

The City Record

Official Publication of the Council of the City of Cleveland



May the Twenty-Third, Two Thousand and Seven

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Emily Lipovan
City Clerk, Clerk of Council

Ward	Name
1	Nina Turner
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Phyllis E. Cleveland
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Anthony Brancatelli
13	Joe Cimperman
14	Joseph Santiago
15	Brian J. Cummins
16	Kevin J. Kelley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Martin J. Keane

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Nina Turner.....	16204 Sunny Glen Avenue	44128
2	Robert J. White	9703 Cardwell Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson.....	2948 Hampton Road	44120
5	Phyllis E. Cleveland.....	2369 East 36th Street	44105
6	Patricia J. Britt.....	12402 Britton Drive	44120
7	Fannie M. Lewis.....	7416 Star Avenue	44103
8	Sabra Pierce Scott.....	1136 East 98th Street	44108
9	Kevin Conwell.....	10647 Ashbury Avenue	44106
10	Roosevelt Coats.....	1775 Cliffview Road	44112
11	Michael D. Polensek.....	17855 Brian Avenue	44119
12	Anthony Brancatelli.....	6924 Ottawa Road	44105
13	Joe Cimperman.....	3053 West 12th Street	44113
14	Joseph Santiago.....	3169 West 14th Street	44109
15	Brian J. Cummins.....	3104 Mapledale Avenue	44109
16	Kevin J. Kelley.....	6608 Woodhaven Avenue	44144
17	Matthew Zone.....	1228 West 69th Street	44102
18	Jay Westbrook.....	1278 West 103rd Street	44102
19	Dona Brady.....	1272 West Boulevard	44102
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Martin J. Keane.....	15907 Colletta Lane	44111

City Clerk, Clerk of Council – Emily Lipovan, 216 City Hall, 664–2840
First Assistant Clerk – Sandra Franklin

MAYOR – Frank G. Jackson
Ken Silliman, Secretary to the Mayor, Chief of Staff
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
Tracy Y. Martin, Executive Assistant to the Mayor, Chief of Education
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary
Debra Linn Talley, Director, Office of Equal Opportunity

DEPT. OF LAW – Robert J. Triozzi, Director, Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel, Barbara A. Langhenry, Chief Counsel, Rm. 106
Karen E. Martines, Law Librarian, Room 100

DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;
Frank Badalamenti, Manager, Internal Audit
DIVISIONS: Accounts – Richard W. Sensenbrenner, Commissioner, Room 19
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
City Treasury – Algeron Walker, Treasurer, Room 115
Financial Reporting and Control – James Gentile, Controller, Room 18
Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue
Purchases and Supplies – James E. Hardy, Commissioner, Room 128
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

DEPT. OF PUBLIC UTILITIES – Julius Ciaccia, Director, 1201 Lakeside Avenue
DIVISIONS – 1201 Lakeside Avenue
Cleveland Public Power – Ivan Henderson, Commissioner
Street Lighting Bureau – _____, Acting Chief
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – John Christopher Nielson, Commissioner
Water Pollution Control – Ollie Shaw, Commissioner

DEPT. OF PORT CONTROL – Ricky D. Smith, Director
Cleveland Hopkins International Airport, 5300 Riverside Drive
Burke Lakefront Airport – Khalid Bahur, Commissioner
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

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

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 1925 St. Clair Ave.
DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner
Environment – Willie Bess, Commissioner, Mural Building, 1925 St. Clair Ave.
Health – Anjou Parekh, Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230
DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue
Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

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

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

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

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Trudy Hutchinson, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Brian A. Reilly, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Angel Guzman, Director

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

CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Lucille Ambroz, Secretary; Members: Diane M. Downing, Michael L. Nelson.

SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Martin J. Sweeney; Betsy Hruby, Asst. Sec'y.; Sharon Dumas, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: John Myers, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, _____, Secretary.

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

BOARD OF REVISION OF ASSESSMENTS – Law Director Robert J. Triozzi, President; Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Service Director Jomarjie Wasik, Law Director Robert J. Triozzi; Councilman _____.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Robert J. Triozzi; Utilities Director _____; Council President Martin J. Sweeney.

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Director; Anthony J. Coyne, Chairman; David Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Council Member Joe Cimperman.

FAIR CAMPAIGN FINANCE COMMISSION – Chris Warren, C. Ellen Connolly, Hillary S. Taylor.

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

FAIR HOUSING BOARD – Charles See, Chair; _____, Vice Chair; Daniel Conway, Doris Honsa, Lisa Camacho.

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

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

MORAL CLAIMS COMMISSION – Law Director Robert J. Triozzi; Chairman; Finance Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin Kelley; Councilman Nina Turner.

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – India Pierce Lee, Chair; Laura M. Noble, Vice Chair; Robert Brown, Thomas Coffey, Jennifer Coleman, Lee, Michael Rastatter, Jr., John Torres, Ari Maron, N. Kurt Wiebusch, Council Member Joe Cimperman, Robert Jackimowicz; Robert Keiser, Secretary.

AUDIT COMMITTEE – Robert Rawson, Chairman; Yvette Ittu, Debra Janik, Bracy Lewis, Don Neebes, Council President Martin J. Sweeney; Law Director Robert J. Triozzi.

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

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	14B
Judge Ronald B. Adrine	15A
Judge Emanuella Groves	13A
Judge Kathleen Ann Keough	13D
Judge Anita Laster Mays	14C
Judge Lauren C. Moore	14A
Judge Charles Patton, Jr.	12B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Michael Ryan	12A
Judge Angela R. Stokes	15C
Judge Joan Synenberg	13C
Judge Pauline H. Tarver	12C
Judge Joseph J. Zone	14D

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

The City Record



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Vol. 94

WEDNESDAY, MAY 23, 2007

No. 4876

CITY COUNCIL

MONDAY, MAY 21, 2007

The City Record

Published weekly by the City Clerk,
Clerk of Council under authority
of the Charter of the
City of Cleveland

The City Record is available
online at

www.clevelandcitycouncil.org

Address all communications to

EMILY LIPOVAN

City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES

OF THE COUNCIL

2006-2009

MONDAY—Alternating

9:30 A.M. — **Public Parks, Property & Recreation Committee:** Johnson, Chair; White, Vice Chair; Brancatelli, Cummins, Kelley, Polensek, Turner.

9:30 A.M. — **Health & Human Services Committee:** Britt, Chair; Cleveland, Vice Chair; Conwell, Kelley, Reed, Santiago, Westbrook.

11:00 A.M. — **Public Service Committee:** Brady, Chair; Turner, Vice Chair; Cleveland, Cummins, Johnson, Polensek, Reed, Santiago, White.

11:00 A.M. — **Legislation Committee:** Cleveland, Chair; Keane, Vice Chair; Cimperman, Lewis, Pierce Scott, Reed, White.

MONDAY

2:00 P.M. — **Finance Committee:** Sweeney, Chair; Cimperman, Vice Chair; Brady, Brancatelli, Britt, Coats, Conwell, Pierce Scott, Westbrook, White, Zone.

TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Pierce Scott, Chair; Brancatelli, Vice Chair; Brady, Cimperman, Cummins, Coats, Lewis, Westbrook, Zone.

1:30 P.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chair; Santiago, Vice Chair; Brancatelli, Coats, Conwell, Johnson, Turner.

WEDNESDAY—Alternating

10:00 A.M. — **Aviation & Transportation Committee:** Kelley, Chair; Westbrook, Vice Chair; Brancatelli, Britt, Cleveland, Keane, Turner.

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Brady, Vice Chair; Britt, Coats, Cummins, Kelley, Polensek, Santiago, Turner.

WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Committee:** Zone, Chair; Reed, Vice Chair; Cleveland, Cummins, Keane, Kelley, Polensek, Santiago, Westbrook.

1:30 P.M. — **City Planning Committee:** Cimperman, Chair, Westbrook, Vice Chair, Conwell, Keane, Lewis, Reed, Zone.

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

Rules Committee: Sweeney, Chair; Cleveland, Kelley, Pierce Scott, Polensek.

Personnel and Operations Committee: Sweeney, Chair; Britt, Kelley, Pierce Scott, Santiago, Westbrook, White.

Mayor's Appointment Committee: Coats, Chair; Pierce Scott, Kelley, Sweeney, Westbrook.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, May 21, 2007

The meeting of the Council was called to order, The President, Martin J. Sweeney, in the Chair.

Council Members present: Brady, Brancatelli, Britt, Cimperman, Cleveland, Conwell, Cummins, Johnson, Keane, Kelley, Lewis, Polensek, Reed, Santiago, Pierce Scott, Sweeney, Turner, Westbrook, White and Zone.

Also present were Mayor Frank G. Jackson; Ken Silliman, Chief of Staff; Darnell Brown, Chief Operating Officer; Valarie J. McCall, Chief of Government Affairs, Tracy Y. Martin, Chief of Education; Maureen Harper, Chief of Communications; Andrea V. Taylor, Press Secretary; Debra Linn Talley, Director of Equal Opportunity and Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Rybka, Hutchinson, Reilly, Fumich, Griffin, Brown and Teresa Stevenson, Special Assistant to the Mayor for Legislative Affairs.

Pursuant to Ordinance No. 2926-76 prayer was offered by Rev. Deacon R. Sanchez. Pledge of Allegiance.

MOTION

On the motion of Council Member Turner, the reading of the minutes of the last meeting were dispensed with and the journal approved. Seconded by Council Member Conwell.

COMMUNICATIONS

File No. 865-07.

From the City of Broadview Heights — copy of Resolution No. 7-21 regarding urging the state to place a moratorium on oil and gas well drilling in heavily populated residential areas. Received.

File No. 866-07.

From the Department of Parks, Recreation and Properties — Department of Public Health reservation of City Hall Rotunda for health screenings. Received.

File No. 1134-06-EE.

Valarie J. McCall — Greater Cleveland Regional Transit Authority — Mayor's Appointment — term expiring March 2, 2009. Received.

FROM DEPARTMENT OF LIQUOR CONTROL

File No. 867-07.

Re: New Application — 6062819 — Stanley Mitchell, d.b.a. Stan BMW Deli, 3577 East 129th Street. (Ward 3). Received.

File No. 868-07.

Re: New Application — 3815569 — Hezmay, Inc., d.b.a. Hezma 1 Stop, 12312-14 Rexford Street. (Ward 2). Received.

File No. 869-07.

Re: New Application — 5377788 — M & A Food, Inc., d.b.a. M & A Food, 9200 Wade Park Avenue. (Ward 7). Received.

File No. 870-07.

Re: Transfer of Ownership Application — 9116388 — 2549 St. Clair Avenue, Inc., d.b.a. Union Club, 2549 St. Clair Avenue, first floor and basement. (Ward 13). Received.

File No. 871-07.

Re: Transfer of Ownership and Location Application — 02498600195 — Apple Ohio LLC, d.b.a. Applebees, 3401 Steelyard Drive. (Ward 13). Received.

STATEMENT OF WORK ACCEPTED

File No. 872-07.

From the Department of Parks, Recreation and Properties — Contract No. 65862 — West Side Market Trash Compactor Installation. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 873-07—Andrew Tubbs.

Res. No. 874-07 — Pastor Reginald D. Bailey.

Res. No. 875-07 — Annie Louise Pritchett.

Res. No. 876-07—Mrs. Elcano Sherrill.

Res. No. 877-07 — Mrs. Veronica Pestotnik.

CONGRATULATION RESOLUTION

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

Res. No. 878-07—Elder Gregory Earl Jordan.

RECOGNITION RESOLUTION

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

Res. No. 879-07 — Decoration Day/Memorial Day.

WELCOME RESOLUTION

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

Res. No. 880-07 — His Excellency Samuel Zbogar, Ambassador of the Republic of Slovenia.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 821-07.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept a grant from the Cuyahoga County Corrections Planning Board for the Domestic Intervention, Education, and Training 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 Finance, on behalf of the Cleveland Municipal Court, is authorized to apply for and accept a grant in the amount of \$212,865.00, from the Cuyahoga County Corrections Planning Board to conduct the Domestic Intervention, Education, and Training Program; that the Director is authorized to file all papers and

execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary and application for the grant contained in the file described below.

Section 2. That the summary and application for the grant, File No. 821-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

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

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

Ord. No. 822-07.

By Council Member Sweeney (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 984-03, passed June 10, 2003, to authorize the Director of Finance to enter into a concession agreement with Global Tel Link Corporation for the provision of pay telephone service at various City facilities, but excluding the rights-of-way of the City, for a term not to exceed one year.

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

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

Section 1. That Section 1 of Ordinance No. 984-03, passed June 10, 2003, is amended to read as follows:

Section 1. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Finance is authorized to enter into a concession agreement with Global Tel Link Corporation for the provision of pay telephone service at various City facilities, but excluding any of the rights-of-way of the City under the same terms and conditions as City Contract No. 64224 with Ohio Bell Telephone Company, dba, SBC Ohio, for a period of one year commencing July 1, 2007. The facilities at which telephones will be provided shall include Cleveland Hopkins International Airport, the Convention Center, City Hall, City jails, and other City facilities. The contract shall be prepared by the Director of Law, and approved and certified by the Director of Finance.

Section 2. That existing Section 1 of Ordinance No. 984-03, passed June 10, 2003, is repealed.

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

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

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

Ord. No. 823-07.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with Cognos Corporation to maintain existing software licenses, to acquire additional software licenses, and to perform professional services for operation of the Financial Information System, including software maintenance for a period up to five years.

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

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

Section 1. That the Director of Public Utilities is authorized to enter into one or more contracts with Cognos Corporation for professional services for maintenance of existing software licenses used for the existing Financial Information System, on the basis of its proposal dated May 21, 2007, for the Division of Water, Department of Public Utilities, for a period up to five years for each individual license.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts with Cognos Corporation for professional services necessary to acquire new software licenses and to perform as-needed services for the Financial Information System, including but not limited to, integration, implementation, migration, installation, upgrades, enhancements, design, training, training registration, testing, and technical support, and software maintenance on licenses for a period up to five years for each license acquired under this section, on the basis of its proposal dated May 21, 2007, for the Division of Water, Department of Public Utilities.

Section 3. That the Director of Public Utilities is authorized to enter into any third-party software license agreements necessary to effectuate the purposes of this ordinance.

Section 4. That the contract or contracts shall be paid from Fund No. 52 SF 001, Request No. 173648.

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

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

Ord. No. 824-07.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts without competitive bidding with Varian Inc. for the maintenance and repair of various Varian chromatographs, spectrometers and appurtenances, on an as-needed basis, including the purchase of Varian consumable and replacement parts, for the Division of Water, Department of Public Utilities, for a period of three years.

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

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

Section 1. That this Council has determined that the within commodities are non-competitive and cannot be secured from any source other than Varian Inc. Therefore the Director of Public Utilities is authorized to make one or more written contracts with Varian Inc. on the basis of its proposal dated December 18, 2006, for the maintenance and repair of various Varian chromatographs, spectrometers and appurtenances, on an as-needed basis, including the purchase of Varian consumable and replacement parts, to be purchased by the Commissioner of Purchases and Supplies, for the Division of Water, Department of Public Utilities, for a period of three years.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 52 SF 001, Request No. 162410.

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

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

Ord. No. 825-07.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to repair and maintain plate trucks, 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 authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or

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

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 170522)

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

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

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

Ord. No. 826-07.

By Council Members Zone, Cimperman and Sweeney (by departmental request).

An emergency ordinance determining the method of making the public improvement of the Cleveland Public Power Fourth Interconnection Project; authorizing the Director of Public Utilities to enter into one or more contracts for the making of the improvement; authorizing the purchase by standard purchase and requirement contracts of related equipment; authorizing the acqui-

sition of various rights and interests in real property; authorizing the relocation or modification of fixtures or features on the property; and authorizing various professional services contracts for the Division of Cleveland Public Power, 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, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of the Cleveland Public Power Fourth Interconnection Project, consisting of the construction of a fourth 138 kV interconnection between the transmission systems serving Cleveland Public Power and The Cleveland Electric Illuminating Company, including related transformers, circuit breakers, switchgear, and other equipment, and transmission tie-lines, for the Division of Cleveland Public Power, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvements.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

Section 3. That the Director of Public Utilities is authorized to make one or more written standard purchase contracts and one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of the requirements to be determined by the director, for the necessary items of wood poles, steel poles, transformers, circuit breakers, switchgear, switches, relay panels, meters wire, and all other mechanical, electrical, electronic and other equipment and related materials and supplies needed in conjunction with the making of the public improvement authorized by this ordinance, and labor and materials to install and maintain any or all of the foregoing items, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single con-

tract, or by separate contract for each or any combination of the items as the Board of Control shall determine.

Section 4. 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 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 this ordinance.

Section 5. That the Director of Public Utilities is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire rights or interests in real property and to employ title companies, surveyors, escrow agents, appraisers, environmental consultants, field service consultants and other consultants necessary for the acquisition or use of the rights or interests in real property authorized by this ordinance.

Section 6. That the Director of Public Utilities is authorized to enter into agreements with the holders of rights or interests in real property, including First Energy and/or its affiliates, to relocate or otherwise modify existing fixtures or features of the property to permit the construction of the public improvement authorized by this ordinance.

Section 7. That the Director of Public Utilities is authorized to enter into agreements with First Energy and/or its transmission affiliates and the Midwest independent transmission System operator to govern interconnected operations with Cleveland Public Power.

Section 8. That the Director of Public Utilities is authorized to enter into agreements with First Energy and/or its affiliates to pay or reimburse First Energy for its costs associated with Cleveland Public Power's request for the fourth interconnection.

