

The City Record

Official Publication of the Council of the City of Cleveland



January the Seventeenth, Two Thousand and Seven

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Emily Lipovan
City Clerk, Clerk of Council

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

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Containing	PAGE
City Council	3
The Calendar	3
Board of Control	3
Civil Service	6
Board of Zoning Appeals	6
Board of Building Standards and Building Appeals	7
Public Notice	8
Public Hearings	8
City of Cleveland Bids	8
Adopted Resolutions and Ordinances	9
Committee Meetings	14
Index	15

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Nina Turner.....	16204 Sunny Glen Avenue	44128
2	Robert J. White	9703 Cardwell Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson.....	2948 Hampton Road	44120
5	Phyllis E. Cleveland.....	2369 East 36th Street	44105
6	Patricia J. Britt.....	12402 Britton Drive	44120
7	Fannie M. Lewis.....	7416 Star Avenue	44103
8	Sabra Pierce Scott.....	1136 East 98th Street	44108
9	Kevin Conwell.....	10647 Ashbury Avenue	44106
10	Roosevelt Coats.....	1775 Cliffview Road	44112
11	Michael D. Polensek.....	17855 Brian Avenue	44119
12	Anthony Brancatelli.....	6924 Ottawa Road	44105
13	Joe Cimperman.....	3053 West 12th Street	44113
14	Joseph Santiago.....	3169 West 14th Street	44109
15	Brian J. Cummins.....	3104 Mapledale Avenue	44109
16	Kevin J. Kelley.....	6608 Woodhaven Avenue	44144
17	Matthew Zone.....	1228 West 69th Street	44102
18	Jay Westbrook.....	1278 West 103rd Street	44102
19	Dona Brady.....	1272 West Boulevard	44102
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Michael A. Dolan.....	16519 West Park Road	44111

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

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

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

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

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

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

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

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 1925 St. Clair Ave.
DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner
Correction – Robert Taskay, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
Environment – Willie Bess, Commissioner, Mural Building, 1925 St. Clair Ave.
Health – Anjou Parekh, Commissioner, Mural Building, 1925 St. Clair Ave.

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

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

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

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

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

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

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

DEPT. OF CONSUMER AFFAIRS – Angel Guzman, Director

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, JANUARY 17, 2007

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CITY COUNCIL

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EMILY LIPOVAN

City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2006-2009

MONDAY—Alternating

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

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

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

January 10, 2007

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

Present: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Absent: Mayor Jackson.

Others: Jim Hardy, Commissioner, Purchases and Supplies.

Debra Linn Talley, Director, Office of Equal Opportunity.

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

Resolution No. 7-07.

By Director Ciaccia.

Resolved, by the Board of Control of the City of Cleveland that all bids received on December 22, 2006, for the purchase of an estimated quantity of moving services, for the various divisions of City government, for all items under the authority of Ordinance No. 1622-06, passed by the Council of the City of Cleveland on October 23, 2006 are rejected.

Yeas: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 8-07.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1025-05, passed by the Council of the City of Cleveland on August 3, 2005, URS Corporation is selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to provide professional consulting services necessary to provide engineering services, including but not limited to environmental and safety services, forensic, investigations, structural and geotechnical services, industrial hygiene services, materials testing and analysis, water treatment process analysis, laboratory testing services, hazardous substance identification and analysis, and other related services, for a period not exceeding two years, for the various Divisions of the, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with URS Corporation based upon its proposal dated September 29, 2006, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services described in the proposal, for an estimated amount of \$449,904.60, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subcontractors by URS Corporation for the above-mentioned professional services is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Cleveland City Blue Print Co. LLC (FBE)	\$10,000.00 2.22%
KS Associates, Inc. (FBE)	\$15,000.00 3.33%
CTL Engineering, Inc. (MBE)	\$40,000.00 8.89%
Glen Stevens, Inc. (MBE)	\$27,500.00 6.11%
Firstechnology, Inc. (MBE)	\$35,000.00 7.78%
AquaTech Environmental	\$40,000.00 8.89%
EA Group	\$30,000.00 6.67%
Environmental Sciences	\$30,000.00 6.67%

Yeas: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.
Nays: None.
Absent: Mayor Jackson.

