly-defined portion of the work to be performed, of equal proportion to its share in the ownership, control, management, responsibility, risks, and profits and losses of the joint venture.

(c) A joint venture is eligible to be certified by OEO if:

(1) One or more co-venturers in the joint venture is certified by OEO as an MBE or an FBE; and

(2) The MBE or FBE co-venturer has at least fifty-one percent (51%) interest in the ownership and control of the joint venture; and

(3) The MBE or FBE co-venturer with its own workforce, performs work totaling 51% or more of the contract cost of the items to be performed by the co-venturers; and

(4) The MBE or FBE co-venturer has the ability to meet any qualifications identified in the bid with respect to the performance of the work equal to or in excess of its respective share of the joint venture; and

(5) The joint venture has submitted to OEO a notarized application for approval at least ten (10) business days prior to the bid opening date for the project for which the joint venture seeks a contract. The application must be provided on a form provided by OEO and must reflect compliance with this Section 3.03 and state the specific tasks to be performed by each participant in the joint venture. The applicant must furnish with the application a complete, fully-executed copy of the joint venture agreement which delineates the rights, obligations, and scope of work of the co-venturers, together with copies of the OEO certification of any MBE or FBE party to the joint venture and a summary sheet setting forth the following:

A. the purpose for which the joint venture was created;

B. the names of the co-venturers;

C. the place of business of the joint venture;

D. the rights of the respective co-venturers and the division of management responsibilities between the co-venturers;

E. the contribution of capital to the joint venture provided by each co-venturer;

F. the allocation and distribution of profits and losses between the co-venturers;

G. evidence of insurance and of a joint bank account for the joint venture; and

H. the procedures to be followed with respect to the termination of the joint venture.

Each application must be accompanied by a sworn affidavit verify-

ing the truth and accuracy of the information supplied in the application; and

(6) The principal(s) of each co-venturer meet with an Administrator prior to the bid opening date to discuss the application of the joint venture to be certified by OEO.

(d) Applicants shall obtain certification by OEO of any joint venture identified in a bid prior to submitting a bid or proposal. If the application for certification is not received in sufficient time for OEO to complete review of the application prior to submission of a bid or proposal by the joint venture and the joint venture is denied certification, the denial may result in rejection of the bid or proposal. No substitution of co-venturers in a joint venture agreement may be made after a bid or proposal from the joint venture is under consideration by the City.

(e) If a co-venturer is certified as an MBE or FBE by OEO and the applicant has demonstrated that the joint venture meets the criteria delineated in this Section 3.03, an Administrator will recommend to the Director to certify the applicant as an MBE or FBE joint venture. An applicant will be notified in writing of the determination of the Director. If the Director determines that the applicant should be certified as an MBE or FBE joint venture, a written certification will accompany the notice of determination. In the event of an adverse determination by the Director, an applicant may request a conference in accordance with division (g) of this Section 3.03.

(f) For the purpose of submitting bids or proposals for contracts and of performing work as a subcontractor, certification of an MBE or FBE joint venture is effective for the shorter of three (3) months or so long as the joint venture agreement remains unchanged and in effect, all of the MBE or FBE co-venturers remain certified by OEO, and the certification is not invalidated pursuant to Part VI of these Regulations. Certified MBE or FBE joint ventures must submit with their bids or proposals an affidavit on a form supplied by OEO that the provisions of the joint venture agreement remain unchanged and in effect. Notwithstanding any provision of this division (f) to the contrary, an OEO-certified MBE or FBE joint venture will remain certified throughout the performance of the contract or subcontract for which it was certified, provided the joint venture agreement remains unchanged and in effect, all of the MBE or FBE co-venturers remain certified by OEO and the certification is not withdrawn in accordance with Part VI of these Regulations.

(g) An applicant may request a conference with the Director on a denial of an application for certification as a joint venture by depositing the request in the U.S. mail within five (5) business days of receipt of denial. After considering the information supplied by the applicant at the conference, reviewing the file and such additional information as the Director may require or request, and determining that a certificate should have been issued, the Director may issue the

appropriate certificate. If, following the conference, the Director determines that the certificate was properly denied, the applicant will be notified in writing of such determination.

(h) In order to be considered an MBE or FBE prime contractor for purposes of evaluating bids in accordance with Section 3.06 of these Regulations, MBE or FBE joint venturers must be certified in accordance with Section 3.03 prior to submission of the bid. Only that portion of the dollar value of the contract equal to the percentage of participation of the MBE or FBE co-venturer in the joint venture may be applied toward meeting either the annual City-wide goal for each contracting department or the goals for a particular contract fixed in accordance with Section 3.04.

3.04 Goals for MBE/FBE Utilization in Contracts

(a) In furtherance of the City's goal of removing the effects of past and present discrimination against MBEs and FBEs in the performance of contracts, each contracting department of the City will use its best efforts to utilize MBEs and FBEs as contractors or subcontractors for all contracts.