Section 9. That the Director of Public Utilities is authorized to employ by contract or contracts design engineers, construction managers, architects and other consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary for the making of the public improvement described in this ordinance. The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Utilities from a list of qualified consultants available for 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 the services shall be fixed by the Board of Control. The contract authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 10. That the Director of Public Utilities is authorized 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 11. That the cost of any requirement contract entered into under this ordinance shall be charged against the proper account and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract duly certified by the Director of Finance.

Section 12. That the cost of any expenditures authorized by this ordinance for any contract, including all public improvements, standard purchases, requirement contracts, acquisition of rights or interests in real property and professional services, shall be paid from Fund No. 58 SF 001 and from the fund and subfunds to which are credited the proceeds of any bonds and bond anticipation notes issued for the purpose of financing the improvement authorized by this ordinance, and from the system enhancement fund established under the trust indenture securing the City's outstanding Public Power System Improvement First Mortgage Revenue Bonds. (RL 168726)

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

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

Ord. No. 827-07.

By Council Members Zone, Cimperman and Sweeney (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating and replacing the Alger Road area sewer system, which may include but not be limited to installing manholes and catch basins, and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating and replacing the Alger Road area sewer system, which may include but not be limited to installing

manholes and catch basins, for the Division of Water Pollution Control, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding on 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, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the cost of the improvement authorized shall be paid from Fund No. 54 SF 001, Request No. 170517.

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

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

Ord. No. 828-07.

By Council Members Zone, Cimperman and Sweeney (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating and replacing the Bernard Avenue area sewer system, which may include but not be limited to installing manholes and catch basins, and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating and replacing the Bernard Avenue area sewer system, which may include but not be limited to installing manholes and catch basins, for the Division of Water Pollution Control, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible

bidder after competitive bidding on 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, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the cost of the improvement authorized shall be paid from Fund No. 54 SF 001, Request No. 170518.

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

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

Ord. No. 829-07.

By Council Members Zone, Cimperman and Sweeney (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating and replacing the East 177th Street area sewer system, which may include but not be limited to installing manholes and catch basins, and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating and replacing the East 177th Street area sewer system, which may include but not be limited to installing manholes and catch basins, for the Division of Water Pollution Control, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding on 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, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the cost of the improvement authorized shall be paid from Fund No. 54 SF 001, Request No. 170519.

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

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

Ord. No. 830-07.

By Council Members Zone, Cimperman and Sweeney (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating and replacing the West 89th Street area sewer system, which may include but not be limited to installing manholes and catch basins, and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating and replacing the West 89th Street area sewer system, which may include but not be limited to installing manholes and catch basins, for the Division of Water Pollution Control, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding on 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, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the cost of the improvement authorized shall be paid from Fund No. 54 SF 001, Request No. 170520.

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

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

Ord. No. 831-07.

By Council Members Zone, Cimperman and Sweeney (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating and replacing the West 127th Street area sewer system, which may include but not be limited to installing manholes and catch basins, and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating and replacing the West 127th Street area sewer system, which may include but not be limited to installing manholes and catch basins, for the Division of Water Pollution Control, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding on 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, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the cost of the improvement authorized shall be paid from Fund No. 54 SF 001, Request No. 170521.

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

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

Ord. No. 832-07.

By Council Member

An emergency ordinance authorizing the Director of Public Service to issue a permit to Slavic Village Development to encroach into the public right-of-way of Jones Road with 8 banners to be attached to Cleveland Public Power and The Cleveland Electric Illuminating Company utility poles (by separate permission).

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

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

Section 1. That the Director of Public Service is authorized to issue a permit, revocable at the will of Council, to Slavic Village Development, 5620 Broadway Avenue, Cleveland, Ohio 44129 ("Permittee"), to encroach into the public right-of-way above Jones Road by installing, using, and maintaining 8 banners to be attached to Cleveland Public Power and The Cleveland Electric Illuminating Company utility poles (by separate permission), at the locations more fully described as follows:

LOCATION	POLE NUMBER	POLE OWNER
Jones Road	No Tag	CPP
Jones Road	Sel-32	CPP
Jones Road	Sel-26	CPP
Jones Road	108572	CEI
Jones Road	108571	CEI
Jones Road	209900	CEI
Jones Road	209877	CEI
Jones Road	between Harvard and Broadway Avenues	CPP

Section 2. That Permittee may assign the permit only with the written consent of the Director of Public Service. That nothing in this ordinance grants or shall be considered to grant to Permittee any right, privilege, or permission to use, or to attach or affix any object to, poles; Permittee shall obtain such permission from the respective pole owner.

Section 3. That the encroaching structures permitted by this ordinance shall conform to plans and specifications approved by the Commissioner of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachments.

Section 4. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

Section 5. That the Permit shall reserve reasonable right of entry to the City.

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

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

Ord. No. 833-07.

By Council Members Britt, Conwell, Brady, Cimperman and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to University Circle Incorporated to encroach into the public right-of-way at 11702 Euclid Avenue by installing, using, and maintaining a Food Co-op sign.

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

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

Section 1. That the Director of Public Service is authorized to issue a permit, revocable at the will of Council, to University Circle Incorporated, 10831 Magnolia Dr., Cleveland, Ohio 44106 ("Permittee"), to encroach into the public right-of-way of 11702 Euclid Avenue by installing, using, and maintaining a Food Co-op sign at the following location:

Description of land which overlaps a portion of Parcel 301-SH to define an encroachment of an existing sign and foundation of the right of way of Euclid Avenue.

Situated in the City of Cleveland, County of Cuyahoga, and State of

Ohio, and part of Sublot No. 3 in Marcus E. Cozad and Sarah L. Cozad Re-Allotment as recorded in Volume 9 Page 28 of Cuyahoga County Plat Records, and part of Original One Hundred Acre Lot Nos. 395, 396, 403, and 404, and part of the lands conveyed to University Circle, Inc. by Volume 12185 Page 873 on file in the Cuyahoga County Recorder's Office and being a parcel of land lying on the right side of the centerline of right of way and construction on Euclid Avenue, bounded and described as follows:

Beginning at the grantor's former southwesterly corner on the easterly right of way of Euclid Avenue at 40.00 feet right of centerline of right of way and construction of Euclid Avenue Station 358+76.86 and 25.00 feet right of centerline of right of way and construction of East 117th Street Station 49+59.95;

Thence along the northerly right of way of E. 117th Street South 47° 12' 20" East, 10.00 feet to a point, said point being 50.00 feet right of centerline of right of way and construction of Euclid Avenue Station 358+76.88 and the place of beginning.

1) Thence leaving said northerly right of way and along the westerly line extended North 42° 54' 36" East, 5.44 feet to a point 50.00 feet

right of centerline of right of way and construction of Euclid Avenue Station 358+82.32, said point being an angle break in the easterly line of Parcel 301-SH;

2) Thence South 02° 05' 24" East, along the south easterly line of said Parcel 301-SH, 7.67 feet to a point on the northerly right of way of East 117th Street at 25.00 feet right of centerline of right of way and construction of East 117th Street Station 49+44.52;

3) Thence along said northerly right of way North 47° 12' 20" West, 5.43 feet to a point of beginning.

Containing within said bounds 10 square feet (0.0003 acres) of land in parcel 120-31-002.

Bearings are based on Ohio State Plans, North Zone NAD83 (1995) Grid North.

The stations are referred to herein are from the centerline of right of way and construction of Euclid Avenue and East 117th Street.

This description was prepared by TranSystems Corporation by Richard E. Rockich, Professional Surveyor, Ohio No. 5680.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section.

Section 2. That Permittee may assign the permit only with the prior written consent of the Director

of Public Service. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications approved by the Commissioner of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

Section 3. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

Section 4. That the permit shall reserve to the City reasonable right of entry to the encroachment location(s).

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

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

Ord. No. 834-07.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to paint 800 MHz radio communication towers, cables, and mounted structures for the 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 authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one or two year period of the necessary items of labor and materials necessary to paint 800 MHz radio communication towers, cables, and mounted structures in the estimated sum of \$400,000.00, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Utilities is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a finan-

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

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance, (RL153592)

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

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

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

Ord. No. 835-07.

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

An emergency ordinance to amend the title, and Sections 2 and 2c of Ordinance No. 2056-04, passed January 31, 2005, as amended by Ordinance No. 2253-05, passed January 23, 2006, relating to the widening of West 150th Street between Industrial Parkway and Brook Park Road.

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

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

Section 1. That the title and Sections 2 and 2c of Ordinance No. 2056-04, passed January 31, 2005, as amended by Ordinance No. 2253-05, passed January 23, 2006, are amended to read as follows:

An emergency ordinance authorizing the City of Cleveland to participate in a multi-community application allowing the City of Brook Park to apply for funding for the widening of West 150th Street between Brook Park Road and Industrial Parkway; authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement; **and authorizing the Director of Public Service to cause payment to the City of Brook Park of the City's share of the cost of the improvement.**

Section 2. That the City is authorized to contribute an amount up to 65% of the actual project costs, which represents the City's portion of funding necessary to acquire State Issue II funding for the above mentioned Improvement, payable

from Fund Nos. 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, **20 SF 510, 52 SF 001, and 54 SF 001**, and the fund or funds to which are credited the funds appropriated for this purpose. **That this Council further authorizes payment to the City of Brook Park of the City's share of the cost of this project, payable from the fund or funds identified above, Request No. 166649.**

Section 2c. That the cost of the right-of-way acquisition shall be payable from Fund Nos. 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, **and 20 SF 510**, Request No. 166649.

Section 2. That the existing title and Sections 2 and 2c of Ordinance No. 2056-04, passed January 31, 2005, as amended by Ordinance No. 2253-05, passed January 23, 2006, are repealed.

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

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

Ord. No. 836-07.

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

An emergency ordinance to amend Section 3 of Ordinance No. 1146-05, passed July 13, 2005, as amended by Ordinance No. 2037-05, passed November 28, 2005, relating to the improvement to East 12th and East 13th Streets, St. Clair, Rockwell, Superior Avenues, and unnamed streets between E. 13th, Rockwell, Superior and E. 18th Streets.

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 3 of Ordinance No. 1146-05, passed July 13, 2005, as amended by Ordinance No. 2037-05, passed November 28, 2005, are amended to read as follows:

Section 3. That the cost of the improvement and professional services authorized shall be paid from Fund Nos. **20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 393, 20 SF 394, 20 SF 500, 20 SF 505, 20 SF 506, 20 SF 510**, Request No. **149512**.

Section 2. That existing Section 3 of Ordinance No. 1146-05, passed July 13, 2005, as amended by Ordinance No. 2037-05, passed November 28, 2005, are repealed.

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

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

Ord. No. 837-07.

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

An emergency ordinance to amend Section 4 of Ordinance No. 985-06, passed June 12, 2006, relating to constructing conduits, manholes, surface restoration and appurtenances to place an electric line underground on Lorain Avenue between West 150th Street and Fairview Hospital and authorizing an agreement with the Cleveland Electric Illuminating Company to pay premium charges for the installation.

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 4 of Ordinance No. 985-06, passed June 12, 2006, is amended to read as follows:

Section 4. That the cost of the improvement authorized shall be paid from Fund Nos. 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, **20 SF 510, 52 SF 001, 54 SF 001**, and from the fund or funds to which are credited the premium charges accepted under the agreement authorized in Section 3 of this ordinance, Request No. 175008.

Section 2. That existing Section 4 of Ordinance No. 985-06, passed June 12, 2006, is repealed.

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

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

Ord. No. 838-07.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2008 Federal Childhood Lead Poisoning Prevention Program; authorizing the director to enter into one or more contracts with various entities, agencies, or individuals to implement the grant; authorizing the director to enter into one or more requirement contracts to implement the grant; and to enter into contract with the Ohio Department of Health for performance of environmental assessments of the residences of Medicaid-eligible children.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the

approximate amount of \$507,500 and any other funds that may become available during the grant term, from the Ohio Department of Health to conduct the 2008 Federal Childhood Lead Poisoning Prevention Program; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 838-07-A, made a part of this ordinance as if fully rewritten, including the obligation to devote program income from first and third party billings estimated at \$50,000, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority, is approved in all respects.

Section 3. That the Director of Public Health is authorized to enter into contract with the Ohio Department of Health, under which the City will perform environmental assessments for lead hazards in residences occupied by Medicaid-eligible children during the grant term. The contract shall provide that the City will receive compensation for performing the assessments in the estimated amount of \$57,500. The Director of Finance is authorized to receive and accept the compensation on behalf of the City and the Director of Public Health is authorized to sign the documents necessary to enter into the contract.

Section 4. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 5. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and is appropriated for that purpose.

Section 6. That the Director of Public Health is authorized to charge and accept fees from participants of this program and to deposit those fees into a revolving fund which will be used to provide additional services under the program described in the file, and the funds are appropriated for that purpose.

Section 7. That the Director of Public Health is authorized to enter into one or more contracts with various entities, agencies, or individuals to implement the program as described in the file.

Section 8. That the Director of Public Health is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the grant term of the necessary items of lab supplies and lab analysis services. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any

combination of the items as the Board of Control shall determine. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 9. That the costs of the contracts authorized by this ordinance shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director.

Section 10. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Health may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 11. That the cost of the contract or contracts authorized by this ordinance shall be paid from the fund or funds which are credited the grant proceeds, the first and third party billings, and from the Medicaid reimbursements accepted under this ordinance.

Section 12. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 839-07.

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

An emergency ordinance authorizing the Mayor of the City of Cleveland and the Director of Public Safety to establish a Physicians Advisory Board to offer guidance and direction to the Divisions of Emergency Medical Service and Fire personnel in the delivery of pre-hospital care to the citizens 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 the City of Cleveland ("City") operates an Emergency Medical Service system ("EMS System") within its boundaries and employs or utilizes Emergency Medical Technicians and Paramedics from the Division of Emergency Medical Service and the Division of Fire to perform rescue and life sup-

port procedures within the City of Cleveland, under Chapter 135 of the Codified Ordinances of Cleveland, Ohio, 1976.

Section 2. That the City desires to establish a Physicians Advisory Board to consult and advise the Director of the Department of Public Safety and recommend best practices and performance enhancement strategies, recommend education and training, and review patient care. The Board shall serve without compensation. The Board shall do the following:

a. Advise the Director of Public Safety, the Commissioner of Emergency Medical Service and the Chief of Fire on issues regarding administering emergency medical services and transporting patients to hospitals;

b. Recommend best practices and performance enhancement strategies regarding providing consistent and efficient care while administering emergency medical services and transporting patients to hospitals to the Director of Public Safety, the Commissioner of Emergency Medical Service and the Chief of Fire;

c. Recommend education and training for appropriate personnel in order to provide consistent and efficient care while administering emergency medical services and transporting patients to hospitals;

d. Review patient care and make recommendations;

e. Identify funding sources to be used by the Department of Public Safety and the Divisions of Emergency Medical Service and Fire to further its efforts regarding these issues; and

f. Any other activities to support and improve the Department of Public Safety's efforts regarding these issues.

Section 3. That the City desires to associate with a Medical Director who shall be a licensed physician in the State of Ohio employed by any hospital which delivers in-hospital emergency medical services and which employs or contracts with physicians specifically for that purpose.

Section 4. That the City wishes to associate with a Medical Director for the purpose of providing advice and assistance to the City's Emergency Medical Service system and First Responder Program.

Section 5. That the Medical Director be a licensed physician in the State of Ohio who desires to provide professional services as the Department of Public Safety Medical Director for the City of Cleveland, State of Ohio.

Section 6. That the Physicians Advisory Board shall consist of the Medical Director serving as Co-chair, the Assistant Safety Director for Operations serving as Co-chair, two (2) Assistant Medical Directors, and not more than seven (7) Board members but not less than five (5) Board Members.

Section 7. That all Board members shall be physicians active in the practice of emergency medicine and licensed in the State of Ohio. That Board members shall be representatives from hospitals or hospital sys-

tems that routinely care for the citizens of Cleveland or citizens in other municipalities.

Section 8. That the Medical Director and Board members shall serve four (4) year terms.

Section 9. That the Medical Director and Board members shall each be appointed by and serve at the pleasure of the Mayor of the City of Cleveland, upon the recommendation of the Director of Public Safety and in accord with Section 6.

Section 10. That the Physicians Advisory Board shall have a secretary who shall not be a Board Member selected by the Board to keep a journal of their proceedings, and distribute the minutes of each meeting to all Board members. All Board records shall become a part of the records of the Department of Public Safety. The Secretary shall serve without compensation and at the pleasure of the Board.

Section 11. That the Director of Law shall assign an Assistant Director of Law to act as counsel to the Board.

Section 12. That the Physicians Advisory Board shall meet quarterly and at the call of one of the Co-chairs.

Section 13. That the Physicians Advisory Board shall adopt rules, bylaws and order of business.

Section 14. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 840-07.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice, Bureau of Justice Assistance, for the 2007 Bulletproof Vest Grant, and authorizing the Director of Public Safety to enter into one or more requirement contracts for the purchase of equipment necessary to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$204,000.00, from the U.S. Department of Justice, Bureau of Justice Assistance, to conduct the 2007 Bulletproof Vest Grant; that the Director of Public Safety is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the applica-

tion submission contained in the file described below.

Section 2. That the application submission for the grant, File No. 840-07-A, made a part of this ordinance as if fully rewritten, including the obligation of the City to provide \$204,000.00 in cash matching funds from Fund Nos. 10 SF 025, 10 SF 027, and 10 SF 049, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant if the extension does not involve an increase in the dollar amount of the grant specified above.