Resolution No. 9-07.

By Director Ciaccia.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Bonded Chemicals, Inc. for an estimated quantity of neutralization chemicals (items 1A-1K) for the Division of Water, Department of Public Utilities, for a period of two (2) years, received on November 16, 2006, under the authority of Section 129.24 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$67,404.83 (Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 176798 which shall be certified against the contract in the sum of \$15,000.00.

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

Yeas: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 10-07.

By Director Ciaccia.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of United Survey, Inc. for the public improvement of Marcella Road Sanitary Sewer Relining Project, (Base Bid All Items including the 10% contingency allowance) for the Division of Water Pollution Control, Department of Public Utilities, received on November 17, 2006, under the authority of Ordinance No. 871-06, passed July 12, 2006, upon a unit basis for the improvement, in the aggregate amount of \$217,591.00 is affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by United Survey, Inc. for the above-mentioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>WORK</u>
<u>MBE/FBE</u>	
Cook Paving MBE	\$40,000.00 (18.38%)
Ohio Diversified FBE	\$16,000.00 (7.35%)

Yeas: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 11-07.

By Director Ciaccia.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Ohio Machinery Co. dba Ohio CAT for an estimated quantity of various types of safety equipment for compliance with OSHA regulations and general safety standards (Group 1) for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities, for a period of two (2) years received on November 16, 2006, under the authority of Ordinance No. 1028-05, passed July 13, 2005, which on the basis of the estimated quantity would amount to \$260,000.00 (0%), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 176799 which shall be certified against the contract in the sum of \$100,000.00.

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

Yeas: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 12-07.

By Director Ciaccia.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Perk Co., Inc. for an estimated quantity of sewer maintenance appurtenances - slabs (all items), for the Division of Water Pollution Control, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the November 30, 2006, under 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 \$461,175.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 170460 which shall be certified against the contract in the sum of \$100,000.00.

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Perk Co., Inc. for the above-mentioned requirement contract is approved:

<u>SUBCONTRACTOR</u>	<u>WORK</u>
<u>MBE/FBE</u>	
McTech Corp. MBE	\$73,788.00 (16.00%)
Rockport Construction FBE	\$46,398.00 (10.06%)

Yeas: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 13-07.

By Director Ciaccia.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Fisher Scientific Company, LLC for an estimated quantity of various types of environmental equipment and supplies necessary for compliance with EPA regulations and general environmental standards (Option 2, all items) for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, for a period of two (2) years,

received on November 30, 2006 under the authority of Ordinance No. 978-06, passed August 9, 2006, which on the basis of the estimated quantity would amount to \$100,000.00 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 176797 which shall be certified against the contract in the sum of \$50,000.00.

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

Yeas: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 14-07.

By Directors Wasik and Rush.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Ballast Construction, Inc., base bid only, for the public improvement of constructing Kingsbury Road Fencing Replacement Project, for the Department of Public Service and the Department of Community Development, received on August 17, 2006, under the authority of Ordinance No. 701-04, passed June 7, 2004, upon a unit basis for the improvement, in the aggregate amount of \$36,990.00, is affirmed and approved as the lowest responsible bid, and the Director of Public Service and the Director of Community Development are authorized to enter into contract for the improvement with the bidder.

Be it further resolved that the employment of the following subcontractor by Ballast Construction, Inc. is approved:

McTech Corp.
MBE — 1.62% — \$600

Yeas: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 15-07.

By Director Carroll.
Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 942-06, passed by the Cleveland City Council June 12, 2006, Lead Techs is selected from a list of firms determined after a full and complete canvass by the Director of Public Health as a consultant to be employed by contract to perform Environmental Housing Assessments for the Limited Assessment Minor Repair Initiative (LAMRI).

Be it further resolved that the Director of Public Health is authorized to enter into contract with Lead Techs, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as stated in the proposal, for an aggregate fee of \$24,000, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 16-07.