(b) The goals for MBE and FBE participation in each particular contract shall be fixed as follows:

(1) On or before January 1st of each year, the Director shall fix and furnish to each contracting department the appropriate City-wide goals for MBE and FBE participation for each type of contract and for each type of work to be performed in a contract, based upon the availability of certified MBEs and FBEs in the Cleveland contracting market and within the range of annual goals fixed by the City Council in Section 187.03 of the Code. During each year, the Director may change the City-wide goals fixed pursuant to this division (b) (1) as a result of significant changes in the availability of certified MBEs or FBEs in the Cleveland contracting market to perform certain types of contracts or certain types of work in the performance of contracts. The Director shall furnish each contracting department any changes to the City-wide goals which occur during the year and the effective date of the change.

(2) By February 1st of each year, each contracting department shall submit a report to OEO identifying the efforts utilized by the contracting department to meet the annual City-wide goals for MBE and FBE participation in contracts during the preceding year and setting forth a general plan identifying specific actions it will take to meet the annual City-wide goals for MBE and FBE participation in contracts during the current year. OEO will provide each contracting department with a format for the report, including any specific information which must be supplied.

(3) At least five (5) business days prior to advertising for bids or proposals for a particular contract, each contracting department shall identify to OEO the type of contract and the type(s) of work to be bid. In addition, if more than one type

of work is to be performed in the contract, the contracting department shall provide OEO with an estimate of the percentage of the total work which is each type of work. The Director or the Director's designee, in consultation with the contracting department, shall fix the goals for MBE and FBE participation in the particular contract based upon the contracting department's report, the annual City-wide goals determined by the Director in accordance with division (b) (1) of this Section 3.04 and the availability of certified MBEs or FBEs in the Cleveland contracting market to perform any or all of the type(s) of work in the contract. The goal for a particular contract may exceed the range of goals fixed by the City Council in Section 187.03 of the Code for the purpose of assisting the contracting department in meeting the annual City-wide goal for the type of contract to be awarded.

(4) The contracting department shall submit for inclusion the goals for a particular contract fixed in accordance with division (b) (3) of this Section 3.04 in the bid invitation and specifications or request for proposal for the particular contract.

(c) Only expenditures to certified MBEs and FBEs that perform a "commercially useful function" in the implementation or performance of a contract, as defined in division (d) of Section 3.02 of these Regulations, may be counted toward meeting either the annual City-wide goals for each contracting department or the goals for a particular contract.

(d) FBE goals fixed for a particular contract are in addition to and separate from the MBE goals fixed in that contract. A contractor or subcontractor who qualifies as both an MBE and FBE may obtain certification as both. The total dollar value of a particular contract attributable to an MBE or FBE may be applied to either the MBE goal or the FBE goal, but not to both. The contractor must elect the category to which the contract value should be applied.

(e) In the case of a certified MBE or FBE joint venture, only that portion of the total dollar amount of the contract with the joint venture equal to the percentage of participation of the minority or female business enterprise in the joint venture may be applied toward meeting either the annual City-wide goals for each contracting department or the goals for a particular contract. The work to be performed by the MBE or FBE co-venturer in a certified joint venture may not be applied toward meeting the goals fixed for a particular contract for MBE and FBE subcontractor participation.

(f) The entire amount of expenditures to a certified MBE or FBE manufacturer (i.e., an enterprise that produces goods from raw materials or adds value by substantially altering them before resale) may be applied toward meeting either the annual City-wide goals for each contracting department or the goals for a particular contract. Only twenty percent (20%) of expenditures to certified MBE or FBE suppliers that are not manufacturers may be

counted toward meeting either the annual City-wide goals for each contracting department or the goals for a particular contract, provided that the MBE or FBE supplier performs a "commercially useful function in the supply process." A business enterprise is a supplier performing a "commercially useful function in the supply process" when it:

(1) assumes the actual and contractual responsibility for furnishing the supplies or materials; and

(2) is recognized as a supplier, distributor or reseller by the manufacturer or producer of the contracted supplies and materials; and

(3) owns or leases a warehouse, yard, building, or other facilities or uses such means as are customary in the industry for the purpose of maintaining an inventory of or supplying such supplies or materials from which it supplies its customers; and

(4) distributes, delivers, and/or services products primarily with its own staff and/or equipment.

(g) If an MBE or FBE supplier is not a manufacturer and is not performing a "commercially useful function in the supply process," no expenditure to it may be counted toward meeting any goals.

(h) If an MBE or FBE subcontractor further subcontracts work or services to be performed under the contract to non-MBEs and non-FBEs, the contract amount attributable to the non-MBE or non-FBE subcontract shall not apply toward either the annual City-wide goals for each contracting department or the goals for a particular contract. This provision does not apply to a subcontractor's contracts for the purchase of materials, equipment, or supplies for its own use or incidental to the performance of services under the contract.

3.05 MBE/FBE Utilization in City Contracts

(a) Contracting departments shall consider utilization of certified MBEs and FBEs when recommending a lowest and best or lowest responsible bid or a proposal for a contract. In order to enable contracting departments to consider MBE and FBE utilization in determining the lowest and best or lowest responsible bidder or accepting a proposal, a bidder, including an MBE or FBE contractor or a MBE or FBE joint venture, must document as required by OEO the bidder's efforts to utilize MBE and FBE subcontractors in a percentage equal to the MBE and FBE goals for the particular contract. A bidder's failure to document such efforts may result in the rejection of its bid or proposal.