Section 4. That the Director of Public Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements during the grant term of the necessary items of equipment necessary to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 5. That the cost of the contracts shall be paid from the fund or funds to which are credited the proceeds of the grant accepted under this ordinance and shall be charged against the proper appropriation account and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

Section 6. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Safety may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

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

**Ord. No. 841-07.
By Council Members Johnson and Sweeney (by departmental request).**

An emergency ordinance authorizing the purchase by one or more requirement contracts of security equipment, including but not limited to cameras, monitors, wires, cables, recording devices, and software, including installation and maintenance, for various recreation centers and parks, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one year period of the necessary items of security equipment, including but not limited to cameras, monitors, wires, cables, recording devices, and software, including installation and maintenance, for various recreation centers and parks, in the estimated sum of \$200,000.00, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 164507)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Parks, Recreation and Properties may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

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

**Ord. No. 842-07.
By Council Members Conwell, Pierce Scott and Sweeney (by departmental request).**

An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with The Lakeview and Superior Development Group Limited Partnership to effectuate the environmental remediation of property located at 11905 Superior Avenue and to enter into other agreements necessary for the remediation, or in the alternative, authorizing the director to enter into one or more contracts with EDP Consultants, Inc. to oversee, manage, provide technical support, and other services necessary to complete the land remediation project for the property.

Whereas, as previous owners of the property located at 11905 Superior Avenue, the City of Cleveland is obligated, in accordance with applicable laws and regulations, to effectuate the environmental remediation of that property; and

Whereas, through Ordinance No. 56-94, passed June 13, 1994, as amended by Ordinance No. 2123-96, passed February 10, 1997, the City established the Neighborhood Development Investment Program and the Neighborhood Development Investment Fund (NDIF) for the purpose of stimulating the development of major opportunities for job creation, retention, and expansion in the City's neighborhoods; and

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

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

Section 1. That the Director of Economic Development is authorized to enter into an agreement with The Lakeview and Superior Development Group Limited Partnership to effectuate the environmental remediation of property located at 11905 Superior Avenue, Cleveland, Ohio.

Section 2. That, under the agreement authorized above, the Director of Economic Development is authorized to enter into any other agreements necessary for the environmental remediation of the property located at 11905 Superior Avenue, Cleveland, Ohio, including, but not limited to, an escrow agreement, to accomplish the remediation.

Section 3. That the Director of Economic Development is authorized to execute on behalf of the City of Cleveland all documents needed, under Sections 1 and 2 of this ordinance, and to pay any applicable fees under those sections.

Section 4. That, as an alternative to the agreement authorized in Section 1, and subject to the provisions of this ordinance, the Director of Economic Development is authorized to enter into a Neighborhood Development Investment Fund contract with EDP Consultants, Inc. to provide economic development assistance to oversee, manage, provide technical support, and other services necessary to complete the environmental remediation project for the property located at Lakeview and Superior Avenues, and other associated costs necessary to redevelop the property.

Section 5. That the costs of the contracts shall not exceed Eight Hundred Thousand Dollars (\$800,000), and shall be paid from Fund No. 10 SF 501, Request No. 103745.

Section 6. That the contracts and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 7. That, prior to entering into any contract authorized by this ordinance, the Director of Finance is required to certify that unappropriated funds equal to the contract amount set forth in this ordinance have been collected by the City and are available to be allocated to the contract.

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

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

**Ord. No. 843-07.
By Council Members Britt and Sweeney (by departmental request).**

An emergency ordinance authorizing the Director of Aging to apply for and accept a grant from the Western Reserve Area Agency on Aging for the 2008/2009 Western Reserve Area Agency on Aging 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 Aging is authorized to apply for and accept a grant in the approximate amount of \$220,000, and any other funds that may become available during the grant term from the Western Reserve Area Agency on Aging to conduct the Western Re-

serve Area Agency on Aging Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the summary for the grant contained in the file described below.

Section 2. That the City resolves to assume all risk and responsibilities for which it may be legally liable, for acts or omissions by employees or volunteers working under this grant.

Section 3. That the summary for the grant, File No. 843-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

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

Referred to Directors of Aging, Finance, Law; Committees on Health and Human Services, Finance.

Ord. No. 844-07.

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

An emergency ordinance authorizing the Director of City Planning to enter into one or more contracts with the Trust For Public Land for professional services necessary to provide land assembly services for the future development of the Canal Basin Park; authorizing the Commissioner of Purchases and Supplies to purchase properties located in the Canal Basin; authorizing the Director of City Planning or Parks, Recreation and Properties to enter into various Option to Purchase Agreements; and authorizing the Mayor to place a Declaration of Restrictive Covenants on City-owned property located in the Canal Basin, already in the control and possession of the City of Cleveland and those acquired under this ordinance.

Whereas, under Ordinance No. 1850-04, passed November 15, 2004, this Council authorized the Director of Parks, Recreation and Properties to apply for and accept a grant from the United States Department of Commerce, National Oceanic and Atmospheric Administration ("Grantor") for the Canal Basin Park Project;

Whereas, the Grantor will remit the grant funds to the City upon receipt of an executed option to purchase agreement for the Canal Basin parcels; and

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

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

Section 1. That the Director of City Planning is authorized to enter into one or more contracts with the Trust for Public Land for professional services necessary to perform land assembly services for properties, easements, rights-of-way, or portions of parcels ("Properties") comprising the Canal Basin, including but not limited to, assembling land, project management, title work, environmental analysis, and other real estate services.

Section 2. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to purchase the Properties identified in File No. 844-07-A for the future development of the Canal Basin Park from various owners of Canal Basin Properties, including but not limited to, the Trust For Public Land, Cuyahoga County, Columbia Road Realty, Prime Properties, LTD., and/or the Sherwin-Williams Company.

Section 3. That, notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of City Planning or Parks, Recreation and Properties, as appropriate, is authorized to enter into various Option to Purchase Agreements for the Properties to be purchased under this ordinance and identified in the above mentioned file, for a price to be determined at a later date by the Board of Control that shall not exceed the appraised fair market value.

Section 4. That the Director of City Planning or Parks, Recreation and Properties, as appropriate, is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire the Properties and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of the Properties.

Section 5. That the Mayor is authorized to place a Declaration of Restrictive Covenants to assure that the Properties will be held for conservation in perpetuity on the following City-owned properties located in the Canal Basin: City Parking Lot Property: 101-15-021, 101-15-023, 101-15-024; City property: 101-20-002, 101-15-020, 101-20-001; partial vacation of Merwin Street, from the southerly line of James Street to the southerly line of West Street; and the partial vacation of West Street, from westerly line of Columbus road to dead-end intersection at the westerly line of Merwin Street.

Section 6. That the Mayor is authorized to place a Declaration of Restrictive Covenants on the Properties which will be acquired in the future under Section 2 of this ordinance and which are located in the Canal Basin.

Section 7. That the Declaration of Restrictive Covenants shall prohibit the sale of Properties acquired through Section 2 of this ordinance, or the sale of any Properties already under the control and possession of the City of Cleveland identified in Section 5 of this ordinance, and shall contain other necessary provisions as the Director of Law deems necessary to protect and benefit the City of Cleveland.

Section 8. That all costs of contracts and Properties acquisition shall not exceed the grant amount authorized by Ordinance No. 1850-04, passed November 15, 2004, and shall be paid from the fund or funds to which are credited the grant proceeds accepted under that ordinance.

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

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

Ord. No. 845-07.

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

An emergency ordinance authorizing the Director of the Office of Equal Opportunity to apply for and accept a grant from the Ohio Department of Development for the Minority Contractors and Business Assistance Program; and authorizing the Director to employ one or more legal and financial consultants to implement the program.

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

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

Section 1. That the Director of the Office of Equal Opportunity is authorized to apply for and accept a grant in the amount of \$139,595.99, from the Ohio Department of Development to conduct the Minority Contractors and Business Assistance Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 845-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$35,060.50, from Fund Nos. 01-011300-435000 and 10 SF 082.

Section 3. That the Director of the Office of Equal Opportunity is authorized to enter into one or more contracts with entities or individuals in order to provide professional services necessary to provide legal or financial services to program participants under the grant accepted in this ordinance.

Section 4. The selection of the lawyers and financial consultants for the services shall be made by the Board of Control on the nomination of the Director of the Office of Equal Opportunity from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of the Office of Equal Opportunity for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of the Office of Equal Opportunity, and certified by the Director of Finance.

Section 5. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds, the cash match, and first and third party billings which are accepted under this ordinance.

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

Referred to Directors of Office of Equal Opportunity, Finance, Law; Committees on Employment Affirmative Action and Training, Finance.

Ord. No. 848-07.

By Council Member Cimperman.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on West 11th Street to Tremont West Development Corporation or designee.

Whereas, the City of Cleveland adopted and implemented 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. 008-04-067 as more fully described below, to Tremont West Development Corporation or designee.

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. 008-04-067

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 17 in Francis Branch's Re-Subdivision of part of original Brooklyn Township Lot No. 71, as shown by the recorded plat in Volume 8 of Maps, Page 4 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of West 11th Street, at the Southeast corner of said Sublot No. 17; thence Northerly along the Westerly line of West 11th Street, 35 feet; thence Westerly parallel with the Southerly line of said Sublot No. 17, 91.83 feet to the Northeast corner of land conveyed to Felix Miszczak, by deed dated September 9, 1943, and recorded in Volume 5630, Page 55 of Cuyahoga County Records; thence Southerly along the Easterly line of land so conveyed to Felix Miszczak 35 feet to the Southerly line of said Sublot No. 17; thence Easterly along said Southerly line, 91.38 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-04-091 as more fully described below to Tremont West Development Corporation or designee.

Section 4. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 008-04-091

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Original Brooklyn Township Lot No. 71 and bounded and described as follows:

Beginning at the Northeast corner of Sublot No. 138 in Jacob B. Perkin's Sub-division, of part of Original Brooklyn Township Lot No. 71 as recorded in Volume 11 of Maps, Page 52 of Cuyahoga County Records; thence Easterly along the Easterly prolongation of the Northerly line of said Sublot No. 138 about 76.84 feet to the Westerly line of West 11th Street; thence Southerly along said Westerly line of West 11th Street to its intersection with the Easterly prolongation of the Southerly line of said Sublot No. 138; thence Westerly along said Easterly prolongation of the Southerly line

of said Sublot No. 138 about 76.84 feet to the Southeast corner of said Sublot No. 138; thence Northerly along the Easterly line of said Sublot No. 138 34 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-04-094 as more fully described below, to Tremont West Development Corporation or designee.

Section 6. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 008-04-094

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 141 in J. B. Perkin's Allotment of part of Original Brooklyn Township Lot No. 71, as shown by the recorded plat in Volume 11 of Maps, Page 52 of Cuyahoga County Records, and part of Original Brooklyn Township Lot No. 71, and bounded and described as follows:

Beginning on the Northerly line of said Sublot No. 141, at a point distant 12.50 feet Westerly, measured along said Northerly line from the Northeast corner thereof; thence Easterly along the Northerly line of said Sublot No. 141 and along the Easterly prolongation thereof, 87.50 feet to the Westerly line of West 11th Street, as dedicated in Volume 51 of Maps, Page 5 of Cuyahoga County Records; thence Southerly along the Westerly line of West 11th Street, 34 feet to a point; thence Westerly, parallel with the first described line, 87.50 feet to a point; thence Northerly parallel with the Westerly line of West 11th Street, 34 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-04-096 as more fully described, to Tremont West Development Corporation or designee.

Section 8. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 008-04-096

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly half of the Southerly 30 feet of Sublot No. 16 in F. Branch's Subdivision of part of Original Brooklyn Township Lot No. 71, as shown by the recorded plat in Volume 8 of Maps, Page 4 of Cuyahoga County Records, and being 30 feet front on the Westerly side of West 11th Street, and extending back of equal width 88 feet 4 inches, as appears by said plat, be the same more or

less, but subject to all legal highways.

Covenants and restrictions contained in instrument recorded in Volume 2100, Page 132 of Cuyahoga County Records, conveying premises in caption and more land.

Zoning Ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-04-097 as more fully described below, to Tremont West Development Corporation or designee.

Section 10. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 008-04-097

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being part of Sublot No. 16 in F. Branch's Re-Subdivision of part of Original Brooklyn Township Lot No. 71, as shown by the recorded plat in Volume 8 of Maps, Page 4 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of West 11th Street, (formerly Merchant Street), at the Northeast corner of said Sublot No. 16; thence Westerly along the Northerly line of said Sublot No. 16, 76 feet 10 inches; thence Southerly about 34 feet; thence Easterly along the Northerly line of land conveyed to John Schultz by deed dated March 2, 1883, and recorded in Volume 348, Page 230 of Cuyahoga County Records, 76 feet 10 inches, to the Westerly line of said West 11th Street, thence Northerly along the Westerly line of West 11th Street about 33 feet 9 inches to the place of beginning, be the same more or less, but subject to all legal highways.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-04-099 as more fully described below, to Tremont West Development Corporation or designee.

Section 12. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 008-04-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the easterly 86 feet 10 inches of the northerly 15 feet of Sublot No. 18 and the easterly 86 feet 10 inches of the southerly 20 feet of Sublot No. 19 in F. Branch's Subdivision of part of Original Brooklyn Township Lot No. 71, as shown by the recorded plat in Volume 8 of Maps, Page 4 of Cuyahoga County Records, and together forming a parcel of land 35 feet front on the westerly side of West 11th Street and extending back 86.10 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Restrictions contained in the instrument dated September 14, 1886 and recorded in Volume 398, Page 530 of Cuyahoga County Records.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-04-108 as more fully described below, to Tremont West Development Corporation or designee.

Section 14. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 008-04-108

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 16 in Josephine L. Hartzell's Subdivision of part of Original Brooklyn Township Lot No. 71, as shown by the recorded plat in Volume 15 of Maps, Page 37 of Cuyahoga County Records, bounded and described as follows:

Beginning at the Northeasterly corner of said Sublot No. 16; thence Westerly along the Northerly line 50 feet to the most Easterly corner of Parcel No. 4069-WL conveyed to the State of Ohio by deed dated October 20, 1964 and recorded in Volume 11344, Page 187 of Cuyahoga County Records; thence Southwesterly along the Southeasterly line of said parcel to its intersection with the Southerly line of said Sublot No. 16; thence Easterly along said Southerly line to the Southeasterly corner thereof; thence Northerly along the Easterly line 26.86 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-04-111 as more fully described below, to Tremont West Development Corporation or designee.

Section 16. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 008-04-111

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Sublot No. 13 in Josephine L. Hartzell's Re-Subdivision of Lots Nos. 4 and 5 and part of Lots Nos. 1, 2 and 3 and Block "A" in Francois Branch's Allotment of part of Original Brooklyn Township Lot No. 71, as shown by the recorded plat of said Re-Subdivision in Volume 15 of Maps, Page 37 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Easterly line of West 11th Street, (50 feet wide), at the Northwesterly corner of Sublot No. 13; thence Southerly along said

Easterly line of West 11th Street, 11.77 feet to its intersection with the Southeasterly limited access line of Interstate Route 290 and the principal place of beginning of the parcel herein intended to be described; thence continuing Southerly along said Easterly line of West 11th Street 23.23 feet to the Southwesterly corner of said Sublot No. 13; thence Easterly along the Southerly line of said Sublot No. 13, 261.70 feet to the Southeasterly corner thereof; thence Northerly, along the Easterly line of said Sublot No. 13, 35 feet to the Northwesterly corner thereof; thence Westerly, along the Northerly line of said Sublot No. 13 about 237.68 feet to its intersection with said Southeasterly limited access line of Interstate Route 290, said point being distant Easterly 23.78 feet (measured along said Northerly line of Sublot No. 13), from the Northwesterly corner thereof; thence Southwesterly in a direct line along said Southeasterly limited access line of Interstate Route 290, to the principal place of beginning and containing within said bounds 9,010 square feet of land, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-04-113 as more fully described below, to Tremont West Development Corporation or designee.

Section 18. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 008-04-113

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sub Lot No. 11 in Josephine L. Hartzell's Subdivision of part of Original Brooklyn Township Lot No. 71 as shown by the recorded plat in Volume 15 of Maps, page 37 of Cuyahoga County Records and being 35 feet front on the Easterly side of West 11th Street and extending back 261.21 feet on the Northerly line, 260.57 feet on the Southerly line and having a rear line of 43.14 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to: Restrictions recited in Volume 820, Page 48 of Cuyahoga County Records filed 1/23/02.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-04-115 as more fully described below, to Tremont West Development Corporation or designee.

Section 20. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 008-04-115

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly part of Sublot No. 9 in Josephine L. Hartzell's Subdivision of part of Original Brooklyn Township Lot No. 71, as shown by the recorded plat in Volume 15 of Maps, Page 37 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Northerly line of said Sublot No. 9 at a point distant Easterly measured along said Northerly line 58.20 feet from its intersection with the Easterly side of West 11th Street; thence Southerly 35 feet to a point in the Southerly line of Sublot No. 9, distant Easterly measured along said Southerly line 58.20 feet from its intersection with the Easterly side of West 11th Street; thence Easterly along the Southerly line of Sublot No. 9, 201.33 feet to the Southeast corner thereof; thence Northerly along the Easterly line of Sublot No. 9, 35 feet to the Northeast corner thereof; thence Westerly along the Northerly line of Sublot No. 9, 201.85 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-04-118 as more fully described below, to Tremont West Development Corporation or designee.

Section 22. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 008-04-118

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Westerly 60 feet of Sublot No. 6 in Josephine Hartzell's Subdivision of part of Original Brooklyn Township Lot No. 71, as shown by the recorded plat in Volume 15 of Maps, Page 37 of Cuyahoga County Records, and being 35 feet front on the Easterly side of West 11th Street, and extending back of equal width 60 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-04-140 as more fully described below, to Tremont West Development Corporation or designee.

Section 24. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 008-04-140

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being the Westerly 58.20 feet of Sublot No. 9 in Josephine L. Hartzell's Subdivi-

sion of part of Original Brooklyn Township Lot No. 71, as shown by the recorded plat in Volume 15 of Maps, Page 37 of Cuyahoga County Records, and being 35 feet front on the Easterly side of West 11th Street, and extending back of equal width 58.20 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Easement contained in a deed dated March 21, 1962 and recorded in Volume 10359, Page 601 of Cuyahoga County Records.

