

The City Record

Official Publication of the City of Cleveland

May the Third, Two Thousand

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

Containing	PAGE
City Council	3
The Calendar	19
Board of Control	21
Civil Service	28
Board of Zoning Appeals	28
Board of Building Standards and Building Appeals	29
Public Notices	31
Public Hearings	31
City of Cleveland Bids	31
Adopted Resolutions and Ordinances	37
Committee Meetings	49
Index	50

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE

President of Council-Michael D. Polensek

Ward	Name	Residence	
1	Joseph T. Jones	15601 Lotus Drive	44128
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3032 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

MAYOR - Michael R. White

Judith Zimomra, Chief of Staff
 Diane Downing, Senior Executive Assistant for Health and Human Services
 Barry Withers, Executive Assistant for Administration
 Kenneth Silliman, Executive Assistant for Development
 Reuben Sheperd, Executive Assistant for Services
 Nina Turner, Executive Assistant for Legislative Affairs
 Sharon Sobol Jordan, Interim Director, Office of Equal Opportunity

DEPT. OF LAW - Cornell P. Carter, Director, Pinky Carr, Chief Counsel, Room 106

Lauren Moore, Chief City Prosecutor; Criminal Branch - Justice Center 8th Floor, Court Towers, 1200 Ontario Street
 Karen E. Martinez, Law Librarian, Room 100

DEPT. OF FINANCE - Ronald Brooks, Director, Room 104;

Frank Badalamenti, Manager, Internal Audit
 DIVISIONS - Accounts - Gayle Goodwin Smith, Commissioner, Room 19
 City Treasurer - Algeron Walker, Treasurer, Room 115
 Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122
 Purchases and Supplies - Myrana Branche, Commissioner, Room 128
 Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue
 Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
 Financial Reporting and Control - Robert Dolan, Controller, Room 18
 Information Systems Services - Joyce Thomas, Acting Commissioner, 1404 E. 9th St.

DEPT. OF PUBLIC UTILITIES - Michael Konicek, Director, 1201 Lakeside Avenue

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

DEPT. OF PORT CONTROL - LaVonne Sheffield-McClain, Director,

Cleveland Hopkins International Airport, 5300 Riverside Drive;
 Cleveland Hopkins International Airport - Mark D. Vanloh, Commissioner
 Burke Lakefront Airport - _____, Commissioner

DEPT. OF PUBLIC SERVICE - Mark Ricchiuto, Director, Room 113

DIVISIONS - Waste Collection and Disposal - Randell T. Scott, Acting Commissioner, 5600 Carnegie Avenue.
 Streets - Randell T. Scott, Commissioner, Room 25
 Engineering and Construction - Randall E. DeVaul, Commissioner, Room 518
 Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards
 Architecture - Paul Burik, Acting Commissioner, Room 517

DEPT. OF PUBLIC HEALTH - Michele Whitlow, Director, Mural Building 1925 St. Clair Avenue

DIVISIONS - Health - Cheri Hahn, Commissioner, Mural Building, 1925 St. Clair Avenue
 Environment - Donald Culp, Commissioner, Mural Building, 1925 St. Clair Avenue
 Correction - Thomas Hardin, Commissioner, Cleveland House of Corrections, 4041 Northfield Road

DEPT. OF PUBLIC SAFETY - Henry Guzmán, Director, Room 230.

DIVISIONS - Police - Martin L. Flask, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street
 Fire - Kevin G. Gerrity, Chief, 1645 Superior Avenue
 Traffic Engineering & Parking - Lt. Richard Petrencsik, Commissioner, 4150 East 49th Street, Building #1
 Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
 Emergency Medical Service - Edward Eckart, Commissioner, 1708 South Pointe Drive

DEPT. OF PARKS, RECREATION & PROPERTIES - Nicholas P. Jackson, Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.

DIVISIONS - Convention Center & Stadium - James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
 Property Management - Tom Nagle, Commissioner, East 49th & Harvard

Parking Facilities - Dennis Donahue, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.

Park Maintenance and Properties - Richard L. Silva, Commissioner, Public Auditorium - E. 6th & Lakeside.

Recreation - Michael Cox, Commissioner, Room 8
 Research, Planning & Development - Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT - Linda M. Hudecek, Director, 3rd Floor, City Hall.

DIVISIONS - Administrative Services - Terrence Ross, Commissioner.
 Neighborhood Services - Louise V. Jackson, Commissioner.
 Neighborhood Development - Donald T. Moss, Commissioner.
 Building & Housing - Robert Vilkas, Commissioner, 5th Floor, City Hall.

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

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

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

COMMUNITY RELATIONS BOARD - Room 11, Dennis D. Dove, Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilman Dona Brady, Councilman Joe Cimperman, City Council Representatives; Rev. Bruce Goode, Paula Castleberry, Charles E. McBee, Mary Adele Springman, Esq., Terez E. Woods, Emmett Saunders, John Banno, Mary Jane Buckshot, Kathryn M. Hall, Raymond Negron, Evangeline Hardaway, Edna Fuentes-Casiano, Janet Jankura, Gia Hoa Ryan.

CIVIL SERVICE COMMISSION - Room 119, Anne Bloomberg, President; _____, Vice President; Gregory J. Wilson, Secretary; Timothy J. Cosgrove, Member, Rev. Earl Preston, Member.

SINKING FUND COMMISSION - Michael R. White, President; Betsy Hruby, Asst. Sec'y.; Martin Carmody, Director; Council President Michael D. Polensek.

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

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

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

BOARD OF SIDEWALK APPEALS - Service Director Mark Ricchiuto; Law Director Cornell P. Carter; Councilman Nelson Cintron, Jr.

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

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

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

MORAL CLAIMS COMMISSION - Law Director Cornell P. Carter; Chairman; Finance Director Martin L. Carmody, Jr.; Council President Michael D. Polensek; Councilman Bill Patmon; Councilman Martin J. Sweeney.

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

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

CLEVELAND LANDMARKS COMMISSION - Room 519 - Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; Paul Burik, James Gibans, Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Joseph Cimperman, Councilman Timothy J. Melena, Robert Keiser, Executive Secretary.

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

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WEDNESDAY, MAY 3, 2000

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CITY COUNCIL

MONDAY, MAY 1, 2000

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PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

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

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Cintron, Chairman; Sweeney, Vice Chairman; Britt, Coats, Johnson, Melena, O'Malley, Westbrook, Willis.

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

MONDAY

2:00 P.M.—**Finance Committee:** Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Johnson, Lewis, Melena, O'Malley, Polensek, Robinson, Sweeney.

TUESDAY

9:30 A.M.—**Community and Economic Development Committee:** Melena, Chairman; Lewis, Vice Chairman; Brady, Cimperman, Cintron, Jackson, Jones, Robinson, Willis.

TUESDAY—Alternating

1:00 P.M.—**Public Health Committee:** Gordon, Chairman; Robinson, Vice Chairman; Brady, Cimperman, Jackson, Westbrook, Willis.

1:30 P.M.—**Legislation Committee:** Lewis, Chairman; Jones, Vice Chairman; Brady, Coats, Gordon, Johnson, Westbrook.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Dolan, Chairman; O'Malley, Vice Chairman; Jones, Patmon, Robinson, Rybka, Sweeney.

10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Patmon, Vice Chairman; Britt, Cimperman, Coats, Gordon, Jackson, Melena, Sweeney.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** O'Malley, Chairman; Patmon, Vice Chairman; Britt, Coats, Dolan, Melena, Polensek, Westbrook, Willis.

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

The following Committee is subject to the Call of the Chairman:

Mayor's Appointment Committee: O'Malley, Chairman; Britt, Cimperman, Patmon, Sweeney.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, May 1, 2000.

The meeting of the Council was called to order, The President, Michael D. Polensek, in the Chair.

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

Also present were Chief of Staff Zimomra and Directors Brooks, Koncek, Ricchiuto, Whitlow, Jackson, Hudecek, Warren, Patterson, Alexander, Dove and Acting Directors Carr, Langhenry, Balraj, Palinkas and Reich.

Absent: Mayor White and Directors Carter, Sheffield-McClain, Guzman and Morrison.

Pursuant to Ordinance No. 2976-76 the Council Meeting was opened with a prayer offered by Father Martin Polito of Holy Redeemer Church, located 15712 Kipling Avenue in Ward 11. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 616-2000.

From the Department of Public Utilities re: Contract fee increase, Nerone & Sons, Inc., Erieside & West 3rd Street Area Pump Station Phase II. Received.

File No. 617-2000.

From Public Square North Community Urban Redevelopment Corp.; Mall A Community Urban Redevelopment Corporation; Memorial Park Garage Community Urban Redevelopment Corporation — Financial

Statements and Audits, 1998 and 1999. Received.

File No. 618-2000.

School to Work Technical Assistance — U.S. Labor Dept. — \$10,000 Line of Credit Funds — City of Cleveland — Application. Received.

File No. 619-2000.

From the Office of Equal Opportunity re: Certified MBEs and FBEs Reporting Period: First Quarter, 2000. Received.

File No. 620-2000.

From the Office of Equal Opportunity re: MBE/FBE Deletions from OEOs Database First Quarter, 2000. Received.

File No. 621-2000.

From the Office of Equal Opportunity re: Denials of Certification - First Quarter, 2000. Received.

STATEMENT OF WORK ACCEPTED

File No. 622-2000.

From the Department of Parks, Recreation and Properties re: Contract No. 53736, Rockefeller/Gordon/Wade Park Pavement Improvements - Phase V. Received.

File No. 623-2000.

From the Department of Public Utilities re: Contract No. 53659, North Royalton-Akins, 30" Water Supply Main, Phase I. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 624-2000—Lillian Bolden.

Res. No. 625-2000—Vincent L. Fryan.

Res. No. 626-2000—Sean A. Boland.

Res. No. 627-2000—Joseph E. Brown.

Res. No. 628-2000—Harriet B. Stubbs.

CONGRATULATION RESOLUTIONS

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

Res. No. 629-2000—Lucy Williams.

Res. No. 630-2000—Richard Fronek.

Res. No. 631-2000—Dr. David C. Sweet.

Res. No. 632-2000—Lou Trebar.

Res. No. 633-2000—Bishop A. Edward Pevec.

Res. No. 634-2000—Joseph Martin Avsec.

Res. No. 635-2000—Catholic Order of Foresters.

Res. No. 636-2000—Christmas in April.

RECOGNITION RESOLUTIONS

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

Res. No. 637-2000—Edward Cabell.
Res. No. 638-2000—Officer Billy Poe.
Res. No. 639-2000—Benjamin F. Gohlstein, Jr.

Res. No. 640-2000—Earth Day Coalition.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 641-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Smarte Carte, Inc. for locker equipment and service at Cleveland Hopkins International Airport, for a term not to exceed 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 Port Control ("Director") is hereby authorized to enter into a Lease By Way of Concession ("Lease") with Smarte Carte, Inc. ("Lessee") for locker equipment and service at Cleveland Hopkins International Airport. The term of the Lease shall not exceed five years and shall be effective upon execution of a Lease, with both parties having a one time option to terminate the Lease two (2) years after the date of execution, with six months written notice. Lessee shall pay a concession fee of twelve and one-half percent (12.5%) of gross monthly receipts, to be collected monthly, with no annual guaranteed minimum. The price of locker rentals shall be as follows:

up to 1/2 hour	\$1.00
1/2 hour to 1 hour	\$2.00
1 to 3 1/2 hours	\$3.00
over 3 1/2 hours	\$5.00
Daily Maximum	\$5.00

The Director shall have sole discretion over the location, within the terminal complex, of the locker rental equipment. All lockers shall be recessed into the wall and not freestanding in public areas.

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

Section 3. That the Director of Port Control and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the Lease authorized by this ordinance.

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

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

Ord. No. 642-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Smarte Carte, Inc. for luggage cart equipment and service at Cleveland Hopkins International Airport, for a term not to exceed 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 Port Control ("Director") is hereby authorized to enter into a Lease By Way of Concession ("Lease") with Smarte Carte, Inc. ("Lessee") for luggage cart equipment and service at Cleveland Hopkins International Airport. The term of the Lease shall not exceed five years and shall be effective upon execution of a Lease, with both parties having a one time option to terminate the Lease two (2) years after the date of execution, with six months written notice. Lessee shall pay a concession fee of fifteen percent (15%) of gross monthly receipts, to be collected monthly, with no annual guaranteed minimum. The price of cart rental shall be One Dollar and Fifty Cents (\$1.50) during the term of the Lease, which price is subject to increase or decrease at the sole discretion of the Director. The Director shall have sole discretion over the location, within the terminal complex, of the cart rental equipment.

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

Section 3. That the Director of Port Control and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the Lease authorized by this ordinance.

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

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

Ord. No. 643-2000.

By Mayor White.

An emergency ordinance determining the method of making the public improvement of installing navigational and lighting systems at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into an Agreement with Continental Airlines for the making of such Improvement; authorizing the Director to reimburse Continental Airlines for the making of such Improvement; authorizing the Director of Port Control to enter into contract for the making of such improvement; and authorizing said director to employ one or more professional consultants to design the improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of installing a precision approach navigation system ("PAPI") and a land and hold short lighting system ("LAHSO") on Runway 5R at Cleveland Hopkins International Airport (the "Improvement"), for the Division of Cleveland Hopkins International Airport, Department of Port Control, by entering into an Agreement with Continental Airlines ("Continental") for the Improvement.

Section 2. That the Director of Port Control is authorized to enter into an agreement with Continental to provide for the City to reimburse Continental for costs incurred by Continental in the design, construction and installation of navigational and lighting systems at Cleveland Hopkins International Airport in accordance with Federal Aviation Administration requirements, consisting of a PAPI and LAHSO; and to provide for the city to reimburse Continental for certain costs involved in the design, construction and installation of such PAPI and LAHSO systems, in an amount not to exceed \$543,000.00.

Section 3. That, in the event Continental is unable or unwilling to make the Improvements, the Director of Port Control is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 4. That, in the event Continental is unable or unwilling to make the Improvements, the Director of Port Control is hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement authorized above.

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

by the Director of Port Control, and certified by the Director of Finance.

Section 5. That the Director of Port Control is further authorized to execute any documents necessary and appropriate to issue such credits.

Section 6. That the cost of said improvement, professional services and reimbursement hereby authorized shall be paid from Fund No. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, and from any funds or sub-funds to which are credited any federal grants or federal PFC authorization for the above improvement and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above improvement, Request Nos. 8253 and 8254.

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

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

Ord. No. 644-2000.

By Councilmen Gordon and Patmon (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 2000-2001 State AIDS Community Based Care 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 Health is hereby authorized to apply for and accept a grant in the approximate amount of \$43,875.00, and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the 2000-2001 State AIDS Community Based Care Program, for the purposes set forth in the summary and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the summary for said grant.

Section 2. That the summary for said grant, File No. 644-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 645-2000.

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 2000-2001 Drug Prevention, Treatment and Intervention Program; and to enter into a contract for the lease of facilities needed 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 Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$464,152.00, and any other funds as they become available during the grant term, from the Alcohol and Drug Addiction Services Board of Cuyahoga County, to conduct the 2000-2001 Drug Prevention, Treatment and Intervention Program, for the purposes set forth in the program description and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the program description for said grant.

Section 2. That the program description for said grant, File No. 645-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

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

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

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

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

Ord. No. 646-2000.

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of pneumococcal vaccine, for the Division of Health, Department of Public Health.

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

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

Section 1. That the Director of Public Health is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of pneumococcal vaccine in the estimated sum of \$42,000 to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Health, Department of Public Health. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 6584)

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

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

Ord. No. 647-2000.

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of hepatitis B vaccine, for the Division of Police, 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 hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of hepatitis B vaccine in the approximate amount as purchased during the preceding year to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 5708)

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

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

Ord. No. 648-2000.

By Councilmen Polensek and Patmon (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, Office for State and Local Domestic Preparedness for the Domestic Preparedness Equipment Support Program; authorizing the purchase by requirement contract of equipment and supplies necessary to implement the program.

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$100,000.00, from the U.S. Department of Justice, Office for State and Local Domestic Preparedness, to conduct the Domestic Preparedness Equipment Support Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 648-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Section 4. That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the grant term for the necessary items of equipment and supplies necessary to implement the program, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 year.

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

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

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

Ord. No. 649-2000.

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

An emergency ordinance declaring it necessary to provide for the control of blight and disease of shade trees by planting, removing, replacing, trimming, creating or excavating cutouts for shade trees, and other related activities, in and along the streets of portions of the City of Cleveland; establishing a district for said purpose in accordance with the provisions of Section 727.011 of the Revised Code; and providing for the assessment of the cost and expense of such work upon benefited property in such district.

Whereas, it is immediately urgent and necessary that work be authorized for the purpose of controlling blight and disease of shade trees within public rights of way by planting, removing, replacing, trimming, creating or excavating cutouts for shade trees, and other related activities in and along the streets of the downtown area of the City of Cleveland during 2001-2002 season; and

Whereas, the Director of Parks, Recreation and Properties has recommended to Council the planting, removing, replacing, trimming, creating or excavating cutouts for shade trees and other related activities in and along the streets of the downtown area of the City of Cleveland during a 12-month period beginning during 2001 in accordance with plans, specifications, profiles and cost estimates on file in the Office of the Clerk of Council; 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 it is hereby determined and declared necessary and conducive to the public health, convenience and welfare of the City of Cleveland and the inhabitants thereof to control the blight and disease of shade trees within public rights of way by planting, removing, replacing, trimming, creating or excavating cutouts for shade trees, and other related activities (collectively, "Tree Maintenance") in and along the streets of a portion of the downtown area of the City of Cleveland for a 12-month period beginning during 2001.

Section 2. That for such Tree Maintenance, there is hereby created and established, pursuant to the provisions of Section 727.011, Ohio Revised Code, a district known as the "2001-2002 Tree Maintenance District" which shall include all territory within the following boundaries:

**BOUNDARIES OF TREE
MAINTENANCE DISTRICT**

Beginning on the centerline of the Conrail Railroad right-of-way at its intersection with the Northerly prolongation of the centerline of West 10th Street;

Thence Southerly and Southeasterly along the Northerly prolongation and the centerline of West 10th Street to its intersection with the centerline of Superior Avenue N.W.;

Thence Easterly along the centerline of Superior Avenue N.W.; to its intersection with the Northerly prolongation of the Easterly right-of-way line of Columbus Road N.W.;

Thence Southerly along said Northerly prolongation and the Easterly right-of-way line of Columbus Road N.W. and its Southerly prolongation to its intersection with the centerline of the Cuyahoga River;

Thence Easterly and Southeasterly along the centerline of the Cuyahoga River to its intersection with the Easterly right-of-way line of Huron Road S.E.;

Thence Northerly along the Easterly right-of-way line of Huron Road S.E. to its intersection with the Southeasterly right-of-way line of Prospect Avenue S.E.;

Thence Southeasterly along the Southeasterly right-of-way line of Prospect Avenue S.E. to its intersection with the centerline of East 18th Street;

Thence Northerly along the centerline of East 18th Street and along its Northerly prolongation to its intersection with the centerline of said Conrail right-of-way;

Thence Westerly along said centerline of the Conrail right-of-way to its intersection with the Northerly prolongation of the centerline of West 10th Street and the place of beginning.

Section 3. That the plans, specifications and profiles for said Tree Maintenance, at the estimated cost of \$155,555.00, heretofore prepared and placed in File No. 649-2000-A in the office of the Clerk of Council are hereby approved.

Section 4. That the entire cost of such Tree Maintenance in the 2001-2002 Tree Maintenance District, less the one-fiftieth of such entire cost which shall be paid by the City, and excluding the cost of replacing any previously-assessed trees, be specially assessed by a percentage of the tax value of all lots and lands within the 2001-2002 Tree Maintenance District, which said lots and lands are hereby determined to be specially benefited by said work in the amount equal to the amount specially assessed against each such lot and land. The cost of said work shall include the cost of plans, specifications, profiles and estimates and of printing, serving and publishing notices, resolutions and ordinances, the amount of damages resulting from the work assessed in favor of any owner of land affected by the work and the interest thereon, the costs incurred in connection with the preparation, levy and collection of special assessments, the cost of purchasing, appropriating and otherwise acquiring therefor any required real estate or interests therein, expenses of legal services, the cost of all labor and materials, and all other necessary expenditures.

Section 5. That the assessments to be levied shall be payable in cash within thirty (30) days after passage of the City's ordinance of assessment or at the option of the owner in one (1) annual installment. All cash payments remaining unpaid at the expiration of said thirty (30) days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

Section 6. That no notes or bonds of the City of Cleveland shall be issued in anticipation of the collection of the special assessment.

Section 7. That the Commissioner of Assessments and Licenses is hereby authorized and directed to prepare and file in the Office of the Clerk of Council an estimated assessment in accordance with the provisions of this resolution showing the amount of the assessment against each lot or parcel of land to be assessed. Such estimated assessments shall be based upon the estimated cost of the Tree Maintenance which is now on file in the Office of the Clerk of Council.

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

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

Ord. No. 650-2000.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to expend Community Development Block Grant funds for the operation of the Project Clean Program.

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

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to expend Community Development Block Grant funds in the amount of Seven Hundred Thousand Dollars (\$700,000.00), from Fund No. 14 SF 026, Request No. 1179, for the operation of the Project Clean Program and that said Director and the Director of Community Development are hereby authorized to memorialize said expenditure through a memorandum of understanding.

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

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

Ord. No. 651-2000.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Federal HOME Program funds for the administration of Housing Rehabilitation Programs.

Whereas, the City of Cleveland has received Year 2000 Federal HOME Program grant from the United States Government, and

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

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

Section 1. That the Director of Community Development is hereby authorized to expend Federal HOME Program funds in the amount of \$500,000 from Fund No. 13 SF 895, for the administration of the Housing Rehabilitation Programs.

Section 2. And that the Director of Community Development is authorized to enter into one or more contracts for professional services related to inspecting properties to comply with Section 8 Housing Quality Standards (HQS).

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

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

Ord. No. 652-2000.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts to provide for the demolition, removal or the boarding up of structures within the City of Cleveland.

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

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into one or more contracts for the demolition, removal or the boarding up of structures within the City of Cleveland.

Section 2. That the cost of said contract or contracts shall be in an amount not to exceed \$3,450,000.00 and shall be paid from Fund No. 14 SF 026 RL 1178.

Section 3. That the Director of Community Development is authorized to accept monies in repayment under said program and to utilize said repayments and other program income in a revolving fund for making additional expenditures under this program.

Section 4. Authorizing the City to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of fees under the City's Demolition/Board Up Program.

Section 5. That the Director of the Department of Community Development be and is hereby authorized to enter into forbearance agreements with any recipient of a validly existing loan, administered by the City under the City's Demolition/Board Up Program.

Section 6. That the Director of Community Development is hereby authorized to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited to and expended from Fund No. 14.

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

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

Ord. No. 653-2000.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with various agencies to provide housing, commercial, industrial and real estate development activities.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with the following agencies to provide housing, commercial, industrial and real estate development activities:

CDC Competitive Grant Program
Amistad Development Corporation
Bellaire Puritas Development Corporation
Buckeye Area Development Corporation
Burten, Bell, and Carr Development Corporation
Clark Metro Development Corporation
Collinwood Community Services Center
Collinwood Village Development Corporation
Cudell Improvement, Inc.
Detroit Shoreway Community Development Organization
Fairfax Renaissance Development Corporation
Famicos Foundation
Flats Oxbow Association
Glenville Development Corporation
Historic Gateway Development Corporation

Historic Warehouse District Development Corporation

Hough Area Partners in Progress, Inc.

Kamms Corner Development Corporation

Midtown Cleveland

Miles Ahead, Inc.

Mt. Pleasant Now Development Corporation

Northeast Shores Development Corporation

Northeastern Neighborhood Development Corporation

Ohio City Near West Development Corporation

Old Brooklyn Community Development Corporation

Shaker Square Development Corporation

Slavic Village Development Corporation

Southeast Improvement Association

St. Clair-Superior Coalition

Tremont West Development Corporation

Union Miles Development Corporation

Westown Community Development Corporation

Section 2. That the cost of said contracts shall be in an amount not to exceed \$1,655,000.00, and shall be paid from Fund Nos. 14 SC 026, Request No. 1180.

Section 3. That the Director of Community Development is authorized to accept program income and use this and other program income to finance additional housing, commercial, industrial and real estate development activities.

Section 4. That the Director of Community Development is authorized to enter into or amend contracts with the agencies administering the housing, commercial, industrial and real estate activities that generated program income in an amount not to exceed that generated program income and to be paid from the revolving fund in Fund 14.

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

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

Ord. No. 654-2000.

By Councilmen Melena, Cintron, Rybka, O'Malley, Cimperman and Patmon (by departmental request).

An emergency ordinance determining the method of making various public improvements as authorized by the Year XXVI Community Development Block Grant, and authorizing the Directors of Community Development, Public Service, Parks, Recreation and Properties, and Public Utilities to enter into contract for the making of the various public improvements.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of resurfacing, constructing, reconstructing, grading, draining, curbing, catch basins, tree lawns, tree planting, road side beautification, and all other street improvements in each of the districts established by the Director of Community Development for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Directors of Public Service and Community Development are hereby authorized and directed to enter into contract for the making of the public improvement set forth in Section 1 with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, reconstructing, resurfacing, grading, curbing, catch basins, sidewalks, handicap ramps, reconstructing tree lawns, and other street improvements in each of the districts established by the Director of Community Development for the Divisions of Streets and Engineering and Construction, Department of Public Service, by the direct employment of the necessary labor and the purchase or rental of the necessary supplies and materials for the making of said improvement, with a separate accounting as to each improvement so made.

Section 4. That the Directors of Public Service and Community Development are hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the items comprising the necessary supplies and materials for the improvement set forth in Section 3, including the rental of necessary equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Service.

Section 5. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, reconstructing, and rehabilitating parks, playgrounds, swimming pools, and recreation areas, including the installation of lighting, signs, streetscapes and related improvements, in each of the districts established by the Director of Community Development for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 6. That the Directors of Parks, Recreation and Properties and Community Development are hereby authorized and directed to enter into contract for the making of the public improvement set forth in Section 5 with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 7. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, reconstructing, and rehabilitating parks, playgrounds, swimming pools, community centers, senior citizens' centers, recreation centers, and recreation areas in each of the districts established by the Director of Community Development for the Division of Maintenance, Department of Parks, Recreation and Properties, by the direct employment of the necessary labor and the purchase or rental of the necessary supplies and materials for the making of said improvement, with a separate accounting as to each improvement so made.

Section 8. That the Directors of Parks, Recreation and Properties and Community Development are hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the items comprising the necessary supplies and materials for said improvement set forth in Section 7, including the rental of necessary equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Maintenance, Department of Parks, Recreation and Properties.

Section 9. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, reconstructing, and rehabilitating retention basins, culverts, sewers, catch basins, manholes and appurtenances, in each of the districts established by the Director of Community Development for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 10. That the Directors of Public Utilities and Community Development are hereby authorized and directed to enter into contract for the making of the public improvement set forth in Section 9 with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided however that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 11. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of installing lighting on streets, parking lots, and recreation areas in each of the districts established by the Director of Community Development for the Division of Light and Power, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 12. That the Directors of Public Utilities and Community Development are hereby authorized and directed to enter into contract for the making of the public improvement set forth in Section 11 with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided however that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 13. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of installing lighting on streets, parking lots, and recreation areas in each of the districts established by the Director of Community Development for the Division of Light and Power, Department of Public Utilities, by direct employment of the necessary labor and the purchase or rental of the necessary supplies and materials for the making of said improvement, with a separate accounting as to each improvement so made.

Section 14. That the Directors of Public Utilities and Community Development are hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the items comprising the necessary supplies and materials for said improvement set forth in Section 13, including the rental of necessary equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Light and Power, Department of Public Utilities.

Section 15. That the Directors of Parks, Recreation and Properties and Community Development are hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: furnish and plant trees in the Community Development Block Grant areas established by the Director of Community Development, for the Division of Parks Maintenance, Department of Parks, Recreation and Properties.

Section 16. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, reconstructing, and rehabilitating swimming pools, recreation, community, and senior citizens' centers, including the installation of signs, in the Community Development Block Grant

districts established by the Director of Community Development for the Division of Architecture, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 17. That the Directors of Public Service and Community Development are hereby authorized and directed to enter into contract for the making of the improvement set forth in Section 16 with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, upon all items constituting units of said improvement.

Section 18. That the Directors of Public Service and Community Development are hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the items comprising the necessary supplies, equipment, and materials for the improvement set forth in Section 16, including the installation and the rental of necessary equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Architecture, Department of Public Service.