(b) In determining whether a bidder has demonstrated good faith in meeting goals for utilization of MBEs and FBEs in the performance of a particular contract, OEO will consider the following:

(1) the total amount of the work available to be performed by subcontractors;

(2) the availability of certified MBEs and FBEs to perform work

which may be performed by subcontractors;

(3) the work experience of the certified MBEs and FBEs named by the bidder in the OEO schedules;

(4) the total amount of work which the bidder proposes to subcontract to certified MBEs and FBEs;

(5) the type(s) of work that the bidder traditionally either subcontracts or performs with its own employees;

(6) the documented methods employed by the bidder to contact certified MBEs and FBEs to perform work;

(7) whether the certified MBEs and FBEs identified in the bid are listed by OEO for the type of work identified in the bid;

(8) whether the OEO schedules submitted by the MBE and FBE subcontractors are consistent with the OEO schedules submitted by the bidder;

(9) whether the work to be performed by the MBE or FBE may apply, wholly or partially, to any MBE or FBE goals under these Regulations;

(10) whether MBE and FBE subcontractors re-subcontract any of their work to non-MBEs or non-FBEs;

(11) whether the bidder or any of the identified MBEs or FBEs have previously violated the City's MBE/FBE Code; and

(12) whether the bidder has historically performed the work by its own forces and intends to continue this practice for the particular contract.

(c) All bid invitations, requests for proposals and specifications for contracts must contain accurate and complete OEO schedules on forms prescribed by OEO. A bidder shall submit the completed schedules with its bid; a proposer shall submit the completed schedules with its proposal or by such later time as specifically prescribed in the request for proposals. Failure to furnish all the applicable information requested on the schedules will result in a disqualification of the bid or proposal.

(d) A bidder's compliance with the requirements of the Code and these Regulations will be determined solely on the basis of the information supplied by the bidder or proposer in its completed schedules. There shall be no communication between OEO and the bidder while the bids are pending.

(e) Each bidder shall identify all MBE/FBE subcontractors and co-venturers in its bid or proposal. Only that portion of the dollar value of the contract equal to the portion of the participation of a certified MBE, a certified FBE, or a MBE/FBE co-venturer in a certified joint venture may apply toward meeting the City's goals. The work to be performed by the MBE or FBE co-venturer shall apply toward

meeting the goals fixed for a particular contract for MBE and FBE subcontractor participation.

(f) Each bidder shall identify in its bid or proposal all MBE or FBE subcontractors and co-venturers that are manufacturers or suppliers. The amount of expenditures to MBE/FBE manufacturers or suppliers which will apply toward meeting the MBE and FBE goals fixed for a particular contract shall be determined in accordance with division (f) of Section 3.04 of these Regulations.

(g) Each bidder shall identify in its bid or proposal if an MBE or FBE subcontractor further subcontracts any work or services to be performed under the contract to non-minority business enterprises and non-female business enterprises. The contract amount re-subcontracted to a non-MBE or non-FBE shall not be apply toward meeting the MBE or FBE goals for the particular contract, except in the case of a subcontractor's contracts for the purchase of materials, equipment or supplies which are merely incidental to the performance of services under the contract.

(h) For the purpose of reporting the specific field or type of work to be subcontracted, the bidder must describe on the OEO schedules the specific distinct work or discrete portion of the total project work which each MBE or FBE subcontractor will perform. Appropriate, acceptable descriptions include, for example, "masonry," "steel erection," "electrical," "plumbing," etc. The bidder shall not use general, non-specific terms such as "general contractor," "general contracting" or "labor and materials" when describing the work.

(i) Except as provided in divisions (j) and (k) of this Section 3.05, modification of OEO forms or substitution of new MBE/FBE subcontractors or co-venturers will not be permitted between the time that bids are submitted and a contract is awarded.

(j) If, between the time the bid or proposal is submitted and a contract is awarded, a certified MBE or FBE subcontractor identified in the bid or proposal wishes to withdraw from participation in the contract, the bidder shall submit an affidavit from an authorized representative of the certified MBE or FBE subcontractor stating the reason(s) for the withdrawal and proposing a certified MBE or FBE as a substitute. The affidavit must be in a form acceptable to the Director and be signed by an authorized representative of the certified MBE or FBE subcontractor. If, in the sole opinion of the Director, the reason(s) for withdrawal stated in the affidavit is beyond the influence and control of the bidder, then the bidder may substitute new, certified MBE or FBE subcontractor for the withdrawing subcontractor. Although the participation of the substitute certified MBE or FBE subcontractor may apply toward meeting the applicable MBE or FBE goal for the particular contract, it will not increase the total percentage of MBE or FBE participation offered by the bidder in its bid. The submission of false or misleading information in the affidavit submitted pursuant to this

division (j) will result in a finding of noncompliance by the Administrator in accordance with division (a) of Part VI of these Regulations.