Subject to zoning ordinances, if any.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-04-092 more fully described below, to Tremont West Development Corporation or designee.

Section 26. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 008-04-092

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Original Brooklyn Township Lot No. 71 and bounded and described as follows:

Beginning at the Northeast corner of Sublot No. 139 in Jacob B. Perkin's Sub-division, of part of Original Brooklyn Township Lot No. 71, as recorded in Volume 11 of Maps, Page 52 of Cuyahoga County Records; thence Easterly along the Easterly prolongation of the Northerly line of said Sublot No. 139 about 76 feet to the Westerly line of West 11th Street; thence Southerly along the Westerly line of West 11th Street 34 feet to its intersection with the Easterly prolongation of the Southerly line of said Sublot No. 139; thence Westerly along said Easterly prolongation of the Southerly line of said Sublot No. 139 about 76 feet to the Southeast corner of said Sublot No. 139; thence Northerly along the Easterly line of said Sublot No. 139, 34 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-04-095 more fully described below, to Tremont West Development Corporation or designee.

Section 28. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 008-04-095

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Brooklyn Township Lot No. 71 and bounded and described as follows:

Beginning on the Westerly line of West 11th Street, at the Northeast corner of land conveyed to Jacob Frost by deed dated July 21, 1906 and recorded in Volume 1043, Page 563 of Cuyahoga County Records; thence Northerly along the Westerly line of West 11th Street, 30 feet to the Southeast corner of Sublot No. 16 in F Branch Re-Allotment as shown by the recorded plat in Volume 8 of Maps, Page 4 of Cuyahoga County Records; thence Westerly along the Southerly line of said Sublot No. 16 about 88 feet to a point 88 10/12 feet Easterly measured along the Southerly line of said Sublot No. 16 from the Easterly line of West 12th Street, (formerly Noyes Street), thence Southerly at right angles with the last described land 30 feet to the Northerly line of Sublot No. 141 in JB Perkins Allotment as shown by the recorded plat in Volume 11 of Maps, Page 52 of Cuyahoga County Records, thence Easterly along the Northerly line of Sublot No. 141 along the Northerly line of land so conveyed to Jacob Frost about 88 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 29. 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 30. 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 31. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 32. 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 and Finance.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED**Ord. No. 846-07.****By Council Member Sweeney.**

An emergency ordinance to amend Section 113.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 201-06, passed February 6, 2006, relating to fees for publications and services.

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

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

Section 1. That Section 113.12 of the Codified Ordinances of the City of Cleveland, 1976, as amended by Ordinance No. 201-06 passed February 6, 2006, is hereby amended to read as follows:

Section 113.12 Fees for Publications and Services

(a) The Clerk of Council is hereby authorized to collect the following fees for Codified Ordinance **parts reflecting all code sections and amendments passed** by Cleveland City Council complete through June 10, 2003:

<u>Unit</u>	<u>Cost</u>
Charter	\$ 7.03
Part I. Administrative Code	\$ 28.10
Part II. Health Code	\$ 17.04
Part III. Land Use Code, Planning and Housing	\$ 14.94
Part III. Zoning Code	\$ 10.40
Part III. Land Use Code, Housing Code	\$ 14.25
Part III. Land Use Code, Fire Prevention Code	\$ 19.60
Part III. Building Code	\$ 10.40
Part IV. Traffic Code	\$ 14.37
Part V. Municipal Utilities and Services Code	\$ 28.10
Part VI. Offenses and Business Activities Code	\$ 19.75
Complete Set	\$241.00

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

(b) The Clerk of Council shall annually publish a supplement to the Codified Ordinances, which shall incorporate all legislative changes enacted by Cleveland City Council during the previous 12 months.

(c) The Clerk of Council is hereby authorized to collect the following fees for the supplement to the Codified Ordinances containing amendments passed by City Council from **January 1, 2006 through December 31, 2006**:

<u>Supplement Unit</u>	<u>Cost</u>
Charter	\$ 10.56
Part I.	\$ 23.82
Part II.	\$ 16.61
Part IIIa.	\$ 14.57
Part IIIb.	\$ 7.14
Part IIIc.	\$ 15.48
Part IIId.	\$ 14.57
Part IIIe.	\$ 6.79
Part IV.	\$ 6.06
Part V.	\$ 20.62
Part VI.	\$ 10.18
Complete Bound Set	\$125.13

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

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

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

Section 2. That existing Section 113.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No.201-06, passed February 6, 2006, is hereby repealed.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 847-07.**By Council Member Cleveland.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Burten, Bell, Carr Development to stretch banners at the northwest corner of Quincy and Unwin & the southwest corner of Quincy and Unwin, for the period from June 9, 2007 to July 9, 2007, inclusive, publicizing the 2nd Annual Ward 5 Family Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Burten, Bell, Carr Development to install, maintain and remove banners at the northwest corner of Quincy and Unwin & the southwest corner of Quincy and Unwin for the period from June 9, 2007 to July 9, 2007, 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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 851-07.**By Council Member Britt.**

An emergency ordinance authorizing the Director of the Department of Aging to enter into an agreement with Senior Outreach Services, Inc. for the Senior Outreach Services Health Promotion and Socialization Program through the use of Ward 6 Neighborhood Equity Funds.

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

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

Section 1. That the Director of the Department of Aging is authorized to enter into an agreement with Senior Outreach Services, Inc. for the Senior Outreach Services Health

Promotion and Socialization Program for the public purpose of providing social support services to senior citizens residing in the City of Cleveland through the use of Ward 6 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$29,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 856-07.**By Council Member Sweeney.**

An emergency ordinance establishing the City of Cleveland as a Community Reinvestment Area under Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection with this Community Reinvestment Area.

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

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

Whereas, The Ohio Constitution, Article VIII, Section 16, has recognized Housing to be a proper public purpose and programs to promote housing to be in the public interest; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of public property, health, and safety, in that creating a Community Reinvestment Area will encourage housing development; now therefore,

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

Section 1. Based upon information and data presented to this Council and contained in File No. 856-07-A, it is found and determined that the City of Cleveland is an area in which housing facilities or structures of historical significance are located and new construction and repair of existing facilities or structures are discouraged.

Section 2. That all of the area within the municipal boundaries of the City of Cleveland, as depicted on the zoned boundary map contained in File No. 856-07-B, is designated a Community Reinvestment Area under Section 3735.65 et seq. of the Ohio Revised Code.

Section 3. That the construction of new residential structures and the remodeling of existing residential structures in the Community Reinvestment Area are declared to be a public purpose for which exemptions from real property taxation, at 100% of the dollar amount by which the new construction or remodeling increased the assessed market value of the property, shall be granted in the following manner in accordance with Ohio Revised Code Section 3735.67:

(a) The owner of any such real property in the Community Reinvestment Area may file an application with the Housing Officer for an exemption from real property taxation for a period of 15 years for 100% of the assessed taxes for new construction projects consisting of one and two family residential properties and multi-family residential structures consisting of three or more units.

(b) The owner of any such real property in the Community Reinvestment Area may file an application with the Housing Officer for an exemption from real property taxation for a period of 12 years for 100% of the assessed taxes for the remodeling of existing multi-family residential structures consisting of three or more units where remodeling costs are greater than \$15,000 per unit or \$500,000 per structure.

(c) The owner of any such real property in the Community Reinvestment Area may file an application with the Housing Officer for an exemption from real property taxation for a period of 10 years for 100% of the assessed taxes for the remodeling of one and two family residential properties where remodeling costs are greater than \$2,500.

(d) For mixed-use projects, defined as those containing both residential and commercial components, only the residential component is eligible for tax abatement in accordance with the approved schedule.

Section 4. Effective January 1, 2010, all owners of real property in the Community Reinvestment Area that file an application with the Housing Officer for an exemption from real property taxation, must demonstrate that new construction or remodeling meets Energy Star standards, according to criteria established by the City of Cleveland based on the United States Environmental Protection Agency and the United States Department of Energy guidelines, in order to be eligible for residential tax abatement.

Section 5. That the Secretary to the Director of the Department of Community Development for the City of Cleveland shall serve as the Housing Officer, as defined by Section 3735.65 et seq. of the Ohio Revised Code, for the Community Reinvestment Area described above and shall administer all activities carried out under Section 3735.65 et seq. of the Ohio Revised Code and this ordinance.

Section 6. That a Housing Council shall be appointed for the Community Reinvestment Area under Ohio Revised Code Section 3735.69, that shall make an annual inspection of the properties within the Area for which abatements have been granted and shall hear appeals under Ohio Revised Code Section 3735.70.

Section 7. That under Ohio Revised Code Section 3735.68, the City may terminate the tax exemption after the first year if the Housing Officer finds that the property is not being properly maintained or repaired due to the neglect of the owner; and once terminated shall not reinstate the tax exemption. The Housing Officer shall include this requirement on the application for tax exemption signed by the applicant.

Section 8. That the City may terminate the tax exemption after the first year if the Housing Officer finds the property taxes have become delinquent; and once terminated the City shall not reinstate the tax exemption. The Housing Officer shall include this requirement on the application for tax exemption signed by the applicant.

Section 9. That the Community Reinvestment Area described in this Ordinance shall expire on June 4, 2012, unless an extension is authorized by an amendment of Cleveland City Council.

Section 10. That Section 4a of Ordinance No. 1776-A-90, passed April 22, 1991, as amended by Ordinance No. 960-99, passed June 7, 1999, Ordinance No. 2093-99, passed December 13, 1999, Ordinance No. 1341-01, passed August 15, 2001, Ordinance No. 849-02, passed June 10, 2002, Ordinance No. 550-03, passed May 12, 2003, Ordinance No. 1757-06, passed January 29, 2007, and Ordinance No. 307-07, passed February 26, 2007, and Sections 5(a)(vi) and 6 of Ordinance No. 2831-86, passed February 9, 1987, as amended by Ordinance No. 1171-94, passed July 20, 1994, Ordinance No. 959-99, passed June 7, 1999, Ordinance No. 2095-99, passed December 13, 1999, Ordinance No. 842-02, passed June 10, 2002, Ordinance No. 551-03, passed May 19, 2003, and Ordinance No. 583-06, passed April 24, 2006 shall extend and the Community Reinvestment Areas and the terms of the tax abatement described in these ordinances shall continue at the current percentage of exemption and term of years, and shall expire on the effective date of this ordinance, which will be the date the Director of the Ohio Department of Development confirms the new Community Reinvestment Area designated by this ordinance.

Section 11. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 1.

Those voting yea: Council Members Sweeney, Brady, Brancatelli, Britt, Cimperman, Cleveland, Conwell, Johnson, Keane, Kelley, Lewis, Pierce Scott, Polensek, Reed, Santiago, Turner, Westbrook, White and Zone.

Those voting nay: Council Member Cummins.

Absent: Council Member Coats.

Ord. No. 857-07.

By Council Member Sweeney.

An emergency ordinance authorizing the Clerk of Council to accept the bid of, and enter into contract with, Fathom Interactive Solutions dba Fathom IT Solutions for disaster recovery hardware and software for Cleveland City Council.

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 Clerk of Council is authorized to accept the bid of, and enter into contract with, Fathom Interactive Solutions dba Fathom IT Solutions for disaster recovery hardware and software (all parts) for Cleveland City Council. That such contract shall be in the amount of \$74,457.92 to be paid for from fund number 21, subclass 11006 or fund number 01, subclass 01001.

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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 859-07.

By Council Member Reed.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Unity Baptist Church to stretch banners on the corner of East 104th & Kinsman, and East 105th & Kinsman (Pole Nos. CEI 346450, SE-6-67, 318232, and SE-6-68-2), for the period from August 11, 2007 to September 10, 2007, inclusive, celebrating the church's 89th anniversary.

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 the Department of Public Service is hereby authorized and directed to issue a permit to Unity Baptist Church to install, maintain and remove banners on the corner of East 104th & Kinsman, and East 105th & Kinsman (Pole Nos. CEI 346450, SE-6-67, 318232, and SE-6-68-2), for the period from August 11, 2007 to September 10, 2007, 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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 860-07.

By Council Member Zone.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the West Side Ecumenical Ministry to stretch a banner at 5209 Detroit Avenue using utility poles (by separate permission), for the period from June 30, 2007 to July 29, 2007, inclusive, publicizing the Head Start.

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 the Department of Public Service is hereby authorized and directed to issue a permit to The West Side Ecumenical Ministry to install, maintain and remove a banner using utility poles (by separate permission), 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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 861-07.

By Council Member Pierce Scott.
An emergency ordinance consenting and approving the issuance of a permit for the 20th Annual Michael R. White Miler Fun Run, on May 31, 2006, (raindate: June 1, 2007) sponsored by Michael R. White Elementary School.

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 19th Annual Michael R. White Fun Run, sponsored by Michael R. White Elementary School on May 31, 2007 (raindate: June 1, 2007), beginning at the school, 1000 East 92nd St., west on Parkgate Road to East Boulevard to Parkside Road, north on Parkside Road to Parkgate Road, east on Parkgate Road and finish at the school, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and 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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 849-07.

By Council Member Brady.
An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit at 3655-57 Bosworth Road, 1st floor, and repealing Resolution No. 749-07, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to 3655-57 Bosworth Road, 1st floor by Resolution No. 749-07 adopted by the Council on May 7, 2007; and

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

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

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

Section 1. That objection to the transfer of ownership of a D5 Liquor Permit to Marjorie E. Frierson, DBA Bosworth Tavern, 3655-57 Bosworth Road, 1st floor, Cleveland, Ohio 44111, Permanent Number 2932986 be and the same is hereby withdrawn and Resolution No. 749-07, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 850-07.

By Council Member Coats.
An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 625 East 140th Street, 1st floor.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Moes Stop One, Inc., 625 East 140th Street, 1st floor, Cleveland, Ohio 44110, Permanent Number 6081178 to Yellow Store, LLC, DBA The Yellow Store, 625 East 140th Street, 1st floor, Cleveland, Ohio 44110, Permanent Number 92623650005; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safe-

ty 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 Moes Stop One, Inc., 625 East 140th Street, 1st floor, Cleveland, Ohio 44110, Permanent Number 6081178 to Yellow Store, LLC, DBA The Yellow Store, 625 East 140th Street, 1st floor, Cleveland, Ohio 44110, Permanent Number 92623650005; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 852-07.

By Council Member Brancatelli.
An emergency resolution declaring this Council's support of the proposal of Edgewood Park, LP to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, Edgewood Park, LP is proposing to develop up to 71 housing units on several parcels located southeast of the intersection of East 55th and Lufkin Avenue in the City of Cleveland; and

Whereas, 100% of these homes will be affordable to families with incomes at or below 60% of the area median income and no housing units will be market rate; and

Whereas, at least 50% of these housing units will serve a special needs population, permanent supportive housing for homeless individuals and/or persons with severe and persistent mental illness; and

Whereas, support services will be made available, both on and off site, to these individuals; and

Whereas, Edgewood Park LP proposal will benefit the citizens of the City; and

Whereas, this resolution constitutes an emergency measure for the immediate preservation of public

peace, property, health or safety, now, therefore,

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

Section 1. That this Council hereby declares its support of the proposal of Edgewood Park LP to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the Executive Directors of Emerald Development & Economic Network, Inc. and Cleveland Housing Network, Inc.

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 adoption.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 853-07.

By Council Member Santiago.

An emergency resolution declaring this Council's support of the proposal of the Catholic Charities Housing Corporation to the U.S. Department of Housing & Urban Development Section 202 Supportive Housing for the Elderly.

Whereas, each year the U.S. Department of Housing and Urban Development allocates funding for affordable housing developments throughout the region using a competitive proposal process; and

Whereas, the Catholic Charities Housing Corporation has developed a comprehensive plan to identify those areas that would be appropriate for housing developments for the elderly; and

Whereas, the Catholic Charities Housing Corporation is proposing to develop up to 45 apartment housing units for the elderly at the northeast corners of Fulton and Meyer Avenue in the City of Cleveland; and

Whereas, 100% of the units will be affordable to seniors age 62 and older; and

Whereas, the Catholic Charities Housing Corporation proposal will benefit the citizens of the City; and

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

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

Section 1. That this Council hereby declares its support of the proposal of the Catholic Charities Housing Corporation to the U.S. Department of Housing & Urban Development Section 202 Supportive Housing for the Elderly.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the Executive Director of the Catholic Charities Housing Corporation.

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 adoption.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 855-07.

By Council Member Cummins.

An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 2071-75 Broadview Road, and repealing Resolution No. 1395-06, objecting to said renewal.

Whereas, this Council objected to a D5 Liquor Permit to 2071-75 Broadview Road by Resolution No. 1395-06 adopted by the Council on August 9, 2006; and

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

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

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

Section 1. That objection to a D5 Liquor Permit to Couple of Paisans, DBA Raging Bull Tavern, 2071-75 Broadview Road, Cleveland, Ohio 44109, Permanent Number 1775791 be and the same is hereby withdrawn and Resolution No. 1395-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 858-07.

By Council Member Lewis.