By Director Carroll.
Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 942-06, passed by the Cleveland City Council June 12, 2006, GETCO Environmental is selected from a list of firms determined after a full and complete canvass by the Director of Public Health as a consultant to be employed by contract to perform Environmental Housing Assessments for the Limited Assessment Minor Repair Initiative (LAMRI).

Be it further resolved that the Director of Public Health is authorized to enter into contract with GETCO Environmental, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as stated in the proposal, for an aggregate fee of \$50,000, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 17-07.

By Director Carroll.
Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 942-06, passed by the Cleveland City Council June 12, 2006, J. A. Consultants is selected from a list of firms determined after a full and complete canvass by the Director of Public Health as a consultant to be employed by contract to perform Environmental Housing Assessments for the Limited Assessment Minor Repair Initiative (LAMRI).

Be it further resolved that the Director of Public Health is authorized to enter into contract with J. A. Consultants, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as stated in the proposal, for an aggregate fee of \$50,000, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting

Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 18-07.

By Director Carroll.
Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 942-06, passed by the Cleveland City Council June 12, 2006, Loraine Allamby is selected from a list of firms determined after a full and complete canvass by the Director of Public Health as a consultant to be employed by contract to perform Environmental Housing Assessments for the Limited Assessment, Minor Repair Initiative (LAMRI).

Be it further resolved that the Director of Public Health is authorized to enter into contract with Loraine Allamby, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as stated in the proposal, for an aggregate fee of \$24,000, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 19-07.

By Director Reilly.
Be it resolved by the Board of Control of the City of Cleveland that the bid of OBO Demolition and Construction for the public improvement of Demolition and Cleanup of Trinity Property located at 9203 Detroit Avenue (including a \$129,267.67 contingency allowance), all items, for the Department of Economic Development, received on June 7, 2006, under the authority of Ordinance No. 23-06, passed January 23, 2006, for a gross price for the improvement in the aggregate amount of \$1,406,944.36, is affirmed and approved as the lowest responsible bid, and the Director of Economic Development is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by OBO Demolition and Construction for the abovementioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>PERCENTAGE WORK</u>
Lito Trucking (FBE)	06.34% \$ 89,194.69
Minority Trucking (MBE)	14.79% \$208,120.00

Yeas: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 20-07.

By Director Flask.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 788-06, passed by the Council of the City of Cleveland on June 5, 2006, E.B. Jacobs, LLC is selected from a list of firms determined after a full and complete canvass by the Secretary of the Civil Service Commission as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City of Cleveland to perform the professional services necessary to perform a job analysis, develop, administer, and grade an Examination, for entry level Patrol Officer for the Division of Police, Department of Public Safety and to complete a statistical analysis of the examination.

Be it further resolved that the Secretary of the Civil Service Commission is authorized to enter into contract with E.B. Jacobs, LLC, based on its proposal dated September 22, 2006, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the proposal for an aggregate fee of \$117,650.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Dumas, Ciaccia, Acting Director Szabo, Directors Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES**General Information**

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

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

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

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

REYNALDO GALINDO,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS**MONDAY, JANUARY 29, 2007****9:30 A.M.****Calendar No. 06-264:** 2266 West 41st Place (Ward 14)

North Acres, owner and Stanley Roediger, appeal to erect a 20' x 41.8' three-story, frame single family dwelling with an attached garage, proposed to be situated on a 33.4' x 87.10' irregular shaped parcel, located in a B1 Two-Family District on the east side of West 41st Place at 2266 West 41st Place; contrary to Section 355.04(b), the maximum gross floor area equals 2,508 square feet and it may not exceed one half of the lot area, or 1,526 square feet; and a minimum lot width of 33.4' is provided where 40' is required, and the minimum lot area is 3,053 square feet where 4,800 square feet is required, as stated in Section 355.04 of the Codified Ordinances.