(k) If, after a bid is submitted but before a contract is awarded, the City disqualifies an MBE or FBE subcontractor proposed in good faith in a bid through no fault of the bidder, the bidder may propose a substitute certified MBE or FBE, as appropriate. If the Director has no objection to such proposed MBE or FBE subcontractor, the bidder may substitute it for the disqualified MBE or FBE under like conditions as in division (j) of this Section 3.05.

(l) Contracting departments shall invite a representative of OEO to each pre-bid conference to assist the bidders in properly complying with the requirements of the Code and these Regulations.

(m) Upon request, OEO will identify all certified MBEs and/or certified FBEs known to OEO to be in a specified trade, craft, profession or field of expertise at the time of the request. The furnishing of a list of certified contractors is intended only to identify holders of MBE, FBE, or MBE/FBE joint venture certifications by OEO. By identification or certification, the City makes no representations as to the quality of the work or services by the named MBEs or FBEs, nor does it guarantee any materials supplied or work or services to be performed by the listed MBEs or FBEs.

(n) If a bid invitation or request for proposal contains alternate items for bid or proposal, the percentage of MBE and FBE participation will be determined with reference to the total dollar amount of the base bid and any alternates to be awarded. For this reason, each bidder shall submit separate OEO schedules for the base bid and for each alternate item identified in the bid specifications.

(o) After approval of a contract by the Board of Control but prior to execution of the contract, the successful bidder must submit to OEO:

(1) Copies of executed agreements with the MBE and FBE subcontractors identified in its bid. Each agreement shall, at a minimum, specify the dollar value of the participation by the subcontractor and the type of work to be performed by the subcontractor;

(2) A complete list of all non-MBE or non-FBE subcontractors to be used by the successful bidder in the performance of the contract, the type of work or discrete portion of the project work to be performed by each subcontractor and an estimate of the total contract amount to be paid to each subcontractor. Each subcontractor must be approved by the Board of Control prior to commencement of any work on the project by the subcontractor; and

(3) A time schedule for the performance of the contract, including, but not limited to, the approximate dates on which the subcontractors will be working at the job site.

Prior to using any additional subcontractor(s) in the performance of the contract, the contractor shall

provide OEO with a supplement to the submissions required in divisions (o) (1), (o) (2), and (o) (3) of this Section 3.05 as it pertains to the work to be performed by additional subcontractor(s).

(p) In order to fulfill the purposes of the Code, contractors must use MBEs and FBEs in ways which preserve and promote meaningful ownership, control and performance of the work or other contract obligations by the MBE or FBE. Failure to do so may subject the contractor to criminal prosecution, decertification, and other sanctions.

3.06 Evaluation of Bids

(a) If the bid of any prime bidder which is an MBE, FBE or an MBE or FBE joint venture does not exceed the lowest actual bid by more than five percent (5%), the contracting department may elect to award the contract to the MBE, FBE or MBE/FBE joint venture. If more than one MBE or FBE prime contractor submits a which does not exceed the lowest actual bid by more than five percent (5%), the contracting department may determine the successful MBE or FBE bidder by applying the bid adjustment factor set forth in division (b) of this Section 3.06.

(b) Except as provided in division (a) of this Section 3.06, the City will consider MBE and FBE subcontractor/supplier utilization a factor in determining the lowest and best or lowest responsible bid or in accepting a proposal for a contract by computing a Comparison Bid. The Comparison Bid for a bidder shall be the product of its total actual bid times that adjustment factor from the scales in the applicable Appendices A through E attached to these Regulations which correlates to the total MBE and FBE utilization by the bidder. That is,

$$\text{Comparison Bid} = \text{Actual Bid} \times \frac{\text{Minority Bid Adjustment Factor}}{\text{Bid Adjustment Factor}}$$

A lower MBE or FBE participation will result in a higher comparison bid.

(c) The comparison bid amount determined in accordance with this Section 3.06 will be used for evaluation purposes only; contracts will be awarded at the actual bid prices.

3.07 Shifting of Work; Exceptions; Substitutions; Waivers

(a) Shifting. The shifting of work or services from MBE/FBE subcontractors to non-MBE and non-FBE subcontractors or the reduction or elimination of work identified in a bid to be performed by MBEs and FBEs is prohibited without: 1) written verification from the bidder or prime contractor that the subcontractor identified in the bid cannot perform due to circumstances beyond the influence and control of the bidder or prime contractor and, if applicable, a detailed written explanation of circumstances that support reduction or elimination of MBEs and FBEs in the performance of the work or services, including, without limitation, the names of all MBEs and FBEs contacted by the bidder or prime contractor; and 2) written approval of the Director of OEO.

(b) Exception. If a potential bidder is unable to meet the MBE/FBE utilization goals for a particular contract, it may seek, prior to the bid opening date, an exception to the goals by submitting a written request: To be eligible for an exception, a potential bidder must document its good faith efforts to utilize MBEs and FBEs to achieve the goals for the particular contract. The request for exception must identify either the absence of any MBEs or FBEs qualified to perform the work or the unavailability of the MBEs and FBEs which the bidder contacted to perform the contract work and shall attest and document that unavailability or inability to perform work on the contract was for reasons other than an inability to agree on price.