An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 7114 St. Clair Avenue, 1st floor.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Faz, Inc., DBA Mihcic Café, 7114 St. Clair Avenue, 1st floor, Cleveland, Ohio 44103, Permanent Number 2661193 to Jam Rock, LLC, DBA Mihcic Café, 7114 St. Clair Avenue, 1st floor, Cleveland, Ohio 44103, Permanent Number 4235476; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 and D6 Liquor Permit from Faz, Inc., DBA Mihcic Café, 7114 St. Clair Avenue, 1st floor, Cleveland, Ohio 44103, Permanent Number 2661193 to Jam Rock, LLC, DBA Mihcic Café, 7114 St. Clair Avenue, 1st floor, Cleveland, Ohio 44103, Permanent Number 4235476; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 862-07.**By Council Member Cimperman.****An emergency resolution objecting to the transfer of ownership of a D5A and D6 Liquor Permit to 1111 Lakeside Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D5A and D6 Liquor Permit from Roc Lakeside, Inc., DBA Holiday Inn Lakeside City Center, 1111 Lakeside Avenue, Cleveland, Ohio 44114, Permanent Number 7454008 to Cami Beverage Services, LLC, DBA Holiday Inn, 1111 Lakeside Avenue, Cleveland, Ohio 44114, Permanent Number 1206261; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5A and D6 Liquor Permit from Roc Lakeside, Inc., DBA Holiday Inn Lakeside City Center, 1111 Lakeside Avenue, Cleveland, Ohio 44114, Permanent Number 7454008 to Cami Beverage Services, LLC, DBA Holiday Inn, 1111 Lakeside Avenue, Cleveland, Ohio 44114, Permanent Number 1206261; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 863-07.**By Council Member Cimperman.****An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 3133 Payne Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Sam Khatib, Inc., DBA Amy Beverage & Deli, 3133 Payne Avenue, Cleveland, Ohio 44114, Permanent Number 7701687 to Amy's II Inc., DBA Amy's, 3133 Payne Avenue, Cleveland, Ohio 44114, Permanent Number 0179073; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Sam Khatib, Inc., DBA Amy Beverage & Deli,

3133 Payne Avenue, Cleveland, Ohio 44114, Permanent Number 7701687 to Amy's II Inc., DBA Amy's, 3133 Payne Avenue, Cleveland, Ohio 44114, Permanent Number 0179073; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 864-07.**By Council Member Cimperman.****An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 5915 St. Clair Avenue, and repealing Resolution No. 1298-06, objecting to said renewal.**

Whereas, this Council objected to a C1 and C2 Liquor Permit to 5915 St. Clair Avenue by Resolution No. 1298-06 adopted by the Council on August 9, 2006; and

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

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

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

Section 1. That objection to a C1 and C2 Liquor Permit to JDH, Inc., DBA Convenient Food Mart, 5915 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 4174429 be and the same is hereby withdrawn and Resolution No. 1298-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

**SECOND READING
EMERGENCY ORDINANCE**

Ord. No. 408-07.

By Council Members Kelley, Cimperman and Sweeney (by departmental request).

An emergency ordinance determining the method of making the public improvement of repairing and maintaining runways, taxiways, ramps, roads, and other concrete surfaces for the various divisions of the Department of Port Control, and authorizing the Director to enter into one or more public improvement requirement contracts for the making of the improvement, for a period up to two years, with two one-year options to renew.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, strike lines 9 and 10 in their entirety and insert **"making of the improvement."**

2. In Section 2, line 4, strike ", exercisable by the Director of Port Control"; and in line 8, after "Port Control." add **"The first of the one-year options to renew shall not be exercised without additional legislative authority. If such additional legislation authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew shall be exercisable at the option of the Director of Port Control without the necessity of obtaining additional authority of this Council."**

Amendments agreed to.

**SECOND READING EMERGENCY
ORDINANCES PASSED**

Ord. No. 576-07.

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

An emergency ordinance authorizing the Director of Public Safety to accept a grant from the Department of Justice, Office of Community Oriented Policing Services, for the COPS Universal Hiring Program.

Approved by Directors of Public Safety, Finance, Law; Relieved of Committee on Public Safety; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 580-07.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Justice to conduct the COPS in School Program.

Approved by Directors of Public Safety, Finance, Law; Relieved of Committee on Public Safety; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 584-07.

By Council Members Pierce Scott and Sweeney (by departmental request).

An emergency ordinance authorizing the Directors of Community Development and Building and Housing to enter into one or more contracts without competitive bidding with Hewlett-Packard Co. and Progress Software for maintenance on computer hardware and software, for the Departments of Community Development and Building and Housing, for a period not to exceed two years.

Approved by Directors of Community Development, Building and Housing, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In the title, line 2, strike "Directors" and insert **"Director"**; and in line 3, strike "and Building and Housing"; and in lines 5 and 6, strike "and Progress Software"; in line 7, strike "Departments" and insert **"Department"** and in lines 8 and 9, strike "and Building and Housing, for a period not to exceed two years".

2. In Section 1, line 3, strike "Directors of Community Development and Building and Housing are" and insert **"Director of Community Development is"**; in line 6 and 7, strike "Departments of Community Development and Building and Housing, for a period not to exceed two years" and insert **"Department of Community Development for a period of one or two years. The Director of Community Development is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Community Development by comparing the bids received for both terms."**

3. Strike Section 2 in its entirety.

4. In existing Section 3, strike line 2 in its entirety, and insert **"from Fund Nos. 01-800101-661200 and 14 SF 032,"**.

5. Renumber existing Sections 3 and 4 to new **"Section 2"** and **"Section 3"**.

Amendments agreed to.
The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

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

Ord. No. 641-07.

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

An emergency ordinance authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Air Quality; and authorizing the Director to enter into one or more contracts needed to operate the Division of Air Quality.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance; when amended as follows:

1. In Section 2, line 6, after "639905" insert **"and an in-kind contribution valued at \$108,000"**.

Amendment agreed to.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

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

Ord. No. 642-07.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from Cuyahoga County Office of Procurement and Diversity for the Lead Case Management Expansion Program; authorizing the purchase by one or more requirement contracts of materials, equipment, supplies, and services to implement the grant; authorizing a contract with Maytag dba Hoover Sales and Services for vacuums and a contract with Thermo Electron Corporation dba Nitro for XRF machines; authorizing the Director to employ one or more professional consultants to perform assessments; and authorizing one or more contracts with various agencies, entities, or individuals to implement the grant.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance; when amended as follows:

1. In the title, lines 9 and 10; and in Section 8, lines 4 and 5, strike "Maytag dba Hoover Sales and Services" and in all places insert **"Hoover, Inc."**

2. In Section 8, in lines 2 and 3, strike "Maytag dba Hoover Sales and Services." and insert **"Hoover, Inc."**

Amendments agreed to.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

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

Ord. No. 643-07.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Commission on Minority Health for the Minority Health Planning Program; and authorizing the Director to employ one or more professional consultants to implement the grant.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 644-07.

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

An emergency ordinance authorizing the Director of Public Health to enter into one or more contracts with the Ohio Department of Health in order for the City of Cleveland to receive compensation for conducting inspections of summer food program sites.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 648-07.

By Council Members Pierce Scott and Sweeney (by departmental request).

An emergency ordinance appropriating Community Development Block Grant funds for administrative expenses of the Code Enforcement Program.

Approved by Directors of Community Development, Building and Housing, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

MOTION

By Council Member Kelley, seconded by Council Member Keane, and unanimously carried that the absence of Council Member Roosevelt Coats be and is hereby authorized.

MOTION

The Council Meeting adjourned at 7:45 p.m. to meet at 7:00 p.m. on Monday, June 4, 2007 in the Council Chambers.



City Clerk, Clerk of Council

THE CALENDAR

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

ORDINANCE

Ord. No. 408-07.

By Council Members Kelley, Cimperman and Sweeney (by departmental request).

An emergency ordinance determining the method of making the public improvement of repairing and maintaining runways, taxiways, ramps, roads, and other concrete surfaces for the various divisions of the Department of Port Control, and authorizing the Director to enter into one or more public improvement requirement contracts for the **making of the improvement.**

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of repairing and maintaining runways, taxiways, ramps, roads, and other concrete surfaces for the various divisions of the Department of Port Control, by one or more public improvement requirement contracts duly let to the lowest responsible bidder or bidders on a unit basis for the improvement.

Section 2. That the Director of Port Control is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years, with two one-year options to renew, for the making of the above public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement for a period not to exceed the specified term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of the Department of Port Control. **The first of the one-year options to renew shall not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew shall be exercisable at the option of the Director of Port Control without the necessity of obtaining additional authority of this Council.** Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 3. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 158683)

Section 4. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Port Control may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

BOARD OF CONTROL

May 16, 2007

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 16, 2007, at 10:30 a.m. with Director Triozzi, presiding.

Present: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Guzman and Rybka.

Absent: Mayor Jackson and Director Fumich.

Others: Jim Hardy, Commissioner, Purchases and Supplies.

Debra Linn Talley, Director, Office of Equal Opportunity.

On motions, the following resolutions were adopted, except as may be otherwise noted:

Resolution No. 229-07.

By Director Dumas.

Resolved by the Board of Control of the City of Cleveland, that under Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952, the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of April, 2007 in the amount of \$13,654.73 attached and made a part of this resolution, is received, approved and ordered filed.

Yeas: Directors Triozzi, Dumas, Ciaccia, Wasik, Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson and Directors Fumich and Smith.

Resolution No. 230-07.

By Director Dumas.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 286-07, passed by the Council of the City of Cleveland on April 16, 2007, the Commissioner of Purchases and Supplies is directed to convey a non-exclusive easement in a conduit through 205 St. Clair Avenue, no longer needed for public use, to Cuyahoga County (the "County") for the purpose of sharing fiber optic resources at 205 St. Clair (the "Improvement") at no cost to the City of Cleveland.

Be it further resolved that the Commissioner of Purchases and Supplies and the Director of Finance are requested to execute and deliver the official deed of easement of the City of Cleveland conveying the easement interest to the County.

Yeas: Directors Triozzi, Dumas, Ciaccia, Wasik, Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson and Directors Fumich and Smith.

Resolution No. 231-07.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that

under the authority of Ordinance No. 249-07, passed by the Council of the City of Cleveland on March 16, 2007, DLZ Ohio, Inc. (MBE) is selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to provide professional consulting services necessary to provide general engineering, architectural, and other services, including but not limited to design services, construction inspection services, structural and geotechnical analysis services, permit application services, materials testing and analysis services, risk assessment services, cost-benefit analysis services, laboratory and monitoring services, environmental and safety consulting services, remediation and disposal services, hazardous material remediation and disposal services, water quality and treatment process assessments and analysis services, and other related professional consulting services needed for the Division of Water, Department of Public Utilities, on an as-needed basis.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with DLZ Ohio, Inc. based upon its proposal dated March 14, 2007, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services described in the proposal, for an aggregate fee not exceeding \$2,895,385.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subcontractors by DLZ Ohio, Inc. for the above-mentioned professional services is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Polytech, Inc. (MBE)	\$231,761.25 8.00%
Tucker, Young, Jackson, Tull, Inc. (MBE)	\$231,761.25 8.00%
Sigma, Associates, Inc. (FBE)	\$173,066.25 5.98%
Burgess & Niple, Inc.	\$288,491.25 9.96%
Brown & Caldwell	\$289,061.25 9.99%

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Fumich.

Resolution No. 232-07.

By Director Ciaccia.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Boyas Excavating Inc. for an estimated quantity of the disposal of debris at landfills, Option 1, Items 1, 3 and 5, for the various divisions of the Department of Public

Utilities, for a period of one year, starting upon the later of execution of the contract or the day following expiration of the currently effective contract for the goods or services, received on April 13, 2007 under the authority of Ordinance No. 1580-06, passed October 30, 2006, which on the basis of the estimated quantity would amount to \$393,000.00 (0%, 0 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition Nos. 162414 and 170530 which shall be certified against the contract in the sums of \$75,000.00 and \$20,000.00.

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

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Fumich.

Resolution No. 233-07.

By Director Ciaccia.
Be it resolved, by the Board of Control of the City of Cleveland that all bids received on April 13, 2007 for disposal of debris at landfills, Option 1, Item 2, for the Divisions of Water, Cleveland Public Power and Water Pollution Control, Department of Public Utilities, under the authority of Ordinance No. 1580-06, passed October 30, 2006, are rejected.

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Fumich.

Resolution No. 234-07.

By Director Wasik.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Grunwell-Cashero Company, for the public improvement of the Cleveland Brown's Stadium structural repairs, base bid, for the Department of Public Service, received on April 25, 2007, under the authority of Ordinance No. 1266-06, passed September 25, 2006 by the Cleveland City Council, for a gross price for the improvement in the aggregate amount of \$268,000, is affirmed and approved as the lowest responsible bidder, and the Director of Public Service is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Grunwell-Cashero Company is approved:

<u>Subcontractor</u> <u>MBE/FBE</u>	<u>Amount</u> <u>Percentage</u>
Dependable Painting FBE	\$25,000 9.33%
Kuhlman Supplies	\$10,000 3.73%
Charles E. Phipps Company	\$10,000 3.73%
Hertz Equipment	\$20,000 7.46%
Lee Infrastructure	\$30,000 11.19%

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Fumich.

Resolution No. 235-07.

By Director Cox.
Whereas, under the authority of Ordinance No. 1689-06, passed December 11, 2006, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized, by and at the direction of the Board of Control, to sell certain City-owned property no longer needed for public use, located between East 88th and East 92nd Streets, and Wade Park Avenue to Morris Court, to the Cleveland Municipal School District for the purpose of constructing the new Daniel Morgan Elementary School; and

Whereas, Ordinance No. 1689-06 provided that the consideration to be paid for the property shall not be less than fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1689-06, passed by the Council of the City of Cleveland on December 11, 2006, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property no longer needed for public use, located between East 88th and East 92nd Streets, and Wade Park Avenue to Morris Court, to the Cleveland Municipal School District for the purpose of constructing the new Daniel Morgan Elementary School. The consideration to be paid for the property is fixed at \$113,387.00 which amount is determined to be not less than the fair market value.

Be it further resolved that the Mayor of the City of Cleveland is hereby requested to execute and deliver the Official Deed of the City of Cleveland conveying the property which document shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Fumich.

Resolution No. 236-07.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Nerone & Sons for the public improvement of Grant Park Site Improvements, for Base Bid Items 1 - 80 including the 5% contingency for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on March 28, 2007, under the authority of Ordinance No. 2151-03, passed on December 15, 2003, upon a unit basis for the improvement in the aggregate amount of \$488,264.40, is affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Nerone & Sons for the aforementioned public improvement is approved:

<u>SUBCONTRACTORS</u>	<u>AMOUNT</u>	<u>PERCENTAGE</u>
Terra Soft	\$48,700.00	9.97%
Ballast Fence (FBE)	\$42,300.00	8.66%
Caver Brothers (MBE)	\$34,800.00	7.13%
Tech Ready Mix (MBE)	\$16,575.00	3.39%
Cook Paving (MBE)	\$14,450.00	2.96%
Steward Supply (MBE)	\$ 8,800.00	1.80%
Krusoe Sign	\$ 5,125.00	1.05%
Granger Trucking (MBE)	\$ 2,000.00	0.41%
K & L Sealers	\$ 740.00	0.15%

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Fumich.

Resolution No. 237-07.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Nerone & Sons for the public improvement of 2007 Highland Park Golf Course Site Improvements, for Base Bid Items #1, 5, 8, 9, 10, 12, 14, 16, 18, 20, 22, 28, 30, 31, 33, 35, 37, 40, 41, 43, 45, 47, 58, 59, 60, 62, 63, 64, 72, 73, 74, 76 - 82, 84, 89, 90, 91, 104, 106, 111, 112, 114 - 120, 122, 125 - 128, 133, 137, 138, 140, 143, 144, 147, 152 and Alternate #A7 including the 5% contingency for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on, March 14, 2007, under the authority of Ordinance No. 988-06, passed on June 12, 2006, upon a unit basis for the improvement in

the aggregate amount of \$649,976.04, is affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Nerone & Sons for the aforementioned public improvement is approved:

<u>SUBCONTRACTORS</u>	<u>AMOUNT</u>	<u>PERCENTAGE</u>
Cook Paving (MBE)	\$80,900.00	12.45%
Caver Brothers (MBE)	\$47,000.00	7.23%
Royal Landscaping (FBE)	\$40,000.00	6.02%
Granger Trucking (MBE)	\$16,400.00	2.52%
Granger Trucking (MBE)	\$ 7,600.00	1.17%

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Fumich.

Resolution No. 238-07.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Bradley Construction Company (MBE) for the public improvement of Gardenview Hill Site Improvements - Phase 2, for Base Bid Items 1 - 28 including the 5% contingency for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on May 9, 2007, under the authority of Ordinance No. 2151-03, passed on December 15, 2003, upon a unit basis for the improvement in the aggregate amount of \$115,643.17, is affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Bradley Construction Company (MBE) for the aforementioned public improvement is approved:

<u>SUBCONTRACTORS</u>	<u>AMOUNT</u>	<u>PERCENTAGE</u>
Snider & Associates, Inc.	\$37,080.00	32.06%
Down to Earth	\$16,280.00	14.08%
Minority Electric Co. (MBE)	\$ 4,830.00	4.18%
Collinwood	\$ 4,200.00	3.63%

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Fumich.

Resolution No. 239-07.

By Director Hutchinson.

Whereas, Board of Control Resolution No. 180-07, adopted April 9, 2007, authorized the Director of Personnel and Human Resources to enter into contract with Integrated Consulting Services to perform the professional services necessary to administer the third party administrator program for the Department of Personnel and Human Resources; and

Whereas, Resolution No. 180-07 omitted approval of the sub-contractors proposed to be utilized by Integrated Consulting Services; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 180-07, adopted by this Board on April 9, 2007 authorizing the Director of Personnel and Human Resources to enter into contract with Integrated Consulting Services to perform the professional services necessary to administer the third party administrator program for the Department of Personnel and Human Resources is amended by adding the following:

Be it further resolved that the employment of the following sub-contractors are approved:

<u>SUBCONTRACTOR</u>	<u>DOLLAR AMOUNT</u>	<u>PERCENTAGE</u>
Bureau of Research (MBE)	\$10,000.00	3.70%
ICON Investigations (FBE)	\$10,000.00	3.70%
Medical Assessments (FBE)	\$10,000.00	12.96%

and various healthcare professionals licensed to practice in the State of Ohio, in the areas of medicine, chiropractic medicine, dentistry, psychology, and other medical-related areas, as are required from time to time during the contract term, provided that the Director of Personnel and Human Resources has first approved the professional.