Calendar No. 06-265: 3360 East 79th Street (Ward 5)

Jack Levine and Son, Inc. and Myron Levine, owner, appeal to change use from a junk yard, as classified in the Zoning Code Sections 345.04(a)(1)(C)(3), to dismantling of motor vehicles, and storage of motor vehicles pending wreckage or dismantling, and processing of scrap metals on a 55' x 325' irregular shaped corner lot, located in a General Industry District on the northwest corner of East 79th Street and Bessemer Avenue at 3360 East 79th Street; contrary to Sections 345.04(a)(1)(C)(4), the lot space is less than 50,000 square feet and no fence or wall is shown where a 7' high opaque fence or wall is required to enclose the lot; and parking within the specific 10' setback on East 79th Street is not a permitted encroachment, as stated in Section 357.13 of the Codified Ordinances.

Calendar No. 07-2: 17119 Lorain Avenue (Ward 21)

Pat Campbell, owner, appeals to change use from a store to a restaurant in the first floor space of an existing masonry building, situated on a 30' x 150' parcel, located in a Local Retail Business District on the south side of Lorain Avenue at 17119 Lorain Avenue; with a credit of 10 off-street parking spaces being applied, the proposed use does not meet the accessory off-street parking requirement, determined at the rate of either one space for each 100 square feet of floor area devoted to patron use or one space for each 4 seats, based upon the maximum seating capacity, whichever is greater, plus one parking space per employee, or an additional 20 off-street parking spaces that are required according, to Section 349.04 of the Codified Ordinances.

Calendar No. 07-4: 3812 West 150th Street (Ward 21)

Raymond Torok, owner, and Chandra Venkataraman, prospective pur-

chaser, appeal to change from a machine shop to a daily care of dogs, a kennel, in an existing one-story building situated on a 100' x 232.5' lot, located in a Residence Office District on the west side of West 150th Street at 3812 West 150th Street; the proposed use being contrary to Section 337.10 and not permitted in a Residence Office District but being first permitted in a General Retail Business District; and the substitution of a nonconforming use requires the Board of Zoning Appeals approval to determine after public hearing that such substitution is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in type or number of persons to occupy or be attracted to the premises, or in any other characteristic of the new use as compared with the previous one, as stated in Section 359.01 of the Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS**TUESDAY, JANUARY 16, 2007**

At the meeting of the Board of Zoning Appeals on Tuesday, January 16, 2007, the following appeals were heard by the Board.

The following appeals were **Approved:**

Calendar No. 06-251: 2161 Murray Hill Road

Diana and Leo Lenzo appealed to change to a restaurant/tavern the use of an existing stores building in a Multi-Family District; subject to conditions.

Calendar No. 06-257: 6020 Wakefield Avenue

Luis Martinez and Leonel Pena appealed to erect a frame carport on the northeast side of a one family dwelling in a Two-Family District; subject to revised for a covered patio.

Calendar No. 06-263: 1325 Mayview Avenue

John Cruz appealed to erect a 36' x 24' one-story reverse gable garage in an One-Family District; subject to revised plan for a 32' x 24' garage.

Calendar No. 06-204: 944 East 152nd Street

Rajamkant Patel appealed to construct three one-story retail buildings on a through parcel in split zoning between Local Retail and Multi-Family (formerly Two-Family) Districts; pursuant to changed residential zoning effective January 20, 2007.

Calendar No. 06-245: 3881 West 134th Street

Clyde Gazda appealed to install 4' tall and 6' tall chain link fence in

the actual front yard of a parcel in a Two-Family District; subject to a revised plan for placement and ornamental fence material.

The following appeal was **Denied:**

None.

The following appeal was **Withdrawn:**

None.

The following appeal was **Dismissed:**

None.

The following appeal was **Postponed:**

Calendar No. 06-256: 16606-16702 South Waterloo Road postponed to February 26, 2007.

In Executive Session on January 16, 2007, the following appeal heard by the Board on January 8, 2007 was ratified by the Board.

The following appeal was **Approved:**

Calendar No. 06-190: 4755 Pearl Road ASD Corporation and Sam Shah appealed to change the use from an office and motel to an office and apartments in a Local Retail Business District; subject to conditions and only specific units for apartment occupancy.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of January 10, 2007

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-37-06

RE: Appeal of Zhenghna Gu, Owner of the Property located on the premises known as 13900 Miles Avenue from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire, dated March 28, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).
BE IT RESOLVED, a motion is in order at this time to find that the violation and the requirements of the City are valid and that the sprinkler system must be provided to the satisfaction of the Fire Prevention Bureau; the property is REMANDED at this time to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Saunders, Bradley, Sullivan. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

Docket A-109-06.