(c) Substitution During Contract Term; Waiver. If, after execution of a contract, the contractor is unable to utilize one or more certified MBEs or FBEs identified in its bid, it must employ substitute certified MBEs or FBEs, respectively, to fulfill its MBE and/or FBE commitment. If the contractor identified more than one MBE or FBE as a subcontractor/supplier in its bid, it must, to the extent possible, utilize the same percentages of MBEs and FBEs throughout performance of the contract. The substitute MBE or FBE must perform the same type of work as the MBE or FBE it replaces. If, after reasonable good faith efforts documented to the Director, the contractor is unable to locate and employ a substitute MBE or FBE to perform the same type of work as the MBE or FBE the contractor is unable to use, the contractor may increase the participation in the contract of other identified MBEs and FBEs, if any. If, after reasonable good faith efforts, the contractor is unable to locate and employ a substitute MBE or FBE and there are no other MBEs or FBEs identified to the contract or the remaining MBEs and FBEs are unable for reasons documented to the satisfaction of the Director, to increase their participation in the contract, the contractor may request in writing a waiver of the participation goals for the particular contract from the Director. The request shall document the specific reasons for the contractor's inability to meet the bid or contract requirements and identify the MBEs and FBEs which the bidder contacted to perform work on the contract. The contractor shall attest and document that the MBEs and FBEs identified were unavailable or unable to perform work on the contract for reasons other than the inability to agree on price.

(d) Waiver Prior to Bidding. Prior to the solicitation of bids or proposals, a contracting department may request in writing the Director to waive or reduce a goal for MBE or FBE participation in a particular contract stating the reasons for the request. The Director may grant such a waiver or reduction request if:

(1) The reasonable and necessary requirements of the contract and the nature or type of work or services or goods render subcontracting by the bidder or proposer infeasible; or

(2) Certified MBEs and FBEs - capable of providing the goods or

services required by the contract are unavailable in the Cleveland contracting market, as shown by prior good faith efforts to identify them.

When granting a reduction of a goal for a particular contract in accordance with this section, the Director will specify the percentage participation to which the goal has been reduced. Whenever the Director denies a request to waive or reduce a contract goal, the contracting department which requested the waiver or reduction may appeal the denial to the Mayor. The Mayor's decision on the appeal is final.

(e) Waiver by Department. Notwithstanding the provisions of division (d) of this Section 3.07, a contracting department may waive the goals for a particular contract if:

(1) The director of the contracting department finds, with the advice of the Director, that the goods or services are available only from one source, which source is not then disqualified from doing business with the City; and

(2) The director of the contracting department certifies in writing to the Director that:

A. an emergency exists of the character described in Section 181.12 of the Codified Ordinances which requires the availability of the desired goods or services so urgently that the contracting department is unable to both comply with the requirements of the Code and these Regulations and to obtain the goods or services in time to alleviate the emergency; and

B. the prospective contractor is an MBE or FBE or, if not, that the prospective contractor has represented that it will make every effort to subcontract to MBEs and FBEs if subcontracting is utilized.

3.08 Contract Set-Aside

(a) To further achieve the annual City-wide goals for MBE and FBE participation in contracts, the director of a contracting department, in consultation with the Director, may elect to solicit bids or proposals for a particular contract from MBEs and FBEs only, provided that the estimated total cost of the contract does not exceed fifty thousand dollars (\$50,000). Prior to issuing it, the contracting department shall furnish the Director with a copy of the bid invitation or request for proposals for such contract. The Director shall, within five (5) business days thereafter, provide the contracting department with a list of certified MBEs and FBEs from which bids or proposals can be invited or requested, as appropriate.

(b) The director of the contracting department shall notify the City Council in writing, copy to the Director, whenever the decision has been made to solicit bids or proposals from MBEs or FBEs only pursuant to this Section 3.08.

3.09 Subsidiaries, Change Orders and Contract Amendments

To the extent possible, as determined by the Director, a contractor

shall maintain the same percentage of participation by MBE and FBEs in any work performed pursuant to a subsidiary agreement, contract change order or contract amendment as specified by the contractor in its bid or proposal for the contract. The director of the contracting department shall consult with the Director prior to approving any subsidiary agreement, contract change order or contract amendment which will result in a significant increase or decrease in the amount of work to be performed in a contract to identify the efforts that the contractor will utilize to comply with the requirement contained in this Section 3.09.

IV. COMPLIANCE WITH THE CITY'S EMPLOY GOALS

4.01 Certification, Recertification and Reconsideration

(a) Certification Requirements.

Each bidder and contractor who wishes or has contracted to do business with the City must either comply with the goals for the employment of minorities and females fixed by the Director and inserted by the contracting department in the bid specifications or request for proposals for a particular contract or describe by a written plan filed with and approved by OEO how it will ensure equal employment opportunities for its employees by taking specific affirmative actions ("Affirmative Action Plan"). When it accomplishes either, the Director will issue a certificate of employment compliance. At the time it submits a bid or proposal to the City, each bidder must:

(1) Either submit a copy of or have on file in OEO the bidder's currently effective certificate of employment compliance issued and maintained pursuant to the provisions of this Section 4.01 and verifying that the bidder employs minorities and females at all levels of its work force at levels consistent with the employment goals fixed by the Director; or

(2) Either submit a copy of or have on file in OEO the bidder's currently effective statement of deemed compliance issued and maintained pursuant to the provisions of this Section 4.01; or

(3) Submit a completed and signed Contract Employment Report (Schedule 1) or other application for a certificate of employment compliance or a statement of deemed compliance.