Be it further resolved that all other provisions of Resolution No. 180-07 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Acting Director Wilbur, Directors Hutchinson, Reilly, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Fumich.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

REYNALDO GALINDO,
President

CIVIL SERVICE NOTICE

**ANNOUNCEMENTS — 2007
5/25/07 — 6/1/07**

Announcement No.	Exam Method	Classification	Exam Type
49	WR	Assistant Custodian	(Open)
50	EE	Code Enforcement Inspector I	(Open)
51	WR	Electrical Worker	(Open)
52	WR/TY	Emergency Medical Dispatcher	(Open)
53	EE	Environmental Compliance Specialist I	(Open)
54	EE	HR Contract Specialist	(Open)
55	EE	Landscape Architect	(Open)
56	WR	Office Manager	(Open)
57	WR	Senior Internal Auditor	(Open)
58	EE	Telecommunications Analyst II	(Open)

PROOF OF CITY RESIDENCY

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing.** The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **cur-**

rent. Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

- Lease - from rental agency.
- Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.
- Utility bills bearing the property address **and** your name.
- Post Office change of address form properly date stamped.
- Official documents relating to home ownership including deed, purchase agreement, or insurance policy.
- Bank statements (Within last three months).
- School registration of children.
- Car insurance documents.
- Car registration **or** Driver's License **or** Ohio I.D. (**One only**).
- Loans and credit card statements (Within last three months).
- Rental contracts (e.g.: furniture, tools, car, etc.).
- Current bills not listed above (Within last three months).

- The following are examples of **unacceptable** categories of proof:
- Library cards.
- Voter registration cards.
- Birth certificates.
- Notarized letters or affidavits.
- Social Security card.
- Rental receipts from independent party without cancelled checks or money order receipt.

The following are examples of **unacceptable** categories of proof:

- Library cards.
- Voter registration cards.
- Birth certificates.
- Notarized letters or affidavits.
- Social Security card.
- Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 49**

ASSISTANT CUSTODIAN (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,800.00 - \$45,225.44 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE AVAILABLE FOR ENTRANCE TO THE EXAMINATION FROM 8:30**

A.M. ON FRIDAY, MAY 25, 2007 UNTIL 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under directions, supervises facility cleaning, maintenance, and operations activities. Operates and/or trains employees to operate cleaning equipment and machinery. Orders janitorial supplies and prepares repair orders. Supervises seasonal workers, as required. Maintains records and prepares reports. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required, within eighteen (18) months of appointment. Two (2) years of full time paid managerial experience in custodial work is required. Experience must include management of a staff of twenty five (25) to fifty (50) people. A valid State of Ohio Driver's License is required.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil

Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 50

CODE ENFORCEMENT INSPECTOR I (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.08 - \$22.50 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 25, 2007 UNTIL 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision of the Commissioner, makes inspections of residential, commercial, industrial and other structures in the course of construction for the purpose of ensuring compliance with laws, ordinances, rules, and regulations relating to design, location, construction, and maintenance. Performs related duties as required that pertain to enforcement of the Cleveland Housing Code, Cleveland Building Code, and the Cleveland Zoning Code. Follows all operations and safety poli-

cies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. Three years of Ohio Basic Building Code (OBC) experience is required. Must obtain and maintain certification from the State of Ohio as a Class III OBC Building Inspector. A valid State of Ohio Driver's License is required.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

NOTE: Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 51

ELECTRICAL WORKER (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$33.87 - \$44.17 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available

at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 25, 2007 UNTIL 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision, does skilled work in connection with the installation, repair and maintenance of electrical light and power transmission lines and circuits, signal lines and circuits, and electric generating and electrically operated equipment. Performs related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. Completion of a certified four (4) year electrical Apprentice Program or equivalent is required. Must have a valid State of Ohio Driver's License. Must be able to lift and carry a minimum of thirty (30) pounds and climb a ladder. (Substitution: One (1) year of direct electrical experience may substitute for each year of Apprentice Program lacking.)

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the

applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

NOTE: Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 52

EMERGENCY MEDICAL DISPATCHER (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.50 - \$18.71 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 25, 2007 UNTIL 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN AND TYPING TEST

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Answers emergency medical telephone calls from citizens, elicits

pertinent information, prioritizes the call using information from the caller, and assigns the proper priority code. Operates Emergency Medical Service divisional computers and radio equipment according to City and FCC rules and regulations. Dispatches Emergency Medical Service units on the basis of availability and proximity to the scene of the requested service as well as coordinates multiple Emergency Medical Service units and resources from other agencies. Maintains familiarity with the streets of Cleveland and various resource agencies used by Emergency Medical Services. Contacts these agencies as needed, that is, Police, Fire, Coast Guard, etc. Maintains proficiency in emergency medical dispatch in order to achieve and maintain certification in priority dispatch. Performs other duties as assigned or required to meet emergency situations. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. Must have a working knowledge of computers and be able to type at least thirty five (35) words per minute. Must be able to lift and carry thirty (30) pounds.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

NOTE: Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompa-

nying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 53

ENVIRONMENTAL COMPLIANCE SPECIALIST I (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.95 - \$21.25 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 25, 2007 UNTIL 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

This is an entry level position which performs a variety of environmental compliance duties related to the processing of air pollution permits. Specifically, reviews application and development of Permits to Install (PTIs) and Permits to Operate (PTOs.) Determines compliance with federal, state, and local air regulations. Writes technical reports. Does some preparation of Title V and FESOP permits as required. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and

properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. A Bachelor's Degree in Environmental Science, Chemistry, Physics, Biology, Geology, Engineering, Mathematics, or any other science-related field from an accredited four (4) year college or university is required. Must possess a basic knowledge of air pollution as it relates to permit issues.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

NOTE: Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need at the time of filing

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 54

HR CONTRACT SPECIALIST (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.00 - \$27.94 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE

AVAILABLE FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 25, 2007 UNTIL 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general direction, manages federal employment and training program contract compliance. Provides job training contract interpretations for contractors. Prepares Job Training Plan segment of contracts. Reviews training requests from employers. Reviews training program participants prior to assignment to positions. Manages contract compliance by all involved parties and conducts entitlement sessions. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. A Bachelor's Degree in Finance, Business Administration/Public Administration, Political Science, or closely related field with coursework in Construction Management, Basic Accounting, Research Skills, and Financial Analysis from an accredited four (4) year college or university is required. Two (2) years of full time paid related experience in government or private industry is required. (Substitution: Two (2) years of full time related experience will substitute for each year of college education lacking.) A valid State of Ohio Driver's License is required.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) fil-

ing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 55

LANDSCAPE ARCHITECT (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.00 - \$26.40 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 25, 2007 UNTIL 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Prepares landscape architectural drawings and contract construction documents for the improvement or rehabilitation of various City park and recreation site developments including preliminary and final design, cost estimates, reports or studies, and contract construction inspection of same. Assists in the preparation and development of park and recreation capital improvement/rehabilitation master plans, studies, assessments and reports. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. A Bachelor's Degree in Landscape Architecture from a four (4) year accredited college or university is required. One year of full time paid experience under the supervision of a registered Landscape Architect in a public or private sector agency or firm is required. A valid State of Ohio Driver's License is required.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 56

OFFICE MANAGER (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,800.00 - \$46,350.72 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 25, 2007 UNTIL 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general direction, supervises and assigns the work performed by clerical staff members in a work unit. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. Three (3) years of full time paid experience in business administration, accounting, or office management is required. A valid State of Ohio Driver's License is required. (Substitution: One (1) year of college training may substitute for each year of experience lacking, up to two (2) years.) Must be able to lift and carry a minimum of twenty (20) pounds. Must be computer literate and proficient with Microsoft Office Suites.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS)

filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

NOTE: Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 57

SENIOR INTERNAL AUDITOR (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$23,647.11 - \$62,539.36 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 25, 2007 UNTIL 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT

TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under administrative direction, plans and conducts financial compliance and operational audits of designed City departments or divisions according to accepted accounting principles. Supervises staff auditors and assists external auditors. Prepares auditing reports. Audits inventories, cash function, and outside contractor documents. May prepare accounting policies and procedures and footnote calculations. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. A Bachelor's Degree in Accounting, Finance, Business, Public Administration, Information Systems, or related field from an accredited four (4) year college or university is required. Three (3) years of full time paid experience in accounting or auditing is required. Must possess a valid State of Ohio Driver's License. Strong written and verbal communication skills are required. Should be proficient in Microsoft Office Suites and have a knowledge of various computerized accounting software packages. The individual must be able to lift and carry a minimum of thirty (30) pounds.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have

his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 58

TELECOMMUNICATIONS ANALYST II (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$30,214.00 - \$83,197.92 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, MAY 25, 2007 UNTIL 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 1, 2007.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Responsible for the setup, design and implementation, and coordination of telecommunications systems and services throughout the City of Cleveland. Attends seminars and conferences and meets with vendors to maintain awareness of telecommunication technology development. Works with vendors for optimum load balancing and is responsible for managing complex telecommunication projects. Serves as level II and III support to the help desk. Reports to the Telecommunications Manager. Writes RFP's and/or bid specifications for telecommunication systems and services. Coordinates the installation/removal of telecommunication equipment and circuits. Programs and maintains the voicemail software and system. Performs com-

parative analysis of vendors and bids and writes recommendations for bid awards. Reviews service orders to evaluate adherence to City and Departmental project requirements. Conduct project meetings to monitor vendor's adherence to deadlines, compliance with the City's policies and procedures, etc. Programs and maintains the call accounting software and system, providing support to the network administration function as required. Manages pager and cellular telephone inventory. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. A Bachelor's degree in Telecommunications, Electrical, Electronic or Mechanical Engineering, Computer Science, Business Administration or related field from an accredited four (4) year college or university is required. Four (4) years experience in the provisioning of telecommunication services (experience in a Centrex and PBX environment will be an asset.) (Substitution: Two (2) years of experience may substitute for each year of college education lacking.) Proven management and organization skills, and demonstrated experience in technology planning is required. Must be able to lift and carry thirty (30) pounds. A valid State of Ohio Driver's License is required.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

REYNALDO GALINDO,
President

May 23, 2007

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, JUNE 4, 2007

9:30 A.M.

Calendar No. 07-66: 12502 Larchmere Boulevard (Ward 6)
12502 Larchmere Ltd., owner, appeals to establish use as a restaurant with outdoor dining to accommodate 62 seats in an existing two-story frame structure, situated on a 40.47' x 131.05' parcel, located in a Local Retail Business District on the south side of Larchmere Boulevard at 12502 Larchmere Boulevard; as proposed, the use requires 16 off-street parking spaces and none are provided, contrary to Section 349.04 of the Codified Ordinances.

Calendar No. 07-67: 16410 Westview Avenue (Ward 1)

Melanie Chapman Bowen, owner, appeals to erect a one-story 11'-7" x 10' sunroom in the front of an existing one family dwelling, situated on a 45' x 140' parcel located in a One-Family District on the south side of Westview Avenue at 16410 Westview Avenue; contrary to Section 357.04 the proposed enclosure exceeds the line of existing buildings and a 10 foot projection is proposed where no enclosed porches may project more than 4' nor aggregate a vertical area in any story more than 20% of the area of the facade in that story, as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 07-68: 2704 Clark Avenue (Ward 14)

Gerald Zahler, owner, and Gennie Rodriguez, d.b.a. La Copa Sports Bar, tenant, appeal under Section 76-6 of the Cleveland City Charter and Section 329.02(d) of the Codified Ordinances from being denied a Coin Operated Pool Table License by the Commissioner of Assessments and Licenses, upon the disapproved license application by the Department of Public Safety.

Calendar No. 07-69: 2704 Clark Avenue (Ward 14)

Gerald Zahler, owner, and Gennie Rodriguez, d.b.a. La Copa Sports Bar, tenant, appeal under Section 76-6 of the Cleveland City Charter and Section 329.02(d) of the Codified Ordinances from a denied Coin Operated Amusement Device License by the Commissioner of Assessments and Licenses upon the disapproved license application and recommendation by the City of Cleveland Safety Department.

Calendar No. 07-70: 17905 Maplecliff Road (Ward 11)

Charles Schultz, owner, appeals to erect a 24' x 36' one-story frame accessory garage with an open second floor area for personal storage use, proposed to be situated on a 50' x 127' parcel where there is an existing shed, located in a One-Family District on the north side of Maplecliff Road at 17905 Maplecliff Road; contrary to Section 337.23(7)(A), the maximum square footage of the proposed structure equals 1,028 square

feet and 779 square feet is allowed; and a 9' distance is provided where no building shall be less than 10' from a building on an adjoining lot as stated in Section 337.23A of the Codified Ordinances.

Secretary

CORRECTION

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, MAY 14, 2007

At the meeting of the Board of Zoning Appeals on Monday, May 14, 2007, the following appeals were heard by the Board.

The following appeals were **Approved:**

Calendar No. 07-50: 2025 Stokes Boulevard
University Circle, Incorporated, owner, and National City Bank, lessee, appealed to erect a 3,599 square foot, one-story bank building and a 14 car parking lot in a General Retail Business District.

Calendar No. 07-55: 9300 Quincy Avenue

The Cuyahoga county Board of County Commissioners appealed to construct a public juvenile court and detention center facility in a General Retail Business District; subject to condition.

Calendar No. 06-247: 7211 Quincy Avenue

Robert Rosen appealed for an expansion of a nonconforming scrap metal broker use in a General Retail Business District; subject to conditions.

The following appeal was **Withdrawn:**

None.

The following appeal was **Dismissed:**

None.

The following appeal was **Postponed:**

Calendar No. 07-54: 3455 Campbell Road postponed to June 11, 2007.

In Executive Session on May 14, 2007, the following appeals heard by the Board on May 7, 2007 were held pending ratification for a quorum of the Board.

Calendar No. 07-45: 4315 West 140th Street

The Cleveland Municipal School District appealed to construct a two-story Kindergarten through Eighth Grade public school building in split zoning between One and Two-Family residential districts; subject to condition.

Calendar No. 07-46: 4550 West 150th Street

The Cleveland Municipal School District appealed to construct a two-

story Kindergarten through Eighth Grade public school building in a Two-Family District; subject to condition.

Calendar No. 07-47: 7600 Wade Park Avenue

The Cleveland Municipal School District appealed to construct a two-story Kindergarten through Eighth Grade public school building in split zoning between General Retail and Multi-Family Districts; subject to condition.

Calendar No. 07-56: 3800 West 140th Street

The Cleveland Municipal School District appealed to construct a Kindergarten through Eighth Grade public school building in an One-Family District.

Calendar No. 07-35: 1370 West 89th Street

Algart Realty appealed to construct a parking lot in a Multi-Family District.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, MAY 21, 2007

At the meeting of the Board of Zoning Appeals on Monday, May 21, 2007, the following appeals were heard by the Board.

The following appeals were **Approved:**

Calendar No. 07-48: 3420 East 93rd Street

3420 East 93rd Street Company appealed to construct a 60 unit apartment building in split zoning between a General Retail District and a Two-Family District.

Calendar No. 07-59: 1954 East 124th Place

Alan Swick appealed to erect a two-story room addition to a single family dwelling in a Multi-Family District.

The following appeal was **Denied:**

None.

The following appeal was **Withdrawn:**

None.

The following appeal was **Dismissed:**

None.

The following appeals were **Postponed:**

Calendar No. 07-58: 3902 Lee Road postponed to June 25, 2007.

Calendar No. 07-60: 5918 Hawthorne Avenue postponed to June 25, 2007.

Calendar No. 07-18: 8200 Aetna Road postponed to June 18, 2007.

Calendar No. 07-30: 3968 / 3990 / 3979
Pearl Road postponed to July 2, 2007.

In Executive Session on May 21, 2007, the following appeals heard by the Board on May 7, 2007 were ratified.

The following appeal was **Approved:**

Calendar No. 07-56: 3800 West 140th Street

The Cleveland Municipal School District appealed to construct a Kindergarten through Eighth Grade public school building in a One-Family District.

The following appeal was **Denied:**

Calendar No. 07-35: 1370 West 89th Street

Algart Realty appealed to construct a parking lot in a Multi-Family District.

In Executive Session on May 21, 2007, the following appeals heard by the Board on May 14, 2007 were ratified:

The following appeals were **Approved:**

Calendar No. 07-50: 2025 Stokes Boulevard

University Circle, Incorporated, owner, and National City Bank, lessee, appealed to erect a 3,599 square foot, one-story bank building and a 14 car parking lot in a General Retail Business District.

Calendar No. 06-247: 7211 Quincy Avenue

Robert Rosen appealed for an expansion of a nonconforming scrap metal broker use in a General Retail Business District; subject to conditions.

Secretary

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

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

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

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, May 30, 2007
1:00 p.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning

will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, May 30, 2007, at 1:00 p.m., to consider the following ordinances now pending in the Council:

Ord. No. 69-07.

By Council Member Lewis.

An ordinance changing the zoning of land on the north side of Chester Avenue between East 90th Street and East 97th Street from a Multi-Family Residential Use District to Local Retail Business, a General Retail Business District and a '3' Height District (Map Change No. 2206; Sheet No. 5).

Ord. No. 70-07.

By Council Member Reed.

An ordinance to change the Use District of land on the east and west sides of East 152nd Street north of Kinsman Road from a Two Family Residential District to a Residence Office District (Map Change No. 2210; Sheet No. 10).

Ord. No. 71-07.

By Council Member Zone.