RE: Appeal of Dexter W. Clark, Owner of the One Dwelling Unit Single Family Residential Property located on the premises known as 13735 Puritas Avenue from a NOTICE OF VIOLATION — GENERAL MAINTENANCE of the Director of the Department of Building and Housing, dated September 11, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).
BE IT RESOLVED, a motion is in order at this time to REMAND the property at 13735 Puritas Avenue to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Bradley, Sullivan. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

Docket A-113-06.

RE: Appeal of Saeid B. Amiri, Owner of the Mixed Use — Multiple Uses Property located on the premises known as 8322 Woodland Avenue from a NOTICE OF VIOLATION — COMMERCIAL MAINTENANCE of the Director of the Department of Building and Housing, dated July 11, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).
BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) months in which to obtain permits and six (6) months in which to abate the violations on the property, and that time can be extended to nine (9) months with satisfactory progress; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action, and that this resolution includes all properties and addresses cited. Motioned by Mr. Bradley and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Saunders, Bradley, Sullivan. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

Docket A-117-06.

RE: Appeal of Charles Blaha, Owner of the One Dwelling Unit Single Family Residential Property located on the premises known as 2950 West 11th Street from a 30 DAY CONDEMNATION ORDER — MS & GARAGE of the Director of the Department of Building and Housing, dated October 31, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).
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 which may be extended a the dis-

cretion of the inspector if progress is being made; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Bradley, Sullivan. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

Docket A-118-06.

RE: Appeal of Wells Fargo Bank, C/O Ocwen Loan Servicing, LLC, Mortgagee of the Three Dwelling Units Family Residential Property located on the premises known as 3666 East 54th Street from a 30 DAY DETERIORATED CONDEMNATION ORDER — MS of the Director of the Department of Building and Housing, dated October 16, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).
BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to develop a working plan to rehabilitate the property. The docket will be rescheduled in sixty (60) days to either read about or in person hear about what that plan is; at which time, the property will be REMANDED one way or another to the Department of Building and Housing for supervision or any further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Bradley, Sullivan. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

Docket A-119-06.

RE: Appeal of Zum Properties, Owner of the Mixed Use — Multiple Uses Property located on the premises known as 11609 Detroit Avenue from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated September 7, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).
BE IT RESOLVED, a motion is in order at this time to permit the area to be used as proposed, pending the approval by the City of the plans for this sprinklering as proposed. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Bradley, Sullivan. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

Docket A-120-06.

RE: Appeal of 1260 West 4th Street LLC, Owner of the Six Story Concrete Frame Mixed Uses Property located on the premises known as 1260 West 4th Street from a NOTICE OF VIOLATION — HVAC of the Director of the Department of Building and Housing, dated October 19, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date; the docket will remain open for any future appeals.

* * *

Docket A-122-06.

RE: Appeal of The Estate of Thomas J. Kiley C/O Thomas E. Kiley, Owner of the One Dwelling Unit Three Story Wood Frame/Siding/Masonry Veneer Residential Property located on the premises known as 7004 W. Clinton Avenue from a 30 DAY FIRE CONDEMNATION ORDER — MS of the Director to the Department of Building and Housing, dated October 10, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 7004 W. Clinton Avenue to the Department of Building and Housing for supervision and any required further action, noting that the Appellant has agreed to repair the property properly. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Bradley, Sullivan. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

Docket A-133-06.

RE: Appeal of Eadie Scott, Owner of the Property located on the premises known as 11607 Honeydale Avenue from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated December 22, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the variance request and require that a 13R sprinkler system be installed per the Code requirements. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Bradley, Sullivan. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

APPROVAL OF RESOLUTIONS:

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

- A-97-06—Robert Holcepl
- A-126-06—The Doan Brook Company LLC.
- A-129-06—Bank of New York.
- A-130-06—Hines, Inc.