Applications for a certificate of employment compliance or a statement of deemed compliance shall be submitted on forms provided by OEO. Failure to provide all information requested by the forms will result in rejection of the bid.

(b) Deemed Employment Compliance. If a bidder is unable to demonstrate that it employs minorities and females consistent with the employment goals fixed by the Director and inserted by the contracting department in the bid specifications or request for proposals for a particular contract, the bidder may be deemed by the Director to be in compliance with the City's employment goals if it demonstrates in the required submittals that it ensures equal employment opportunities by means of specific affirmative actions. In order to be eligible

for a statement of deemed compliance, a bidder must submit with its bid or proposal or have previously filed with OEO:

(1) An approved affirmative action plan for continuing its progress in hiring and promoting minorities and females in accordance with the provisions of Section 4.02; and

(2) Verification that it is then making or intends to make significant progress in hiring and promoting minorities and females in its workforce; and

(3) By responses to the action items listed on the Contract Employment Report (Schedule 1) submitted with the bid or proposal, demonstration of a willingness to comply with the requirements of the Equal Employment Opportunity Program of the City of Cleveland.

Failure to meet this requirement will result in an evaluation of non-compliance.

(c) Other Information Considered.

In evaluating a bidder or a contractor for a certificate of employment compliance or a statement of deemed compliance, the Director will consider the information contained in the required submittals and may consider in addition:

(1) Changes in the number of offers of employment made to minorities and females in recent years;

(2) Compliance with the City's employment goals at a national level, if not within the Cleveland contracting market;

(3) Any certificates of employment compliance received by the bidder from other governmental agencies. (Note: Certification by other governmental agencies alone will not qualify a bidder for certification by OEO.)

(d) Required Bidder Explanations. In addition to any other requirement of this Section 4.01, if the information in the bidder's Contract Employment Report (Schedule 1) indicates that the bidder employs fewer than the Number of Minorities or Females identified in the following schedule corresponding to the Total Number of Employees in its workforce, the bidder must also submit with its bid written reasons for the low number of minorities or females in the bidder's workforce and the reasons why the bidder believes that the Director should issue a statement of deemed compliance:

Total Number of Employees	Number of Minority or Female Employees
	5 to 10 Employees
11 to 50 Employees	Fewer than 2 Minority Employees/No Female Employees
More than 50 Employees	Fewer than 5% Minority Employees/Fewer than 3% Female Employees

Failure of a bidder to submit such explanation or reasons will result in a conclusive presumption by the Director that the bidder is not in compliance with the City's employment goals.

(e) Subcontractor Compliance. A contractor shall not utilize in the performance of a contract any subcontractor which has been determined by OEO to be not in compliance with the City's employment goals.

(f) Term of Effectiveness; Progress Reports. Certificates of employment compliance are effective for one year from the date of issuance by the Director and statements of deemed compliance are effective for six months from the date of issuance by the Director, unless either is sooner withdrawn in accordance with Part VI of these Regulations or extended by the Director. Each holder of a statement of deemed compliance must submit progress reports to the Director three (3) months from date of issuance of the statement and every three (3) months thereafter describing its specific efforts to meet and implement the provisions of the holder's approved affirmative action plan. At such other times as the Director or the Director's designee requests, a holder of a certificate of employment compliance or a statement of deemed compliance must submit to the Director a current Contract Employment Report (Schedule 1) and such other information as the Director considers necessary to verify compliance with the holder's representations to the City.

(g) Renewal of Certificate. Prior to the expiration of the certificate of employment compliance, the holder may apply for renewal of the certificate on forms provided by OEO. Prior to expiration of a statement of deemed compliance, the holder may apply for renewal of the statement on forms provided by OEO. In order to avoid a lapse in the certificate or statement, the application must be received at least thirty (30) days prior to the expiration of the certificate or statement. Each holder is responsible to initiate the process of applying for a new certificate or statement. The failure of the holder to apply for a new certificate or statement by the expiration date will result in the expiration of the certificate or statement without renewal.

(h) Limitation on Deemed Compliance; Reapplication. After receipt of four (4) consecutive statements of deemed compliance, a bidder or contractor will not be eligible to obtain an additional statement of deemed compliance unless it is able to explain to the satisfaction of an Administrator in an application for a statement of deemed compliance its inability to meet the employment goals fixed by the Director. In addition to submitting the application for a statement of deemed compliance, the principal(s) of the contractor shall meet with an Administrator to explain the reasons for continued noncompliance with the goals and shall submit a revised affirmative action plan acceptable to the Administrator. Such plan shall detail the steps that the contractor will take to ensure that it offers equal employment opportuni-

ties. If the contractor is then issued a new statement of deemed compliance, the process set forth in this division (h) will be repeated at a time to be determined by the Administrator at least once a year in each year thereafter until such time as the contractor becomes eligible for a certificate of employment compliance or is determined to be in non-compliance. If the Director then determines not to issue a statement of deemed compliance, the bidder or contractor may not reapply for such a statement.