Section 19. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of resurfacing, constructing, reconstructing, grading, draining, curbing, catch basins, tree lawns, streets, tree planting, roadside beautification, and all other improvements to streets and their appurtenances in the various Community Development Block Grant eligible areas, exclusive from any work to be performed pursuant to any other section of this or any other ordinance, by public improvement requirement contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement for the Division of Engineering and Construction, Department of Public Service. That the Directors of Public Service and Community Development are hereby authorized and directed to make a written requirement contract with the lowest responsible bidder after competitive bidding for all of such work estimated to be done during the period ending December 31, 2001, upon a unit basis, the unit prices for which shall include all labor, material and equipment required therefor, with no fixed price for items not subject to competitive bidding. Separate requirement contracts may be let for the work to be done in each of the districts established by the Director of Community Development.

Section 20. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby deter-

mined to make the public improvement of resurfacing, constructing, reconstructing, grading, draining, curbing, catch basins, tree lawns, streets, tree planting, roadside beautification, and all other improvements to streets and their appurtenances in the various Community Development Block Grant eligible areas, exclusive from any work to be performed pursuant to any other section of this or any other ordinance, by public improvement requirement contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement for the Division of Streets, Department of Public Service. That the Directors of Public Service and Community Development are hereby authorized to make a written requirement contract with the lowest responsible bidder after competitive bidding for all of such work estimated to be done during the period ending December 31, 2001, upon a unit basis, the unit prices for which shall include all labor, material and equipment required therefor, with no fixed price for items not subject to competitive bidding. Separate requirement contracts may be let for the work to be done in each of the districts established by the Director of Community Development.

Section 21. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, reconstructing, rehabilitating of parks, playgrounds, swimming pools, including the installation of signs, and all other improvements to recreation areas and their appurtenances in the various Community Development Block Grant eligible areas, exclusive from any work to be performed pursuant to any other section of this or any other ordinance, by public improvement requirement contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement for the Division of Maintenance, Department of Parks, Recreation and Properties. That the Directors of Parks, Recreation and Properties and Community Development are hereby authorized to make a written requirement contract with the lowest responsible bidder after competitive bidding for all of such work estimated to be done during the period ending December 31, 2001, upon a unit basis, the unit prices for which shall include all labor, material and equipment required therefor, with no fixed price for items not subject to competitive bidding. Separate requirement contracts may be let for the work to be done in each of the districts established by the Director of Community Development.

Section 22. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, reconstructing, rehabilitating of parks, playgrounds, swimming pools, including the installation of signs, and all other improvements to recreation areas and their appurtenances in the various Block Grant eligible areas, exclusive from the work to be performed pursuant to any other sec-

tion of this or any other ordinance, by public improvement requirement contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties. That the Directors of Parks, Recreation and Properties and Community Development are hereby authorized to make a written requirement contract with the lowest responsible bidder after competitive bidding for all of such work estimated to be done during the period ending December 31, 2001, upon a unit basis, the unit prices for which shall include all labor, material and equipment required therefor, with no fixed price for items not subject to competitive bidding. Separate requirement contracts may be let for the work to be done in each of the districts established by the Director of Community Development.

Section 23. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, reconstructing, and rehabilitating of retention basins, culverts, sewers, catch basins, manholes and their appurtenances, in the various Community Development Block Grant eligible areas, exclusive from any work to be performed pursuant to any other section of this or any other ordinance, by public improvement requirement contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement for the Division of Water Pollution Control, Department of Public Utilities. That the Directors of Public Utilities and Community Development are hereby authorized to make a written requirement contract with the lowest responsible bidder after competitive bidding for all of such work estimated to be done during the period ending December 31, 2001, upon a unit basis, the unit prices for which shall include all labor, material and equipment required therefor, with no fixed price for items not subject to competitive bidding. Separate requirement contracts may be let for the work to be done in each of the districts established by the Director of Community Development.

Section 24. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing sidewalks, handicap ramps, curbing and reconstructing treelawns in areas of the City of Cleveland determined eligible by the Directors of Community Development and Public Service. The Directors of Community Development and Public Service are hereby authorized to enter into public improvement requirement contract with the lowest bidder after advertising for all such work during the period ending December 31, 2001, upon a unit basis. In the discretion of the Board of Control, separate requirement contracts may be let for specified districts within the City.

Section 25. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby deter-

mined to make the public improvement of constructing, reconstructing, rehabilitating, and installing streets, parking lots, recreation area lighting and their appurtenances in the various Community Development Block Grant eligible areas, exclusive from any work to be performed pursuant to any other section of this or any other ordinance, by public improvement requirement contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement for the Division of Light and Power, Department of Public Utilities. That the Directors of Public Utilities and Community Development are hereby authorized to make a written requirement contract with the lowest responsible bidder after competitive bidding for all of such work estimated to be done during the period ending December 31, 2001, upon a unit basis, the unit prices for which shall include all labor, material and equipment required therefor, with no fixed price for items not subject to competitive bidding. Separate requirement contracts may be let for the work to be done in each of the districts established by the Director of Community Development.

Section 26. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of planting trees and installing accessories in the various Community Development Block Grant eligible areas, exclusive from any work to be performed pursuant to any other section of this or any other ordinance, by public improvement requirement contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement for the Division of Parks and Urban Forestry, Department of Parks, Recreation and Properties. That the Directors of Parks, Recreation and Properties and Community Development are hereby authorized to make a written requirement contract with the lowest responsible bidder after competitive bidding for all of such work estimated to be done during the period ending December 31, 2001, upon a unit basis, the unit prices for which shall include all labor, material and equipment required therefor, with no fixed price for items not subject to competitive bidding. Separate requirement contracts may be let for the work to be done in each of the districts established by the Director of Community Development.

Section 27. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, reconstructing, and rehabilitating of community centers, senior citizens' centers, recreation centers, and other public buildings, including the installation of signs, in the various Community Development Block Grant eligible areas, exclusive from any work to be performed pursuant to any other section of this or any other ordinance, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 28. That the Directors of Public Service, Parks, Recreation

and Properties, and Community Development are hereby authorized and directed to enter into contract for the making of the public improvement set forth in Section 27 with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said directors the contractor shall furnish a correct schedule of unit prices, including profit and overhead, upon all items constituting units of said improvement.

Section 29. That the Directors of Public Service, Parks, Recreation and Properties, and Community Development are hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: furniture and equipment to be utilized in conjunction with the making of the public improvement authorized in Section 27 above.

Section 30. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, reconstructing, and rehabilitating of community centers, senior citizens' centers, recreation centers, and other public buildings in the various Community Development Block Grant eligible areas, including the installation of recreational equipment, exclusive from any work to be performed pursuant to any other section of this or any other ordinance, by public improvement requirement contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement for the Division of Maintenance, Department of Parks, Recreation and Properties. That the Director of Parks, Recreation and Properties and Community Development are hereby authorized and directed to make a written requirement contract with the lowest responsible bidder after competitive bidding for all of such work estimated to be done during the period ending December 31, 2001, upon a unit basis, the unit prices for which shall include all labor, material and equipment required therefor, with no fixed price for items not subject to competitive bidding. Separate requirement contracts may be let for the work to be done in each of the districts established by the Director of Community Development.

Section 31. That the Directors of Public Service, Parks, Recreation and Properties, Public Utilities and Community Development are hereby authorized and directed to employ by contract one or more architectural or engineering consultants or firms of architectural or engineering consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to prepare plans and specifications for and to oversee the public improvements authorized by

the various sections of this ordinance. The selection of the consultants for such services shall be made by the Board of Control upon the nomination of the director or directors authorized to enter into the contract for the making of the public improvement from a list of qualified consultants available for such employment as may be determined after a full and complete canvass for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, and certified by the Director of Finance.

Section 32. That the Director of Finance shall certify the contracts authorized by Sections 19 through 26, inclusive, and Section 30 of this ordinance in the amount set forth in the initial requisition and thereafter he shall certify all orders placed by the Commissioner of Purchases and Supplies pursuant to the requisition issued against any such contract.

Section 33. That the costs of the improvements or contracts hereby authorized shall be paid from Fund Nos. 14 SC 025 and 026.

Section 34. 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, Public Service, Parks, Recreation and Properties, Public Utilities, City Planning Commission, Finance, Law; Committees on Community and Economic Development, Public Service, Parks, Recreation and Properties, Public Utilities, City Planning, Finance.

Ord. No. 655-2000.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with the Cleveland Neighborhood Development Corporation to continue the administration of the Cleveland Industrial Retention Initiative.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into contract with the Cleveland Neighborhood Development Corporation ("CNDC") to provide the professional services necessary to administer the Cleveland Industrial Retention Initiative ("CIRI") for CIRI participants, in the total sum of Three Hundred Seventy Five Thousand Dollars (\$375,000.00) payable from Fund No. 17 SF 008, Request No. 26611, for the Department of Economic Development.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

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

Ord. No. 656-2000.

By Councilman Patmon.

An emergency ordinance authorizing and directing the Director of Economic Development to enter into a contract with King Media Enterprises to provide economic development assistance to assist the company in continuing its operation and retaining jobs in the Empowerment Zone of the City of Cleveland.

Whereas, pursuant to, Ordinance No. 2162-97, passed December 8, 1997, the Director of Economic Development was authorized to enter into a contract with The P.W. Publishing Company to provide economic assistance to further the continuing operation and job retention of The Call & Post newspaper in the City of Cleveland; and

Whereas, that newspaper was subsequently acquired by King Media Enterprises; and

Whereas, King Media Enterprises requires economic development assistance to provide for the financing of equipment, facility improvements and job creation and retention; 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 hereby directed and authorized to enter into a contract with King Media Enterprises to provide economic development assistance to partially finance equipment, facility improvements and job creation and retention programs for The Call & Post in the Empowerment Zone of the City of Cleveland.

Section 2. That the cost of said contract shall not exceed Four Hundred Thousand Dollars (\$400,000.00) of loan and/or grant funds and shall be paid from Fund No. 17 SF 008 (UDAG repayment funds).

Section 3. That the Director of Economic Development is hereby authorized to accept moneys in repayment of the loan and to deposit said moneys in Fund 17 SF 006.

Section 4. That the Director of Law is hereby authorized and directed to prepare said contract and such other documents as may be necessary and appropriate to complete the transaction authorized herein.

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

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

Ord. No. 657-2000.

By Councilmen White and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept allocations of grants from the State of Ohio Bureau of Employment Services under the Workforce Investment Act, Title I and to appropriate funds to provide for administration of the Workforce Investment Act Programs by the Department of Personnel and Human Resources.

Whereas, the Workforce Investment Act of 1998, Public Law 105-220 ("WIA"), the purpose of which is to ". . . provide workforce investment activities, through statewide and local workforce investment systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation"; and

Whereas, in accordance with the WIA, the Governor of the State of Ohio has designated Ohio Workforce Areas for the WIA throughout Ohio and the Governor has designated the geographic boundaries of the City of Cleveland ("City") as Ohio Workforce Area (OWA) No. 3; and

Whereas, in accordance with the agreement required by the WIA and approved by the Governor, for the WIA Program Year ("PY") 2000 for the period of July 1, 1998 through June 30, 2000, between the Chairman of the Private Industry Council of Cleveland (PICC) and the City, the City has been designated the WIA grant recipient; administrative entity; and OWA No. 3; and

Whereas, the Secretary of the United States Department of Labor has issued allotments of the WIA funds to the Ohio Bureau of Employment Services which has issued allocations under WIA Title I to the City for PY 2000 subject to the approval of the Local Workforce Investment Plan; 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 Personnel and Human Resources is hereby authorized to accept the following allocations of grants from the State of Ohio Bureau of Employment Services under the WIA, Title I — Workforce Investment Systems for the delivery of allowable program services to eligible individuals, and to credit said grants to the fund and subfunds designated herein:

GRANT NAME	FUND	AMOUNT
Youth Activities	16 SF 200	\$ 5,404,553.00
Adult Employment and Training	16 SF 200	\$ 5,242,218.00
Dislocated Worker Employment and Training	16 SF 200	<u>\$ 1,767,958.00</u>
	TOTAL	\$12,414,829.00

The Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to accept and receive the funds under said grants.

Section 2. That the following sums from each grant specified in Section 1 herein are hereby appropriated as follows to provide for administration of the WIA programs:

A. Youth Activities		
Personnel and Related Expenses		\$ 1,080,931.00
Other Expenses		<u>\$ 4,323,722.00</u>
Total		\$ 5,404,653.00
B. Adult Employment and Training		
Personnel and Related Expenses		\$ 1,048,444.00
Other Expenses		<u>\$ 4,193,774.00</u>
Total		\$ 5,242,218.00
C. Dislocated Worker Employment and Training		
Personnel and Related Expenses		\$ 353,592.00
Other Expenses		<u>\$ 1,414,366.00</u>
Total		\$ 1,767,958.00
	TOTAL	\$12,414,829.00

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

Ord. No. 658-2000.
By Councilmen White and Patmon
(by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with Ceridian Benefits Services (formerly Applied Benefits Research, Inc. dba COBRASERV) for professional services necessary to administer the City's COBRA program for the Department of Personnel and Human Resources, for a period of one year, with a 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 the Director of Personnel and Human Resources is hereby authorized to enter into contract with Ceridian Benefits Services (formerly Applied Benefits Research, Inc. dba COBRASERV) for professional services necessary for professional services necessary to administer the City's COBRA program on the basis of its proposal dated March 13, 2000, for a period of one year, with an option to renew for an additional one-year period, exercisable by the Director of Personnel and Human Resources.

Section 2. That the costs for such services shall be paid from Fund No. 01-040200-632400, Request No. 16219.

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

FIRST READING ORDINANCE REFERRED

Ord. No. 659-2000.
By Councilman Sweeney.
An ordinance to change the Use, Area and Height Districts of lands on the southerly side of Bennington Avenue, S.W. between West 130 Street and West 127 Street, (Map Change No. 2012, Sheet No. 13)

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

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

Beginning at the intersection of the center line of West 130 Street and the center line of Bennington Avenue, S.W.; thence easterly along said center line of Bennington Avenue, S.W. to the center line of West 127 Street; thence southerly along said center line of West 127 Street to its intersection with the easterly extension of a line located one hundred seventy five (175) feet south of the southerly line of Bennington Avenue, S.W.; thence westerly along said easterly extension and along said line which is parallel to and one hundred seventy five (175) feet south of said southerly line of Bennington Avenue, S.W. and along its westerly extension to the center line of West 130 Street; thence northerly along said center line of West 130 Street to the place of beginning,

and as outlined in red on map hereto attached, be and the same are hereby changed to a Multi-Family Use District, a 'C' Area District and a '2' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2012, Sheet No. 12 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 660-2000.
By Councilman Britt.
An emergency ordinance authorizing the Director of Public Service to issue a permit to Shaker Square of Ohio LLC to encroach into the public right-of-way of Cormere Avenue, Williams Avenue and East 128th Street for grading, paving, fencing, parking and other construction related activities in order that this project be allowed to continue pending the vacation and/or relocation of the aforesaid streets for the purpose of completing the Shaker Square Redevelopment Project.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Shaker Square of Ohio LLC, 23625 Commerce Park Road, Suite 202, Beachwood, Ohio 44122, its successors and assigns, for grading, paving, fencing, parking and other construction related activities in order that this project be allowed to continue pending the vacation and/or relocation of the aforementioned streets for the purpose of completing the Shaker Square Redevelopment Project at the locations more fully described as follows:

PROPOSED ENCROACHMENT INTO PUBLIC RIGHT-OF-WAY FOR GRADING, PAVING, FENCING, PARKING AND OTHER CONSTRUCTION RELATED ACTIVITIES PENDING THE VACATION AND/OR RELOCATION OF THE FOLLOWING STREETS IN THE SHAKER SQUARE REDEVELOPMENT PROJECT:

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and described as follows:

1.) CORMERE AVENUE (60.00 feet wide), beginning at a point 245.00 feet Easterly from its intersection with the centerline of North Moreland Boulevard (140.00 feet wide), Easterly approximately 65.00 feet to its Easterly terminus.

2.) WILLIAMS AVENUE (50.00 feet wide), beginning at a point 108.50 feet Easterly from its intersection with the centerline of East 127th Street (44.00 feet wide) to its intersection with East 128th Street (45.00 feet wide).

3.) EAST 128TH STREET (45.00 feet wide), beginning at its intersection with the Northerly line of Drexmore Road (60.00 feet wide) Northerly to its intersection with Williams Avenue (50.00 feet wide).

Section 2. That said grading, paving, fencing, parking and other construction related activities pending the vacation and/or relocation of Cormere Avenue, Williams Avenue and East 128th Street, will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a Building Permit, shall be obtained before any of the aforesaid construction activities commence.

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

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

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. 661-2000.
By Councilman Cintron.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Clark Metro Development Corporation for capital improvements for their leasehold agreement for the FL Thompson Building, 3401 West 25th Street through the use of Ward 14 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Clark Metro Development Corporation for capital improvements for their leasehold agreement for the FL Thompson Building, 3401 West 25th Street.

Section 2. That the costs of said contract shall be in an amount not to exceed \$200,000 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. 662-2000.

By Councilman Cintron.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Lutheran Metropolitan Ministries for their After School Prevention Resources Baseball Team Project, through the use of Ward 14 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Lutheran Metropolitan Ministries for their After School Prevention Resources Baseball Team Project.

Section 2. That the costs of said contract shall be in an amount not to exceed \$5,000 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. 663-2000.

By Councilmen Cintron and Melena.

An emergency ordinance consenting and approving the issuance of a permit for a Kids 5K Walk, on Saturday, May 20, 2000, sponsored by the West Side Ecumenical Ministry.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of a Kids 5K Walk sponsored by the West Side Ecumenical Ministry, on Saturday, May

20, 2000, with the participants in the 5K Walk leaving the WSEM Administrative Building located at 5209 Detroit Avenue, turn right onto West 52nd Street and will head south on West 52nd Street until they reach Bridge Avenue, then turn left onto Bridge Avenue from West 52nd Street and will head east on Bridge Avenue, then turn left onto Fulton Avenue from Bridge Avenue and will head north on Fulton Avenue, then turn left onto Franklin Avenue from Fulton Avenue and will head west on Franklin Avenue, then follow Franklin Avenue all the way to West 65th Street, at West 65th Street, participants will turn right and head north on West 65th Street to West Clinton Avenue, then turn right onto West Clinton Avenue from West 65th Street and will head east on West Clinton Avenue, then turn left onto West 58th Street from West Clinton Avenue and will head north on West 58th Street then turn right onto Detroit Avenue from West 58 Street and will head east on Detroit Avenue, then turn right on West 52nd Street from Detroit Avenue and will head south on West 52nd Street to the finish line located at the WSEM Administration Building off of West 52nd Street, 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.

Ord. No. 664-2000.

By Councilman Dolan.

An emergency ordinance to amend the Title and Section 1 of Ordinance No. 430-2000, passed March 20, 2000, relating to installation of playground equipment at Valley View Elementary School in Ward 21.

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

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

Section 1. That the Title and Section 1 of Ordinance No. 430-2000, passed March 20, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Cleveland Municipal School District on behalf of the Valley View Parent Teacher Co-op

School to install playground equipment at Valley View Elementary School through the use of Ward 21 Workers' Compensation Neighborhood Development Funds.

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Cleveland Municipal School District on behalf of the Valley View Parent Teacher Co-op School to install playground equipment at Valley View Elementary School, located at 17200 Valleyview Avenue, through the use of Ward 21 Workers' Compensation Neighborhood Development Funds.

Section 2. That the existing Title and Section 1 of Ordinance No. 430-2000, passed March 20, 2000, are hereby repealed.

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

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

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

Ord. No. 665-2000.

By Councilman Jackson.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Citizens of Cuyahoga County Ombudsman Office for the Juvenile Justice Diversion Mediation Pilot Project (JJDMPP) through the use of Ward 5 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Citizens of Cuyahoga County Ombudsman Office for their Juvenile Justice Diversion Mediation Pilot Project (JJDMPP).

Section 2. That the costs of said contract shall be in an amount not to exceed \$25,000 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. 666-2000.**By Councilman Lewis.**

An emergency ordinance consenting and approving the issuance of a permit for the New Day in Hough Race and Parade on May 13, 2000, sponsored by a New Day in Hough Committee.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of a Race and Parade, on May 13, 2000, sponsored by a New Day in Hough Committee with the Race assembling at Thurgood Marshall Recreation Center, go west on Hough Avenue to East 79 Street, north on East 79th to Lexington, west on Lexington to East 66th Street, south on East 66th Street to Hough, east on Hough to Thurgood Marshall and the Parade route also assembling at Thurgood Marshall Recreation Center, from Thurgood Marshall, west on Hough Avenue to East 71st Street, north on East 71st Street to Linwood, east on Linwood to East 79th Street, south on East 79th Street to Hough Avenue, east on Hough Avenue to Thurgood Marshall, 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.

Ord. No. 667-2000.**By Councilman Patmon.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with FAMICOS Foundation for their Senior Home Repair Program through the use of Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with FAMICOS Foundation for their Senior Home Repair Program.

Section 2. That the costs of said contract shall be in an amount not

to exceed \$150,000 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. 668-2000.**By Councilman Westbrook.**

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with the Cudell Improvement/Madison Merchants Organization to landscape and maintain a parcel located at the intersection of Madison Avenue and West Boulevard in Ward 18.

Whereas, the Cudell Improvement/Madison Merchants Organization would like to landscape and maintain a parcel located at the intersection of Madison Avenue and West Boulevard for purposes of beautifying the neighborhood; and

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into an agreement or to issue a permit to the Cudell Improvement/Madison Merchants Organization to allow for the landscaping and maintenance of a parcel located at the intersection of Madison Avenue and West Boulevard for purposes of beautifying the neighborhood.

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. 669-2000.**By Councilmen Cintron, Patmon and White.**

An emergency resolution requesting certain MBE/FBE participation information from LTV Steel Company, the Department of Economic Development and the Office of Equal Opportunity.

Whereas, pursuant to Ordinance No. 1742-88, passed July 14, 1988 and Ordinance No. 34-92, as amended by Ordinance No. 1445-92, passed March 2, 1992 and June 15, 1992, respectively, the Council of the City of Cleveland authorized the Director of Economic Development to enter into an Enterprise Zone Agreements with LTV Steel Company, Inc., dated July 14, 1988 and June 18, 1992, respectively, to provide for 10 year tax abatements for certain tangible personal property as an incentive to modernize and improve its Cleveland Works Steel Facility; and

Whereas, because of the magnitude of the projects, LTV proposed to complete the projects in successive calendar years, and as such, the parties agreed that the tax abatements would commence at the outset of a number of different 10 year exemption periods; and

Whereas, LTV Steel Company, Inc. is still receiving the benefit of the tax abatements granted in 1988; and

Whereas, as a condition of the granting of the 1988 and 1992 tax abatements, LTV agreed to, among other things, comply with certain MBE/FBE participation requirements; LTV's failure to comply with the MBE/FBE participation requirements was to result in the imposition of a penalty payment charged against the tax abatements, and if necessary, the repeal of the tax abatements; and

Whereas, this Council has information suggesting that LTV may not be in compliance with the terms of its agreements with the City; and

Whereas, this Council requests that the Directors of Economic Development and the Office of Equal Opportunity and LTV Steel Company provide detailed statistical and financial information concerning the MBE and FBE participation for each year from 1990 through the present; and

Whereas, once the information is provided, this Council intends to hold hearings before the various Committees of Council to determine whether LTV is and has been in compliance with its agreements; now, therefore,

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

Section 1. That this Council requests that LTV Steel Company, Inc., the City's Office of Equal Opportunity and the Department of Economic Development provide detailed statistical and financial information concerning the MBE and FBE participation from 1990-present, separately identifying the level of participation by certified MBE and FBE companies for each year, as required by LTV's Enterprise Zone Agreements with the City of Cleveland and Chapter 187 of the Codified Ordinance of the City of Cleveland, 1976.

Section 2. That this Council of the City of Cleveland intends to hold hearings before the various Committees of Council to determine whether LTV is and has been in compliance with its agreement.

Section 3. That the Clerk is hereby requested to transmit a copy of this resolution to the President of LTV Steel Company, Inc. and the Directors of the Department of Economic Development and the Office of Equal Opportunity.

Section 4. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

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

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

Res. No. 670-2000.

By Councilman Jones.
An emergency resolution withdrawing objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 4501-03-05 Lee Road, and repealing Res. No. 490-2000 objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 4501-03-05 Lee Road, by Res. No. 490-2000, adopted by Council March 27, 2000; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 4501-03-05 Lee Road, by and the same is hereby withdrawn and Res. No. 490-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership.

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

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

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

Res. No. 671-2000.

By Councilman Melena.
An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit to 8002 Detroit Avenue, and repealing Res. No. 1323-99 objecting to said renewal.

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 8002 Detroit Avenue, by Res. No. 1323-99, adopted by Council on July 14, 2000; 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 the renewal of a C2 and C2X Liquor Permit to 8002 Detroit Avenue, by and the same is hereby withdrawn and Res. No. 1323-99, containing said

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 passage.

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

Res. No. 672-2000.

By Councilman Polensek.
An emergency resolution objecting to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 15428 Lakeshore Blvd.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1, C2 and D6 and Liquor Permit from Permit No. 3653334, HAS & KAL Inc., DBA Convenient Food Mart, 15428 Lakeshore Blvd., Cleveland, Ohio 44110 to Permit No. 6700191, Park CFM Inc., DBA Convenient Food Mart, 15428 Lakeshore Blvd., Cleveland, Ohio 44110; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit from Permit No. 3653334, HAS & KAL Inc., DBA Convenient Food Mart, 15428 Lakeshore Blvd., Cleveland, Ohio 44110 to Per-

mit No. 6700191, Park CFM Inc., DBA Convenient Food Mart, 15428 Lakeshore Blvd., Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**SECOND READING
EMERGENCY ORDINANCES**

Ord. No. 1852-99.

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

An emergency ordinance appropriating funds obtained from Norfolk Southern and CSX; authorizing the Director of Economic Development to enter into agreements with Cudell Improvement, Lutheran Housing Corporation and Cleveland Housing Network to implement the Home Insulation Program to mitigate railroad noise; and authorizing the Director of Economic Development to enter into such other agreements necessary to complete this improvement.

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

1. In the title at the end, before the period add the following: "**authorizing the Commissioner of Purchases and Supplies to purchase real property in connection with the Home Insulation Program**".

2. In Section 1, line 4, strike "providing" and insert in lieu thereof "**providing**", and in line 5, after "schedule" insert "**and further described in File No. 1852-99-B**".

3. In Section 1, at the end at "Other Expenses" strike "6,986,332" and insert in lieu thereof "**6,938,750**".

4. In Section 2, line 4 strike "Network to provide to" and insert in lieu thereof "**Network to provide and**"; and at the end, after "interest" insert "**, including without limitation, a contract term requiring that all contractors that install noise mitigation treatments comply with the requirements of Chapter 187 of the Codified Ordinances. A budget for the Home Insulation Program is included in the above mentioned file.**".

5. In Section 3, at the end, add the following: "**Central air conditioning will be installed in a targeted home if it can be installed to code for an amount not to exceed \$1,800.00.**".

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

"Section 4. 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 hereby authorized to purchase the real property located at 1617 Catalpa Road, Permanent Parcel No. 117-10-002, and 1614 Catalpa Road, Permanent Parcel No. 117-10-045, further described in the above-mentioned file.

Section 5. That the Director of Economic Development is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such real property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits and all other costs necessary for the acquisition of such real property.

Section 6. That in March of 2001, 2002 and 2003, the Director of Economic Development shall appear before the Finance Committee of Council to give a report on the expenses from the prior year and the projected expenses for the current year. In addition, before the end of calendar year 2000, the director shall appear before the Finance Committee to report the following: the addresses of all homes that have had noise mitigation treatments under this program, the names of the homeowners who benefited, the name of the contractor(s) that performed the work, and a description of the work that was done."

7. Renumber existing Sections 4 and 5 to new "Section 7" and "Section 8".

8. In existing Section 4, line 1, after "contracts" insert **"and real property acquisition"**.

Amendments agreed to.

Ord. No. 267-2000.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of International truck parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

1. In the title, strike lines 8 and 9 in their entirety and insert in lieu thereof the following: **"Service."**

2. In Section 1, line 4 and 13, strike "two years" and insert in lieu thereof **"one year"**.

3. In Section 2, line 7, after "Finance," insert **"All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the immediately preceding year."**

Amendments agreed to.

Ord. No. 268-2000.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Ford passenger and police car parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

1. In the title, strike lines 8 and 9 in their entirety and insert in lieu thereof the following: **"Public Service."**

2. In Section 1, line 4 and 13, strike "two years" and insert in lieu thereof **"one year"**.

3. In Section 2, line 7, after "Finance," insert **"All expenditures under this contract authorized herein shall not exceed the amount purchased during the immediately preceding year."**

Amendments agreed to.