An ordinance to change the Height District of land on the north side of Detroit Avenue between West 65th Street to West 67th Street from a '1' or a '2' Height District to a '3' Height District (Map Change No. 2209; Sheet No. 1).

Ord. No. 145-07.

By Council Member Polensek.

An ordinance to change the Use District of property located on the northeast corner of East 185th Street and Neff Road from Local Retail Business District to an RA2 Townhouse District (Map Change No. 2212; Sheet No.7).

Ord. No. 299-07.

By Council Member Cimperman.

An ordinance to change the zoning of property located between East 41st Street and East 43rd Street south of Superior from Two-Family Residential to Semi-Industry (Map Change No. 2218 Sheet No. 4).

Ord. No. 300-07.

By Council Member Reed.

An ordinance to change the zoning of property located on the southwest corner of Kinsman Road and East 123rd Street from RA-2 to Local Retail Business and a 'C' Area District (Map Change No. 2215 Sheet No. 10).

Ord. No. 301-07.

By Council Member Zone.

An ordinance to change the zoning of property located on the northwest and southwest corners of Father Caruso at West 65th Street and at West 67th Street to Two Family Residential and a '1' Height District (Map Change No. 2217 Sheet No. 1).

Ord. No. 415-07.

By Council Member Britt.

An ordinance to change the Use District of a parcel of land located on the northeast corner of East 105th Street and Norman Avenue from a Local Retail Business District to a General Retail Business District (Map Change Number 2220, Sheet 9).

Ord. No. 498-07.

By Council Member Polensek.

An ordinance establishing a Pedestrian Retail Overlay (PRO) District along East 185th Street between Lake Shore Boulevard and Waterloo Road (Map Change No. 2221, Sheet No. 7).

Ord. No. 499-07.

By Council Member Polensek.

An ordinance establishing a Pedestrian Retail Overlay (PRO) District on lands fronting on Waterloo Road and East 156th Street bounded by Huntmere Avenue to the north, East 152nd Street to the west and E. 163rd Street to the east (Map Change No. 2222, Sheet No. 7).

Ord. No. 544-07.

By Council Member Zone.

An ordinance changing the Use Districts of parcels on the northeast corner or West 65th Street and Franklin Avenue from a Two Family District to Local Retail Business District (Map Change Number 2223, Sheet 1).

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

Joseph C. Cimperman

Chairman

Committee on City Planning

May 9, 2007, May 16, 2007 and May 23, 2007

NOTICE OF PUBLIC HEARING

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

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, May 30, 2007
1:00 p.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, May 30, 2007, at 1:00 p.m., to consider the following ordinances now pending in the Council:

Ord. No. 588-A-07.

By Council Member Cimperman.

An ordinance to change the zoning of land fronting on W45th Street, Franklin Boulevard and vacated Marquette Street to Urban-Garden Districts (Map Change No. 2224, Sheet Numbers 1 & 4).

Ord. No. 743-07.

By Council Member Brancatelli.

An ordinance to change the zoning of a parcel of land on the west side of East 80th Street, North of Aetna Road to Semi-Industry (Map Change No. 2227, Sheet No. 6).

Ord. No. 744-07.

By Council Member Cimperman.

An ordinance changing the Use District of land on the west side of West 14th Street north of Cas-

tle Avenue and south of Mentor Avenue from Multi-Family to Urban Garden District (Map Change No. 2228, Sheet No. 1).

Ord. No. 745-07.

By Council Member Turner.
An ordinance changing the Use District of property located on the south side of Seville Road from One Family to Semi-Industry (Map Change No. 2226, Sheet No. 10).

Ord. No. 746-07.

By Council Member Sweeney.
An ordinance changing the Use District of property located on the east side of Grayton Road north of Brookpark Road from a One Family Residential District to a Residence Office District (Map Change No. 2225, Sheet No. 13).

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

Joseph C. Cimperman
Chairman
Committee on City Planning

May 16, 2007 and May 23, 2007

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, MAY 30, 2007

Pool Chemicals, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 447-07, passed by the Council of the City of Cleveland, April 2, 2007.
THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, MAY 25, 2007 AT 10:00 A.M., DIVISION OF RECREATION, CONFERENCE ROOM, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

May 16, 2007 and May 23, 2007

WEDNESDAY, JUNE 6, 2007

Various Galion-Dresser, Komatsu and Blaw Knox Paver Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 501-06, passed by the Council of the City of Cleveland, May 1, 2006.
THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, MAY 21, 2007 AT 10:30 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

May 16, 2007 and May 23, 2007

FRIDAY, JUNE 8, 2007

HVAC Repair Services, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 196-07, passed by the Council of the City of Cleveland, March 5, 2007.
THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, MAY 29, 2007 AT 11:00 A.M., DIVISION OF STREETS, CONFERENCE ROOM #26, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

May 16, 2007 and May 23, 2007

FRIDAY, JUNE 8, 2007

Fence Installation, Maintenance and/or Repair, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 369-07, passed by the Council of the City of Cleveland, April 16, 2007.
THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, JUNE 1, 2007 AT 1:30 P.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

Vitrified Clay Pipe, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, JUNE 1, 2007 AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, WPC RED CONFERENCE ROOM, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

May 23, 2007 and May 30, 2007

THURSDAY, JUNE 14, 2007

City of Cleveland Parking Garage Repairs and Alterations, for the Division of Architecture/Division of Parking Facilities, Department of Public Service/Department of Parks, Recreation & Properties, as authorized by Ordinance Nos. 837-05, 838-05, 840-05, 842-05 and 843-05, all passed by the Council of the City of Cleveland, June 6, 2005.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER (NO COMPANY CHECKS AND NO CASH WILL BE ACCEPTED).**

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, MAY 31, 2007 AT 2:00 P.M., CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE, ROOM #517, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

May 23, 2007 and May 30, 2007

WEDNESDAY, JUNE 20, 2007

Various Daimler Chrysler Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 501-06, passed by the Council of the City of Cleveland, May 1, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, JUNE 11, 2007 AT 10:30 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

May 23, 2007 and May 30, 2007

WEDNESDAY, JUNE 27, 2007

Liquid Alum and Alum Blend Coagulants, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, JUNE 6, 2007 AT 11:00 A.M., PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

May 23, 2007 and May 30, 2007

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 785-07.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the transfer of ownership of D5 and D6 Liquor Permit at 1740 East 17th Street, 1st floor and basement and repealing Resolution No. 381-07, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a D5 and D6 Liquor Permit to 1740 East 17th Street, LLC, DBA Moe's Bar, 1740 East 17th Street, 1st floor and basement, Cleveland, Ohio 44114, Permanent No. 6548846, by Resolution No. 381-07 adopted by the Council on March 5, 2007; and

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

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

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

Section 1. That objection to a D5 and D6 Liquor Permit to 1740 East 17th Street, LLC, DBA Moe's Bar, 1740 East 17th Street, 1st floor and basement, Cleveland, Ohio 44114, Permanent Number 6548846, be and the same is hereby withdrawn and Resolution No. 381-07, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted May 14, 2007.

Effective May 18, 2007.

Res. No. 786-07.

By Council Member Johnson.

An emergency resolution withdrawing objection to a New C1 Liquor Permit at 2975 Woodhill Road and repealing Resolution No. 84-07, objecting to said permit.

Whereas, this Council objected to a New C1 Liquor Permit to Lamater, Inc., DBA Woodhill Deli, 2975 Woodhill Road, Cleveland, Ohio 44104, Permanent Number 4997986 by Resolution No. 84-07 adopted by the Council on January 22, 2007; and

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

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

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

Section 1. That objection to a New C1 Liquor Permit to Lamater, Inc.,

DBA Woodhill Deli, 2975 Woodhill Road, Cleveland, Ohio 44104, Permanent Number 4997986, be and the same is hereby withdrawn and Resolution No. 84-07, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted May 14, 2007.

Effective May 18, 2007.

Res. No. 792-07.

By Council Member Coats.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 625 East 140th Street, 1st floor.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Moes Stop One, Inc., 625 East 140th Street, 1st floor, Cleveland, Ohio 44110, Permanent Number 6081178 to Yellow Store, LLC, DBA The Yellow Store, 625 East 140th Street, 1st floor, Cleveland, Ohio 44110, Permanent Number 92623650005; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Moes Stop One, Inc., 625 East 140th Street, 1st floor, Cleveland, Ohio 44110, Permanent Number 6081178 to Yellow Store, LLC, DBA The Yellow Store, 625 East 140th Street, 1st floor, Cleveland, Ohio 44110, Permanent Number 92623650005; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 14, 2007.

Effective May 18, 2007.

Res. No. 796-07.

By Council Members Zone, Sweeney, Turner, Polensek, Cummins, Cleveland, Conwell, Santiago, White, Westbrook, Brady, Cimperman, Reed and Kelley.

An emergency resolution supporting Senate Bill 128, introduced by Senator Dale Miller, to create an Ohio Climate Commission to study the impact of climate change on Ohio and recommend actions, and create a permanent Office of Climate Change within state government.

Whereas, Senator Dale Miller, D-23 of Cleveland, testified on April 25, 2007 before the Senate Committee on the Environment and Natural Resources on how passage of Senate Bill 128 would help Ohio know how global climate change will impact our state and how we can contribute to solving the problem; and

Whereas, Miller views climate change not primarily as an environment problem, but one that profoundly impacts our economy and agriculture, our culture, and almost every other aspect of our way of life; and

Whereas, Miller calls on business and industry, energy producers, agriculture, colleges and universities, and government to play a larger role than just the environmental community in order to solve the problems of global climate change in Ohio; and

Whereas, the Ohio Climate Commission would be an 11-member board consisting of the directors of Environmental Protection, Natural Resources, and Development, four members of the Ohio General Assembly, a representative of a statewide environmental organization, a representative of Ohio's energy industries, and experts in global climate change; and

Whereas, prior to making recommendations for Ohio to address the problems and opportunities of climate change, the commission would review the existing literature on the subject and hold at least four public hearings in different parts of the state to gather information specific to Ohio; and

Whereas, the commission would be empowered to work in cooperation with agencies in other states or the federal government, and would issue a preliminary report by June 30, 2008, and a final report by December 31, 2008; and

Whereas, proposed House Bill 128, if passed, will benefit the City of Cleveland by providing information on the impact of climate change on our region and recommending solutions to its challenges in our community; and

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

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

Section 1. That this Council Senate Bill 128, introduced by Senator Dale Miller, to create an Ohio Climate Commission to study the impact of climate change on Ohio and recommend actions, and create a permanent Office of Climate Change within state government.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Senator Dale Miller, D-23 of Cleveland, the Senate Committee on the Environment and Natural Resources, and Mayor Frank Jackson.

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

Adopted May 14, 2007.

Effective May 18, 2007.

Ord. No. 130-07.
By Council Members Kelley, Cimperman and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with the Cleveland National Airshow, Inc. for the use of certain portions of the airfield and facilities at Cleveland Burke Lakefront Airport to conduct an air show and related events, for a period of five years, with five one-year options to renew.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease By Way of Concession ("Lease") with the Cleveland National Airshow, Inc. (the "Lessee") for use of certain portions of the airfield and facilities (the "Airport Facilities") as designated by the

Director of Port Control, at Cleveland Burke Lakefront Airport (the "Airport") to conduct an air show and related events. In addition, the Lessee shall also lease during the term of the Lease approximately 1,048 square feet of office space in Room 166 of the Terminal Building at the Airport to administer the air show (the "Office Space"). The term of the Lease shall be for a period of five years, with five one-year options to renew exercisable by the request of the Lessee and the approval of the Director of Port Control. The exercise of the options to renew shall require additional legislative authority.

Section 2. That Lessee shall pay as rent for the Airport Facilities the following amounts during the term of the Lease:

- Year 1: \$20,000 annually
- Year 2: \$21,000 annually
- Year 3: \$22,000 annually
- Year 4: \$23,000 annually
- Year 5: \$24,000 annually

For each option year exercised, the annual rent for the Airport Facilities shall be increased by \$1,000 over the cost of the preceding year's rent.

Section 3. That the Lessee shall pay as rent for the use of the Office Space \$13,100 annually for the term of the Lease, which is equal to \$12.50 per square foot. For any option year exercised, the rent shall be determined by an appraisal to be caused by the Director of Port Control, but in no event shall the rent be less than \$12.50 per square foot.

Section 4. The Lessee shall pay the cost of all services provided by the City which are directly related to the air show. The Lease shall provide that, if total costs to Lessee derived from rent, office rent and payment for City services exceed \$100,000 in any given year of the initial five-year term of the Lease, the Lessee may terminate the Lease prior to the end of the initial five-year term of the Lease, provided that Lessee gives written notice of the termination to the Director of Port Control, the President of City Council and the Chairman of the Aviation and Transportation Committee, six (6) months prior to the date of the next year's event, or within thirty (30) days of receiving notice of the final costs for the preceding year, whichever is earlier.

Section 5. That the Lease authorized shall be prepared by the Director of Law.

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

Passed May 14, 2007.

Effective May 18, 2007.

Ord. No. 409-07.
By Council Members Conwell and Sweeney (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from

the Murtis H. Taylor Multi-Service Center for the Weed and Seed - Mt. Pleasant Site Program; and authorizing a contract with Murtis H. Taylor Multi-Service Center to act as the City's fiscal agent.

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 authorized to apply for and accept a grant in the amount of \$79,527.65 from the Murtis H. Taylor Multi-Service Center, to conduct the Weed and Seed - Mt. Pleasant Site Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the designation packet for the grant contained in the file described below.

Section 2. That the designation packet for the grant, File No. 409-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority, is approved in all respects.

Section 3. That the Director of Public Safety is authorized to enter into one or more contracts with the Murtis H. Taylor Multi-Service Center to act as fiscal agent for the City to implement this program.

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

Passed May 14, 2007.

Effective May 18, 2007.

Ord. No. 439-07.
By Council Members Conwell and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice, Bureau of Justice Assistance for the 2007 Gang Resistance Education and Training Program; authorizing the purchase by one or more requirement contracts of materials, equipment, supplies, and services needed to implement the grant; and authorizing one or more contracts with the Police Athletic League to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$116,428.00,

and any other funds that may become available during the grant term, from the U.S. Department of Justice, Bureau of Justice Assistance to conduct the 2007 Gang Resistance Education and Training ("GREAT") Program that the Director of Public Safety is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the application for the grant contained in the file described below.

Section 2. That the application for the grant, File No. 439-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, including the obligation of the City to provide matching funds in the sum of \$154,477.00, payable from Fund Nos. 10 SF 025, 10 SF 027, and 10 SF 049, are approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant if the extension does not involve an increase in the dollar amount of the grant specified above.

Section 4. That the Director of Public Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements during the grant period of the necessary items of materials, equipment, supplies, and services needed to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 5. That the Director of Public Safety is authorized to enter into one or more contracts with the Police Athletic League to implement the grant as described in the file.

Section 6. That the costs of the contract or contracts shall be charged against the fund or funds which are credited the grant proceeds accepted under this ordinance, the cash match, and shall also be paid from the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

Section 7. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Safety may sign all documents with the State of Ohio or any of its political subdivisions

that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

Passed May 14, 2007.

Effective May 18, 2007.

Ord. No. 482-07.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts without competitive bidding with Pitney Bowes for the purchase of maintenance on various mail sorters, for the Division of Water, Department of Public Utilities, for a period of 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 this Council has determined that the within commodities are non-competitive and cannot be secured from any source other than Pitney Bowes. Therefore the Director of Public Utilities is authorized to make one or more written contracts with Pitney Bowes on the basis of its proposal dated April 16, 2006, for a period of two years, for maintenance on mail sorters for the following equipment for a period not to exceed two years: R406 2586, R783 9902538, J632 1005579, to be purchased by the Commissioner of Purchases and Supplies, for the Division of Water, Department of Public Utilities.

Section 2. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Utilities may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 3. That the cost of the contract or contracts authorized shall be paid from Fund No. 52 SF 001, Request No. 177077.

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

Passed May 14, 2007.

Effective May 18, 2007.

Ord. No. 532-07.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with ESRI for professional services necessary to perform maintenance on Citywide GIS software.

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 authorized to enter into one or more contracts with ESRI for professional services necessary to perform maintenance on Citywide GIS software on the basis of its proposal dated January 25, 2007, in the total sum not to exceed \$185,293.50, for the various divisions of City government. The contract or contracts shall be paid from Fund No. 52 SF 001, Request No. 177075.

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

Passed May 14, 2007.

Effective May 18, 2007.

Ord. No. 572-07.

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

An emergency ordinance authorizing the Director of Public Utilities to execute a Power Schedule, amending and restating the Power Schedule, dated as of January 1, 2006, between American Municipal Power-Ohio, Inc. ("AMP-Ohio") and the City of Cleveland, and relating to the purchase by the City from AMP-Ohio of power and associated energy available to AMP-Ohio pursuant to a long term purchase by AMP-Ohio from J. Aron & Company ("J. Aron").