(i) Notice of Pre-Bid Conference. Contracting departments should notify OEO at least ten (10) days in advance of each pre-bid conference in order to ensure that bidders may properly follow the procedures set forth in this Section 4.01 for compliance with the City's employment goals.

(j) Reconsideration Requests. An applicant may request reconsideration of the decision of the Director denying a certificate of employment compliance or a statement of deemed compliance by depositing a notice of appeal in the U.S. mail within five (5) business days of receipt of the Director's determination. In reconsidering the application, the Director will review the contents of the file and such new information not previously submitted as the applicant may submit in its request. If the Director finds that the new information or changed circumstances bring the applicant in compliance with the criteria stated in these Regulations for the certificate or statement sought, the Director will issue the appropriate document.

4.02 Affirmative Action Plans

(a) Suggested elements of a "good faith" affirmative action plan are listed below, which list is neither exhaustive nor is every element mandatory. Each employer may choose those elements most applicable to it, and is encouraged to adapt them to its business and work force and to exercise imagination and innovation in developing an effective affirmative action plan. The Director will evaluate the plan in its entirety as a gauge of the employer's commitment to achieving equal opportunity.

(b) Elements of a "good faith" affirmative action plan include, but are not limited to, a commitment by an employer to:

(1) The establishment of both long-term and short-term minority and female employment goals and timetables for each specific job classification, taking into account the availability of qualified persons in each classification in the relevant market.

(2) A systematic effort to organize work and redesign jobs in ways that provide opportunities for persons lacking "journeyman" level knowledge or skills to enter and, with appropriate training, to progress in a career field.

(3) Recruitment activities designed to enlarge the pool of minority and female applicants, including but not limited to:

A. Use of community organiza-

tions involved in employment opportunities for minorities and females, as recruiting sources;

B. Recruitment at schools, colleges, and universities with predominately minority student bodies;

C. Use of minority and female search firms;

D. Use of minority and female media for advertising job opportunities;

E. Participation in job fairs and career days;

F. Participation in community-based programs designed to enhance the employment opportunities of minorities and females;

G. Use of lists issued by public agencies of minorities and females.

(4) Development of programs to enhance employees' abilities to progress in their jobs, including but not limited to:

A. Implementation of a standardized performance appraisal system;

B. Posting of all job openings;

C. Availability of training opportunities, including on-the-job training, in-house training programs, employer-paid attendance at seminars and workshops, and tuition reimbursement;

D. Implementation of a career counseling program.

(5) Development of or participation in any other program which results in improved employment opportunities for minorities and females.

(6) The establishment of a system for regularly monitoring the effectiveness of the employer's affirmative action program, and procedures for making timely adjustments in such program where its effectiveness has not been demonstrated.

V. COMPLIANCE MONITORING

(a) OEO will monitor compliance with the Code and these Regulations by all contractors, subcontractors, MBEs, FBEs, and certified joint ventures. OEO shall monitor contract compliance, employment compliance and whether business enterprises are bona fide MBEs or FBEs or MBE or FBE joint ventures. In monitoring, OEO may visit office(s) and job site(s) for the purposes of inspecting records, verifying employment participation and MBE and FBE utilization in the performance of contracts. In monitoring compliance, it will be assumed that contractors will be able to meet or exceed the goals specified in the contract.

(b) The failure of a business enterprise to cooperate in the monitoring by OEO of compliance with the Code and these actions will be deemed admission that the business enterprise is not in compliance with the Code and these Regulations, and will constitute a violation of the Code.

VI. NONCOMPLIANCE BY A CONTRACTOR

(a) If an Administrator believes that any contractor, subcontractor, MBE or FBE has failed to comply with any of the requirements of the Code or these Regulations, has failed to ensure equal employment opportunities or failed to take specific affirmative actions with regard to employment as set forth in an affirmative action plan or has misrepresented any fact contained in any document filed with OEO pursuant to the Code or these Regulations, the Administrator will notify the contractor, subcontractor, MBE or FBE of this determination by certified mail or personal delivery. The notice shall give the contractor, subcontractor, MBE or FBE five (5) business days from receipt of the notice, or such additional time specified in the notice, to submit records or offer other information to explain or disprove the misrepresentation or apparent failure of compliance, and to demonstrate its compliance and the truth of its representations. The Administrator may consider failure of the contractor, subcontractor, MBE or FBE to submit records or other information as requested in the notice or otherwise acknowledge a willingness to cooperate with the investigation as an admission by the contractor, subcontractor, MBE or FBE of the correctness of that determination.

(b) If the contractor, subcontractor, MBE or FBE admits the determination or the Administrator determines, after reviewing any records or information submitted by such contractor, subcontractor, MBE or FBE in response to the notice issued pursuant to division (a) of this Part VI, that such contractor, subcontractor, MBE or FBE is not in compliance with the Code, these Regulations, the appropriate contract provisions or has misrepresented facts in documents filed with OEO, then the Administrator will issue a written finding of noncompliance or default stating the basis for the finding and notifying the contractor, subcontractor, MBE or FBE of its right to object to the finding. The finding and notice will be sent by certified mail return receipt requested or personal delivery. A copy of written findings of noncompliance or default shall be sent to the contracting department.