Ord. No. 269-2000.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of EZ Pack packer parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

1. In the title, strike lines 8 and 9 in their entirety and insert in lieu thereof the following: **"Service."**

2. In Section 1, line 4 and lines 12 and 13, strike "two years" and insert in lieu thereof **"one year"**.

3. In Section 2, line 7, after "Finance," insert **"All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the immediately preceding year."**

Amendments agreed to.

Ord. No. 367-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain movable doors and walls, security shutters, electric gates and other means of access, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed two years.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Public Parks, Property and Recreation, Finance; when amended as follows:

1. In Section 2, line 7, after "Finance," insert the following: **"All expenditures under the contract authorized herein that not exceed \$50,000."**

Amendments agreed to.

Ord. No. 478-2000.

By Councilmen Jones, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance to amend the title, the first whereas clause and Section 2 of Ordinance No. 1569-99, passed December 13, 1999, relating to the sale of City-owned property no longer needed for public use located in Block C-1 of the Cleveland Industrial Park.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 514-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of a criminal and civil filing system, including materials necessary to file and retrieve cases, for the Department of Finance, on behalf of the Cleveland Municipal Court.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 2, line 1, after "contract" insert **"shall not exceed \$60,000 and"**.

Amendment agreed to.

Ord. No. 589-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of one uninterrupted power supply unit and associated apurtenances necessary to protect Sun computer equipment, for the Division of Taxation, Department of Finance.

Approved by Directors of Finance, Law; Recommended by Committee on Finance.

Ord. No. 594-2000.

By Councilmen Sweeney, Cintron and Patmon (by departmental request).

An emergency ordinance to amend Section 7 of Ordinance No. 1786-97, passed September 22, 1997, as amended by Ordinance No. 506-99, passed June 14, 1999, relating to the rehabilitation of Grayton Road access and spine road leading to Cleveland Business Park Phase II.

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

THIRD READING EMERGENCY ORDINANCES PASSED

Ord. No. 324-99.

By Councilmen Jones, Zone and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 133.34 thereof, relating to greenhouse fees.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2160-99.

By Councilman Cintron (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to 2888 Detroit LLC to encroach into the right-of-way of West 29th Street and Vermont Avenue with a parking lot, security fencing, and safety gates.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2178-99.

By Councilman Britt.

An emergency ordinance designating Euclid Avenue Church of God as a Cleveland Landmark.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 253-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement

contract of paper and envelopes, for the Division of Printing and Reproduction, Department of Finance.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 254-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of one ECRM image setter package, for the Division of Printing and Reproduction, Department of Finance.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 258-2000.

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with U.S. Airways for the use of Bay 3 of the Primary Hangar at Cleveland Hopkins International Airport and for preferential use ramp area adjacent to the premises.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 265-2000.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of rebuilt or remanufactured automatic Allison transmissions, including installation if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 266-2000.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair or replace the fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, stationary air compressor for the Division of Motor Vehicle Maintenance, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 270-2000.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Chevrolet-GMC passenger car, police car, van, and truck parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 272-2000.

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

An emergency ordinance authorizing the Directors of Public Safety and Parks, Recreation and Properties to enter into a property adoption agreement with the Cleveland Fire Fighters' Memorial Fund for the construction and maintenance of the Cleveland Fire Fighters' Memorial.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 322-2000.

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide network administration, including software assistance and required materials for Cisco computer products.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 323-2000.

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide client and server administration, including software, maintenance and support of MicroSoft computer products.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 324-2000.

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide programming, materials, software development and design for existing and new computer applications.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 325-2000.

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide web site development and implementation, including software and other required materials.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 326-2000.

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide support services, installations, upgrades, programming administration, including software and materials required for Oracle computer products.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 329-2000.

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide maintenance and administrative services for telephone equipment.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 330-2000.

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of one trash compactor, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 366-2000.

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

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to clean the West Side Market, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, for a period not to exceed two years.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 475-2000.

By Councilmen Patmon and Rybka (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the 2000 Urban Parks and Recreation Recovery Program for the rehabilitation of Flora Park.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 476-2000.

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment; and authorizing said Director to enter into contracts for the purchase of service and equipment necessary to implement the program.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 523-2000.

By Councilmen Gordon and Patmon (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 2000-2001 Federal Child Lead Poison Prevention Program.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 524-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of labor and materials necessary to remove and replace tube bundles for not to exceed two Bell & Gossett heat exchangers, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 525-2000.

By Councilmen White and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to apply for and accept a grant from the Ohio Department of Human Services for the Temporary Assistance to Needy Families Program.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 526-2000.

By Councilmen White and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Personnel and

Human Resources to accept additional allocations from the State of Ohio Bureau of Employment Services Power OHIO under Titles II and III of the Job Training Partnership Act and the Governor's Reserve Grant; and to enter into an amendment to Contract No. 55656 with the United Labor Agency for additional services.

Read third time. Passed. Yeas 20. Nays 0.

THIRD READING ORDINANCES PASSED

Ord. No. 63-2000.

By Councilman Polensek. An ordinance establishing the East St. Clair Business Revitalization District (BRD) (Map Change No. 2002, Sheet No. 7)

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 109-2000.

By Councilmen Melena and Westbrook.

An ordinance establishing the Clifton Road / West Boulevard Historic Landmark District. (Map Change No. 2003, Sheet No. 1)

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 139-2000.

By Councilman Gordon. An ordinance establishing the Old Brooklyn Business Revitalization District (BRD) (Map Change No. 2005, Sheet No. 2)

Read third time. Passed. Yeas 20. Nays 0.

THIRD READING EMERGENCY RESOLUTION ADOPTED

Res. No. 276-2000.

By Councilman Coats. An emergency resolution urging the President and United States Secretary of Transportation Rodney Slater to take the necessary actions to permit United Parcel Service to conduct cargo business in China.

Read third time. Adopted. Yeas 20. Nays 0.

Councilman Cimperman entered the meeting.

MOTION

The Council adjourned at 8:30 p.m. to meet on Monday, May 8, 2000, at 7:00 p.m. in the Council Chambers.

Clerk of Council

THE CALENDAR

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

ORDINANCES

Ord. No. 1852-99.

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

An emergency ordinance appropriating funds obtained from Norfolk

Southern and CSX; authorizing the Director of Economic Development to enter into agreements with Cudell Improvement, Lutheran Housing Corporation and Cleveland Housing Network to implement the Home Insulation Program to mitigate railroad noise; and authorizing the Director of Economic Development to enter into such other agreements necessary to complete this improvement **authorizing the Commissioner of Purchases and Supplies to purchase real property in connection with the Home Insulation Program.**

Whereas, pursuant to Ordinance No. 978-98, passed June 8, 1998, this Council approved and ratified an agreement entered into by the Mayor with Norfolk Southern Corporation ("Norfolk Southern") which, among other things, required a financial contribution of up to \$10,000,000.00 to Cleveland from the railroad to establish a Community Impacts Fund ("CIF") to be used to mitigate adverse environmental impacts ensuing from implementation of the Agreement, including but not limited to the railroad noise mitigation (the "Agreement"); and

Whereas, pursuant to Ordinance No. 1041-98, passed June 8, 1998, this Council approved and ratified an agreement entered into by the Mayor with CSX Corporation ("CSX") which, among other things, required specified financial contributions from the railroad to the City for various purposes delineated in the agreement; and

Whereas, this Council wishes to appropriate funds received in accordance with the agreements with Norfolk Southern and CSX for various purposes consistent with the agreements with the railroads and consistent with the goals of economic development and the elimination of slum and blight; 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 hereby appropriates the funds received from Norfolk Southern and CSX pursuant to their agreements, from Fund No. 10 SF 526, for the purpose of **providing** railroad noise mitigation treatments in residential homes, pursuant to the following schedule **and further described in File No. 1852-99-B:**

Personnel \$ 726,595
Other Expenses **6,938,750**

Section 2. That the Director of Economic Development is hereby authorized to enter into agreements with Cudell Improvement, Lutheran Housing Corporation and Cleveland Housing Network **to provide and implement the Home Insulation Program, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest, including without limitation, a contract term requiring that all contractors that install noise mitigation treatments comply with the requirements of Chapter 187 of the Codified Ordinances. A budget for the Home Insulation Program is included in the above mentioned file.**

Section 3. That the Director of Economic Development is hereby authorized to enter into such other agreements, including agreements

with affected homeowners, as are necessary to complete the planning, construction and implementation of the Home Insulation Program, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest. **Central air conditioning will be installed in a targeted home if it can be installed to code for an amount not to exceed \$1,800.00.**

Section 4. 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 hereby authorized to purchase the real property located at 1617 Catalpa Road, Permanent Parcel No. 117-10-002, and 1614 Catalpa Road, Permanent Parcel No. 117-10-045, further described in the above-mentioned file.

Section 5. That the Director of Economic Development is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such real property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits and all other costs necessary for the acquisition of such real property.

Section 6. That in March of 2001, 2002 and 2003, the Director of Economic Development shall appear before the Finance Committee of Council to give a report on the expenses from the prior year and the projected expenses for the current year. In addition, before the end of calendar year 2000, the director shall appear before the Finance Committee to report the following: the addresses of all homes that have had noise mitigation treatments under this program, the names of the homeowners who benefited, the name of the contractor(s) that performed the work, and a description of the work that was done.

Section 7. That the costs of the contracts and real property acquisition for the Home Insulation Program herein contemplated shall be paid from Fund No. 10 SF 526.

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

Ord. No. 267-2000.

By Councilmen Cintron and Patton (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of International truck parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the re-

quirements for the period of **one year** of the necessary items of International truck parts including labor to install 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 Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than **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 cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. **All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the immediately preceding year.** (RL 17523)

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.

Ord. No. 268-2000.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Ford passenger and police car parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of **Public Service**.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of **one year** of the necessary items of Ford passenger and police car parts, including labor to install 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 Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than **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 cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. **All expenditures under this contract authorized herein shall not exceed the amount purchased during the immediately preceding year.** (RL 17509)

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.

Ord. No. 269-2000.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of EZ Pack packer parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of **Public Service**.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of **one year** of the necessary items of EZ Pack packer parts, including labor to install 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 Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than **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 cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. **All expenditures under the contract authorized herein shall not**

exceed ten percent (10%) over the amount purchased during the immediately preceding year. (RL 17518)

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.

Ord. No. 367-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain movable doors and walls, security shutters, electric gates and other means of access, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed two years.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to repair and maintain movable doors and walls, security shutters, electric gates and other means of access, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Property Management, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. **All expenditures under the contract authorized herein that not exceed \$50,000.** (RL 5039)

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.

Ord. No. 478-2000.

By Councilmen Jones, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance to amend the title, the first whereas clause and Section 2 of Ordinance No. 1569-99, passed December 13, 1999, relating to the sale of City-owned property no longer needed for public use located in Block C-1 of the Cleveland Industrial Park.

Ord. No. 514-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of a criminal and civil filing system, including materials necessary to file and retrieve cases, for the Department of Finance, on behalf of the Cleveland Municipal Court.

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 Clerk of the Cleveland Municipal Court is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of the 2001 criminal and civil filing system, including folders, labels, tabs, envelopes, shelving, and other materials necessary to file and retrieve cases in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Finance, on behalf of the Cleveland Municipal Court. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall not exceed \$60,000 and shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 7904)

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.

Ord. No. 589-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of one uninterrupted power supply unit and

associated appurtenances necessary to protect Sun computer equipment, for the Division of Taxation, Department of Finance.

Ord. No. 594-2000.

By Councilmen Sweeney, Cintron and Patmon (by departmental request).

An emergency ordinance to amend Section 7 of Ordinance No. 1786-97, passed September 22, 1997, as amended by Ordinance No. 506-99, passed June 14, 1999, relating to the rehabilitation of Grayton Road access and spine road leading to Cleveland Business Park Phase II.

BOARD OF CONTROL

April 26, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 26, 2000, at 11:00 a.m. with Mayor White presiding.

Present: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander

Absent: None.
Others: Myrna Branche, Commissioner, Purchases and Supplies, Lucille Ambroz, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 264-00.

By Director Brooks.
Resolved, by the Board of Control of the City of Cleveland that the bid of The Sherwin Williams Company for an estimated quantity of Paint and Paint Supplies (items 1-20, 23, 24, 25, 27-29, 48, 50, 51, 53, 54, 56, 57, 62, 64 and 70-86), for the various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on February 18, 2000, pursuant to the authority of Ordinance No. 711-99, passed May 17, 1999, which on the basis of the estimated quantity would amount to One Hundred Thirty-Three Thousand Five Hundred Ninety-One and 90/100 Dollars (\$133,591.90), (1%, 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. RE-23431 which shall be certified against such contract in the sum of Six Thousand Six Hundred Ninety-Eight and 00/100 Dollars (\$6,698.00).

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander

man, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 265-00.

By Director Brooks.
Resolved, by the Board of Control of the City of Cleveland that the bid of The I.C.I. DuLux/Glidden Paint Company for an estimated quantity of Paint and Paint Supplies (items 22, 26, 33, 34, 43, 44, 49, 55, 60, 61, 63, 65, and 66), for the various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on February 18, 2000, pursuant to the authority of Ordinance No. 711-99, passed May 17, 1999, which on the basis of the estimated quantity would amount to Six Thousand Forty-Seven and 70/100 Dollars (\$6,047.70) (1%, 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. RE-23428 which shall be certified against such contract in the sum of Three Hundred Three and 00/100 Dollars (\$303.00).

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 266-00.

By Director Brooks.
Resolved, by the Board of Control of the City of Cleveland that the bid of Samsel Supply Company for an estimated quantity of Paint and Paint Supplies (items 30-32, 35-42, 45, 46, 52, 58, 59 and 68), for the various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on February 18, 2000, pursuant to the authority of Ordinance No. 711-99, passed May 17, 1999, which on the basis of the estimated quantity would amount to Five Thousand Five Hundred Fifty-Seven and 68/100 Dollars (\$5,557.68) (1%, 10 Days, Net 30), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. RE-23430 which shall be certified against such contract in the sum of Two Hundred Seventy-Five and 00/100 Dollars (\$275.00).

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 267-00.

By Director Brooks.

Resolved, by the Board of Control of the City of Cleveland that the bid of American Merchandising Services for an estimated quantity of Paint and Paint Supplies (items 47, 67, 69 and 87), for the various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on February 18, 2000, pursuant to the authority of Ordinance No. 711-99, passed May 17, 1999, which on the basis of the estimated quantity would amount to One Thousand One Hundred Eight and 00/100 Dollars (\$1,108.00) (Net 30), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. RE-23429

which shall be certified against such contract in the sum of Fifty-Six and 00/100 Dollars (\$56.00).

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 268-00.

By Director Brooks.

Resolved, by the Board of Control of the City of Cleveland that the bid of Minolta Corporation/Meritech Inc. for an estimated quantity of the rental of copiers, Item No. 1 (Group I), for the various divisions of City Government, Department of Finance, for the period of three (3) years with two (2) one (1) year options, beginning with the date of execution of a contract, received on the 24th day of March 2000, pursuant to the authority of Ordinance No. 1065-98, passed on July 29, 1998 and Ordinance No. 172-99, passed on March 29, 1999, which on the basis of the estimated quantity would amount to One Hundred Seventy Eight Thousand Four Hundred Thirty Seven and 27/100 Dollars (\$178,437.27) (Net), is hereby affirmed and approved as the lowest and best bid,

and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 20018

which shall be certified against such contract in the sum of Eight Thousand Nine Hundred Twenty One and 86/100 Dollars \$8,921.86).

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 269-00.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 881-99, passed by the Council of the City of Cleveland on June 7, 1999, H2N Design, Inc. is hereby 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 the services required for production of the Division of Water's 1999 annual report, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with H2N Design, Inc. based upon its proposal dated February 25, 2000, as revised, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal, for an aggregate fee not in excess of \$66,900.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by H2N Design, Inc. for the above mentioned professional service is hereby approved:

<u>SUBCONTRACTOR</u>	<u>WORK</u>
Wester Communications	\$7,000.00, FBE
Polk Photography	\$6,638.00, MBE

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 270-00.

By Director Konicek.

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

all bids received on March 8, 2000, for Various Sewer Maintenance Appurtenances — Slabs, for the Division of Water Pollution Control, Department of Public Utilities, pursuant to the authority of Section 129.27 of the Codified Ordinances of Cleveland, Ohio 1976, be and the same are hereby rejected.

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 271-00.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of Arrow Builders Supply Co., Inc. for an estimated quantity of Vitrified Clay Pipe for the Division of Water Pollution Control, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on March 8, 2000, pursuant to the authority of Section 129.27 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Eighty Two Thousand Three Hundred Seventy-Seven and 49/100 Dollars (\$82,377.49), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 22301

which shall be certified against such contract in the sum of Twenty Thousand Dollars (\$20,000).

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 272-00.

By Director Sheffield-McClain.

Whereas, pursuant to the authority of Ordinance No. 1268-97, passed by the Council of the City of Cleveland on April 8, 1998 and Board of Control Resolution No. 167-00, adopted on March 22, 2000, the Director of Port Control is authorized to enter into an Agreement with Morrison Knudsen Corporation ("Consultant") to provide professional engineering services for the design of a redundant electrical utility source to insure uninterrupted electrical power; and

Whereas, the City has determined that it requires certain optional and additional services not provided for in Resolution No. 167-00; and

Whereas, reference to Consultant's original proposal, dated July 1, 1999, and letter, dated December 2, 1999, were omitted from Resolution No. 167-00; and

Whereas, Consultant has proposed by its July 1, 1999 Proposal, its October 17, 1999 Fee Proposal and its December 12, 1999 letter to perform all professional engineering services, including the optional and additional services; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 167-97, adopted March 22, 2000 authorizing the Director of Port Control to enter into an Agreement with Consultant is hereby amended to include Consultant's Proposal dated July 1, 1999 and its letter dated December 2, 1999, and by adding certain optional and additional services in the amount of one hundred sixty thousand dollars (\$160,000.00) as set forth in Consultant's July 1, 1999 Proposal, October 17, 1999 Fee Proposal and December 2, 1999 letter thereby increasing the total contract amount from not to exceed Three Hundred Ninety-Five Thousand Eight Hundred Dollars (\$395,800.00) to not to exceed Five Hundred Fifty-Five Thousand Eight Hundred Dollars (\$555,800.00).

Be it further resolved that all other terms of said Resolution No. 167-00 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 273-00.

By Director Sheffield-McClain.

Whereas, pursuant to the authority of Ordinance No. 1585-A-76, as amended by Ordinance No. 990-80, passed by Cleveland City Council on August 16, 1976 and October 20, 1980, respectively, the City of Cleveland entered into an Agreement and Lease ("Agreement") with Northwest Airlines, Inc. ("Northwest"), City Contract No. 31263, for Northwest's use of the Cleveland Hopkins International Airport and the Airport Terminal Building; and

Whereas, pursuant to Article XVI of said Agreement Northwest desires to sublease part of its leased premises at Cleveland Hopkins International Airport to Continental Airlines, Inc. ("Continental"); and

Whereas, subleasing of said premises to Continental shall not constitute a release or waiver of any of Northwest's obligations under City Contract No. 31263; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the terms of the Agreement, this Board does hereby approve the request of Northwest to enter into a sublease with Continental for Continental's exclusive use of four (4) ticket counter positions on the ticketing level, for a period of twelve months commencing November 15, 1999 and ending on November 14, 2000 and month-to-month thereafter, provided that the terms of such sublease shall not be in conflict with the terms of City Contract 31263.

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

lease hereby approved, which documents shall contain such additional terms and conditions as the Director shall deem necessary to protect the City's interests.

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 274-00.

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of C.E. Neubert Company for an estimated quantity of the rental of heavy duty equipment and operators, for the various divisions of the Department of Port Control, for a period not to exceed two years beginning with the date of execution of a contract, received on the 2nd day of February 2000, pursuant to the authority of Ordinance No. 1065-99, passed on June 14, 1999, which on the basis of the estimated quantity would amount to One Hundred Eighty-Two Thousand Seven Hundred Eighteen and 28/100 Dollars (\$182,718.28) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 22180
which shall be certified against such contract in the sum of Fifty Thousand and 00/100 Dollars \$50,000.00.

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

Be it further resolved by the Board of Control that the following subcontractor to C. E. Neubert Company is hereby approved:

Dekalb Construction
MBE — \$76,741.68 — 42%

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 275-00.

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland, that all bids received on January 13, 2000, for construction equipment parts and labor if necessary, items 5 and 9, for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance No. 1837-99, passed by the Council of the City of Cleveland on December 6, 1999, be and the same are hereby rejected.

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

man, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 276-00.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of North Coast Distributing, Inc. for an estimated quantity of various mower parts and labor, Items 16, 21, 23, 24, 39, 41, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on February 25, 2000, pursuant to the authority of Ordinance No. 2174-98, passed March 1, 1999, which on the basis of the estimated quantity would amount to Thirty Thousand and 00/100 Dollars (\$30,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17671
which shall be certified against such contract in the sum of Seven Thousand Five Hundred and 00/100 Dollars (\$7,500.00).

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 277-00.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Brooklyn Tractor and Mower Co. for an estimated quantity of various mower parts and labor, Items 1, 2, 4, 5, 6, 8, 10, 20, 22, 25, 26, 27, 28, 29, 33, 34, 36, 37, 38, 40, 42, 43, 44, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on February 25, 2000, pursuant to the authority of Ordinance No. 2174-98, passed March 1, 1999, which on the basis of the estimated quantity would amount to Three Hundred One Thousand and 00/100 Dollars (\$301,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17670
which shall be certified against such contract in the sum of Forty Thousand and 00/100 Dollars (\$40,000.00).

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 278-00.

By Director Whitlow.

Whereas, by Resolution No. 138-00, adopted March 8, 2000, pursuant to the authority of Ordinance No. 1060-99, passed by the Cleveland City Council June 14, 1999, this Board of Control approved the bid of Bay-West Electric Company, Inc. and

Whereas, in said Resolution No. 138-00, the Requisition Number was incorrectly stated as 05294; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 138-00, adopted March 8, 2000, affirming and approving the bid of Bay-West Electric Company, Inc. as the lowest and best for the labor and materials necessary to perform the electrical work for seven (7) Monitoring Stations for the Department of Public Health is hereby amended by changing the requisition number to 07399.

Be it further resolved that all other provisions of said resolution not expressly amended hereby shall remain in full force and effect.

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 279-00.

By Director Whitlow.

Whereas, by Resolution No. 139-00, adopted March 8, 2000, pursuant to the authority of Ordinance No. 1060-99, passed by the Cleveland City Council June 14, 1999, this Board of Control approved the bid of Environmental Systems Corporation and

Whereas, in said Resolution No. 139-00, the Requisition Number was incorrectly stated as 05249; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 139-00, adopted March 8, 2000, affirming and approving the bid of Environmental Systems Corporation, Inc. as the lowest and best to provide ten dataloggers for the Department of Public Health is hereby amended by changing the Requisition Number to 07398.

Be it further resolved that all other provisions of said resolution not expressly amended hereby shall remain in full force and effect.

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting

Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 280-00.

By Director Whitlow.

Resolved by the Board of Control of the City of Cleveland, that all bids received on December 9, 1999, for cleaning and hygiene supplies Group A, Item # 11, 12, and 13 for the Division of Correction, Department of Public Health, pursuant to the authority of Ordinance No. 952-99, passed by the Council of the City of Cleveland on June 14, 1999, be and the same are hereby rejected.

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 281-00.

By Director Whitlow.

Resolved, by the Board of Control of the City of Cleveland that the bid of Ohio Soap Products Co. for an estimated quantity of Cleaning and hygiene supplies Group A item number 2, Group B item numbers 1, 2, 3, and 4, Group C item numbers 1 and 2 for the Division of Correction, Department of Public Health, for the period two (2) years beginning with the date of execution of contract, received on December 9, 1999, pursuant to the authority of Ordinance No. 952-99, passed June 14, 1999, which on the basis of the estimated quantity would amount to Twenty-Two Thousand Eighty-Three and 20/100 Dollars (\$22,083.20), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 21746
Cleaning and hygiene supplies which shall be certified against such contract in the sum of One Thousand Five Hundred Sixteen and 85/100 Dollars (\$1,516.85).

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 282-00.

By Director Whitlow.

Resolved, by the Board of Control of the City of Cleveland that the bid of Astro Supply for an estimated quantity of cleaning and hygiene supplies Group A, item # 3, 6, 7, and 8 for the Division of Correction, Department of Public Health, for the period of two years beginning with the date of execution of contract,

received on December 9, 1999, pursuant to the authority of Ordinance No. 952-99, passed June 14, 1999, which on the basis of the estimated quantity would amount to Twenty Three Thousand Two Hundred Fifty Eight and 00/100 Dollars (\$23,258.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 21745
cleaning and hygiene supplies which shall be certified against such contract in the sum of One Thousand Three Hundred Fifteen and 00/100 Dollars (\$1,315.00).

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 283-00.

By Director Whitlow.

Resolved, by the Board of Control of the City of Cleveland that the bid of Emerald Supply, Inc. for an estimated quantity of Cleaning and hygiene supplies Group A item numbers 4, 5, 9, and 10 for the Division of Correction, Department of Public Health, for the period of two (2) years beginning with the date of execution of contract, received on December 9, 1999, pursuant to the authority of Ordinance No. 952-99, passed June 14, 1999, which on the basis of the estimated quantity would amount to Twenty Thousand One Hundred Four and 66/100 Dollars (\$20,104.66), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 21747
Cleaning and hygiene supplies which shall be certified against such contract in the sum of One Thousand One Hundred Forty-Two and 24/100 Dollars (\$1,142.24).

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 284-00.

By Director Whitlow.
 Resolved, by the Board of Control of the City of Cleveland that the bid of Homer Chambers/Enterprise Company for an estimated quantity of Cleaning and hygiene supplies Group A item 1 for the Division of Correction, Department of Public Health, for the period two years beginning with the date of execution of contract, received on December 9, 1999, pursuant to the authority of Ordinance No. 952-99, passed June 14, 1999, which on the basis of the estimated quantity would amount to One Thousand Four Hundred Forty and 00/100 Dollars (\$1,440.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

- Comm Steel
MBE — \$208,200 — 3%
- A & L Sewer
MBE — \$150,000 — 2%
- Western Waterproofing
FBE — \$143,000 — 2%
- Nordonia Bldg. Products
FBE — \$12,280 — 0.17%
- Mac Mechanical
FBE — \$180,000 — 2%

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
 Absent: None.

Resolution No. 286-00.

By Director Jackson.
 Requisition No. 21748 cleaning and hygiene supplies which shall be certified against such contract in the sum of One Hundred Forty-Four and 00/100 Dollars (\$144.00).

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
 Absent: None.

Resolution No. 285-00.

By Director Guzman.
 Be it resolved by the Board of Control of the City of Cleveland that the bid of R.P. Carbone Company, for the Police Headquarters Garage and Plaza Renovation, for the Department of Public Safety, received on March 15, 2000, pursuant to the authority of Ordinance No. 1578-90, passed February 24, 1992, for a gross price for the improvement in the aggregate amount of Seven Million Two Hundred Thirty-One Thousand Six Hundred and 00/100 Dollars (\$7,231,600.00), is hereby affirmed and approved as the lowest responsible bid; including Alternates #1, 2, 3b, 4, 5a, 6, 7, 8 and 9, and the Director of Public Safety is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by R.P. Carbone Company, is hereby approved:

- Gateway Electric
MBE — \$365,000 — 5%
- Granger Trucking
MBE — \$150,000 — 2%
- KLE Construction
MBE — \$144,050 — 2%

Whereas, pursuant to the authority of Ordinance No. 257-99, passed August 11, 1999, 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, described therein and located at the City of Cleveland's Municipal Parking Lot between East 139th - East 140th Streets and Kinsman Avenue, also known as Permanent Parcel Numbers 130-12-029, 047, 048, 089 and 111, to Mt. Pleasant Now Development Corporation; and

Whereas, said Ordinance No. 257-99 provided that the consideration to be paid for the property shall be at a price not less than the 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 pursuant to Ordinance No. 257-99, passed by the Council of the City of Cleveland on August 11, 1999, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property no longer needed for public use, described therein and located at the City of Cleveland's Municipal Parking Lot between East 139th - East 140th Streets and Kinsman Avenue, also known as Permanent Parcel Numbers 130-12-029, 047, 048, 089 and 111, to Mt. Pleasant Now Development Corporation. The consideration to be paid for said property is hereby fixed at One Dollar (\$1.00), 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 said property which document shall contain such additional terms and conditions as the Board of Control or the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
 Absent: None.

Resolution No. 287-00.