Yeas: Messrs. Denk, Saunders, Bradley. Nays: None. Not Voting: Mr. Sullivan. Absent: Messrs. Gallagher, Saab.

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Bradley and seconded by Mr.

Saunders 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 Building Code (OBC):

December 13, 2006

Yeas: Messrs. Denk, Saunders, Bradley. Nays: None. Not Voting: Mr. Sullivan. Absent: Messrs. Gallagher, Saab.

* * *

Secretary

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

Scaled 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, JANUARY 31, 2007

Rockefeller Park Greenhouse Workbench Repair, for the Division of Parks Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2202-04, passed by the Council of the City of Cleveland, January 24, 2005.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, JANUARY 18, 2007 AT 2:00 P.M., ROCKEFELLER PARK GREENHOUSE, 750 EAST 88TH STREET, CLEVELAND, OHIO 44106.

Landscape Materials, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 237-06, passed by the Council of the City of Cleveland, February 27, 2006.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, JANUARY 19, 2007 AT 11:00 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Moving Services, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1622-06, passed by the Council of the City of Cleveland, October 23, 2006.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, TUESDAY, JANUARY 23, 2007 AT 10:30 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

January 10, 2007 and January 17, 2007

THURSDAY, FEBRUARY 1, 2006

Tire Repair Road Service, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 501-06, passed by the Council of the City of Cleveland, May 1, 2006.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING TUESDAY, JANUARY 23, 2007 AT 10:30 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

SS1 Tack Coat, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1053-06, passed by the Council of the City of Cleveland, July 12, 2006.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, MONDAY, JANUARY 22, 2007 AT 11:30 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM #128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Cold Mix, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1054-06, passed by the Council of the City of Cleveland, July 12, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, JANUARY 22, 2007 AT 11:00 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM #128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

January 10, 2007 and January 17, 2007

WEDNESDAY, FEBRUARY 7, 2007

Cleaning and Cement Mortar Lining Area 2007-A, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1843-06, passed by the Council of the City of Cleveland, December 11, 2006.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, JANUARY 19, 2007 AT 11:00 A.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, 1ST FLOOR AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Distribution System-Water Quality Monitoring System - Phase 1, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1520-02, passed by the Council of the City of Cleveland, October 21, 2002, as authorized by Ordinance No. 1628-06, passed by the Council of the City of Cleveland, October 30, 2006, respectively.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, JANUARY 22, 2007 AT 9:30 A.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, 1ST FLOOR AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

January 10, 2007 and January 17, 2007

FRIDAY, FEBRUARY 9, 2007

Cleaning and Cement Mortar Lining Area 2007-B, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1843-06, passed by the Council of the City of Cleveland, December 11, 2006.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, JANUARY 19, 2007 AT 11:00 A.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, 1ST FLOOR AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

January 10, 2007 and January 17, 2007

FRIDAY, FEBRUARY 2, 2007

Two (2) Cab/Chassis with Front Load Packer Body, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 887-06, passed by the Council of the City of Cleveland, August 9, 2006.

THERE WILL BE A **MANDATORY PRE-BID MEETING THURSDAY**, JANUARY 25, 2007 AT 10:30 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

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

January 17, 2007 and January 24, 2007

WEDNESDAY, FEBRUARY 7, 2007

Dry Cell Batteries, for the Various Divisions of Finance, Department of Finance, as authorized by Ordinance Pending.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, JANUARY 29, 2007 AT 10:30 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

January 17, 2007 and January 24, 2007

THURSDAY, FEBRUARY 8, 2007

Exterminating Services, for the Various Divisions of Finance, Department of Finance, as authorized by Ordinance No. 2047-06, passed by the Council of the City of Cleveland, January 10, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, TUESDAY, JANUARY 30, 2007 AT 10:30 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Building Materials and Used Paving Bricks (Re-Bid), for the Various Divisions, Department of Finance, as authorized by Ordinance No. 601-06, passed by the Council of the City of Cleveland, April 10, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, JANUARY 29, 2007 AT 11:30 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