(c) Any contractor, subcontractor, MBE or FBE taking exception to a finding of the Administrator issued pursuant to division (b) of this Part VI may, within five (5) days of receipt of the Administrator's written finding, attempt to reconcile the differences through informal methods of conciliation and persuasion and/or file with the Administrator a written objection, stating the reasons for the objection by certified mail. The Administrator may enter into a settlement agreement regarding the finding. If a written objection is filed, the Administrator will forward the objection to the Director within five (5) days of its receipt together with the Administrator's recommendation of the appropriate remedial action(s) or sanction(s) to be taken by the Director and all materials pertaining thereto.

(d) If the Administrator finds a contractor, subcontractor, MBE or FBE to be in noncompliance or default and such contractor, subcontractor, MBE or FBE has not

timely responded to notice of the Administrator's determination as permitted by division (c) of this Part VI, the Administrator will forward the findings to the Director along with a recommendation of appropriate remedial action or sanctions to be imposed. The Director must then decide solely upon the information supplied by the Administrator whether or not to affirm or reject, wholly or partly, the findings of the Administrator. If the Director affirms the findings of the Administrator, then the Director may take such action set forth in Section 187.09 of the Codified Ordinances as the Director determines is applicable and consistent with the action.

(e) The contracting department shall be notified of the ultimate resolution by OEO of the written findings of noncompliance or default issued by the Administrator pursuant to division (b) of this Part VI.

VII. APPEAL PROCESS

(a) If a contractor, subcontractor, MBE or FBE files a timely objection to a written finding by the Administrator of noncompliance or default pursuant to Part VI of these Regulations, then the Director must hold a hearing on the appeal or objection. The hearing must be held not less than five (5) days nor more than ten (10) days from the filing of the appeal, unless the appellant and the Director mutually agree otherwise. The Director shall send notice of the date, time, and place for the hearing by certified mail to all interested parties. The appellant shall have the right to record the proceedings of the hearing at its sole expense.

(b) Within five (5) days after the hearing, the Director must issue and send by certified mail to the appellant, findings of fact and a determination of compliance or noncompliance with the Code and these Regulations. If the Director rejects

the findings, the Director shall concurrently issue the appropriate certificate or statement. If the Director determines that the appellant was not in compliance on any grounds with the Code, these Regulations, the appropriate contract provisions, or that appellant has misrepresented facts pertinent to its compliance obligations, the Director, in addition to whatever other remedies may be available with respect to the Director's findings and any other defaults under any contract in question, may cancel appellants currently effective certification or statement and/or take such other action(s) set forth in Section 187.09 of the Codified Ordinances. The decision of the Director is final and may be appealed to the City's Board of Zoning Appeals.

VIII. AUTHORITY OF OEO

All functions of OEO shall be performed by the employees of OEO under the direction of the Director. No certifications regarding compliance with the Code, these Regulations, or any contract provisions regarding MBE or FBE utilization, employment compliance or bona fide MBE or FBE status shall be valid except when authorized by OEO.

IX. AMENDMENT

The Director may amend and revise these Regulations from time to time or upon recommendation of the Review and Evaluation Committee, by publication of each amended or revised section in the City Record. An amendment or revision shall be effective as of and from the City Record publication date, unless otherwise provided in the amendment or revision or the publication notice.

X. SEVERABILITY

If any provision of these Regulations or the application thereof to any person or circumstance is held

invalid, the invalidity does not affect the other provisions or applications of the section or related sections which can be given effect without the invalid provision or application, and to this end the provisions are severable.

Linda Willis,
Director
Office of Equal Opportunity

COUNCIL COMMITTEE MEETINGS

Monday, September 9, 1996

Public Service Committee: 11:00 A.M. — Present: Coats, Chrm.; O'Malley, V-Chrm.; Johnson, McGuirk, Melena, Smith, Westbrook, White. Excused: Britt.

Finance Committee: 2:00 P.M. — Present: Rokakis, Chrm.; Westbrook, V-Chrm.; Coats, Johnson, Lewis, McGuirk, Patmon, Robinson, Smith. Excused: Polensek, Rybka.

Tuesday, September 10, 1996

Community & Economic Development Committee: 10:00 A.M. — Present: Jackson, Chrm.; Paulenske, V-Chrm.; Britt, Coats, Lewis, Patton, Smith, Willis. Excused: Melena.

Wednesday, September 11, 1996

Public Safety Committee: 10:00 A.M. — Present: Polensek, Chrm.; Willis, V-Chrm.; Jackson, Miller, O'Malley, Patmon, Patton, Zone. Excused: Paulenske.

Public Utilities Committee: 1:30 P.M. — Present: Patton, Chrm.; Polensek, V-Chrm.; Coats, Lewis, McGuirk, O'Malley, Patmon, Willis, Zone.

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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