By Director Jackson.
 Resolved by the Board of Control of the City of Cleveland that the bid of Ramsey-Bennett Company for the following: labor and materials necessary to install a freezer, including removal of existing unit, for the Division of Recreation, Department of Parks, Recreation and Properties, received on the 14th day of April 2000, pursuant to the authority of Ordinance No. 336-2000, passed March 6, 2000, which on the basis of the order quantity would amount to \$16,150.00, is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
 Absent: None.

Resolution No. 288-00.

By Director Jackson.
 Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. DiLillo & Company for the public improvement of Artha Woods Park, Humphrey Park and Thames Park Site Improvements, for Base Bid Items #A1 - #A14, #A16 - #A19, #A22 - #A35, Alternate Items #4C, #6C, #7C and Add Alternate Items #AA1a, #AA1b and #AA1c including the adjusted 5% contingency (Artha Woods Park), Base Bid Items #B1 - #B38 (Humphrey Park), including the 5% contingency and Base Bid items #C1 - #C55, including the 5% contingency (Thames Park), for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on March 22, 2000, pursuant to the authority of Ordinance No. 1605-98, passed October 19, 1998, upon a unit basis for the improvement in the aggregate amount of Five Hundred Fifty One Thousand, Five Hundred Sixty Six and 52/100 Dollars (\$551,566.52), is hereby affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractors for R. DiLillo & Company on the public improvement of Jefferson Park Site Improvements and Trent Park Fence Improvements are hereby approved:

SUBCONTRACTORS RESPONSIBILITY

Alexa Trucking (MBE)	Trucking
Cook Paving (MBE)	Asphalt
United Ready Mix (MBE)	Concrete Supply
Barrow Sign (FBE)	Signage

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman,

man, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 289-00.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 106-23-163 under said Land Reutilization Program; and

Whereas, Ordinance No. 1877-99 passed December 13, 1999, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Archie Ross and Anna Ross have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1877-99 passed December 13, 1999, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Archie Ross and Anna Ross for the sale and development of Permanent Parcel No. 106-23-163, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 290-00.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 136-24-068 under said Land Reutilization Program; and

Whereas, Ordinance No. 1977-99 passed March 27, 2000, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Sharifa D. Mitchell and Andrae J. Bush have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1977-99 passed March 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Sharifa D. Mitchell and Andrae J. Bush for the sale and development of Permanent Parcel No. 136-24-068, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Whereas, House of Our Redeemer Missionary Baptist Church has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1757-99 passed March 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with House of Our Redeemer Missionary Baptist Church for the sale and development of Permanent Parcel No. 134-06-002, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 291-00.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 107-15-148 under said Land Reutilization Program; and

Whereas, Ordinance No. 1975-99 passed March 27, 2000, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Nora J. Woods and Samuel L. Garrett have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1975-99 passed March 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Nora J. Woods and Samuel L. Garrett for the sale and development of Permanent Parcel No. 107-15-148, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 292-00.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 134-06-002 under said Land Reutilization Program; and

Whereas, Ordinance No. 1757-99 passed March 27, 2000, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, House of Our Redeemer Missionary Baptist Church has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1757-99 passed March 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with House of Our Redeemer Missionary Baptist Church for the sale and development of Permanent Parcel No. 134-06-002, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 293-00.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 127-12-059 under said Land Reutilization Program; and

Whereas, Ordinance No. 1966-99 passed March 27, 2000, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, William Weatherspoon and Ernestine Weatherspoon have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1966-99 passed March 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with William Weatherspoon and Ernestine Weatherspoon for the sale and development of Permanent Parcel No. 127-12-059, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$400.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 294-00.

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 006-29-068 located at 3143 West 71st Street in Ward 18; and

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

Whereas, Norman W. Scherer and Wilma Scherer, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 18 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Norman W. Scherer and Wilma Scherer for the sale and development of Permanent Parcel No. 006-29-068 located at 3143 West 71st Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 295-00.

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 017-18-026 located at 10337 Briggs Road in Ward 18; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have

been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Pedro J. Gonzalez and Dianette Gonzalez, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 18 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Pedro J. Gonzalez and Dianette Gonzalez for the sale and development of Permanent Parcel No. 017-18-026 located at 10337 Briggs Road, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 296-00.

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 121-16-159 located at 2243 East 93rd Street in Ward 6; and

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

Whereas, Alonis Thompson and Linda G. Thompson, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 has consented to the proposed sale;

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

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

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

pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Alonis Thompson and Linda G. Thompson for the sale and development of Permanent Parcel No. 121-16-159 located at 2243 East 93rd Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 297-00.

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 109-19-136 located at 1275 East 108th Street in Ward 8; and

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

Whereas, Billy Ray and Mildred Ray, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 8 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Billy Ray and Mildred Ray for the sale and development of Permanent Parcel No. 109-19-136 located at 1275 East 108th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 298-00.

By Director Brooks.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to the authority of Ordinance Nos. 1744-97 and 521-99, passed by the Council of the City of Cleveland June 5, 1995, and March 29, 1999, respectively, the firm of Carrera-MAXIMUS, Inc. is hereby selected upon the nomination of the Director of Finance, as determined after a full and complete canvass by the Director of Finance, as the firm to be employed for the purpose of providing professional services, including but not limited to project management and implementation of the PeopleSoft Public Sector product suite to Y2K compliance.

Be it further resolved that the Director of Finance hereby is authorized to enter into a contract with Carrera-MAXIMUS, Inc. based upon its proposal dated April 21, 2000, which contract shall provide that the compensation to be paid shall not exceed \$1,543,500. The contract authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Borokhovich, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Director McCafferty, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ANNE BLOOMBERG,
President

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, MAY 15, 2000

9:30 A.M.

Calendar No. 00-80: 12711 Bennington Avenue (Ward 20)

Catholic Charities Facilities and Annunciation Limited Partnership, owner c/o Maryellen Staab, agent, appeal to construct an approximate 222' x 59' three-story, 44 unit elderly housing apartment building on an approximate 230' x 176' corner parcel located in a Two-Family B-1 District on the southwest corner of West 127th Street and Bennington Avenue at 12711 Bennington Avenue; said construction addition being contrary to the Residential District Regulations of Section 337.03 where a three-story, 44 unit elderly housing apartment building is not permitted in a Two-Family B-1 District and contrary to the Area Requirements of Section 355.04 where the gross floor area in a "B" District cannot exceed 1/2 of the lot area and the maximum gross floor area permitted is 20,000 sq. ft. and 36,378 sq. ft. is proposed and the required lot area is 105,600 sq. ft. and 40,000 sq. ft. is proposed and contrary to the Yards and Courts Requirements of Sections 357.14 where parking is not permitted in the required 30' front yard setback and 12 spaces are proposed in the setback area and a 4' interior side yard is proposed where an 8' minimum interior side yard is required as stated in Section 357.09 of the Codified Ordinances.

Calendar No. 00-81: 3200 West 33rd Street (Ward 14)

Catholic Charities Facilities and Mercedarian Limited Partnership, owner c/o Maryellen Staab, agent, appeal to construct an approximate 222' x 59' three-story, 44 unit elderly housing apartment building on an approximate 234' x 168' corner parcel located in a Two-Family B-1 District on the southwest corner of St. Rocco's Court and West 33rd Street at 3200 West 33rd Street; said construction addition being contrary to the Residential District Regulations of Section 337.03 where a three-story, 44 unit elderly housing apartment building is not permitted in a Two-Family B-1 District and contrary to the Area Requirements of Section 355.04 where the gross floor area in a "B" District cannot exceed 1/2 of the lot area and the maximum gross floor area permitted is 19,602 sq. ft. and 36,378 sq. ft. is proposed and the required lot area is 105,600 sq. ft. and 39,204 sq. ft. is proposed and contrary to the Yards and Courts Requirements of Section 357.14 where parking is not permitted in the required 30' front yard setback and 19 spaces

are proposed in the setback area and a 7'-3" and a 5'-8" interior side yard is proposed where an 8' minimum interior side yard is required as stated in Section 357.09 of the Codified Ordinances.

Calendar No. 00-85: 8 Lakefront Walk (Ward 11)

Drew Carson, owner, appeals to construct a 42' x 44' triangular two-story single family dwelling house on an approximate 97' x 79' acreage parcel located in a Single-Family District on the southeasterly corner of Lakefront Walk at 8 Lakefront Walk, said construction being contrary to the Area Requirements of Section 355.04 where the gross floor area in a "B" District cannot exceed 1/2 of the lot area and the maximum gross floor area permitted is 2,585 sq. ft. and 3,528 sq. ft. is proposed and contrary to the Yards and Courts Requirements of Section 357.08(2)(b)(1) where a 20' rear yard setback is required and 6' is proposed and contrary to the existing non-conforming use limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 00-89: 6419 Lawn Avenue (Ward 17)

Catholic Charities Facilities, owner c/o Maryellen Staab, agent, appeals to construct an approximate 155' x 57' four-story, 40 unit elderly housing apartment building on an approximate 230' x 124' irregular shaped corner parcel located in a General Retail Business District on the southeast corner of West 65th Street and Lawn Avenue at 6419 Lawn Avenue; said construction addition being contrary to the Area Requirements of Section 355.04 where the gross floor area in a "B" District cannot exceed 1/2 of the lot area and the maximum gross floor area permitted is 13,074 sq. ft. and 33,450 sq. ft. is proposed and contrary to the Off-Street Parking and Loading Requirements of Section 349.07(c) where driveways providing access to Off-Street Parking shall be located to minimize traffic congestion and contrary to the Landscaping and Screening Requirements of Section 352.10 where an 8' landscaped transition strip is required to separate the use from a Residential District at the east property line and the dumpster requires a landscaped transition strip and contrary to the Yards and Courts Requirements where parking is not permitted in the required front yard area as stated in Section 357.14 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, APRIL 24, 2000

At the meeting of the Board of Zoning Appeals on Monday, May 1, 2000, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 00-76: 2188 West 6th Street

Tremont Ridge Phase I Limited Partnership, owner, appeals to construct a 20' x 40' three-story, 2 family dwelling house on a 25' x 100' vacant lot located in a B-Multifamily District at 2199 West 6th Street.

Calendar No. 00-77: 308 Central Viaduct

Norfolk and Southern Corporation, owners, and Gateway Economic Development Corporation, tenant, appeal to establish use as an 819 parking lot an irregular shaped acreage parcel on the south side of Central Viaduct and located in a General Industry District at 308 Central Viaduct.

Calendar No. 00-37: 3138 West 16th Street

CMS Properties, Inc., owner c/o Robert M. Pattison, agent, appeal to demolish an existing 67' x 24' two-story frame 3 dwelling unit house and construct a 67' x 24' two-story frame 2 dwelling unit house on the existing foundation all situated on a 44' x 96' corner parcel and located in a two-family District on the northwest corner of Rowley Avenue and West 16th Street at 3138 West 16th Street.

Calendar No. 00-67: 4211 Franklin Boulevard

Vickie and John Popa, owners, appeal to install 40 linear feet of 6' high wrought iron fencing with 2 gates to the front of a 30' x 120' parcel on the south side of Franklin Boulevard located in a two-family District at 4211 Franklin Boulevard.

Calendar No. 00-68: 4305 Franklin Boulevard

Richard Shucofsky, owner, and Vickie and John Popa, prospective purchasers, appeal to install 38 linear feet of 6' high wrought iron fencing to the front of an approximate 42' x 100' irregular shaped vacant corner parcel located in a two-family District on southeast corner of West 44th Street and Franklin Boulevard at 4305 Franklin Boulevard.

The following appeals were **Denied:**

Calendar No. 00-74: 1898 West 45th Street

David L. Gelzer, owner, appeals under the authority of Section 329.02 (c) and Section 367.09, where the appellant has the right to appeal to the Board of Zoning Appeals, and Section 327.99(a) where the appellant is subject to prosecution and penalties, and the Charter of the City of Cleveland from the issuance of a Violation Notice on February 28, 2000 by the Commissioner of the Division of Building and Housing, Department of Community Development.

Calendar No. 00-75: 5301-5307 Broadway Avenue

Donald Bram, owner, and Leland S. Freedman, attorney, appeal to use an existing 80' x 145' lot with an existing 12' x 46' trailer situated on the lot as a used auto sales lot, all located in a General Retail Business District at 5301-5307 Broadway Avenue.

The following appeal was **Postponed:**

Calendar No. 00-73: 5512 Memphis Avenue postponed to May 22, 2000.

On Monday, May 1, 2000, in Executive Session:

The following appeals were heard on Monday, April 24, 2000 and said decisions were approved and adopted by the Board on May 1, 2000.

The following appeals were **Approved:**

Calendar No. 00-71: 9226 St. Clair Avenue

Bradley Construction Company, owner, appealed to construct a 113' x 125' one-story masonry office, warehouse and storage building on a corner parcel in a Local Retail District.

Calendar No. 00-3: 16700 St. Clair Avenue

World Resources Recovery System, owner, and Clean CEMP Engineering, agent, appealed to change the use of an existing factory and warehouse for a recycling operation in a Semi-Industry District.

Calendar No. 00-8: 1247-1261 East 105th Street, a.k.a. 10509 Hathaway Avenue

Adrian T. Thompson, owner, appealed to construct a 40' x 85' two-story masonry office building in a Local Retail District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of April 26, 2000

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

* * *

Docket A-9-99.

RE: Appeal of Shirley A. Russell, Owner of the Property, located on the premises known as 10631-35 St. Clair Avenue from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing dated January 13, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Be it resolved, a motion is in order at this time to REMAND the property at 10631-35 St. Clair Avenue to the Division of Building and Housing for supervision and further action, with the provision that the building remain open for one (1)

month for work to be done by the owner, and to permit the owner to clean up the building without requiring permits during that period of time. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

* * *

Docket A-62-99.

RE: Appeal of David N. Bortz c/o Lextech Industries, Owner of the Property located on the premises known as 6800 Union Avenue from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated March 15, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code. (OBBC).

Be it resolved, a motion is in order at this time to grant the Appellant one (1) month in which to obtain permits and three (3) months in which to abate the violations; the property is REMANDED at this time to the Division of Fire and to the Division of Building and Housing for supervision and any required further action with the understanding that the safety progress will result in rewarding the Appellant additional time should it be required. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

* * *

Docket A-201-99.

RE: Appeal of Alliance of Poles of America, Owner of the Property located on the premises known as 6966 Broadway Avenue from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated July 16, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-201-99 has been POSTPONED; to be rescheduled for May 10, 2000.

* * *

Docket L-9-00.

RE: Appeal of Peter Finnell, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated January 31, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Be it resolved, a motion is in order at this time to DENY the Appellant's appeal request for renewal of his ELECTRICAL CONTRACTOR LICENSE and require the Appellant retake the test in view of the lapse of time from 1996 until the present. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket L-10-00.

RE: Appeal of Michael W. Kidney, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated April 12, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Be it resolved, a motion is in order at this time to permit Mr. Kidney to renew his ELECTRICAL CONTRACTOR LICENSE without retaking the test, but with payment of the late filing fees. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-13-00.

RE: Appeal of 2530 Superior Avenue Partners LLC, Owners of the Parking Lot located on the premises known as 2401 Superior Avenue (a.k.a. 1469 East 14th Street), from a NOTICE OF VIOLATION/NO PERMIT of the Commissioner of the Division of Building and Housing dated December 28, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date, the docket will be rescheduled for May 10, 2000.

* * *

Docket A-16-00.

RE: Appeal of Edward Renshaw, Sr., Owner of the Two- & One-half Story Frame Residential Property located on the premises known as 570-72 East 124th Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated April 12, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Be it resolved, a motion is in order at this time to modify the Commissioner's CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant one (1) month in which to obtain permits for rehabilitation of the property; and to grant the Appellant three (3) months in which to complete abatement of the violations on the property, and to require that the property be maintained boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the

provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by September 10, 2000. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

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

* * *

Docket A-18-00.

RE: Appeal of Stuart J. Graines Jr., Owner of the Property located on the premises known as 11100 Clifton Boulevard (a.k.a. 11100-22 Clifton Boulevard) from a NOTICE OF VIOLATION/STOP WORK ORDER of the Commissioner of the Division of Building and Housing dated December 20, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

The Board will take no action on Docket A-18-00 at this time, noting that the NOTICE OF VIOLATION/STOP WORK ORDER dated December 20, 1999 has been WITHDRAWN at the request of the Division of Building and Housing.

* * *

Docket A-25-00.

RE: Appeal of Mustafa Taye, Owner of the Four (4) Stores One (1) Story Masonry Property located on the premises known as 14619-27 Woodworth Road from a NOTICE OF VIOLATION/COMMERCIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated January 14, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Be it resolved, a motion is in order at this time to grant the Appellant two (2) months in which to abate the violations on the property and to obtain final inspections; the property is REMANDED at this time to the Division of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-42-00.

RE: Appeal of White Elephant, Inc., Owner of the Industrial Warehouse Property located on the premises known as 3300 West 65th Street appeals from all ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated February 16, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date; Docket A-42-00 has been rescheduled for May 10, 2000.

Docket A-46-00.

RE: Appeal of Case Western Reserve University, Owner of the CWRU Science Center located on the premises known as 2074 Adelbert Road appeals from an ADJUDICATION ORDER (OBBC 1014.11/Interior stairway enclosures) of the Commissioner of the Division of Building and Housing dated February 23, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Be it resolved, a motion is in order at this time to grant the variance to OBBC 1014/Interior Stairway Enclosure and permit the stair to remain, noting that the safety feature of the building and structure. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

* * *

Dockets A-64-00.

RE: Appeal of Andrew C. Elia, Owner of the Single Family Residential Property located on the Premises known as 241 East 151st Street from a NOTICE OF NONCOMFORMANCE of the Commissioner of the Division of Building and Housing dated April 12, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action taken on Docket A-64-00 this date, the docket will remain open until the Board hears from the Commissioner of the Division of Building and Housing.

* * *

APPROVAL OF RESOLUTIONS:

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

L-8-00—James W. Lang.
A-22-00—Diontae Pippens.
A-26-00—Howard R. Searcy, Jr.
A-44-00—Emil Rosul (Advanced Fluids Inc.).
A-48-00 to A-56-00—Zaremba Cleveland Communities Inc.
Yeas: Messrs. Denk, Saunders, Williams. Nays: None. Not Voting: Mr. Sullivan. Absent: Mr. Bowes.

* * *

APPROVAL OF MINUTES:

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

April 26, 2000
Yeas: Messrs. Denk, Saunders, Williams. Nays: None. Not Voting: Mr. Sullivan. Absent: Mr. Bowes.

* * *

JOSEPH F. DENK,
CHAIRMAN

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 17, 2000
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 17, 2000, at 1:00 P.M., to consider the following ordinances now pending in the Council:

Ord. No. 2059-98.

By Councilman Moran.

An ordinance to change the Use and Area Districts of lands on the northerly side of Memphis Avenue, S.W. between Ridgeview Drive and West 59th Street. (Map Change No. 1986, Sheet No. 2)

Ord. No. 177-2000.

By Councilman Gordon.

An ordinance changing the Use and Area Districts of lands bound by Spring Road, S.W., Hinckley Industrial Parkway, Jennings Township and easterly extension of the Brooklyn Heights Village boundary. (Map Change No. 2007, Sheet No. 6)

Ord. No. 178-2000.

By Councilman Sweeney.

An ordinance to change the Use District of lands on the northwesterly side of Grayton Road, S.W.; south of I-480 (Map Change No. 2006, 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 3, 2000 and May 10, 2000

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 10, 2000

Summer Food Program, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 211-2000.

April 26, 2000 and May 3, 2000

WEDNESDAY, MAY 17, 2000

Animal Trapping, for the Division of Environment, Department of Public Health, as authorized by Ordinance No. 365-2000, passed by the Council of the City of Cleveland, April 3, 2000.

April 26, 2000 and May 3, 2000

FRIDAY, MAY 19, 2000

Six (6) Semi-Dump Trailers, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1816-99, passed by the Council of the City of Cleveland, December 13, 1999.

April 26, 2000 and May 3, 2000

WEDNESDAY, MAY 17, 2000

Electronic Traffic Signal Equipment, for the Division of Traffic Engineering and Parking, Department of Public Service, as authorized by Ordinance No. 2165-99, passed by the Council of the City of Cleveland, February 11, 2000.

Various Sewer Maintenance Appurtenances - Slabs, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27 of the Codified Ordinances of the City of Cleveland, 1976

May 3, 2000 and May 10, 2000

THURSDAY, MAY 18, 2000

Repair And Constructing Sidewalks, Curbs, Curb Ramps, Driveway Aprons, for the Division of

Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 593-2000.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

May 3, 2000 and May 10, 2000

WEDNESDAY, MAY 24, 2000

Quicklime, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976.

May 3, 2000 and May 10, 2000

THURSDAY, MAY 25, 2000

Swimming Pool Pumps, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2172-99, passed by the Council of the City of Cleveland, February 28, 2000.

May 3, 2000 and May 10, 2000

FRIDAY, MAY 26, 2000

One (1) Cab/Chassis With Aerial Bucket/Tree Trimming Body, for the Various Divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1058-99, passed by the Council of the City of Cleveland, June 14, 1999.

May 3, 2000 and May 10, 2000

WEDNESDAY, MAY 31, 2000

Labor and Materials to Maintain and Repair Boilers, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 2053-99, passed by the Council of the City of Cleveland.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, MAY 24, 2000, 1:00 P.M., IN THE DEPARTMENT OF PORT CONTROL'S TOWER CONFERENCE ROOM IN THE MAIN TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135. ACCESS TO THE TOWER CONFERENCE ROOM CAN BE OBTAINED THROUGH THE SECOND FLOOR ADMINISTRATIVE OFFICES. DIRECTIONS CAN BE OBTAINED FROM THE CENTRAL INFORMATION COUNTER IN THE CENTER OF THE TICKETING LEVEL.

May 3, 2000 and May 10, 2000

**Certified MBEs and FBEs
First Quarter, 2000**

Pursuant to Chapter 187 of the Codified Ordinances of the City of Cleveland, Ohio, listed below are the firms that have been certified as Minority Business Enterprises (MBEs) and Female Business Enterprises (FBEs) by the Mayor's Office of Equal Opportunity during the First Quarter of 2000.

Company	MBE/FBE	Date	Description
A & L Sewer Company	MBE	3/31/2000	All types of sewer work; septic tanks and trenching; water and gas lines
Able Contracting Group, Inc.	FBE	1/12/2000	Sales, service, installation of fences, guard rails; traffic control products
Aerospace Design & Fabrication, Inc.	MBE	1/28/2000	Electrical and mechanical design and drafting, Fabrication-custom computer programming, consulting, services & training
Affordable Roll-Off, Inc.	FBE	3/30/2000	Small dumpsters
Albert Herman Draperies, Inc.	FBE	2/9/2000	Manufacturer of custom draperies, bed spreads, supplier of blinds and window coverings, including installation
Albert's Air Conditioning, Inc.	MBE	1/31/2000	HVAC: repair of air conditioners
Applied Geographics, Inc.	FBE	3/29/2000	Geographics information systems assessing and implementation consultants; cartographic services & complete atlas production
Arnold Trucking Company	MBE	2/25/2000	Dump trucking: hauling of excavating materials. Supplier of slag, gravel and limestone
Atlas Electric Co., Inc.	FBE	2/15/2000	Electrical contractor: commercial, industrial and institutional projects
Authentic Flooring, Inc.	FBE	3/28/2000	Sales and installation of carpet, vinyl and ceramic tile and other miscellaneous flooring
Avatar Healthcare Services, Inc.	MBE	3/3/2000	Professional healthcare services
BAM Electrical, Inc.	MBE	3/3/2000	Electrical contracting: commercial and industrial
Barrow Sign Company	FBE	2/22/2000	Sign making: exterior and interior including fabrication and installation
Bay-West Electric Co., Inc.	FBE	3/30/2000	Electrical contractor: all forms of electrical work to include commercial, industrial and residential
Bezalel Co., Ltd.	MBE	3/9/2000	General contractor specializing in rehab and renovations of residential properties
Bonnie Banks Design, Inc.	MBE/FBE	3/28/2000	Interior design services and consulting: residential and commercial
Budget Signs	FBE	1/3/2000	Full service sign company including installation
C.P. Braman & Co., Inc.	FBE	3/23/2000	Real estate appraisals and appraisal reviews
Caiata Admin Services, Inc.	FBE	3/28/2000	Administrative support. Manual &/or report preparation, invoicing, tracking documentation, project office support, typing and computer work
Carlisle Glass Co., Inc.	FBE	1/3/2000	Glass and glazing contractor, commercial and residential
Choice Construction Co., Inc.	MBE/FBE	3/31/2000	Heavy construction, highway & street improvements, bridge, tunnel & elevated highway, industrial building and non-residential construction
Clark's Transportation Service, Inc.	MBE	3/3/2000	Local charter bus service, long distance charter bus service and commuter bus service
Cleo Miller & Associates, Inc.	MBE	3/3/2000	Temporary and permanent placing of clerical and industrial workers
Cobalt Group, Inc.	FBE	3/28/2000	Comprehensive organizational and business development, capital investment, community development planning & project implementation, marketing and feasibility studies
Collinwood Shale, Brick and Supply Co.	FBE	3/25/2000	Manufacturer & supplier of ready mix concrete
CommSteel, Inc.	MBE	1/27/2000	General contractor specializing in structural steel erection, fabrication, miscellaneous steel and steel supplies

Compliance Solutions, Inc.	FBE	3/22/2000	Environmental consulting including investigations, cleanup, training, sampling, mobile lab services
Cook Paving and Construction Co., Inc.	MBE	2/22/2000	General contractor: excavation, residential renovations; concrete, asphalt paving, landscaping, snow removal; under-ground utilities, fiber optic conduits, construction materials
Cray Consulting Group, Inc.	MBE/FBE	3/28/2000	Training & organizational development program to include meeting planning, curriculum development & delivery of materials
Creative Works, Inc.	FBE	3/15/2000	Marketing consultant, including communications; events planning & implementation
Dean Contracting, Inc.	FBE	3/17/2000	Industrial and commercial painting, and sheeting and metal roofing
Desman Associates	MBE	2/10/2000	Architectural and engineering services; parking facilities and restoration of parking structures
Dingus and Daga, Inc.	MBE	2/3/2000	Certified public accountants
Doi Dickinson Architects, Ltd.	MBE	3/3/2000	Architectural services
Donato Electric, Inc.	FBE	3/23/2000	Electrical contractor
Dyverse Communications, Inc.	MBE/FBE	3/28/2000	Advertising through direct marketing; publishing; secretarial services, & events planning
E.M. Nuckley Packaging Company, Inc.	MBE	2/15/2000	Packaging & crating service for export and domestic shipments
East-West Construction Co., Inc.	MBE	2/11/2000	General contractor, construction management
Eden Environmental, Inc.	FBE	1/3/2000	Environmental consulting including remediation, hazardous waste, tank management, site assessment & compliance services
Energy and Water Management, Inc.	MBE	3/6/2000	Water treatment services and products for control of scaling and corrosion in boilers, cooling towers and other water systems
Engineering, Computer & Energy Consultants	MBE	3/17/2000	Energy management, electrical mechanical & control systems engineering
Enterprise Company	MBE	3/22/2000	Supplier of janitorial and maintenance supplies
Environmental Affairs Management Consultants	MBE	3/17/2000	Testing & identifying hazardous waste chemicals & related matters, packaging waste chemicals, transportation, disposal, underground removal of diesel tanks & hazardous waste drums; environmental consultants: EPA & OSHA related; safety related service
Ernie Electric Company	MBE	1/31/2000	Electrical contractor for residential, commercial and industrial including fire alarms
F.S.W. Lab., Inc.	MBE	3/6/2000	Indoor air quality testing for mold spores, bacteria and gases
Faison & Pinson	MBE	2/21/2000	Install lightweight insulating concrete and slabs; install various types of preformed roof decks
Fox Fire Protection, Inc.	FBE	3/3/2000	Fire sprinkler system: design, installation and maintenance
G & T Associates, Inc.	MBE	2/14/2000	Consulting engineers and surveyors
G.E. Construction Company	MBE/FBE	2/10/2000	General contractor specializing in exterior and interior renovations, HVAC and masonry
G. E. Roofing	MBE	2/26/2000	General contractor specializing in domestic and commercial roofing
Gilerest Electric & Supply Company	MBE	3/10/2000	General contractor specializing in electrical work; electrical supplies
Glory Painting Co.	MBE/FBE	1/17/2000	Painting and wallpaper contractor; general contractor specializing in rehab, dry wall, carpentry and roofing, commercial and residential
Granger Trucking, Inc.	MBE	2/17/2000	Trucking and excavation, supplier of aggregate materials
H.I. Environmental Technologies	MBE	3/9/2000	Engineer, P.E., environmental & OSHA audits, soil, water and air testing; indoor air quality, phases I, II & III assessments