Whereas, the City of Cleveland owns and operates an electric utility system, Cleveland Public Power, for the sale of electric power and associated energy for the benefit of its citizens and taxpayers; and

Whereas, in order to satisfy the electric power and energy requirements of its electric utility system, the City of Cleveland has purchased economical and reliable power and energy from AMP-Ohio, of which the City is a Member, or has purchased power arranged by AMP-Ohio; and

Whereas, the City of Cleveland, acting individually and along with other municipalities which own and operate electric utility systems jointly through AMP-Ohio, endeavors to arrange for reliable, reasonably priced supplies of electric power and energy for ultimate delivery to its customers; and

Whereas, the City of Cleveland has executed a Master Services Agreement with AMP-Ohio which sets forth the general terms and conditions for the provision of

power supply and other services by AMP-Ohio to the City; and

Whereas, AMP-Ohio has acquired by contract with J. Aron (the "Original J. Aron Contract") economical long-term power and energy which has been made available for resale to certain AMP-Ohio Members, including the City of Cleveland ("Municipalities"), on a long-term basis; and

Whereas, under the authority of Ordinance No. 244-06, passed March 20, 2006, the City of Cleveland previously determined that it could beneficially utilize a portion of such energy and executed an agreement (the "Original Power Schedule") with AMP-Ohio for a share of the power and energy from the Original J. Aron Contract at the stated contract price to the City of \$0.04455 per kWh, excluding taxes, transmission costs, replacement power and AMP-Ohio service fees (the "Contract Price"); and

Whereas, AMP-Ohio is renegotiating the terms of the Original J. Aron Contract for purposes of prepaying all or a portion of AMP-Ohio's obligations under the Original J. Aron Contract, in a discounted lump sum (the "Prepayment"), in exchange for a reduction in the Contract Price; and

Whereas, the amount of the Prepayment will correspond to the shares of power and energy of the City of Cleveland and Municipalities authorizing power schedules substantially identical to the New Power Schedule ("Participants"); and

Whereas, not all Municipalities may become Participants; and

Whereas, an amendment to the Original J. Aron Contract relating to the Prepayment will enable AMP-Ohio to offer long-term power and energy to Participants at a discount price, excluding taxes, transmission costs, replacement power and AMP-Ohio service fees (the "Discount Price"), from the Contract Price that would otherwise be charged by AMP-Ohio to service its obligations under the Original J. Aron Contract; and

Whereas, AMP-Ohio intends to issue bonds to finance the Prepayment and the City of Cleveland requests it to do so; and

Whereas, the City of Cleveland desires to obtain the benefit of the Discount Price and consents to the issuance of bonds by AMP-Ohio on its behalf to effect the Prepayment; and

Whereas, AMP-Ohio has offered to enter into an agreement (the "New Power Schedule"), supplementary to its Master Services Agreement with the City of Cleveland, that will amend and restate the Original Power Schedule to provide that AMP-Ohio will agree to obtain and sell to the City, and the City will agree to take and pay for, a share of the power and energy acquired by AMP-Ohio under an amendment to the Original J. Aron Contract (the Original J. Aron Contract, as so amended, the "Prepayment Agreement"); and

Whereas, it is understood by the City of Cleveland that the ability of AMP-Ohio to offer power and energy to the City at the Discount Price will be governed by the terms of the Prepayment Agreement, and that, under certain conditions, the Pre-

payment Agreement may be terminated prior to December 31, 2012; and

Whereas, it is further understood by the City of Cleveland that, in the event the Prepayment Agreement shall be terminated by J. Aron or AMP-Ohio for any reason, the New Power Schedule will require AMP-Ohio to continue to sell, and the City to purchase, power and energy at the Contract Price, rather than the Discount Price, effective on the date of the termination; and

Whereas, it is understood by the City of Cleveland that all payments made by the City under the New Power Schedule will continue to constitute an operation and maintenance obligation of the City's electric utility system, payable from the revenues thereof in accordance with the New Power Schedule, and the City agrees, as specified in the New Power Schedule, to fix, charge and collect rates sufficient to pay its obligations along with all other legally required obligations of the City's electric utility system; 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 New Power Schedule between the City of Cleveland and AMP-Ohio, substantially in the form placed in File No. 572-07-A, including Appendices, is approved, and the Director of Public Utilities is authorized to execute and deliver the New Power Schedule, with changes as the director of Public Utilities and the Director of Law may approve as neither inconsistent with this ordinance nor materially adverse to the City of Cleveland, with the execution of the Schedule to be conclusive evidence of approval.

Section 2. That the Director of Public Utilities may execute and deliver the New Power Schedule, conditioned upon AMP-Ohio's agreement to hold the same in escrow pending a written determination by AMP-Ohio's independent financial advisor being provided to the Director of Finance, stating that the anticipated present value savings to the City of Cleveland from its participation in the Prepayment will equal or exceed two percent (2%). The Director of Finance may conclusively rely on the written estimate of AMP-Ohio's independent financial advisor as to the measure of the savings. In making the determination, AMP-Ohio's independent financial advisor may assume that the Prepayment Agreement shall run for a term coextensive with the term of the New Power Schedule.

Section 3. That the "Effective Date" of the New Power Schedule shall be the same date as the effective date of the Prepayment Agreement provided that the date shall be not later than December 31, 2007.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance that were required by law to be taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal

actions that were required by law to be taken in meetings open to the public, in compliance with all legal requirements.

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

Passed May 14, 2007.

Effective May 18, 2007.

Ord. No. 577-07.

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

An emergency ordinance authorizing the Director of Public Safety to enter into one or more contracts without competitive bidding with MCPc Computer Products & Consulting for maintenance on Cisco SMARTnet equipment, for the Department of Public Safety, for a period of one year, with one additional one-year option to renew.

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

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

Section 1. That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than MCPc Computer Products & Consulting. Therefore the Director of Public Safety is authorized to make one or more written contracts with MCPc Computer Products & Consulting on the basis of its proposal dated October 30, 2006, for maintenance on Cisco SMARTnet equipment, to be purchased by the Commissioner of Purchases and Supplies, for the Department of Public Safety, for a period of one year, with one additional one-year option to renew, exercisable by the Director of Public Safety.

Section 2. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Safety may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 3. That the cost of the contract or contracts authorized shall be paid from Fund No. 01-600201-661200, Request No. 151301.

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

Passed May 14, 2007.

Effective May 18, 2007.

Ord. No. 578-07.
By Council Members Cleveland, Conwell and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from Burten, Bell, Carr Development, Inc. for the Central Shoreway Weed and Seed 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 authorized to apply for and accept a grant in the amount of \$56,844, from Burten, Bell, Carr Development, Inc. to conduct the Central Shoreway Weed and Seed Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the printed e-mail from Joy D. Johnson of Burten, Bell, Carr Development, Inc. dated November 14, 2006 for the grant contained in the file described below.

Section 2. That the printed e-mail from Joy D. Johnson of Burten, Bell, Carr Development, Inc. dated November 14, 2006, File No. 578-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority, is approved in all respects.

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant if the extension does not involve an increase in the dollar amount of the grant specified above.

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

Passed May 14, 2007.
 Effective May 18, 2007.

Ord. No. 579-07.
By Council Members Zone, Conwell and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from Bridgeway, Inc. for the Detroit Shoreway Weed and Seed 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 authorized to apply for and accept a grant in the amount of \$98,482, from Bridgeway, Inc. to conduct the Detroit Shoreway Weed and Seed Program; that the

Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the grant allocation letter for the grant contained in the file described below.

Section 2. That the grant allocation letter for the grant, File No. 579-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority, is approved in all respects.

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant if the extension does not involve an increase in the dollar amount of the grant specified above.

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

Passed May 14, 2007.
 Effective May 18, 2007.

Ord. No. 581-07.
By Council Members Conwell and Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of MSA breathing apparatus and labor and materials necessary to repair, maintain, and service existing MSA breathing apparatus, including installation if necessary, for the Division of Fire, Department of Public Safety.

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 authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year of the necessary items of MSA breathing apparatus and labor and materials necessary to repair, maintain, and service existing MSA breathing apparatus, including installation 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 Fire, Department of Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 172127)

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

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

Passed May 14, 2007.
 Effective May 18, 2007.

Ord. No. 582-07.
By Council Members Conwell and Sweeney (by departmental request).

An emergency ordinance to amend the title of Ordinance No. 1722-06, passed November 27, 2006; relating to a grant from the United States Department of Justice COPS Office, for the COPS Interoperable Communications Technology Program and authorizing contracts to implement the grant; to supplement the ordinance by adding new Section 8; and to renumber existing Sections 8, 9, and 10 to new Sections 9, 10, and 11.

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 of Ordinance No. 1722-06, passed November 27, 2006, is amended to read as follows:

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Justice, COPS Office, for the COPS Interoperable Communications Technology Program; authorizing the purchase by one or more requirement contracts of materials, equipment, supplies, and services; authorizing the director to employ one or more professional consultants; and authorizing the director to enter into one or more contracts without competitive bidding with Motorola C & E for the purchase of microwave equipment, including installation, and maintenance of new and existing Motorola microwave equipment for a period of two years, needed to implement the grant.

Section 2. That the existing title of Ordinance No. 1722-06, passed November 27, 2006, is repealed.

Section 3. That Ordinance No. 1722-06, passed November 27, 2006, is supplemented by adding new Section 8 to read as follows:

Section 8. That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Motorola C & E. Therefore the Director of Public Safety is authorized to make one or more written contracts with Motorola C & E for microwave equipment, including installation, and maintenance of new and existing Motorola microwave equipment for a period of two years, to be purchased by the Commissioner of Purchases and Supplies, on a unit basis, for the Department of Public Safety.

Section 4. That existing Sections 8, 9, and 10 of Ordinance No. 1722-06, passed November 27, 2006, are re-numbered to new "Section 9", "Section 10", and "Section 11".

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

Passed May 14, 2007.

Effective May 18, 2007.

Ord. No. 583-07.

By Council Members Conwell and Sweeney (by departmental request). An emergency ordinance to extend the retirement dates of various police and fire personnel, for a one year period for the Divisions of Police and Fire, Department of Public Safety.

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

Whereas, the police and fire personnel which are the subject of this ordinance possess great wealth of knowledge and expertise and have proven invaluable in attaining the goals of the Divisions of Police and Fire, Department of Public Safety; and

Whereas, the Director of Public Safety has approved the continuation on active duty for the above-named police and fire personnel; and

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

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

Section 1. That Officer Emil Cielec of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year

period beginning on August 20, 2007, and that this continuation is approved by this Council.

Section 2. That Officer Robert Retzer of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on July 7, 2007, and that this continuation is approved by this Council.

Section 3. That Captain Gerald Ruckgaber of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on July 14, 2007, and that this continuation is approved by this Council.

Section 4. That Lieutenant Edward Lentz of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 14, 2007, and that this continuation is approved by this Council.

Section 5. That Sergeant Albert Walton of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on January 2, 2007, and that this continuation is approved by this Council.

Section 6. That Officer Earl Brown of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on January 29, 2007, and that this continuation is approved by this Council.

Section 7. That Officer Clark Kellogg of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on September 10, 2007, and that this continuation is approved by this Council.

Section 8. That Officer Bernard Ferris of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on May 28, 2007, and that this continuation is approved by this Council.

Section 9. That Officer Timothy Ryan of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on April 15, 2007, and that this continuation is approved by this Council.

Section 10. That Captain David Good of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on October 5, 2007, and that this continuation is approved by this Council.

Section 11. That Officer William Salupo of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on June 9, 2007, and that this continuation is approved by this Council.

Section 12. That Lieutenant John M. Campolieti of the Division of Fire, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 16, 2007, and that this continuation is approved by Council.

Section 13. That Lieutenant George Jenkins of the Division of Fire, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on October 10, 2007, and that this continuation is approved by Council.

Section 14. That Lieutenant Robert Kazimore of the Division of Fire, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on November 25, 2007, and that this continuation is approved by Council.

Section 15. That Firefighter Kenneth Gilson of the Division of Fire, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on December 22, 2007, and that this continuation is approved by Council.

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

Passed May 14, 2007.

Effective May 18, 2007.

Ord. No. 638-07.

By Council Members Zone and Sweeney (by departmental request). An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with Youth Opportunities Unlimited for the administration, implementation, and management of the 2007 Cleveland Youth Summer Employment 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 Utilities is authorized to enter into one or more contracts with Youth Opportunities Unlimited for the administration, implementation, and management of the 2007 Cleveland Youth Summer Employment Program, which will include painting fire hydrants and other assignments.

Section 2. That the cost of the contract or contracts authorized shall not exceed \$348,704.23 and be paid from Fund Nos. 52 SF 001 and 54 SF 001, Request No. 173601.

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

Passed May 14, 2007.

Effective May 18, 2007.

Ord. No. 698-07.

By Council Members Zone and Sweeney (by departmental request). An emergency ordinance authorizing the Director of Public Utilities to enter into one or more agreements with Cleveland Housing Network to provide various customer services to low income home owners or rental property owners, for the Divisions of Water, Water Pollution

Control, and Cleveland Public Power, 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 authorized to enter into one or more agreements with Cleveland Housing Network to provide various customer services to low income home owners or rental property owners, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities.

Section 2. That the cost of the agreement or agreements authorized shall be paid from Fund Nos. 52 SF 001, 54 SF 001, and 58 SF 001, Request No. 177207.

Section 3. That the agreement or agreements shall be prepared by the Director of Law.

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

Passed May 14, 2007.
Effective May 18, 2007.

Ord. No. 787-07.

By Council Member Britt.

An emergency ordinance authorizing the issuance of a Temporary Sidewalk Occupancy Permit to Willie Jerido to engage in peddling at 10500 Quincy Avenue.

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the request of Willie Jerido to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow Willie Jerido to peddle in Ward 6; and

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

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

Section 1. That this Council consents, as required by, Section 675.07 of the Codified Ordinances to allow Willie Jerido to engage in mobile peddling in the public rights of way of Ward 6, at 10500 Quincy Avenue.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted may be revoked at any time by this Council.

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

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

Passed May 14, 2007.
Effective May 18, 2007.

Ord. No. 788-07.
By Council Member Cleveland.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Burten, Bell, Carr Development to stretch banners at the northwest corner of Quincy and Unwin & the southwest corner of Quincy and Unwin, for the period from May 14, 2007 to June 13, 2007, inclusive, publicizing the 2nd Annual Ward 5 Family Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Burten, Bell, Carr Development to install, maintain and remove banners at the northwest corner of Quincy and Unwin & the southwest corner of Quincy and Unwin for the period from May 14, 2007 to June 13, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed May 14, 2007.
Effective May 18, 2007.

Ord. No. 789-07.
By Council Member Reed.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Mt. Olive Missionary Baptist Church to stretch banners along Kinsman Road and along East 126th Street, for the period from July 1, 2007 to July 30, 2007, inclusive, publicizing the church's 100th Year Anniversary.

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 the Department of Public Service is hereby authorized and directed to issue a permit to Mt. Olive Missionary Baptist Church to install, maintain and remove banners along Kinsman Road and along East 126th Street, for the period from July 1, 2007 to July 30, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed May 14, 2007.
Effective May 18, 2007.

Ord. No. 790-07.

By Council Member Reed.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Unity Baptist Church to stretch banners on the corner of East 104th & Kinsman, and East 105th & Kinsman (Pole Nos. CEI 346450, SE-6-67, 318232, and SE-6-68-2), for the period from July 11, 2007 to August 10, 2007, inclusive, celebrating the church's 89th anniversary.

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 the Department of Public Service is hereby authorized and directed to issue a permit to Unity Baptist Church to install, maintain and remove banners on the corner of East 104th & Kinsman, and East 105th & Kinsman (Pole Nos. CEI 346450, SE-6-67, 318232, and SE-6-68-2), for the period from July 11, 2007 to August 10, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety,

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

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

Passed May 14, 2007.
Effective May 18, 2007.

Ord. No. 791-07.

By Council Member Zone.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the West Side Ecumenical Ministry to stretch a banner at 5209 Detroit Avenue using utility poles (by separate permission), for the period from May 30, 2007 to June 29, 2007, inclusive, publicizing the Head Start.

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 the Department of Public Service is hereby authorized and directed to issue a permit to The West Side Ecumenical Ministry to install, maintain and remove a banner using utility poles (by separate permission), inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed May 14, 2007.
Effective May 18, 2007.

Ord. No. 797-07.
By Council Member Zone.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Sagrada Familia Church to stretch banners at 7750 Detroit Avenue and 7775 Detroit Avenue, for the period from June 4, 2007 to July 3, 2007, inclusive, publicizing the Church Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Sagrada Familia Church to install, maintain and remove banners at 7750 Detroit and 7775 Detroit Avenue for the period from June 4, 2007 to July 3, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed May 14, 2007.
Effective May 18, 2007.

Ord. No. 798-07.
By Council Member Zone.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Power Ministries Elim Church to stretch a banner at West 65 & Clark Avenue, for the period from June 11, 2007 to July 2, 2007, inclusive, publicizing the Multi Cultural Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Power Ministries Elim Church to install,

maintain and remove a banner at West 65th & Clark for the period from June 11, 2007 to July 2, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed May 14, 2007.
Effective May 18, 2007.

COUNCIL COMMITTEE MEETINGS

Monday, May 21, 2007
9:30 a.m.

Health and Human Services Committee: Present: Britt, Chair; Kelley, Westbrook. *Authorized Absence:* Cleveland, Vice Chair; Conwell, Reed, Santiago. *Protempore:* Brancatelli.

2:00 p.m.

Finance Committee: Present: Sweeney, Chair; Cimperman, Vice Chair; Brady, Pierce Scott, Brancatelli, Zone, Westbrook, Coats, White, Britt. *Authorized Absence:* Conwell.

Tuesday, May 22, 2007
9:30 a.m.

Community and Economic Development Committee: Present: Pierce Scott, Chair; Brancatelli, Vice Chair; Cimperman, Cummins, Coats, Westbrook, Brady, Lewis, Zone.

1:30 p.m.

Employment, Affirmative Action and Training Committee: Present: Lewis, Chair; Santiago, Vice Chair; Brancatelli, Turner, Coats. *Authorized Absence:* Johnson, Conwell.

Wednesday, May 23, 2007
10:00 a.m.

Public Safety Committee: Present: Conwell, Chair; Brady, Vice Chair; Britt, Polensek, Kelley, Cummins, Turner, Santiago. *Authorized Absence:* Coats. *Protempore:* Lewis.

1:30 p.m.

Public Utilities Committee: Present: Zone, Chair; Reed, Vice Chair; Cleveland, Polensek, Cummins, Keane, Kelley, Westbrook, Santiago.

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