Hayes Construction Co., Inc.	MBE	2/28/2000	General contractor specializing in interior finishing, elevator work; remodeling and rehabilitation. Consultant services in urban planning and design; construction management
Hicks Insurance Agency, Inc.	MBE	2/25/2000	All lines of insurance
Holly Development, Inc.	MBE	3/28/2000	General contractor specializing in rehab and renovations
Huckabee Masonry, Inc.	MBE	2/25/2000	General contractor specializing in masonry work
Hunsi Group, Inc.	MBE	3/20/2000	General contractor specializing in rehab
I Design	FBE	2/18/2000	Full service graphic design and typesetting
Integrated Business Supplies, Inc.	FBE	3/23/2000	Computers: hardware, software & supplies, office supplies
J & S Landscaping	MBE	2/24/2000	Commercial and residential lawn and garden, landscaping by design and snowplowing services
Jones Technologies Enterprises, Inc.	MBE	3/6/2000	General construction, facilities operations & maintenance, construction mgmt., mechanical & electrical engineering, industrial services, communications, control systems, engineering
JOPA Mechanical, Inc.	FBE	3/9/2000	HVAC, Mechanical contractor
Jordan Distributors, Inc.	MBE	3/31/2000	Supplier: cutting, hand, power and precision tools and supplies, abrasives, maintenance supplies for all industries
Kalapos Architects	FBE	3/10/2000	Architectural services including construction management
Keeble Construction Co., Inc.	FBE	2/22/2000	General contractor specializing in communication towers, installation and maintenance of flag poles, repair of elevated water tanks, all types of high work and repairs
Kevin L. Penn, Inc.	MBE	3/12/2000	Certified public accountant services
KNM Consultants, Inc.	MBE	2/10/2000	Construction management and inspection services; administrative, environmental & engineering services for contractors, engineers and architects
Koester, DiSalvo and Fried	FBE	3/18/2000	Accounting, auditing, consulting and tax return preparation
Kumpooturz, Inc.	FBE	3/30/2000	Computer training; educational seminars; office supplies and computer sales
L. Gray Barrel & Drum Co., Inc.	MBE	3/20/2000	Recondition and resale steel drums including fiber and plastic drums
L.V. Surveying, Inc.	FBE	3/21/2000	Surveys including boundary, topographic, construction staking
LonColeman Corporation	MBE	3/29/2000	Construction management, facilities management, real estate development
Lorig Mechanical, Inc.	FBE	3/28/2000	Mechanical contractor: commercial sprinkler and HVAC installation
Lott Construction Company, Inc.	MBE	1/27/2000	General contractor specializing in excavation, underground utilities, bridges, water mains, culvert, water & sewer construction
Love's Transporting Services, Inc.	MBE	3/13/2000	Provider of transporting services, local and long distance
M.M. Berger & Associates, Inc.	FBE	1/3/2000	HVAC equipment supplier
Magitech Corp. dba Pinnacle Systems	MBE	3/22/2000	Supplier and manufacturer of personal computers and components including repairs and installation computer networks
Mar-Eo Construction & Supply Company, Inc.	MBE	3/23/2000	General contractor
Midtown Trucking	MBE	3/28/2000	Trucking: hauling of sand, gravel, asphalt and dirt
Mighty Mo's Industrial Supplier, Inc.	FBE	1/25/2000	Industrial supplier, i.e., fasteners, fittings, lubricants, small hand tools
Miles Mechanical, Inc.	MBE	3/21/2000	HVAC and mechanical contractor
Nancy Devins Yetman, Inc. dba Creative Cater	FBE	3/30/2000	Catering services
North Coast Business Systems, Inc.	MBE	3/20/2000	Sales & service of facsimile machines and copiers
North Electric, Inc.	MBE	3/12/2000	Electrical contractor
O.B.O. Trucking Co., Inc.	MBE	3/6/2000	Trucking & transporting: hauling all types of materials and debris
Obon, Inc.	MBE	2/14/2000	Trucking: dump trucks, single unit, tri-axle
Office Pro, Inc.	FBE	1/8/2000	Secretarial services
On-Time Delivery Services, Inc.	MBE	3/20/2000	Courier and delivery services

Optium Technology, Inc.	MBE	2/7/2000	Computer systems consulting, software development, project & facilities management, system analysis, special emphasis on down-sizing & client/server technology & application
Orion Painting & Contracting, Inc.	FBE	3/31/2000	Commercial painting contractor including painting, prep of structural steel, sandblasting, lead abatement, concrete patching and sealing
Pat Henry Market Research, Inc.	FBE	2/24/2000	Market research
Patrician Company	MBE	2/10/2000	HVAC contractor: industrial installation, installation of fire protection systems
Pearlrock Mechanical Contractors, Inc.	MBE	3/16/2000	Contractor specializing in HVAC: installing and repairing
Peggy Brown, Landscape Architect	FBE	3/16/2000	Landscape architect
Penhallurick & Associates, Inc.	FBE	1/31/2000	Marketing and public relations services
Pheifer-LWD Printing and Publishing	MBE	1/10/2000	Printing, advertising, signs, copying, print media, reproduction
Phillips-Bey Construction, Inc.	MBE	2/28/2000	General contractor specializing in renovation and rehab; electrical and roofing
Pinkney-Perry Insurance Agency	MBE	2/25/2000	General insurance agency
Poly Service, Inc.	MBE	2/25/2000	Supplier: bonding, wrapping & packaging materials, equipment maintenance (pumps, seals, bearings) for steel mills, material handling equipment & specialty orders
Precious Communications, Inc.	MBE	3/16/2000	Voice & data communications; electronic business systems, PBX & paging systems, network design, voice mail, cellular & pay phones, fiber optics
R & R Mechanical Corp.	MBE	3/9/2000	General contractor specializing in plumbing and installation of fire protection systems
R.W. Delivery, Inc.	MBE	2/2/2000	Delivery services: all phases
Ramos Trucking Corporation	MBE	2/21/2000	Supplier: construction materials; Trucking: Dump truck for demolition and excavation
Ray Bertolini Trucking Co.	MBE	3/6/2000	Trucking
Reinherz Productions, Inc.	FBE	1/31/2000	Video productions specializing in science matter, environmental, medical, technology and education
Richmond Valve & Pipe Company, Inc.	FBE	2/7/2000	Supplier of waterline materials, hydrants, valves, ductile iron pipe, plastic pipe, copper fittings and accessories
Rivera Construction dba Regency Construction	FBE	3/20/2000	Construction management performing estimating, scheduling, construction administration; general contractor including carpentry
Robinson Painting & Decorating	MBE	2/24/2000	Painting and decorating contractor
Rockport Financial Services	FBE	2/19/2000	Insurance, investments, financial planning
Roof T.E.C., Inc.	FBE	1/10/2000	Roofing consultants
Sanford's Home Health Care, Inc.	MBE/FBE	2/28/2000	Home health care providers
Saunders Office and Computer Products	MBE	3/6/2000	Office supplies
Secretariat Company	FBE	3/30/2000	Secretarial services including transcriptions, word processing, correspondence and documentation preparation, editing, copying and fax services
Servco Products, Inc.	MBE	3/22/2000	Supplier: various types & sizes of fasteners, hex head cap screws, rods, washers, NYL insert L/N, hand & power tools, lubricants, parabolts, electrical
Sheri Mechanical Contracting Co.	FBE	2/19/2000	HVAC, plumbing, process piping, fire sprinkler systems
Snider-Blake Business Service, Inc.	FBE	3/14/2000	Employment service: temporary and permanent placement services
Star Glass and Fine Art-Bedford	MBE/FBE	3/31/2000	Glass repair, screen repair, framing & matting, table tops, mirrors, prints
Suburban Maintenance Contractors	FBE	2/7/2000	Maintenance work
Thanos Contracting Company	FBE	3/5/2000	Electrical contractor; fire alarm systems installation
Thompson Ground Development, Inc.	MBE	2/23/2000	General contractor specializing in hauling (slag, gravel, asphalt, excavation materials); excavation, demoltion; supplier of aggregates

Traditional Building Systems, Inc.	FBE	2/9/2000	HVAC temperature controls contractor, energy management, sales, service, instrumentation and installation
U.S. Communications & Electric, Inc.	FBE	2/2/2000	Telecommunication installation and electrical contracting
United International Consultants, Inc.	MBE	3/6/2000	Sanitary & environmental engineering consulting services; operation and maintenance manuals preparation
Vallejo Company, The	MBE	3/31/2000	Trucking and hauling of excavation materials; installation & repair of water and sewer lines
Wake Forest Contractors, Inc.	MBE	1/31/2000	General contractor specializing in rehabs, home construction and landscaping
Wake Forest Garden Center	MBE	2/29/2000	Construction landscaping and landscaping maintenance, lawn and garden services
Water Resources & Coastal Engineering	MBE/FBE	3/20/2000	Water engineering including data management, programming and coastal engineering
Weiss Movers, Inc.	FBE	3/29/2000	Professional movers of residential and general office goods
Wright, Richardson & Company, Inc.	MBE	3/22/2000	CPA: accounting, auditing, management & financial consulting services
Yelder Staffing, Inc.	MBE/FBE	2/28/2000	Staffing services: temporary and permanent placements

MBEs/FBEs DELETED FROM OEO'S DATABASE

First Quarter, 2000

The attached firms, that were previously certified as a MBE and/or FBE have been dropped from the MBE/FBE database. The firms listed were sent at least two (2) letters and elected not to re-certify for various reasons, including going out of business and changes in geographic location.

MBE/FBE	Company
FBE	ABC CLE-Inc.
FBE	Andreano's D & J, Inc.
FBE	Bonnie Kay Unlimited
FBE	City Life, Inc.
FBE	European Tile Company
FBE	Mart, The
FBE	MKH Consulting
FBE	North Coast Tropics
FBE	O.R. Colan Associates, Inc.
FBE	SGD Design, Inc.
FBE	Ty, Incorporated
MBE	AFCON, Inc.
MBE	Arrowhead Office Services
MBE	Charles Coleman Corp.
MBE	David G. Hill & Associates, Co., LPA
MBE	Delta Products Company, Inc.
MBE	Fultco Security Services, Inc.
MBE	G.A. Construction Co., Inc.
MBE	Grimes Delivery
MBE	H.M. Plumbing and Heating
MBE	Impulse Technologies dba Impulse Trucking
MBE	Kelly-N-Son Painting & Decorating
MBE	Lal C. Jagetia, CPA
MBE	Lee Anderson Trucking
MBE	Miles Building Supply
MBE	Poly Carb, Inc.
MBE	Precision Electric, Inc.
MBE	Rodney L. Brown Photography
MBE	Square One, Inc.
MBE	Steven Cooper Landscape Contractor, Inc.
MBE	White's Information Systems, Inc.
MBE	Wilkerson & Associates, LPA
MBE/FBE	GAP Productions, Inc.
MBE/FBE	Harold Insurance Agency
MBE/FBE	Human Resources Connections, Inc.
MBE/FBE	London Chocolatier
MBE/FBE	Myldred Boston Howell Realty, Inc.
MBE/FBE	Net-Tech Communications, Inc.
MBE/FBE	Photo-To-Art
MBE/FBE	Singh & Associates

**ADOPTED RESOLUTIONS
AND ORDINANCES**

**Res. No. 1333-98.
By Councilman Coats.**

An emergency resolution urging the adoption of laws prohibiting the sale of alcohol near schools and churches.

Whereas, it has been estimated that the costs attributable to alcohol problems in America exceed \$70 billion per year; and

Whereas, according to the Department of Health and Human Services, alcohol is implicated in nearly half of all deaths caused by motor vehicle crashes and fatal intentional injuries, and victims are intoxicated in approximately one-third of all homicides, drownings and boating deaths; and

Whereas, the use of alcohol has been shown to jeopardize physical, mental and social development during the formative years and to endanger the successful transition from school to the workplace; now, therefore,

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

Section 1. That this Council urges Governor Robert Taft and the state legislators to protect the youth of Ohio by limiting their access and proximity to the use of alcohol by passing legislation prohibiting any sale of alcohol within 500 feet of any school or church or by passing legislation allowing municipalities to legislate such matters.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this Resolution to Governor Robert Taft, Richard Finan, President of the Ohio Senate, and JoAnn Davidson, Speaker of the Ohio House of Representatives, and the Minority Leader of the Ohio Senate and House of Representatives.

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 April 17, 2000.
Effective April 26, 2000.

**Res. No. 612-2000.
By Councilmen Coats, Johnson, Cintron, Britt, Brady, Robinson, Willis and Rybka.**

An emergency resolution urging the United Nations and the United States federal government to provide food and assistance to the citizens of the eastern and central African nations who are suffering from starvation.

Whereas, a severe drought has plagued many nations in Africa, causing a widespread famine throughout east and central Africa; and

Whereas, the United Nations has warned that as many as 16 million people in at least 10 countries in Africa are at risk of starvation; and

Whereas, in Gode, Ethiopia, children have been dying at a rate of over one dozen a day since February; and

Whereas, this Council of the City of Cleveland is deeply concerned

about the well-being of our African brothers and sisters; 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 of the City of Cleveland urges the United Nations and the United States federal government to immediately provide food and all other means of assistance to the citizens of the eastern and central African nations who are suffering from starvation.

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 April 17, 2000.
Effective April 26, 2000.

**Res. No. 613-2000.
By Councilman O'Malley.**

An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to 4995-97 Denison Avenue, 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 42683440005, Jeg Lounge Bar Inc., 4995-97 Denison Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44102 to Permit No. 1667755, Compact Bar Inc., 4995-97 Denison Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44102; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit

must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 42683440005, Jeg Lounge Bar Inc., 4995-97 Denison Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44102 to Permit No. 1667755, Compact Bar Inc., 4995-97 Denison Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 17, 2000.
Effective April 26, 2000.

**Res. No. 614-2000.
By Councilman Rybka.
An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 6224 Broadway Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 4134363, George M. Ina, DBA Tramend Club, 6224 Broadway Avenue, Cleveland, Ohio 44127, to Permit No. 9170555, Uptown Office Inc., DBA Tramend Lounge, 6224 Broadway Ave., Cleveland, Ohio 44127; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit from Permit No. 4134363, George M. Ina, DBA Trամend Club, 6224 Broadway Avenue, Cleveland, Ohio 44127, to Permit No. 9170555, Uptown Office Inc., DBA Trամend Lounge, 6224 Broadway Ave., Cleveland, Ohio 44127 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 17, 2000.
Effective April 26, 2000.

Res. No. 615-2000.
By Councilmen Rybka and White.
An emergency resolution supporting the Mill Creek project and urging NOACA to fund such project.

Whereas, Mill Creek Falls are the largest water falls located in Cuyahoga County; and,

Whereas, Mill Creek Falls, located in the Broadway Community of the City of Cleveland, has suffered from pollution and years of neglect; and

Whereas, there is a proposal to connect Mill Creek Falls into the Towpath Trail, a bike/hike trail along the Ohio & Erie Canal Reservation that goes into the Cuyahoga Valley National Park; and

Whereas, the proposal would extend the current bike/hike trail to the Mill Creek Falls, providing access to the trail for residents of Garfield Heights, the Warner-Turney neighborhoods, and the Miles Avenue and Broadway Avenue neighborhoods; and

Whereas, the City of Cleveland has demonstrated its support for this project by previously budgeting \$200,000.00 from the agreement with Norfolk-Southern Railroad, approved by Cleveland City Council in 1999, and pledging to commit \$50,500 in road resurfacing dollars to this project; and

Whereas, the NOACA District has not expended all possible Enhance-

ment Project Dollars and this project will be ready for construction in January, 2001; and

Whereas, the Council of the City of Cleveland is strongly supportive of the Mill Creek project and the positive impact it will have on the development of our neighborhoods; 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 of the City of Cleveland is strongly supportive of the Mill Creek project and urges that NOACA grant funding for this important economic development initiative to benefit the neighborhoods of the City of Cleveland.

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

Adopted April 17, 2000.
Effective April 26, 2000.

Ord. No. 1748-99.
By Councilmen Patmon, Jones, Robinson, Johnson and Polensek (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving certain City-owned parks, recreation facilities, and the Rockefeller Park Public Greenhouse, including site improvements and appurtenances; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; authorizing said director to proceed with said improvement by the direct employment of the necessary labor; and authorizing the purchase by contract of furniture and equipment necessary for the improvement for the Divisions of Recreation and Research, Planning and Development, 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. The public improvements authorized in all of the sections herein shall include improvements to the following City-owned parks and recreation facilities total expenditures not to exceed the amount authorized herein:

Halloran Park for flooring	\$15,000.00
Cudell Recreation Center for wiring	12,000.00
Cudell Recreation Center for locker rooms	6,000.00
Clark Recreation Center for interior windows	10,000.00
Clark Recreation Center for gutters	10,000.00
Rockefeller Park Phase VI	268,000.00

Rockefeller Park Greenhouse	175,000.00
Parks in the 11 Odd Wards	2,750,000.00
Kovacic, Glenville, Sterling, Central Cory, Lonnie Burten, Clark and Zone Recreation Centers for pool steps	12,000.00
Thurgood Marshall Recreation Center and Sterling Recreation Center for new lockers	50,000.00
Lonnie Burten Recreation Center for lobby furniture	15,000.00
Hough Multipurpose Center for replacement of 2 HVAC Units	78,000.00
Gunning Park Recreation Center Phase II Improvements	118,000.00

Section 1a. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving certain City-owned parks, recreation facilities, and the Rockefeller Park Public Greenhouse, including all site improvements and appurtenances necessary and incidental thereto, for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties, by contract let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination of such trades or components may be the subject of a separate contract for a gross price. The contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvements. A copy of such schedule shall be provided to the Clerk of Council and the Chairman of the Committee on Public Parks, Property and Recreation.

Section 3. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving certain City-owned parks, playgrounds, and the Rockefeller Park Public Greenhouse, including all site improvements and appurtenances necessary and incidental thereto, as authorized in Section 1, for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 4. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above

public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination of such trades or components may be the subject of a separate contract upon a unit basis.

Section 5. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of improving the areas of City-owned parks, playgrounds, and the Rockefeller Park Public Greenhouse, for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties, by the direct employment of the necessary labor and the purchase or rental of the necessary supplies and materials for the making of such improvement, with a separate accounting as to each improvement so made.

Section 6. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the items comprising the necessary supplies and materials necessary for said improvement, including the rental of necessary equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties.

Section 7. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: furniture and equipment to be utilized in connection with the making of the public improvements authorized by this ordinance, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties.

Section 8. That the costs of the improvements, professional services, rentals and purchases herein authorized shall be paid from Fund Nos. 11 SF 006, 20 SF 313, 20 SF 323, 20 SF 330, 20 SF 343, 20 SF 354, and 20 SF 361, Request No. 5027.

Section 9. That no improvements are to be made to Carrie Cain Playground until the Councilman from Ward 7 approves of the improvements in writing.

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

Passed April 17, 2000.

Effective April 26, 2000, without the signature of the Mayor.

Ord. No. 2057-A-99 (as substitute for Ordinance No. 2057-99).

By Mayor White and Councilman Polensek.

An emergency ordinance to amend Section 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1713-96, passed September 16, 1996, relating to assault.

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 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1713-96, passed September 16, 1996, is hereby amended to read as follows:

Section 621.03 Assault

(a) No person shall knowingly cause or attempt to cause physical harm to another.

(b) No person shall recklessly cause serious physical harm to another.

(c) Whoever violates this section is guilty of assault, a misdemeanor of the first degree.

(d) Notwithstanding the provisions of division (c) of this section, if the sentencing court determines that the victim of the offense was any of the following:

(1) an official or employee of the Cleveland City School District or the City of Cleveland; or

(2) a member of the City's Auxiliary Police Force; or

(3) a school crossing guard or his or her alternate; or

(4) a volunteer working on school property, whether public or private, or at a City-owned recreation center; and the court further determines that the victim was performing his or her official duties at the time of the offense, the court shall set the offender's fine at \$1,000.00 and in addition to said fine shall sentence the offender to not less than sixty (60) days' and not more than six (6) months' imprisonment. The minimum fine and imprisonment to be imposed by the court pursuant to this division (d) are mandatory. The court shall not suspend all or any portion of said fines and imprisonment.

(e) Notwithstanding the provisions of division (c) of this section, if the sentencing court determines that the victim of the offense was a child between the ages of six and seventeen and was in attendance in a facility owned by the Cleveland City School District at the time of the offense, the court shall set the offender's fine at \$1,000.00 and, in addition to said fine, shall sentence the offender to not less than sixty (60) days' and not more than six (6) months' imprisonment. The minimum fine and imprisonment to be imposed by the court pursuant to this division (e) are mandatory. The court shall not suspend all or any portion of said fines and imprisonment.

(f) This section does not apply where the offense constitutes a felony pursuant to Section 2903.13 of the Revised Code.

Section 2. That the Council shall receive quarterly reports from the Department of Public Safety, Division of Police, pertaining to the

number of arrests and convictions under this ordinance. The reports shall specify the individual number of offenses against members of the City's Auxiliary Police Force, school crossing guards or their alternates and volunteers working on school property or at a cityowned recreation center.

Section 3. That Section 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1713-96, passed September 16, 1996, is hereby repealed.

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

Passed April 17, 2000.

Effective April 26, 2000.

Ord. No. 2068-99.

By Councilman Dolan.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting Section 185.45 thereof, relating to alterations or modifications in contracts.

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 Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 185.45 thereof, to read as follows:

Section 185.45 Alterations or Modifications in Contracts

That notwithstanding any Codified Ordinance to the contrary, when in the prosecution of any work or improvement under contract it becomes necessary, in the opinion of the director of the appropriate department, to make alterations or modifications in such contracts wherein the alteration or modification requires the payment of ten thousand dollars (\$10,000.00) or more by the City of Cleveland and/or wherein the alteration or modification affects a right of the City to receive funds or property having a value of ten thousand dollars (\$10,000.00) or more, such alterations or modifications shall be made only when authorized by the Council upon the written recommendations of such director, countersigned by the Mayor. No such alterations shall be valid unless both the price to be paid for the work or material, or both, under the altered or modified contract, shall have been agreed upon in writing and signed by the contractor and such director prior to such authorization by Council. For purposes of this Section, "work or improvement under contract" means all purchase, professional service, grant and loan agreements executed by the City of Cleveland, excluding public improvement agreements.

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 April 17, 2000.

Effective April 26, 2000, without the signature of the Mayor.

Ord. No. 104-2000.

By Councilmen Brady, Robinson, Rybka, Cimperman and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of replacing and renovating various portions of Halloran Park skating rink, including but not limited to, replacing pavement; replacing fencing at various swimming pools, authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; authorizing the purchase by contract of vehicles; and authorizing said director to enter into contracts without competitive bidding with Saf-Dek and Childsafe to replace and renovate safety surfaces at playgrounds and other safety surfaces, for the 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, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of replacing and renovating various portions of Halloran Park skating rink, including but not limited to, replacing pavement for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement consistent with Section 1 above with the lowest responsible bidder after competitive bidding for a gross price for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. The contractor shall furnish a correct-schedule of unit prices, including profit and overhead, for all items constituting units of said improvement. A copy of such schedule shall be forwarded to the Clerk of Council and the Chairman of the Committee on Public Parks, Property & Recreation.

Section 3. That all expenditures under the contract authorized pursuant to Sections 1 and 2 of this ordinance for the public improvement of replacing and renovating various portions of Halloran Park skating rink, including but not limited to, replacing pavement shall not exceed \$272,000.00, of which a maximum of \$175,000 shall be for pavement and sewer, a maximum of \$45,000 shall be for netting, \$40,000 shall be for

the purchase and installation of acrylic sheets above the dashboards surrounding the rink and \$12,000 shall be for a contingency for the netting and acrylic shields.

Section 4. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement replacing fencing at various swimming pools, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 5. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement consistent with Section 4 above, provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 6. That all expenditures under the contract authorized pursuant to Section 4 of this ordinance for the public improvement of replacing fencing at various swimming pools shall not exceed \$133,000.00.

Section 7. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) chipper and not to exceed eight (8) trucks, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

Section 8. That all expenditures under the contract authorized pursuant to Section 7 of this ordinance shall not exceed \$350,000.00.

Section 9. That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Saf-Dek. Therefore, the Director of Parks, Recreation and Properties is hereby authorized to make a written contract with said Saf-Dek for repair and maintenance of Saf-Dek's safety surfaces at locations currently having Saf-Dek surfaces, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

Section 10. That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Childsafe. Therefore, the Director of Parks, Recreation and Properties is hereby authorized to make a written contract with said Childsafe for repair and maintenance of Childsafe's safety surfaces at locations currently having Childsafe surfaces, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

Section 11. That all expenditures under the contract authorized pursuant to Sections 9 and 10 of this ordinance shall not exceed \$145,000.00.

Section 12. That the cost of said improvements and purchases hereby authorized shall be paid from the

fund or funds to which are credited the proceeds of the sale of property authorized by Ordinance No. 512-99, passed June 7, 1999, as described in Section 3 of that ordinance, Request No. 05042.

Section 13. That the Director of Parks, Recreation and Properties is hereby authorized to demolish the Luke Easter Tennis Shelter. Such demolition shall be paid from the City demolition fund and shall be completed within thirty (30) days of passage of this ordinance.

Section 14. That all public improvement contracts entered into pursuant to this ordinance shall be executed no later than ninety (90) days after passage of this ordinance and all work authorized herein shall be completed no later than November 1, 2000. However, all netting authorized by this ordinance for Halloran Park shall be substantially installed within thirty (30) days after passage of this ordinance. Furthermore, the Director of Parks, Recreation and Properties shall provide a written report by the 1st of each month detailing the status of each public improvement project authorized herein.

Section 15. 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 April 17, 2000.

Effective April 26, 2000, without the signature of the Mayor.

Ord. No. 217-2000.

By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7307-11 Lexington Avenue to Beverly Butler.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 106-16-027, as more fully described in Section 2 below, to Beverly Butler.

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. 106-16-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 25 and the Westerly 5 feet of Sublot No. 24 in Celia B. Deming's Subdivision of part of Original One Hundred Acre Lot No. 342, as shown by the recorded plat in Volume 11 of Maps, Page 13 of Cuyahoga County Records, and being 56.80 feet front on the Northerly side of Lexington Avenue, N.E., and extending back 150 feet on the Easterly line, 150 feet on the Westerly line, and has a rear line of 57.2 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

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

Passed April 17, 2000.

Effective April 26, 2000.

Ord. No. 255-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into contract without competitive bidding with Oracle Corporation for the purchase of technical support and software licenses for Oracle computer products, for the Department of Finance.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Oracle Corporation. Therefore, the Director of Finance is hereby autho-

riized to make a written contract with said Oracle Corporation upon the basis of its proposal dated February 14, 2000, for the purchase of technical support and software licenses for Oracle computer products currently being used by various departments of the City, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Department of Finance.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-999800-638000, Request No. 1439.

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

Passed April 17, 2000.

Effective April 26, 2000.

Ord. No. 259-2000.

By Councilmen Dolan and Patmon (by departmental request).

Determining the method of making the public improvement of making emergency repairs, replacements or modifications to flooring for the Division of Cleveland Hopkins International Airport and authorizing the Director of Port Control to enter into one or more requirement contracts for the making of said improvement for the period not to exceed two years".

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

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

Section 1. That pursuant to Section 167 of the Charter, it is hereby determined to make the public improvement of making emergency repairs, replacements or modifications to flooring for the Division of Cleveland Hopkins International Airport, by one or more public improvement requirement contracts duly let to the lowest responsible bidder after competitive bidding.

Section 2. That the Director of Port Control is hereby authorized to enter into a written requirement contract with the lowest responsible bidder after advertising for all such work estimated to be done during the two-year term of the contract, upon a unit basis.

Section 3. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8249)

Section 4. That expenditures under the contract authorized herein shall not exceed \$50,000.

Section 5. That the Department of Port Control shall conduct an audit of the flooring at Cleveland Hopkins

International Airport and prepare a report detailing the areas requiring repair, replacement, or modification. Such report shall be provided to the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee no later than August 31, 2000.

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

Passed April 17, 2000.

Effective April 26, 2000, without the signature of the Mayor.

Ord. No. 260-2000.

By Councilmen Dolan and Patmon (by departmental request).

Determining the method of making the public improvement of making emergency repairs, replacements or modifications to roofs for the Division of Cleveland Hopkins International Airport and authorizing the Director of Port Control to enter into one or more requirement contracts for the making of said improvement for the period not to exceed two years.

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

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

Section 1. That pursuant to Section 167 of the Charter, it is hereby determined to make the public improvement of making emergency repairs, replacements or modifications to roofs for the Division of Cleveland Hopkins International Airport, by one or more public improvement requirement contracts duly let to the lowest responsible bidder after competitive bidding.

Section 2. That the Director of Port Control is hereby authorized to enter into a written requirement contract with the lowest responsible bidder after advertising for all such work estimated to be done during the two-year term of the contract, upon a unit basis.

Section 3. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8248)

Section 4. That expenditures under the contract authorized herein shall not exceed \$40,000.

Section 5. That the Department of Port Control shall conduct an audit of the roofs at Cleveland Hopkins International Airport and prepare a report detailing the areas requiring repair, replacement, or modification. Such report shall be provided to the President of Council, the Chairman of the Aviation and Transportation

Committee, and the Chairman of the Finance Committee no later than August 31, 2000.

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

Passed April 17, 2000.

Effective April 26, 2000, without the signature of the Mayor.

Ord. No. 261-2000.
By Councilmen Dolan and Patmon
(by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of paint and paint supplies, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of paint and paint supplies, in the estimated sum of \$50,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8247)

Section 3. That the expenditures under the contract authorized herein shall not exceed \$50,000.00.

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

Passed April 17, 2000.

Effective April 26, 2000, without the signature of the Mayor.

Ord. No. 262-2000.
By Councilmen Dolan and Patmon
(by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain, repair or replace rolling overhead doors, for various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 8246)

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

Passed April 17, 2000.

Effective April 26, 2000, without the signature of the Mayor.

Ord. No. 263-2000.
By Councilmen Dolan and Patmon
(by departmental request).

An emergency ordinance authorizing the Director of Port Control to apply for and accept State of Ohio and Federal grant 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 Port Control is hereby authorized to apply for and accept grants from the United States of America acting through its Federal Aviation Administration ("FAA"), the United States Department of Transportation and/or its member agencies, and grants from the State of Ohio, as they may become available, to fund projects related to the operations of Cleveland Hopkins International Airport and Burke Lakefront Airport. The Director is further authorized to file all papers and execute all documents necessary to apply for, accept and receive funds under said grants; provided that the City shall follow all applicable federal regulations; and that any grant funds be and are hereby appropriated for the purposes set forth in the applications for said grants, or any amendments thereto. The Director of Port Control shall notify the Council President, the Chairman of the Aviation and Transportation Committee and the Chairman of the Finance Committee within five (5) days of application for a grant pursuant to this ordinance. Such notification shall specify the nature of the grant, the scope of the grant, and the intended application of the grant funds. Upon acceptance of any grant application authorized herein, the Director of Port Control shall notify the Council President, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee within five (5) days of acceptance.

Section 2. That the Director of Port Control is further authorized to pay cash match funds for projects approved by the above-named grantors for grant funding. Said matching funds shall be paid from funds appropriated for the use of the Department of Port Control and any existing or future revenue bond funds, grant proceeds and PFC authorizations.

Section 3. That the Director of Port Control shall prepare an annual report detailing grant applications that were submitted to the FAA and the State of Ohio pursuant to the authority of this ordinance, grant applications that were accepted pursuant to the authority of this ordinance, and the expenditure of grant funds pursuant to the authority of this ordinance. Such report shall be provided to the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee.

Section 4. That the provisions of this ordinance shall expire on December 31, 2001.

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

Passed April 17, 2000.

Effective April 26, 2000, without the signature of the Mayor.

Ord. No. 271-2000.
By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of automobile and truck spring parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed one year with a 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 the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year, with a one-year renewal option, of the necessary items of automobile and truck spring parts, including labor to install 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 Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 one year renewal option authorized herein may be exercised only if doing so would result in substantial savings to the City and such savings are reported to the Public Service Committee of City Council.

Section 3. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 17520)

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

Passed April 17, 2000.
 Effective April 26, 2000.

Ord. No. 315-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of first aid equipment and supplies, for the various divisions of City government.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 3054)

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

Passed April 17, 2000.
 Effective April 26, 2000.

Ord. No. 316-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to refill, repair and replace fire extinguishers, for the various divisions of City government, for a period not to exceed two years.

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

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

Section 1. That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to refill, repair and replace fire extin-

guishers, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 1455)

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

Passed April 17, 2000.
 Effective April 26, 2000.

Ord. No. 317-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of landscape material, grass seed, mulch and topsoil, for the various divisions of City government.

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

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

Section 1. That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of landscape material, grass seed, mulch and topsoil in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 3053)

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

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 318-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of lumber, for the various divisions of City government.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 1453)

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

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 319-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of microfiche services, for the various divisions of City government, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 3055)

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

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 362-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of computer and related hardware equipment, for the various divisions of City government, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 1452)

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

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 363-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of unarmed uniformed security guard services, for the various divisions of City government, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 3051)

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

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 364-2000.
By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of deicing chemicals, for the various divisions of the Department of Port Control for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of deicing chemicals, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single

contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 8268)

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

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 370-2000.
By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1817, 1811-15, 1805 East 86th Street to Milton Allen and Crystal Allen.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 119-05-101, 102 and 103, as more fully described in Section 2 below, to Milton Allen and Crystal Allen.

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

P. P. No. 119-05-101
Situated in the City of Cleveland, County of Cuyahoga and State of

Ohio, and bounded and described as follows, to wit: And known as being Sublot No. 11 and the Southerly 49/100 of a foot of Sublot No. 12 in Henrietta E. Weatherhead's Subdivision of part of Original One Hundred Acre Lots Nos. 391, 392 and 400 as shown by the recorded plat in Volume 33 of Maps, Page 13 of Cuyahoga County Records, and together forming a parcel of land 38 feet front on the Easterly side of East 86th Street, N.E., (being the Northerly extension of Glen Park Place) and extending back in an Easterly direction of equal width 81-667/1000 feet deep, be the same more or less, but subject to all legal highways.

P. P. No. 119-05-102

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 37 feet of Sublot No. 12 and the Southerly 13 feet of Sublot No. 13 in Henrietta E. Weatherhead's Subdivision of part of Original One Hundred Acre Lots Nos. 391, 392, 399 and 400 and Re-Subdivision of a part of Crumb, Baslington and Oviatt's Allotment of a part of Original One Hundred Acre Lot No. 400, as shown by the recorded plat of said Subdivision and Re-Subdivision in Volume 33 of Maps, Page 13 of Cuyahoga County Records. Said part of Sublot No. 12 has a frontage of 37 feet on the Easterly side of East 86th Street and extends back between parallel lines 81-667/1000 feet; said part of Sublot No. 13 has a frontage of 13 feet on the Easterly side of East 86th Street and extends back between parallel lines 102-667/1000 feet as appears by said plat, be the same more or less, but subject to all legal highways; and being the same property conveyed to the Union Central Life Insurance Company by deed dated March 1, 1935 and recorded in Volume 4472, parallel 108, recorded of Cuyahoga County, Ohio.

Easement from Mary A. Cunningham to Laura B. Griffin, dated June 14, 1920, and recorded in Volume 2349, Page 9 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

P. P. No. 119-05-103

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 22 feet from front to rear of Sublot No. 13 and the Southerly 22 feet from front to rear of Sublot No. 14 in Henrietta E. Weatherhead's Subdivision of part of Original East Cleveland Township Lots Nos. 391, 392, 399 and 400, and Re-Subdivision of Crumb, Baslington and Oviatt's Allotment of part of Original One Hundred Acre Lot No. 400, as shown by the recorded plat of said Subdivision in Volume 33 of Maps, Page 13 of Cuyahoga County Records, and together forming a parcel of land 44 feet front on the Easterly side of East 86th Street (being the Northerly extension of Glen Park Place) and extending back of equal width about 102.667 feet, as appears by said plat.

Subject to Zoning Ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordi-

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

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

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

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

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 472-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to install overhead doors, for the various divisions of City government, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Pur-

chases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 3052)

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

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 473-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of car washing services, for the various divisions of City government, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 3057)

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

from and after the earliest period allowed by law.

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 474-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Toro mower parts, for the various divisions of City government, for a period not to exceed two years.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 3058)

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

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 477-2000.
By Councilmen White and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with the Cleveland Municipal School District to provide services under Title II of the Job Training Partnership Act.

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 Personnel and Human Resources is authorized to enter into contract with the Cleveland Municipal School District for the delivery of basic education skills for the State Education Program, PY '99 under Title II of the Job Training Partnership Act, in an amount not to exceed \$400,000. All seniors in the Cleveland Public Schools who are in need of one credit to graduate shall be eligible to participate in the program funded by this contract.

Section 2. That the cost of the contract authorized above shall be paid from Fund Nos. 15 SF 095 and 15 SF 096, Request No. 15413.

Section 3. That, prior to summer recess, the Director of Personnel and Human Resources shall return to the Employment, Affirmative Action and Training Committee with a report detailing the results of the program and provide a budget analysis. Also, at the conclusion of the contract authorized above, the Director of Personnel and Human Resources shall submit a written report to the Chairman of the Finance committee of Council evaluating the successes and failures of the program funded by the contract authorized above.

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

Passed April 17, 2000.

Effective April 26, 2000.

Ord. No. 480-2000.
By Councilman Cimperman.
An emergency ordinance to change the Use and Area Districts of lands on both sides of Glass Avenue, N.E. between Norwood Road and East 64 Street and the southeasterly side of Glass Avenue, N.E. between East 61 Street and Norwood Avenue, N.E. (Map Change No. 2016, Sheet No. 4)

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that the proposed change in use is necessary to secure the character of the property, eliminate the potential of unlawful activity and other quality of life issues and to remove a potential danger to the surrounding neighborhood; now, therefore;

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

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

Beginning at the intersection of the southwesterly extension of a line located approximately forty (40) feet southeast of the southeasterly line of Glass Avenue, N.E. and the center line of Norwood Road, N.E.; thence northwesterly along said center line of Norwood Road, N.E. to its intersection with the southwesterly extension of a line located approximately one hundred fifty (150) feet southeast of the southeasterly line of St. Clair Avenue, N.E.; thence northeasterly along said southwesterly extension and

along said line which is parallel to and approximately one hundred fifty (150) feet southeast of the southeasterly line of St. Clair Avenue, N.E. to its intersection with the northeasterly line of Sublot No. 21 in the J.F. Kilfoyl Allotment as recorded in Volume 16, Page 12 of the Cuyahoga County Map Records; thence southeasterly along said northeasterly line of said Sublot No. 21 to its intersection with the northwesterly line of Sublot No. 25 in J.F. Kilfoyl Allotment; thence northeasterly along said northwesterly line of said Sublot No. 25 and along its northeasterly extension to the center line of East 64 Street; thence southeasterly along said center line of East 64 Street to the center line of Glass Avenue, N.E.; thence southwesterly along said center line of Glass Avenue, N.E. to the center line of East 63 Street; thence southeasterly along said center line of East 63 Street to its intersection with the northeasterly extension of said line located approximately forty (40) feet southeast of said southeasterly line of Glass Avenue, N.E.; thence southwesterly along said northeasterly extension and along said line which is parallel to and approximately forty (40) feet southeast of said southeasterly line of Glass Avenue, N.E. and along said southwesterly extension to the place of beginning,

and as outlined in red on the map hereto attached be and the same are hereby changed to a Two Family Use District and a 'B' Area District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2016, Sheet No. 4 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That the Use District of lands bounded and described as follows,

Beginning at the intersection of the southwesterly extension of a line located approximately one hundred forty (140) feet southeast of the southeasterly line of Glass Avenue, N.E. and the center line of East 61 Street; thence northwesterly along said center line of East 61 Street to the center line of Glass Avenue, N.E.; thence northeasterly along said center line of Glass Avenue, N.E. to the center line of Norwood Road, N.E.; thence southeasterly along said center line of Norwood Road, N.E. to its intersection with the northeasterly extension of said line located approximately one hundred forty (140) feet southeast of said southeasterly line of Glass Avenue, N.E.; thence southwesterly along said northeasterly extension and along said line which is parallel to and approximately one hundred forty (140) feet southeast of said southeasterly line of Glass Avenue, N.E. and along said southwesterly extension to the place of beginning,

and as outlined in green on the map hereto attached, be and the same is hereby changed to a Multi-Family Use District.

Section 4. That said changed designation of lands described in Section 3 shall be identified as Map Change No. 2016, Sheet No. 4 and shall be made upon the Building Zone Maps of the City of Cleveland

on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose.

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

Passed April 17, 2000.

Effective April 26, 2000.

Ord. No. 602-2000.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the American Lung Associations Multi-Event Affair (12.5 mile, 25 mile and 50 mile bike ride and a 5K run or walk) on June 18, 2000, sponsored by the American Lung Association.

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 Ordinance, of Cleveland, Ohio 1976, this Council consents to and approves the holding of the American Lung Associations Multi-Event Affair (12.5 mile, 25 mile and 50 mile bike ride and a 5K run or walk, on Sunday, June 18, 2000, with the Clean Air Challenge Run starting on Driveway in front of airport lobby and Horn Blowers Restaurant, (Spot — at crosswalk sign by Horn Blowers, in line with black light pole), Note — runners will run with the direction of road traffic on most the course), west on drive to west airport exit and North Marginal, turn right/west on North Marginal which comes into Erieside, stay on Erieside heading west to stop sign at S.E. corner of Browns Stadium, turn right at stop sign heading north on Erieside to first stop sign at N.E. corner of Browns Stadium, turn left heading west on Erieside around stadium, stay on Erieside heading south which becomes W. 3rd St., turn right/west on to West Lakeside Ave. to West 9th St., turn right/north on to West 9th St. to Front St., turn left/west on to Front St. to West 10th St. to West 10th St./West St. Clair "Hill", (Note — West 10th Street is a one-way street that goes south to north, and runners will be running against the direction of traffic), turn left/east heading up "Hill" on to West St. Clair, stay on St. Clair going east to West 3rd St., turn left/north on to West 3th St. to stop sign at S.W. corner of Browns Stadium, turn right/east at stop sign on to North Coast Stadium Drive to Erieside, stay on Erieside heading east on to North Marginal Dr., stay on North Marginal to first (west entrance/exit) driveway of Burke Lakefront Airport, turn left on to driveway to finish line, Finish on Driveway near airport lobby and Horn Blowers, 22 feet behind/east of start spot (Start line), this includes a short course prevention factor of 15 ft., (3.1 - 7ft. behind start line), Mile 1 — on Erieside/West 3rd St. in line and across from Fire Hydrant at West

Third Street RTA Station, Mile 2 — at St. Clair & West 6th St. intersection, in middle of east painted crosswalk, Mile 3 — on North Marginal in line with west corner of U.S.S. Cod driveway entrance, 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.

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 603-2000.
By Councilman Cintron.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Blessed Sacrament Church to stretch banners across Fulton Road for the period from May 18, 2000 to June 14, 2000, inclusive, publicizing their Summer Carnival.

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 Blessed Sacrament Church to install, maintain and remove banners on Fulton Road at the second pole south of Storer Avenue (E pole type steel), for the period from May 18, 2000 to June 14, 2000 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 on 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 April 17, 2000.
Effective April 26, 2000.

Ord. No. 604-2000.
By Councilman Cintron.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to St. Ignatius Committee to stretch banners across Lorain Avenue between W. 29th and W. 30th St., for a period from April 19, 2000 to May 19, 2000, inclusive, publicizing the 3rd Annual Ohio City Career Fair.

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 St. Ignatius Committee to install, maintain and remove banners across Lorain Avenue between W. 29th and W. 30th St., for a period from April 19, 2000 to May 19, 2000, 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 April 17, 2000.
Effective April 26, 2000.

Ord. No. 605-2000.
By Councilman Gordon.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Old Brooklyn Community Development Corporation for the development of a Ward 15 Comprehensive Urban Development Plan through the use of Ward 15 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Old Brooklyn Community Development Corporation for the development of a Ward 15 Comprehensive Urban Development Plan.

Section 2. That the costs of said contract shall be in an amount not to exceed \$50,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 606-2000.
By Councilman Johnson.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Buckeye Area Development Corporation for assistance with the construction and sale of several market rate, scattered site housing development homes through the use of Ward 4 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Buckeye Area Development Corporation for assistance with the construction and sale of several market rate, scattered site housing development homes.

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

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

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

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 607-2000.
By Councilman Patmon.
An emergency ordinance appropriating funds to the Neighborhood Equity Fund for various neighborhood public improvements and purposes; and renaming the Workers' Compensation Neighborhood Capital Fund.

Whereas, pursuant to Ordinance No. 1999-A-98, the Council of the City of Cleveland established the Workers' Compensation Neighborhood Capital Fund, Fund No. 10 SF 166, for the betterment of the neighborhoods of the City of Cleveland in accordance with the purposes enumerated in the ordinance; and

Whereas, pursuant to Ordinance No. 147-2000, passed by the Council of the City of Cleveland on March 31, 2000, Council allocated \$10,500,000.00 to be used for the Neighborhood Equity Fund to finance projects that benefit the neighborhoods and residents of the City of Cleveland, and

Whereas, the Council of the City of Cleveland desires to appropriate the funds earmarked for the Neighborhood Equity Fund to Fund No. 10 SF 166 and to change the name of that fund to the "Neighborhood Equity Fund;" 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 Council of the City of Cleveland hereby changes the name of the Workers' Compensation Neighborhood Capital Fund to the Neighborhood Equity Fund, Fund No. 10 SF 166.

Section 2. That the sum of Ten Million Five Hundred Thousand Dollars (\$10,500,000.00) is hereby appropriated from the General Fund as set forth in the year 2000 appropriation ordinance, and shall be placed in Fund No. 10 SF 166 in addition to the funds currently existing in that fund; the moneys in such fund shall be used for the purposes enumerated in Ordinance No. 1999-A-98; and shall be placed in equal amounts in twenty-one (21) departmental assignments, one to correspond to each ward. Any expenditure that is to be made from this fund shall require written authorization from the member of Council in whose ward the project is located.

Section 3. That the moneys in Fund No. 10 SF 166 shall be invested prudently by the Director of Finance, with the interest generated by the fund, or an amount equivalent to the interest generated, to be allocated annually to Fund No. 10 SF 166 by the Director of Finance.

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

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 608-2000.
By Councilman Polensek.
An emergency ordinance authorizing the Clerk of Council to extend the term of the contract with Legal News Publishing Company for a period not to exceed four months.

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 hereby authorized to extend the term of the current contract with Legal News Publishing Company for a period not to exceed four months; provided, however, that all other terms thereof shall remain the same.

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 April 17, 2000.
Effective April 26, 2000.

Ord. No. 609-2000.
By Councilman Polensek.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Northeast Shores Development Corp for a second mortgage program in conjunction with the Water's Edge Development project through the use of Ward 11 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Northeast Shores Development Corp for a second mortgage program in conjunction with the Water's Edge Development project.

Section 2. That the costs of said contract shall be in an amount not to exceed \$25,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 610-2000.
By Councilman Sweeney.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Bellaire-Puritas Development Corporation for their Creek Improvement Program designed to address critical elements that impact proper functioning of the creek through the use of Ward 20 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Bellaire-Puritas Development Corporation for their Creek Improvement Program designed to address critical elements that impact proper functioning of the creek.

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

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

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

Passed April 17, 2000.
Effective April 26, 2000.

Ord. No. 611-2000.
By Councilman Sweeney.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Parkworks, Inc. for the design and construction of a playground at R.G. Jones School through the use of Ward 20 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Parkworks, Inc. for the design and construction of a playground at R.G. Jones School.

Section 2. That the costs of said contract shall be in an amount not to exceed \$55,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed April 17, 2000.
Effective April 26, 2000.

COUNCIL COMMITTEE MEETINGS

Monday, May 1, 2000

Public Parks, Recreation and Properties Committee: 9:30 a.m.—Present: Rybka, Chairman; Dolan, Vice Chairman; Brady, Britt, Johnson, Sweeney. Excused: White.

Public Service Committee: 11:00 a.m.—Present: Cintron, Chairman; Sweeney, Vice Chairman; Coats, Johnson, Melena, O'Malley, Westbrook, Willis. Excused: Britt.

Finance Committee: 2:00 p.m.—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Johnson, Lewis, O'Malley, Polensek, Robinson, Sweeney. Excused: Melena.

Tuesday, May 2, 2000

Community and Economic Development Committee: 9:30 a.m.—Present: Melena, Chairman; Lewis, Vice Chairman; Brady, Cimperman, Cintron, Jackson, Jones, Willis. Excused: Robinson.

Wednesday, May 3, 2000

Aviation and Transportation Committee 10:00 a.m.—Present: Dolan, Chairman; O'Malley, Vice Chairman; Jones, Robinson, Rybka, Sweeney. Excused: Patmon.

Public Utilities Committee 1:30 p.m.—Present: O'Malley, Chairman; Britt, Coats, Dolan, Melena, Westbrook, Willis. Excused: Patmon, Vice Chairman; Polensek.

Index

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

Agreements

- Madison Avenue and West Boulevard in Ward 18 — landscape and maintain a parcel — Cudell
 Improvement/Madison Merchants Organization (O 668-2000)..... 833

American Lung Association

- American Lung Associations Multi-Event Affair — permit (O 602-2000)..... **865**

Banners

- 3rd Annual Ohio City Career Fair — banners — St. Ignatius Committee (O 604-2000)..... **866**
 Summer Carnival — Blessed Sacrament Church — banners (O 603-2000)..... **866**

Board of Building Standards and Building Appeals

- Adelbert Road, 2074, (Ward 9) – Case Western Reserve University, owner - appeal resolved
 on 4/26/00 (Doc. A-46-00)..... 848
 Broadway Avenue, 6966, (Ward 12) – Alliance of Poles of America, owner - appeal postponed
 to 5/10/00 on 4/26/00 (Doc. A-201-99) 847
 Clifton Boulevard, 11100, (Ward 17) – Stuart J. Graines, Jr., owner - appeal withdrawn
 on 4/26/00 (Doc. A-18-00)..... 848
 East 124th Street, 570-72, (Ward 10) – Edward Renshaw, Sr., owner - appeal resolved on
 4/26/00 (Doc. A-16-00) 848
 East 151st Street, 241, (Ward 11) – Andrew C. Elia, owner - no action on
 4/26/00 (Doc. A-64-00) 848
 East 82nd Street, 1954-72, (Ward 7) – Zaremba Cleveland Communities, Inc., owners
 - appeal adopted on 4/26/00 (Doc. A-48-00 to 56-00)..... 848
 Finnell, Peter – appeal resolved on 4/26/00 (Doc. L-9-00) 848
 Kidney, Michael W. – appeal resolved on 4/26/00 (Doc. L-10-00) 848
 Lakeview Road, 1866, (Ward 6) – Howard R. Searcy, Jr., owner - appeal adopted on 4/26/00
 (Doc. A-26-00) 848
 Lang, James W. – appeal adopted on 4/26/00 (Doc. L-8-00)..... 848
 Miles Avenue, 11410-12, (Ward 2) – Diontae Pippens, owner - appeal adopted on
 4/26/00 (Doc. A-22-00) 848
 Roseland Avenue, 18129, (Ward 10) – Emil Rosul (Advanced Fluids Inc.), owner
 - appeal adopted on 4/26/00 (Doc. A-44-00)..... 848
 St. Clair Avenue, 10631-35, (Ward 8) – Shirley A. Russell, owner - appeal resolved
 on 4/26/00 (Doc. A-9-99)..... 847
 Superior Avenue, 2401, (a.k.a. 1469 East 14th Street), (Ward 13) – 2530 Superior Avenue
 Partners LLC, owner - appeal rescheduled to 5/10/00 on 4/26/00 (Doc. A-13-00) 847
 Union Avenue, 6800, (Ward 12) – David N. Bortz, c/o Lextech Industries, owner - appeal
 resolved on 4/26/00 (Doc. A-62-99)..... 847
 West 65th Street, 3300, (Ward 17) – White Elephant, Inc., owner - appeal rescheduled to
 5/10/00 on 4/26/00 (Doc. A-42-00)..... 848
 Woodworth Road, 14619-27, (Ward 10) – Mustafa Taye, owner - appeal resolved on 4/26/00
 (Doc. A-25-00) 848

Board of Control - Artha Woods Park

- Artha Woods Park, Humphrey Park and Thames Park site improvements - contract pursuant to
 Ord. 1605-98 to R. DiLillo & Company - Division of Research, Planning and
 Development, Dept. of Parks, Recreation and Properties (BOC Res. 288-00) 843

Board of Control - Cleveland Hopkins International Airport Division

- Amend Lease with Northwest Airlines, Inc. - Contract #31263 - sublease to
 Continental Airlines, Inc. - Division of Cleveland Hopkins International Airport,
 Dept. of Port Control (BOC Res. 273-00)..... 841
 Redundant electrical utility source design - amend BOC Res. 167-00 - Dept. of Port
 Control (BOC Res. 272-00)..... 840

Board of Control - Community Development Department

Briggs Road, 10337 (Ward 18) - PPN 017-18-026 - to Pedro J. Gonzalez and Dianette Gonzalez (BOC Res. 295-00) 845

East 108th Street, 1275 (Ward 8) - PPN 109-19-136 - to Billy Ray and Mildred Ray (BOC Res. 297-00)..... 845

East 89th Street, 1388 (Ward 7) - PPN 107-15-148 - to Nora J. Woods and Samuel L. Garrett pursuant to Ord. 1975-99 (BOC Res. 291-00) 844

East 93rd Street, 2243 (Ward 6) - PPN 121-16-159 - to Alonis Thompson and Linda G. Thompson (BOC Res. 296-00) 845

Elmarge Road, S.E., 10709 (Ward 2) - PPN 136-24-068 - to Sharifa D. Mitchell and Andrea J. Bush pursuant to Ord. 1977-99 (BOC Res. 290-00) 844

Harvard Avenue, 9026 (Ward 2) - PPN 134-06-002 - to House of Our Redeemer Missionary Baptist Church pursuant to Ord. 1757-99 (BOC Res. 292-00) 844

Linwood Avenue, 8316 (Ward 7) - PPN 106-23-163 - to Archie Ross and Anna Ross pursuant to Ord. 1877-99 (BOC Res. 289-00) 844

West 71st Street, 3143 (Ward 18) - PPN 006-29-068 - to Norman W. Scherer and Wilma Scherer (BOC Res. 294-00)..... 845

Board of Control - Continental Airlines, Inc.

Amend Lease with Northwest Airlines, Inc. - Contract #31263 - sublease to Continental Airlines, Inc. - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 273-00) 841

Board of Control - Correction Division

Cleaning and hygiene supplies - contract pursuant to Ord. 952-99 to Ohio Soap Products Co. - Division of Correction, Dept. of Public Health (BOC Res. 281-00) 842

Cleaning and hygiene supplies - contract pursuant to Ord. 952-99 to Astro Supply - Division of Correction, Dept. of Public Health (BOC Res. 282-00)..... 842

Cleaning and hygiene supplies - contract pursuant to Ord. 952-99 to Emerald Supply, Inc. - Division of Correction, Dept. of Public Health (BOC Res. 283-00)..... 842

Cleaning and hygiene supplies - contract pursuant to Ord. 952-99 to Homer Chambers / Enterprise Company - Division of Correction, Dept. of Public Health (BOC Res. 284-00) 843

Cleaning and hygiene supplies - pursuant to Ord. 952-99 - bids rejected - Division of Correction, Dept. of Public Health (BOC Res. 280-00)..... 842

Board of Control - Environment Division

Dataloggers - amend BOC Res. 139-00 - Division of Environment, Dept. of Public Health (BOC Res. 279-00) 842

Electrical work for monitoring stations - amend BOC Res. 138-00 - Division of Environment, Dept. of Public Health (BOC Res. 278-00) 842

Board of Control - Finance Department

Copiers, rental of - contract pursuant to Ord. 1065-98 and 172-99 to Minolta Corporation / Meritech Inc. - Dept. of Finance (BOC Res. 268-00) 840

Paint and paint supplies - contract pursuant to Ord. 711-99 to The Sherwin Williams Company - Dept. of Finance (BOC Res. 264-00)..... 839

Paint and paint supplies - contract pursuant to Ord. 711-99 to The I.C.I. DuLux / Glidden Paint Company - Dept. of Finance (BOC Res. 265-00) 839

Paint and paint supplies - contract pursuant to Ord. 711-99 to Samsel Supply Company - Dept. of Finance (BOC Res. 266-00)..... 839

Paint and paint supplies - contract pursuant to Ord. 711-99 to American Merchandising Services - Dept. of Finance (BOC Res. 267-00)..... 840

PeopleSoft Public Sector suite Y2K compliance, project management and implementation - contract pursuant to Ord. 1744-97 and 521-99 to Carrera-MAXIMUS, Inc. - Dept. of Finance (BOC Res. 298-00)..... 846

Sell parcels - pursuant to Ord. 257-99 to Mt. Pleasant Now Development Corporation (BOC Res. 286-00) 843

Board of Control - Humphrey Park

Artha Woods Park, Humphrey Park and Thames Park site improvements - contract pursuant to Ord. 1605-98 to R. DiLillo & Company - Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 288-00) 843

Board of Control - Land Reutilization Program

Bessemer Avenue (Ward 5) - PPN 127-12-059 - to William Weatherspoon and Ernestine Weatherspoon pursuant to Ord. 1966-99 (BOC Res. 293-00)	844
Briggs Road, 10337 (Ward 18) - PPN 017-18-026 - to Pedro J. Gonzalez and Dianette Gonzalez (BOC Res. 295-00)	845
East 108th Street, 1275 (Ward 8) - PPN 109-19-136 - to Billy Ray and Mildred Ray (BOC Res. 297-00)	845
East 89th Street, 1388 (Ward 7) - PPN 107-15-148 - to Nora J. Woods and Samuel L. Garrett pursuant to Ord. 1975-99 (BOC Res. 291-00)	844
East 93rd Street, 2243 (Ward 6) - PPN 121-16-159 - to Alonis Thompson and Linda G. Thompson (BOC Res. 296-00)	845
Elmarge Road, S.E., 10709 (Ward 2) - PPN 136-24-068 - to Sharifa D. Mitchell and Andrae J. Bush pursuant to Ord. 1977-99 (BOC Res. 290-00)	844
Harvard Avenue, 9026 (Ward 2) - PPN 134-06-002 - to House of Our Redeemer Missionary Baptist Church pursuant to Ord. 1757-99 (BOC Res. 292-00)	844
Linwood Avenue, 8316 (Ward 7) - PPN 106-23-163 - to Archie Ross and Anna Ross pursuant to Ord. 1877-99 (BOC Res. 289-00)	844
West 71st Street, 3143 (Ward 18) - PPN 006-29-068 - to Norman W. Scherer and Wilma Scherer (BOC Res. 294-00)	845

Board of Control - Land Reutilization Program (Ward 2)

Elmarge Road, S.E., 10709 (Ward 2) - PPN 136-24-068 - to Sharifa D. Mitchell and Andrae J. Bush pursuant to Ord. 1977-99 (BOC Res. 290-00)	844
Harvard Avenue, 9026 (Ward 2) - PPN 134-06-002 - to House of Our Redeemer Missionary Baptist Church pursuant to Ord. 1757-99 (BOC Res. 292-00)	844

Board of Control - Land Reutilization Program (Ward 5)

Bessemer Avenue (Ward 5) - PPN 127-12-059 - to William Weatherspoon and Ernestine Weatherspoon pursuant to Ord. 1966-99 (BOC Res. 293-00)	844
--	-----

Board of Control - Land Reutilization Program (Ward 6)

East 93rd Street, 2243 (Ward 6) - PPN 121-16-159 - to Alonis Thompson and Linda G. Thompson (BOC Res. 296-00)	845
--	-----

Board of Control - Land Reutilization Program (Ward 7)

East 89th Street, 1388 (Ward 7) - PPN 107-15-148 - to Nora J. Woods and Samuel L. Garrett pursuant to Ord. 1975-99 (BOC Res. 291-00)	844
Linwood Avenue, 8316 (Ward 7) - PPN 106-23-163 - to Archie Ross and Anna Ross pursuant to Ord. 1877-99 (BOC Res. 289-00)	844

Board of Control - Land Reutilization Program (Ward 8)

East 108th Street, 1275 (Ward 8) - PPN 109-19-136 - to Billy Ray and Mildred Ray (BOC Res. 297-00)	845
---	-----

Board of Control - Land Reutilization Program (Ward 18)

Briggs Road, 10337 (Ward 18) - PPN 017-18-026 - to Pedro J. Gonzalez and Dianette Gonzalez (BOC Res. 295-00)	845
West 71st Street, 3143 (Ward 18) - PPN 006-29-068 - to Norman W. Scherer and Wilma Scherer (BOC Res. 294-00)	845

Board of Control - Land Sales

Sell parcels - pursuant to Ord. 257-99 to Mt. Pleasant Now Development Corporation (BOC Res. 286-00)	843
---	-----

Board of Control - Leases

Amend Lease with Northwest Airlines, Inc. - Contract #31263 - sublease to Continental Airlines, Inc. - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 273-00)	841
---	-----

Board of Control - Motor Vehicle Maintenance Division

Construction equipment parts and labor - pursuant to Ord. 1837-99 - all bids rejected -
 Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 275-00) 841

Mower parts and labor - contract pursuant to Ord. 2174-98 to Brooklyn Tractor and Mower
 Co. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 277-00) 841

Mower parts and labor - contract pursuant to Ord. 2174-98 to North Coast Distributing,
 Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 276-00) 841

Board of Control - Parks, Recreation and Properties Department

Artha Woods Park, Humphrey Park and Thames Park site improvements - contract pursuant to
 Ord. 1605-98 to R. DiLillo & Company - Division of Research, Planning and
 Development, Dept. of Parks, Recreation and Properties (BOC Res. 288-00) 843

Freezer - contract pursuant to Ord. 336-2000 to Ramsey-Bennett Company - Division
 of Recreation, Dept. of Parks, Recreation and Properties (BOC Res. 287-00)..... 843

Board of Control - Port Control Department

Amend Lease with Northwest Airlines, Inc. - Contract #31263 - sublease to
 Continental Airlines, Inc. - Division of Cleveland Hopkins International Airport,
 Dept. of Port Control (BOC Res. 273-00) 841

Equipment, heavy duty and operators, rental of - contract pursuant to Ord. 1065-99
 to C.E. Neubert Company - Dept. of Port Control (BOC Res. 274-00) 841

Redundant electrical utility source design - amend BOC Res. 167-00 - Dept. of Port
 Control (BOC Res. 272-00) 840

Board of Control - Professional Service Contracts

Annual Report, 1999 - contract pursuant to Ord. 881-99 to H2N Design, Inc. - Division of
 Water, Dept. of Public Utilities (BOC Res. 269-00)..... 840

PeopleSoft Public Sector suite Y2K compliance, project management and implementation -
 contract pursuant to Ord. 1744-97 and 521-99 to Carrera-MAXIMUS, Inc. - Dept.
 of Finance (BOC Res. 298-00) 846

Redundant electrical utility source design - amend BOC Res. 167-00 - Dept. of Port
 Control (BOC Res. 272-00) 840

Board of Control - Public Health Department

Cleaning and hygiene supplies - contract pursuant to Ord. 952-99 to Ohio Soap Products
 Co. - Division of Correction, Dept. of Public Health (BOC Res. 281-00) 842

Cleaning and hygiene supplies - contract pursuant to Ord. 952-99 to Astro Supply -
 Division of Correction, Dept. of Public Health (BOC Res. 282-00)..... 842

Cleaning and hygiene supplies - contract pursuant to Ord. 952-99 to Emerald Supply, Inc.
 - Division of Correction, Dept. of Public Health (BOC Res. 283-00)..... 842

Cleaning and hygiene supplies - contract pursuant to Ord. 952-99 to Homer Chambers
 / Enterprise Company - Division of Correction, Dept. of Public Health (BOC Res. 284-00) 843

Cleaning and hygiene supplies - pursuant to Ord. 952-99 - bids rejected - Division
 of Correction, Dept. of Public Health (BOC Res. 280-00)..... 842

Dataloggers - amend BOC Res. 139-00 - Division of Environment, Dept. of Public
 Health (BOC Res. 279-00) 842

Electrical work for monitoring stations - amend BOC Res. 138-00 - Division of
 Environment, Dept. of Public Health (BOC Res. 278-00) 842

Board of Control - Public Improvement Contracts

Artha Woods Park, Humphrey Park and Thames Park site improvements - contract pursuant to
 Ord. 1605-98 to R. DiLillo & Company - Division of Research, Planning and
 Development, Dept. of Parks, Recreation and Properties (BOC Res. 288-00) 843

Police Headquarters garage and plaza renovations - contract pursuant to Ord. 1578-90 to
 R.P. Carbone Company - Dept. of Public Safety (BOC Res. 285-00) 843

Board of Control - Public Safety Department

Police Headquarters garage and plaza renovations - contract pursuant to Ord. 1578-90 to
 R.P. Carbone Company - Dept. of Public Safety (BOC Res. 285-00) 843

Board of Control - Public Service Department

Construction equipment parts and labor - pursuant to Ord. 1837-99 - all bids rejected -
 Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 275-00) 841

Mower parts and labor - contract pursuant to Ord. 2174-98 to Brooklyn Tractor and Mower
 Co. - Division of Motor Vehicle Maintenance, Dept. of Public Service
 (BOC Res. 277-00) 841

Mower parts and labor - contract pursuant to Ord. 2174-98 to North Coast Distributing,
 Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service
 (BOC Res. 276-00) 841

Board of Control - Public Utilities Department

Annual Report, 1999 - contract pursuant to Ord. 881-99 to H2N Design, Inc. - Division of
 Water, Dept. of Public Utilities (BOC Res. 269-00)..... 840

Pipe, vitrified clay - contract pursuant to C.O. Sec. 129.27 to Arrow Builders Supply
 Co., Inc. - Division of Water Pollution Control, Dept. of Public Utilities
 (BOC Res. 271-00) 840

Sewer maintenance appurtenances - slabs - pursuant to C.O. Sec. 129.27 - all bids
 rejected - Division of Water Pollution Control, Dept. of Public Utilities
 (BOC Res. 270-00) 840

Board of Control - Purchases and Supplies Division

Sell parcels - pursuant to Ord. 257-99 to Mt. Pleasant Now Development Corporation
 (BOC Res. 286-00) 843

Board of Control - Recreation Division

Freezer - contract pursuant to Ord. 336-2000 to Ramsey-Bennett Company - Division
 of Recreation, Dept. of Parks, Recreation and Properties (BOC Res. 287-00)..... 843

Board of Control - Requirement Contracts

Cleaning and hygiene supplies - contract pursuant to Ord. 952-99 to Ohio Soap Products
 Co. - Division of Correction, Dept. of Public Health (BOC Res. 281-00) 842

Cleaning and hygiene supplies - contract pursuant to Ord. 952-99 to Astro Supply -
 Division of Correction, Dept. of Public Health (BOC Res. 282-00)..... 842

Cleaning and hygiene supplies - contract pursuant to Ord. 952-99 to Emerald Supply, Inc.
 - Division of Correction, Dept. of Public Health (BOC Res. 283-00)..... 842

Cleaning and hygiene supplies - contract pursuant to Ord. 952-99 to Homer Chambers
 / Enterprise Company - Division of Correction, Dept. of Public Health (BOC Res. 284-00) 843

Copiers, rental of - contract pursuant to Ord. 1065-98 and 172-99 to Minolta Corporation
 / Meritech Inc. - Dept. of Finance (BOC Res. 268-00) 840

Dataloggers - amend BOC Res. 139-00 - Division of Environment, Dept. of Public
 Health (BOC Res. 279-00) 842

Electrical work for monitoring stations - amend BOC Res. 138-00 - Division of
 Environment, Dept. of Public Health (BOC Res. 278-00) 842

Equipment, heavy duty and operators, rental of - contract pursuant to Ord. 1065-99
 to C.E. Neubert Company - Dept. of Port Control (BOC Res. 274-00) 841

Mower parts and labor - contract pursuant to Ord. 2174-98 to Brooklyn Tractor and Mower
 Co. - Division of Motor Vehicle Maintenance, Dept. of Public Service
 (BOC Res. 277-00) 841

Mower parts and labor - contract pursuant to Ord. 2174-98 to North Coast Distributing,
 Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 276-00) 841

Paint and paint supplies - contract pursuant to Ord. 711-99 to The Sherwin Williams
 Company - Dept. of Finance (BOC Res. 264-00)..... 839

Paint and paint supplies - contract pursuant to Ord. 711-99 to The I.C.I. DuLux / Glidden
 Paint Company - Dept. of Finance (BOC Res. 265-00) 839

Paint and paint supplies - contract pursuant to Ord. 711-99 to Samsel Supply Company -
 Dept. of Finance (BOC Res. 266-00)..... 839

Paint and paint supplies - contract pursuant to Ord. 711-99 to American
 Merchandising Services - Dept. of Finance (BOC Res. 267-00)..... 840

Pipe, vitrified clay - contract pursuant to C.O. Sec. 129.27 to Arrow Builders Supply
 Co., Inc. - Division of Water Pollution Control, Dept. of Public Utilities
 (BOC Res. 271-00) 840

Board of Control - Research, Planning and Development Division

Artha Woods Park, Humphrey Park and Thames Park site improvements - contract pursuant to Ord. 1605-98 to R. DiLillo & Company - Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 288-00) 843

Board of Control - Standard Purchase Contracts

Freezer - contract pursuant to Ord. 336-2000 to Ramsey-Bennett Company - Division of Recreation, Dept. of Parks, Recreation and Properties (BOC Res. 287-00)..... 843

Board of Control - Thames Park

Artha Woods Park, Humphrey Park and Thames Park site improvements - contract pursuant to Ord. 1605-98 to R. DiLillo & Company - Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 288-00) 843

Board of Control - Water Division

Annual Report, 1999 - contract pursuant to Ord. 881-99 to H2N Design, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 269-00)..... 840

Board of Control - Water Pollution Control Division

Pipe, vitrified clay - contract pursuant to C.O. Sec. 129.27 to Arrow Builders Supply Co., Inc. - Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 271-00) 840

Sewer maintenance appurtenances - slabs - pursuant to C.O. Sec. 129.27 - all bids rejected - Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 270-00) 840

Board of Zoning Appeals - Report

Broadway Avenue, 5301-5307, (Ward 13) – Donald Bram, owner, and Leland S. Freedman, attorney - appeal heard on 5/1/00 (Cal. 00-75)..... 847
Central Viaduct, 308, (Ward 13) – Norfolk and Southern Corporation, owners, and Gateway Economic Development Corporation, tenant - appeal heard on 5/1/00 (Cal. 00-77) 846
East 105th Street, 1247-1261, (a.k.a. 10509 Hathaway Avenue), (Ward 8) – Adrian T. Thompson, owner - appeal granted and adopted on 4/24/00 (Cal. 00-8) 847
Franklin Boulevard, 4211, (Ward 14) – Vickie and John Popa, owners - appeal heard on 5/1/00 (Cal. 00-67) 847
Franklin Boulevard, 4305, (Ward 14) – Richard Shucofsky, owner, and Vickie and John Popa, prospective purchasers - appeal heard on 5/1/00 (Cal. 00-68) 847
Memphis Avenue, 5512, (Ward 15) – Ken Wayne, owner - appeal postponed to 5/22/00 on 5/1/00 (Cal. 00-73)..... 847
St. Clair Avenue, 16700, (Ward 11) – World Resources Recovery System, owner and Clean CEMP Engineering, agent, c/o Berthold Klein - appeal granted and adopted on 4/24/00 (Cal. 00-3)..... 847
St. Clair Avenue, 9226, (Ward 13) – Bradley Construction Company, owner - appeal granted and adopted on 4/24/00 (Cal. 00-71) 847
West 16th Street, 3138, (Ward 14) – CMS Properties, Inc., owner c/o Robert M. Pattison, agent - appeal heard on 5/1/00 (Cal. 00-37) 847
West 45th Street, 1898, (Ward 14) – David L. Gelzer, owner - appeal heard on 5/1/00 (Cal. 00-74)..... 847
West 6th Street, 2188, (Ward 13) – Tremont Ridge Phase I Limited Partnership, owner - appeal heard on 5/1/00 (Cal. 00-76)..... 846

Board of Zoning Appeals - Schedule

Bennington Avenue, 12711, (Ward 20) – Catholic Charities Facilities and Annunciation Limited Partnership, owner c/o Maryellen Staab, agent - appeal to be heard on 5/15/00 (Cal. 00-80)..... 846
Lakefront Walk, 8, (Ward 11) – Drew Carson, owner - appeal to be heard on 5/15/00 (Cal. 00-85)..... 846
Lawn Avenue, 6419, (Ward 17) – Catholic Charities Facilities, owner c/o Maryellen Staab, agent - appeal to be heard on 5/15/00 (Cal. 00-89) 846
West 33rd Street, 3200, (Ward 14) – Catholic Charities Facilities and Mercedarian Limited Partnership, owner c/o Maryellen Staab, agent - appeal to be heard on 5/15/00 (Cal. 00-81)..... 846

Buckeye Area Development Corporation

Several market rate, scattered site housing development homes — construction and sale
 — Ward 4 Neighborhood Equity Funds. (O 606-2000) 866

City of Cleveland Bids

Animal trapping - Department of Public Health - Division of Environment - per Ord.
 365-2000 - bid due May 17, 2000 (advertised 4/26/2000 and 5/3/2000) 849

Boilers, labor and materials to maintain and repair - Department of Port Control - per
 Ord. 2053-99 - bid due May 31, 2000 (advertised 5/3/2000 and 5/10/2000) 849

Cab / chassis with aerial bucket / tree trimming body - Department of Public Service -
 per Ord. 1058-99 - bid due May 26, 2000 (advertised 5/3/2000 and 5/10/2000) 849

Electronic traffic signal equipment - Department of Public Service - Division of Traffic
 Engineering and Parking - per Ord. 2165-99 - bid due May 17, 2000
 (advertised 5/3/2000 and 5/10/2000)..... 849

Pumps for swimming pools - Department of Parks, Recreation and Properties - Division of
 Property Management - per Ord. 2172-99 - bid due May 25, 2000
 (advertised 5/3/2000 and 5/10/2000)..... 849

Quicklime - Department of Public Utilities - Division of Water - per C.O. Sec. 129.24 -
 bid due May 24, 2000 (advertised 5/3/2000 and 5/10/2000) 849

Sewer maintenance appurtenances - slabs - Department of Public Utilities - Division of
 Water Pollution Control - per C.O. Sec. 129.27 - bid due May 17, 2000
 (advertised 5/3/2000 and 5/10/2000)..... 849

Sidewalks, curbs, curb ramps and driveway aprons, repair and construction of - Department
 of Public Service - Division of Engineering and Construction - per Ord. 593-2000 -
 bid due May 18, 2000 (advertised 5/3/2000 and 5/10/2000) 849

Summer food program - Department of Parks, Recreation and Properties - Division of
 Recreation - per Ord. 211-2000 - bid due May 10, 2000
 (advertised 4/26/2000 and 5/3/2000)..... 849

Trailers, semi-dump - Department of Public Service - Division of Motor Vehicle
 Maintenance - per Ord. 1816-99 - bid due May 19, 2000
 (advertised 4/26/2000 and 5/3/2000)..... 849

City Council

Legal News Publishing Company — extend the term of the contract — Clerk of Council
 (O 608-2000)..... 867

City Planning Commission

Bennington Avenue, southerly side, S. W. between West 130 Street and West 127 Street.
 (Ward 20) — Zoning (O 659-2000)..... 831

Clifton Road / West Boulevard Historic Landmark District — Establishing
 (O 109-2000)..... 837

Establishing the East St. Clair Business Revitalization District.(BRD).— Ward 13
 (O 63-2000) 837

Euclid Avenue Church of God — Designating — Cleveland Landmark (O 2178-99) 835

Glass Avenue, N.E. — change the Use and Area District of lands on both sides
 (O 480-2000)..... 865

Memphis Avenue, S.W. northerly side between Ridgeview Drive and West 59th Street — Map
 Change No. 1986, Sheet No. 2 — change use and area district of lands (O 2059-98) 849

Old Brooklyn Business Revitalization District (BRD) — Establishing (O 139-2000)..... 837

Spring Road, S.W., Hinckley Industrial Parkway, Jennings Township and easterly extension
 of the Brooklyn Heights Village boundary — Changing the Use and Area Districts
 (O 177-2000)..... 849

City Planning Committee — Public Hearings — Zoning

Grayton Road, S.W. south of I-480 — change the Use District (O 178-2000) 849

Memphis Avenue, S.W. northerly side between Ridgeview Drive and West 59th Street — Map
 Change No. 1986, Sheet No. 2 — change use and area district of lands (O 2059-98) 849

Spring Road, S.W., Hinckley Industrial Parkway, Jennings Township and easterly extension
 of the Brooklyn Heights Village boundary — Changing the Use and Area Districts
 (O 177-2000)..... 849

Clark Metro Development Corporation

FL Thompson Building — capital improvements — Clark Metro Development Corporation —
Ward 14 Neighborhood Development Funds (O 661-2000)..... 831

Cleveland Hopkins International Airport

Flooring — labor and materials to repair, replace or modify — Cleveland Hopkins
International Airport (O 259-2000)..... **859**
Locker equipment and service — Lease By Way of Concession — Smarte Carte, Inc. — Port
Control (O 641-2000)..... 822
Luggage cart equipment and service — Lease By Way of Concession — Smarte Carte, Inc.
— Port Control (O 642-2000) 822
Navigational and lighting systems — installing — Cleveland Hopkins International Airport
(O 643-2000)..... 822
One trash compactor — Cleveland Hopkins International Airport (O 330-2000) 836
Primary Hangar (Bay 3) and adjacent ramp area — Lease By Way of Concession — U.
S. Airways — Cleveland Hopkins International Airport (O 258-2000) 836
Roofs — labor and materials to repair, replace or modify — Cleveland Hopkins
International Airport (O 260-2000)..... **859**

Cleveland Housing Network

Home Insulation Program to mitigate railroad noise — funds — Cudell Improvement,
Lutheran Housing Corporation and C (O 1852-99)..... 834-837

Cleveland Industrial Park

Block C-1 — Cleveland Industrial Park — amend the title, the first whereas clause and
Section 2 of Ordinance No.1569-99 (O 478-2000)..... 835-839

Cleveland Municipal Court

Criminal and civil filing system — Cleveland Municipal Court (O 514-2000) 835-839

Cleveland Neighborhood Development Corporation

Cleveland Industrial Retention Initiative — Cleveland Neighborhood Development
Corporation — contract — Economic Development (O 655-2000) 829

Cleveland Public Schools

Title II of the Job Training Partnership Act — contract — Cleveland Municipal School
District — Director of Personnel (O 477-2000)..... **864**

Codified Ordinances

Assault — amend Section 621.03 of Codified Ordinances (O 2057-A-99) **857**
Contracts alterations and modifications — new Section 185.45 (O 2068-99) **857**
Section 133.34 enact new Section of Codified Ordinances relating to greenhouse fees
(O 324-99) 835

Communications

Certified MBAs and FBEs Reporting Period:First Quarter, 2000 — Office of Equal
Opportunity (F 619-2000)..... 821
Contract fee increase, Nerone & Sons, Inc., Erieside & West 3rd Street Area Pump Station
Phase II — Public Utilities (F 616-2000) 821
Denials of Certification - First Quarter, 2000 — Office of Equal Opportunity
(F 621-2000) 821
MBE/FBE Deletions from OEOs Database First Quarter, 2000 — Office of Equal Opportunity
(F 620-2000) 821
Public Square North Community — Mall A Community — Memorial Park Garage Community —
Financial Statements and Audits, 1998 and 1999 (F 617-2000) 821
School to Work Technical Assistance — U.S. Labor Department — \$10,000 Line Credit Funds
— City of Cleveland — Application (F 618-2000)..... 821

Community Development

After School Prevention Resources Baseball Team Project — Lutheran Metropolitan Ministries — agreement — Ward 14 Neighborhood Development Funds (O 662-2000)	832
Bellaire-Puritas Development Corporation — Creek Improvement Program — Ward 20 Neighborhood Equity Funds (O 610-2000)	867
Demolition, removal or the boarding up of structures — Community Development — contracts (O 652-2000).....	825
East 86th Street, 1817, 1811-15, 1805 — Land Reutilization Program — Milton Allen and Crystal Allen (O 370-2000)	863
FL Thompson Building — capital improvements — Clark Metro Development Corporation — Ward 14 Neighborhood Development Funds (O 661-2000).....	831
Housing Rehabilitation Programs — Community Development — Federal HOME Program funds (O 651-2000).....	825
Housing, commercial, industrial and real estate development activities — contract — Community Development (O 653-2000).....	826
Juvenile Justice Diversion Mediation Pilot Project (JJDMPP) — Citizens of Cuyahoga County Ombudsman Office — agreement — Ward 5 Neighborhood Development Funds (O 665-2000).....	832
Playground at R.G. Jones School — construction — Parkworks, Inc. — Ward 20 Neighborhood Equity Funds (O 611-2000).....	867
Playground equipment at Valley View Elementary School in Ward 21 — amend the title and Section 1 of Ordinance No. 430-2000 (O 664-2000)	832
Second mortgage program — Northeast Shores Development Corp — Water's Edge Development project — Ward 11 Neighborhood Equity Funds (O 609-2000)	867
Senior Home Repair Program — FAMICOS Foundation — agreement (O 667-2000)	833
Several market rate, scattered site housing development homes — construction and sale — Ward 4 Neighborhood Equity Funds. (O 606-2000)	866
Ward 15 Comprehensive Urban Development Plan — development — Old Brooklyn Community Development Corporation — Ward 15 Neighborhood Equity Funds (O 605-2000)	866
Year XXVI Community Development Block Grant — various public improvements — Community Development, Public Service, Parks, Recreation and Properties, and Public Utilities (O 654-2000).....	826

Community Development Block Grant Program

Project Clean Program — Parks, Recreation and Properties — Community Development Block Grant funds (O 650-2000)	825
Year XXVI Community Development Block Grant — various public improvements — Community Development, Public Service, Parks, Recreation and Properties, and Public Utilities (O 654-2000).....	826

Condolences

Boland, Sean A. (R 626-2000).....	821
Bolden, Lillian (R 624-2000)	821
Brown, Joseph E. (R 627-2000)	821
Fryan, Vincent L. (R 625-2000).....	821
Stubbs, Harriett B. (R 628-2000).....	821

Congratulations

Avsec, Joseph Martin (R 634-2000).....	821
Catholic Order of Foresters (R 635-2000).....	821
Christmas in April (R 636-2000)	821
Fronek, Richard (R 630-2000)	821
Pevec, Edward A. Bishop (R 633-2000).....	821
Sweet, David C. Dr. (R 631-2000)	821
Trebar, Lou (R 632-2000).....	821
Williams, Lucy (R 629-2000)	821

Contracts

Car washing services — purchase — various divisions of City government (O 473-2000).....	864
City's COBRA program — Ceridian Benefits Services — contract — Personnel and Human Resources (O 658-2000)	831
Cleveland Industrial Retention Initiative — Cleveland Neighborhood Development Corporation — contract — Economic Development (O 655-2000)	829

Computer and related hardware equipment — various divisions of City government
(O 362-2000)..... 862

Contracts alterations and modifications — new Section 185.45 (O 2068-99) 857

Deicing chemicals — various divisions — Port Control (O 364-2000)..... 863

Demolition, removal or the boarding up of structures — Community Development — contracts
(O 652-2000)..... 825

ECRM image setter package — purchase by contract — Division of Printing and Reproduction
(O 254-2000)..... 836

Fire extinguishers — refill, repair and replace — various divisions of City government
(O 316-2000)..... 861

First aid equipment and supplies — various divisions of City government
(O 315-2000)..... 861

Flooring — labor and materials to repair, replace or modify — Cleveland Hopkins
International Airport (O 259-2000)..... 859

Halloran Park skating rink — replacing pavement — demolishing the Luke Easter Tennis
Shelte — replacing fencing at various swimming pools — Saf-Dek and Childsafe —
contracts — Parks, Recreation and Properties (O 104-2000) 858

Housing, commercial, industrial and real estate development activities — contract
— Community Development (O 653-2000)..... 826

King Media Enterprises (Call & Post) — contract — continuing its operation and retaining
— Economic Development (O 656-2000) 829

Landscape material, grass seed, mulch and topsoil — various divisions of City government
(O 317-2000)..... 861

Legal News Publishing Company — extend the term of the contract — Clerk of Council
(O 608-2000)..... 867

Lumber — various divisions of City government. (O 318-2000) 862

Microfiche services — various divisions of City government (O 319-2000)..... 862

Movable doors and walls, security shutters, electric gates and other means of access —
Division of Property Management (O 367-2000) 835-838

One trash compactor — Cleveland Hopkins International Airport (O 330-2000) 836

Overhead doors — various divisions of City government — purchase (O 472-2000) 864

Overhead doors labor and materials to repair or replace — contract — Port Control
(O 262-2000)..... 860

Paint and paint supplies — Port Control (O 261-2000)..... 860

Paper and envelopes — purchase by contract — Division of Printing and Reproduction
(O 253-2000)..... 835

Technical support and software licenses — contract — Oracle Corporation — Finance
Department (O 255-2000)..... 859

Title II of the Job Training Partnership Act — contract — Cleveland Municipal School
District — Director of Personnel (O 477-2000)..... 864

Toro mower parts — purchase — various divisions of City government (O 474-2000)..... 864

Tube bundles — remove and replace — Bell & Gossett heat exchangers — Division of
Convention Center and Stadium (O 524-2000)..... 836

unarmed uniformed security guard services — various divisions of City government
(O 363-2000)..... 862

Uninterrupted power supply unit — Sun computer equipment — Division of Taxation
(O 589-2000) 835-839

Convention Center

Tube bundles — remove and replace — Bell & Gossett heat exchangers — Division of
Convention Center and Stadium (O 524-2000)..... 836

Cudell Improvement

Home Insulation Program to mitigate railroad noise — funds — Cudell Improvement,
Lutheran Housing Corporation and C (O 1852-99)..... 834-837

Madison Avenue and West Boulevard in Ward 18 — landscape and maintain a parcel — Cudell
Improvement/Madison Merchants Organization (O 668-2000)..... 833

Economic Development Department

Block C-1 — Cleveland Industrial Park — amend the title, the first whereas clause and
Section 2 of Ordinance No.1569-99 (O 478-2000)..... 835-839

Cleveland Industrial Retention Initiative — Cleveland Neighborhood Development
Corporation — contract — Economic Development (O 655-2000) 829

Home Insulation Program to mitigate railroad noise — funds — Cudell Improvement,
Lutheran Housing Corporation and C (O 1852-99)..... 834-837

King Media Enterprises (Call & Post) — contract — continuing its operation and retaining — Economic Development (O 656-2000)	829
MBE/FBE participation information — Requesting — LTV Steel Company, the Department of Economic Development and the Office of Equal Opportunity (R 669-2000)	833

Environmental Protection Agency

Environment Division operation — grant — implement the program — Ohio Environmental Protection Agency (O 476-2000)	836
---	-----

Famicos Foundation

Senior Home Repair Program — FAMICOS Foundation — agreement (O 667-2000)	833
--	-----

Fees

Section 133.34 enact new Section of Codified Ordinances relating to greenhouse fees (O 324-99)	835
---	-----

Female Business Enterprise

MBE/FBE participation information — Requesting — LTV Steel Company, the Department of Economic Development and the Office of Equal Opportunity (R 669-2000)	833
--	-----

Finance Department

Car washing services — purchase — various divisions of City government (O 473-2000).....	864
Computer and related hardware equipment — various divisions of City government (O 362-2000).....	862
Contracts alterations and modifications — new Section 185.45 (O 2068-99)	857
Criminal and civil filing system — Cleveland Municipal Court (O 514-2000)	835-839
ECRM image setter package — purchase by contract — Division of Printing and Reproduction (O 254-2000).....	836
Fire extinguishers — refill, repair and replace — various divisions of City government (O 316-2000).....	861
First aid equipment and supplies — various divisions of City government (O 315-2000).....	861
Landscape material, grass seed, mulch and topsoil — various divisions of City government (O 317-2000).....	861
Lumber — various divisions of City government. (O 318-2000)	862
Microfiche services — various divisions of City government (O 319-2000)	862
Overhead doors — various divisions of City government — purchase (O 472-2000)	864
Paper and envelopes — purchase by contract — Division of Printing and Reproduction (O 253-2000).....	835
Technical support and software licenses — contract — Oracle Corporation — Finance Department (O 255-2000).....	859
Toro mower parts — purchase — various divisions of City government (O 474-2000)	864
Unarmed uniformed security guard services — various divisions of City government (O 363-2000).....	862
Uninterrupted power supply unit — Sun computer equipment — Division of Taxation (O 589-2000)	835-839

Funds

After School Prevention Resources Baseball Team Project — Lutheran Metropolitan Ministries — agreement — Ward 14 Neighborhood Development Funds (O 662-2000)	832
FL Thompson Building — capital improvements — Clark Metro Development Corporation — Ward 14 Neighborhood Development Funds (O 661-2000).....	831
Home Insulation Program to mitigate railroad noise — funds — Cudell Improvement, Lutheran Housing Corporation and C (O 1852-99).....	834-837
Housing Rehabilitation Programs — Community Development — Federal HOME Program funds (O 651-2000).....	825
Juvenile Justice Diversion Mediation Pilot Project (JJDMPP) — Citizens of Cuyahoga County Ombudsman Office — agreement — Ward 5 Neighborhood Development Funds (O 665-2000).....	832

Playground at R.G. Jones School — construction — Parkworks, Inc. — Ward 20 Neighborhood Equity Funds (O 611-2000)..... **867**
 Second mortgage program — Northeast Shores Development Corp — Water's Edge Development project — Ward 11 Neighborhood Equity Funds (O 609-2000) **867**
 Senior Home Repair Program — FAMICOS Foundation — agreement (O 667-2000) 833
 Several market rate, scattered site housing development homes — construction and sale — Ward 4 Neighborhood Equity Funds. (O 606-2000) **866**
 Ward 15 Comprehensive Urban Development Plan — development — Old Brooklyn Community Development Corporation — Ward 15 Neighborhood Equity Funds (O 605-2000) **866**

Grants

2000-2001 Drug Prevention, Treatment and Intervention Program — grant — Alcohol and Drug Addiction Services Board of Cuyahoga County — Public Health (O 645-2000) 823
 2000-2001 Federal Child Lead Poison Prevention Program — grant — Ohio Department of Health (O 523-2000)..... 836
 2000-2001 State AIDS Community Based Care Program — grant — Public Health (O 644-2000)..... 823
 Domestic Preparedness Equipment Support Program — grant — U.S. Department of Justice — Public Safety (O 648-2000) 824
 Environment Division operation — grant — implement the program — Ohio Environmental Protection Agency (O 476-2000) 836
 Flora Park rehabilitation — grant — Urban Parks and Recreation Recovery Program (O 475-2000)..... 836
 Ohio and Federal grant funds — apply for and accept — Port Control (O 263-2000) **860**
 Temporary Assistance to Needy Families Program — grant — Ohio Department of Human Services (O 525-2000) 836
 Workforce Investment Act Programs — allocations of grants — Personnel and Human Resources (O 657-2000) 830

Halloran Skating Rink

Halloran Park skating rink — replacing pavement — demolishing the Luke Easter Tennis Shelter — replacing fencing at various swimming pools — Saf-Dek and Childsafe — contracts — Parks, Recreation and Properties (O 104-2000) **858**

Health Department

2000-2001 Drug Prevention, Treatment and Intervention Program — grant — Alcohol and Drug Addiction Services Board of Cuyahoga County — Public Health (O 645-2000) 823
 2000-2001 Federal Child Lead Poison Prevention Program — grant — Ohio Department of Health (O 523-2000)..... 836
 2000-2001 State AIDS Community Based Care Program — grant — Public Health (O 644-2000)..... 823
 Environment Division operation — grant — implement the program — Ohio Environmental Protection Agency (O 476-2000) 836
 Pneumococcal vaccine — purchase — Division of Health (O 646-2000)..... 823

Housing Rehabilitation Program

Housing Rehabilitation Programs — Community Development — Federal HOME Program funds (O 651-2000)..... 825

JTPA Title II-A

Additional allocations — State of Ohio Bureau of Employment Services Power OHIO — Titles II and III of the Job Training Partnership Act — governor's Reserve Grant (O 526-2000)..... 836

Land Reutilization Program

East 86th Street, 1817, 1811-15, 1805 — Land Reutilization Program — Milton Allen and Crystal Allen (O 370-2000) **863**
 Lexington Avenue, 7307-11 — Land Reutilization Program — Beverly Butler (O 217-2000)..... **858**

Lease by Way of Concession

Locker equipment and service — Lease By Way of Concession — Smarte Carte, Inc. — Port Control (O 641-2000)	822
Luggage cart equipment and service — Lease By Way of Concession — Smarte Carte, Inc. — Port Control (O 642-2000)	822
Primary Hangar (Bay 3) and adjacent ramp area — Lease By Way of Concession — U. S. Airways — Cleveland Hopkins International Airport (O 258-2000)	836

Liquor Permits

Broadway Avenue, 6224 — Objecting to the transfer of ownership — (Ward 12) (R 614-2000)	855
Denison Avenue, 4995-97 first floor and basement — Objecting to the transfer of ownership — (Ward 16) (R 613-2000)	855
Detroit Avenue, 8002, withdrawing objection to the renewal of a C2 and C2X - (Ward 17) (R 671-2000)	834
Lakeshore Blvd, 15428 - Objecting to the transfer of ownership of a C1, C2 and D6 - (Ward 11) (R 672-2000)	834
Lee Road, 4501-03-05, withdrawing objection to the transfer of ownership of a C1, C2 and D6 - (Ward 01) (R 670-2000)	834

LTV Steel Company

MBE/FBE participation information — Requesting — LTV Steel Company, the Department of Economic Development and the Office of Equal Opportunity (R 669-2000)	833
---	-----

Lutheran Housing Corporation

Home Insulation Program to mitigate railroad noise — funds — Cudell Improvement, Lutheran Housing Corporation and C (O 1852-99)	834-837
---	---------

Minority Business Enterprises

MBE/FBE participation information — Requesting — LTV Steel Company, the Department of Economic Development and the Office of Equal Opportunity (R 669-2000)	833
---	-----

Motor Vehicle Maintenance Division (MVM)

Allison rebuilt or remanufactured automatic transmissions, including installation — purchase by contract — Motor Vehicle Maintenance Division (O 265-2000)	836
Automobile and truck spring parts, including labor to install — Motor Vehicle Maintenance Division (O 271-2000)	861F
Chevrolet - GMC passenger car, police car, van and truck parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 270-2000)	836
EZ pack parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 269-2000)	835-838
Ford passenger and police car parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 268-2000)	835-838
Fuel dispensing pumps and systems, labor and materials to repair or replace — underground storage tanks and systems, labor and materials to cleanup and replace — purchase by contract — Motor Vehicle Maintenance Division (O 266-2000)	836
International truck parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 267-2000)	835-837

Ohio Bureau of Employment Services

Additional allocations — State of Ohio Bureau of Employment Services Power OHIO — Titles II and III of the Job Training Partnership Act — governor's Reserve Grant (O 526-2000)	836
---	-----

Ohio Department of Public Health

2000-2001 Federal Child Lead Poison Prevention Program — grant — Ohio Department of Health (O 523-2000)	836
---	-----

Ohio General Assembly

Schools and churches — urge the adoption of laws prohibiting the sale of alcohol near schools and churches (R 1333-98) 855

Ohio House of Representatives

Schools and churches — urge the adoption of laws prohibiting the sale of alcohol near schools and churches (R 1333-98) 855

Old Brooklyn Area

Old Brooklyn Business Revitalization District (BRD) — Establishing (O 139-2000)..... 837

Old Brooklyn Community Development Corporation

Ward 15 Comprehensive Urban Development Plan — development — Old Brooklyn Community Development Corporation — Ward 15 Neighborhood Equity Funds (O 605-2000)..... 866

Parks, Recreation and Properties Department

Cleveland Fire Fighters' Memorial — property adoption agreement for construction and maintenance — Safety Department — Parks, Recreation and Properties Department (O 272-2000)..... 836
Flora Park rehabilitation — grant — Urban Parks and Recreation Recovery Program (O 475-2000)..... 836
Halloran Park skating rink — replacing pavement — demolishing the Luke Easter Tennis Shelter — replacing fencing at various swimming pools — Saf-Dek and Childsafe — contracts — Parks, Recreation and Properties (O 104-2000) 858
Madison Avenue and West Boulevard in Ward 18 — landscape and maintain a parcel — Cudell Improvement/Madison Merchants Organization (O 668-2000)..... 833
Movable doors and walls, security shutters, electric gates and other means of access — Division of Property Management (O 367-2000) 835-838
Planting, removing, relaying, trimming, creating or excavating cutouts for shade trees — in and along the streets (O 649-2000)..... 824
Project Clean Program — Parks, Recreation and Properties — Community Development Block Grant funds (O 650-2000) 825
Rockefeller Park Public Greenhouse, City -owned parks, recreation facilities — public improvements — Parks, Recreation and Properties Department (O 1748-99)..... 856
Rockefeller/Gordon/Wade Park Pavement Improvements - Phase V — Contract No. 53736 — Parks, Recreation and Properties (F 622-2000) 821
Section 133.34 enact new Section of Codified Ordinances relating to greenhouse fees (O 324-99) 835
Tube bundles — remove and replace — Bell & Gossett heat exchangers — Division of Convention Center and Stadium (O 524-2000)..... 836
West Side Market — clean — Division of Convention Center and Stadium (O 366-2000)..... 836
Year XXVI Community Development Block Grant — various public improvements — Community Development, Public Service, Parks, Recreation and Properties, and Public Utilities (O 654-2000)..... 826

Permits

3rd Annual Ohio City Career Fair — banners — St. Ignatius Committee (O 604-2000) 866
American Lung Associations Multi-Event Affair — permit (O 602-2000) 865
Cormere Avenue, Williams Avenue and East 128th Street — grading, paving, fencing, parking and other construction — permit — Shaker Square of Ohio LLC (O 660-2000)..... 831
Kids 5K Walk — permit — West Side Ecumenical Ministry (O 663-2000)..... 832
New Day in Hough Race and Parade — permit — New Day in Hough Committee (O 666-2000)..... 833
Summer Carnival — Blessed Sacrament Church — banners (O 603-2000)..... 866
West 29th Street and Vermont Avenue — right-of-way — parking lot, security fencing, gates and an outdoor seasonal pa (O 2160-99) 835

Personnel Department

Additional allocations — State of Ohio Bureau of Employment Services Power OHIO — Titles II and III of the Job Training Partnership Act — governor's Reserve Grant (O 526-2000).....	836
City's COBRA program — Ceridian Benefits Services — contract — Personnel and Human Resources (O 658-2000)	831
Temporary Assistance to Needy Families Program — grant — Ohio Department of Human Services (O 525-2000)	836
Title II of the Job Training Partnership Act — contract — Cleveland Municipal School District — Director of Personnel (O 477-2000).....	864
Workforce Investment Act Programs — allocations of grants — Personnel and Human Resources (O 657-2000)	830

Playgrounds

Playground at R.G. Jones School — construction — Parkworks, Inc. — Ward 20 Neighborhood Equity Funds (O 611-2000).....	867
Playground equipment at Valley View Elementary School in Ward 21 — amend the title and Section 1 of Ordinance No. 430-2000 (O 664-2000)	832

Police Division

Hepatitis B vaccine — purchase — Division of Police (O 647-2000).....	824
---	-----

Port Control Department

Cisco computer products — provide network administration, including software assistance — Port Control (O 322-2000)	836
Deicing chemicals — various divisions — Port Control (O 364-2000).....	863
Existing and new computer applications — programming, materials, software development and design — Port Control (O 324-2000).....	836
Flooring — labor and materials to repair, replace or modify — Cleveland Hopkins International Airport (O 259-2000)	859
Locker equipment and service — Lease By Way of Concession — Smarte Carte, Inc. — Port Control (O 641-2000).....	822
Luggage cart equipment and service — Lease By Way of Concession — Smarte Carte, Inc. — Port Control (O 642-2000)	822
MicroSoft computer products — client and server administration, including software, maintenance and support — Port Control (O 323-2000)	836
Navigational and lighting systems — installing — Cleveland Hopkins International Airport (O 643-2000).....	822
Ohio and Federal grant funds — apply for and accept — Port Control (O 263-2000)	860
One trash compactor — Cleveland Hopkins International Airport (O 330-2000)	836
Oracle computer products — support services, installations, upgrades, programming administration — Port Control (O 326-2000).....	836
Overhead doors labor and materials to repair or replace — contract — Port Control (O 262-2000).....	860
Paint and paint supplies — Port Control (O 261-2000).....	860
Primary Hangar (Bay 3) and adjacent ramp area — Lease By Way of Concession — U. S. Airways — Cleveland Hopkins International Airport (O 258-2000).....	836
Roofs — labor and materials to repair, replace or modify — Cleveland Hopkins International Airport (O 260-2000)	859
Telephone equipment. — Port Control (O 329-2000)	836
Web site development and implementation — Port Control (O 325-2000).....	836

Printing and Reproduction Division

ECRM image setter package — purchase by contract — Division of Printing and Reproduction (O 254-2000).....	836
Paper and envelopes — purchase by contract — Division of Printing and Reproduction (O 253-2000).....	835

Public Hearings (Notices)

Establishing the East St. Clair Business Revitalization District.(BRD).— Ward 13
(O 63-2000) 837

Memphis Avenue, S.W. northerly side between Ridgeview Drive and West 59th Street — Map
Change No. 1986, Sheet No. 2 — change use and area district of lands (O 2059-98) 849

Spring Road, S.W., Hinckley Industrial Parkway, Jennings Township and easterly extension
of the Brooklyn Heights Village boundary — Changing the Use and Area Districts
(O 177-2000)..... 849

Purchases

ECRM image setter package — purchase by contract — Division of Printing and Reproduction
(O 254-2000)..... 836

Paint and paint supplies — Port Control (O 261-2000)..... **860**

Paper and envelopes — purchase by contract — Division of Printing and Reproduction
(O 253-2000)..... 835

Roofs — labor and materials to repair, replace or modify — Cleveland Hopkins
International Airport (O 260-2000)..... **859**

Recognition

Cabell, Edward (R 637-2000) 822

Earth Day Coalition (R 640-2000)..... 822

Gohlstin, Benjamin F., Jr. (R 639-2000) 822

Poe, Billy Officer (R 638-2000) 822

Recreation Centers

Rockefeller Park Public Greenhouse, City -owned parks, recreation facilities — public
improvements — Parks, Recreation and Properties Department. (O 1748-99) **856**

Resolutions - Miscellaneous

Food and assistance to the citizens — eastern and central african nations — United
Nations and the United States federal government (R 612-2000)..... **855**

MBE/FBE participation information — Requesting — LTV Steel Company, the Department of
Economic Development and the Office of Equal Opportunity (R 669-2000) 833

Mill Creek project — Supporting — NOACA — fund such project. (R 615-2000) **856**

Schools and churches — urge the adoption of laws prohibiting the sale of alcohol near
schools and churches (R 1333-98) **855**

United Parcel Service — permit cargo business in China. — Urging the President and
United States Secretary of Transportation Rodney Slater (R 276-2000)..... 837

Right-of-Way

Cormere Avenue, Williams Avenue and East 128th Street — grading, paving, fencing, parking
and other construction — permit — Shaker Square of Ohio LLC (O 660-2000)..... 831

West 29th Street and Vermont Avenue — right-of-way — parking lot, security fencing,
gates and an outdoor seasonal pa (O 2160-99) 835

Safety Department

Assault — amend Section 621.03 of Codified Ordinances (O 2057-A-99) **857**

Cleveland Fire Fighters' Memorial — property adoption agreement for construction
and maintenance — Safety Department — Parks, Recreation and Properties Department
(O 272-2000)..... 836

Domestic Preparedness Equipment Support Program — grant — U.S. Department of Justice
— Public Safety (O 648-2000) 824

Hepatitis B vaccine — purchase — Division of Police (O 647-2000)..... 824

Service Department

3rd Annual Ohio City Career Fair — banners — St. Ignatius Committee (O 604-2000) **866**

Allison rebuilt or remanufactured automatic transmissions, including installation
— purchase by contract — Motor Vehicle Maintenance Division (O 265-2000) 836

Automobile and truck spring parts, including labor to install — Motor Vehicle Maintenance
Division (O 271-2000)..... **861F**

Chevrolet - GMC passenger car, police car, van and truck parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 270-2000)	836
Cormere Avenue, Williams Avenue and East 128th Street — grading, paving, fencing, parking and other construction — permit — Shaker Square of Ohio LLC (O 660-2000).....	831
EZ pack parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 269-2000)	835-838
Ford passenger and police car parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 268-2000)	835-838
Fuel dispensing pumps and systems, labor and materials to repair or replace — underground storage tanks and systems, labor and materials to cleanup and replace — purchase by contract — Motor Vehicle Maintenance Division (O 266-2000)	836
Grayton Road access and Spine Road — rehabilitation — amend Section 7 of Ordinance No. 1786-97 (O 594-2000)	835-839
International truck parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 267-2000)	835-837
Summer Carnival — Blessed Sacrament Church — banners (O 603-2000).....	866
West 29th Street and Vermont Avenue — right-of-way — parking lot, security fencing, gates and an outdoor seasonal pa (O 2160-99)	835
Year XXVI Community Development Block Grant — various public improvements — Community Development, Public Service, Parks, Recreation and Properties, and Public Utilities (O 654-2000).....	826

Stadium

Tube bundles — remove and replace — Bell & Gossett heat exchangers — Division of Convention Center and Stadium (O 524-2000).....	836
---	-----

Statement of Work Acceptance

North Royalton-Akins, 30" Water Supply Main, Phase I — Contract No. 53659 — Public Utilities (F 623-2000)	821
Rockefeller/Gordon/Wade Park Pavement Improvements - Phase V — Contract No. 53736 — Parks, Recreation and Properties (F 622-2000)	821

Swimming Pools

Halloran Park skating rink — replacing pavement — demolishing the Luke Easter Tennis Shelter — replacing fencing at various swimming pools — Saf-Dek and Childsafe — contracts — Parks, Recreation and Properties (O 104-2000)	858
--	-----

Taxation Division

Uninterrupted power supply unit — Sun computer equipment — Division of Taxation (O 589-2000)	835-839
---	---------

Trees

Planting, removing, relaying, trimming, creating or excavating cutouts for shade trees — in and along the streets (O 649-2000).....	824
--	-----

Utilities Department

North Royalton-Akins, 30" Water Supply Main, Phase I — Contract No. 53659 — Public Utilities (F 623-2000)	821
Year XXVI Community Development Block Grant — various public improvements — Community Development, Public Service, Parks, Recreation and Properties, and Public Utilities (O 654-2000).....	826

Ward 1

Gohlstin, Benjamin F., Jr. (R 639-2000)	822
Lee Road, 4501-03-05, withdrawing objection to the transfer of ownership of a C1, C2 and D6 - (Ward 01) (R 670-2000).....	834
Worker's Compensation Neighborhood Capital Fund — renaming — neighborhood public improvements and purposes (O 607-2000)	866

Ward 2

Stubbs, Harriett B. (R 628-2000) 821
 Williams, Lucy (R 629-2000) 821

Ward 4

Several market rate, scattered site housing development homes — construction and sale
 — Ward 4 Neighborhood Equity Funds. (O 606-2000) **866**

Ward 5

Juvenile Justice Diversion Mediation Pilot Project (JJDMPP) — Citizens of Cuyahoga County
 Ombudsman Office — agreement — Ward 5 Neighborhood Development Funds
 (O 665-2000)..... 832

Ward 6

Bolden, Lillian (R 624-2000) 821
 Cormere Avenue, Williams Avenue and East 128th Street — grading, paving, fencing, parking
 and other construction — permit — Shaker Square of Ohio LLC (O 660-2000)..... 831
 Euclid Avenue Church of God — Designating — Cleveland Landmark (O 2178-99) 835
 Fronck, Richard (R 630-2000) 821

Ward 7

Cabell, Edward (R 637-2000) 822
 East 86th Street, 1817, 1811-15, 1805 — Land Reutilization Program — Milton Allen and
 Crystal Allen (O 370-2000) **863**
 Lexington Avenue, 7307-11 — Land Reutilization Program — Beverly Butler
 (O 217-2000)..... **858**
 New Day in Hough Race and Parade — permit — New Day in Hough Committee
 (O 666-2000)..... 833

Ward 8

King Media Enterprises (Call & Post) — contract — continuing its operation and retaining
 — Economic Development (O 656-2000) 829
 Poe, Billy Officer (R 638-2000) 822
 Senior Home Repair Program — FAMICOS Foundation — agreement (O 667-2000) 833

Ward 11

Avsec, Joseph Martin (R 634-2000)..... 821
 Brown, Joseph E. (R 627-2000) 821
 Catholic Order of Foresters (R 635-2000)..... 821
 Christmas in April (R 636-2000) 821
 Establishing the East St. Clair Business Revitalization District.(BRD).— Ward 13
 (O 63-2000) 837
 Lakeshore Blvd, 15428 - Objecting to the transfer of ownership of a C1, C2 and D6 - (Ward
 11) (R 672-2000)..... 834
 Pevec, Edward A. Bishop (R 633-2000)..... 821
 Second mortgage program — Northeast Shores Development Corp — Water's Edge Development
 project — Ward 11 Neighborhood Equity Funds (O 609-2000) **867**
 Sweet, David C. Dr. (R 631-2000) 821
 Trebar, Lou (R 632-2000)..... 821

Ward 12

Broadway Avenue, 6224 — Objecting to the transfer of ownership — (Ward 12)
 (R 614-2000) **855**

Ward 13

American Lung Associations Multi-Event Affair — permit (O 602-2000) **865**
 Fryan, Vincent L. (R 625-2000)..... 821
 Glass Avenue, N.E. — change the Use and Area District of lands on both sides
 (O 480-2000)..... **865**

Ward 14

3rd Annual Ohio City Career Fair — banners — St. Ignatius Committee (O 604-2000)	866
After School Prevention Resources Baseball Team Project — Lutheran Metropolitan Ministries — agreement — Ward 14 Neighborhood Development Funds (O 662-2000)	832
FL Thompson Building — capital improvements — Clark Metro Development Corporation — Ward 14 Neighborhood Development Funds (O 661-2000).....	831
Kids 5K Walk — permit — West Side Ecumenical Ministry (O 663-2000).....	832
Summer Carnival — Blessed Sacrament Church — banners (O 603-2000).....	866
West 29th Street and Vermont Avenue — right-of-way — parking lot, security fencing, gates and an outdoor seasonal pa (O 2160-99)	835
West Side Market — clean — Division of Convention Center and Stadium (O 366-2000).....	836

Ward 15

Earth Day Coalition (R 640-2000).....	822
Old Brooklyn Business Revitalization District (BRD) — Establishing (O 139-2000).....	837
Ward 15 Comprehensive Urban Development Plan — development — Old Brooklyn Community Development Corporation — Ward 15 Neighborhood Equity Funds (O 605-2000)	866

Ward 16

Denison Avenue, 4995-97 first floor and basement — Objecting to the transfer of ownership — (Ward 16) (R 613-2000).....	855
--	-----

Ward 17

Clifton Road / West Boulevard Historic Landmark District — Establishing (O 109-2000).....	837
Detroit Avenue, 8002, withdrawing objection to the renewal of a C2 and C2X - (Ward 17) (R 671-2000)	834
Kids 5K Walk — permit — West Side Ecumenical Ministry (O 663-2000).....	832

Ward 18

Clifton Road / West Boulevard Historic Landmark District — Establishing (O 109-2000).....	837
Earth Day Coalition (R 640-2000).....	822
Madison Avenue and West Boulevard in Ward 18 — landscape and maintain a parcel — Cudell Improvement/Madison Merchants Organization (O 668-2000).....	833

Ward 19

Memphis Avenue, S.W. northerly side between Ridgeview Drive and West 59th Street — Map Change No. 1986, Sheet No. 2 — change use and area district of lands (O 2059-98)	849
--	-----

Ward 20

Bellaire-Puritas Development Corporation — Creek Improvement Program — Ward 20 Neighborhood Equity Funds (O 610-2000)	867
Bennington Avenue, southerly side, S. W. between West 130 Street and West 127 Street. (Ward 20) — Zoning (O 659-2000).....	831
Playground at R.G. Jones School — construction — Parkworks, Inc. — Ward 20 Neighborhood Equity Funds (O 611-2000).....	867

Ward 21

Boland, Sean A. (R 626-2000).....	821
Playground equipment at Valley View Elementary School in Ward 21 — amend the title and Section 1 of Ordinance No. 430-2000 (O 664-2000)	832

West Side Ecumenical Ministry

Kids 5K Walk — permit — West Side Ecumenical Ministry (O 663-2000).....	832
---	-----

West Side Market

West Side Market — clean — Division of Convention Center and Stadium (O 366-2000).....	836
---	-----

Worker's Compensation Neighborhood Fund

Worker's Compensation Neighborhood Capital Fund — renaming — neighborhood public improvements and purposes (O 607-2000)	866
--	-----

Zoning

Bennington Avenue, southerly side, S. W. between West 130 Street and West 127 Street. (Ward 20) — Zoning (O 659-2000).....	831
Gratin Road, SW south of I-480 — change the Use District (O 178-2000).....	849
Memphis Avenue, S.W. northerly side between Ridgeview Drive and West 59th Street — Map Change No. 1986, Sheet No. 2 — change use and area district of lands (O 2059-98)	849
Spring Road, S.W., Hinckley Industrial Parkway, Jennings Township and easterly extension of the Brooklyn Heights Village boundary — Changing the Use and Area Districts (O 177-2000).....	849