January 17, 2007 and January 24, 2007

FRIDAY, FEBRUARY 9, 2007

Disposal of Debris at Landfills, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1508-06, passed by the Council of the City of Cleveland, October 30, 2006.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, FRIDAY, JANUARY 26, 2007 AT 10:30 A.M., DIVISION OF WATER DISTRIBUTION & MAINTENANCE, PIPE REPAIR CONFERENCE ROOM,

4600 HARVARD AVENUE, NEW-BURGH HEIGHTS, OHIO 44105.

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

January 17, 2007 and January 24, 2007

FRIDAY, FEBRUARY 23, 2007

Sodium Hypochlorite Solution, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, FRIDAY, FEBRUARY 9, 2007 AT 2:30 P.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

January 17, 2007 and January 24, 2007

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 10-07.

By Council Member Sweeney (by departmental request).

An emergency resolution requesting the County Auditor to make advances during the year 2007 under Section 321.34 of the Revised Code.

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

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

Section 1. That under Section 321.34 of the Revised Code, the County Auditor is requested to draw, and the County Treasurer is requested to pay, on draft or drafts made payable to the Treasury of the City of Cleveland, any money that may be in the County Treasury from time to time during the year 2007 and credited to the account of the City of Cleveland and lawfully applicable to the purpose of the 2007 fiscal year, during which year such request will be made. The payments are to be made from time to time in accordance with the schedule set by Cuyahoga County.

Section 2. That the Clerk of Council is directed to transmit a certified copy of this resolution to the Auditor of Cuyahoga County.

Section 3. That this resolution is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its 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 January 8, 2007.
Effective January 9, 2007.

Res. No. 11-07.**By Council Member Coats.**

An emergency resolution encouraging the Federal Government to address the disparities in healthcare access and treatment between racial and ethnic minority population groups and Caucasians by following the recommendations of the National Healthcare Disparities Report, the Institute of Medicine study and the President's New Freedom Commission.

Whereas, the United States has achieved significant increases in the life expectancy of most residents and reductions in the incidence of injury, disability and disease; and

Whereas, the gap between the health status and death rates for racial and ethnic minority population groups and Caucasians has not decreased and in some cases has widened; and

Whereas, racial and ethnic minority populations face substantial cultural, social and economic barriers to obtaining access to adequate and competent health care; and

Whereas, the 2005 National Healthcare Disparities Report (NHDR) finds that disparities related to race, ethnicity and socioeconomic status still pervade the American health and behavioral health care system in almost all aspects of healthcare; and

Whereas, in 1999, Congress requested an Institute of Medicine (IOM) study to assess the extent of disparities in the types and quality of health services received by U.S. racial and ethnic minorities and non-minorities; and

Whereas, Congress charged the IOM with the task of exploring the factors that may contribute to inequities in care and to provide recommendations on policies and practices to eliminate these inequities; and

Whereas, the report from that study, "Unequal Treatment: Confronting Racial and Ethnic Disparities in Health Care", found that a consistent body of research demonstrates significant variation in the rates of medical procedures by race, even when insurance status, income, age and severity of conditions are comparable; and

Whereas, this research indicates that U.S. racial and ethnic minorities are less likely to receive even routine medical procedures and experience a lower quality of health services; and

Whereas, the report states that a large body of research underscores the existence of disparities in treatment such as minorities being less likely to receive appropriate cardiac medications, undergo bypass surgery or receive kidney dialysis or transplants; and

Whereas, by contrast, minorities are more likely to receive certain less-desirable procedures, such as lower limb amputations for diabetes and other conditions; and

Whereas, the future health of the nation will be determined to a large extent by how effectively we work with communities to reduce and eliminate health disparities between non-minority and minority populations experiencing disproportionate burdens of disease, disability and premature death; and

Whereas, the President's New Freedom Commission Report for 2005 underscored the disparity in recovery and resilience for ethnic/racial minorities and identified several goals to be achieved by 2010 that included the elimination of disparities; and

Whereas, eliminating health disparities will require new knowledge about the determinants of disease, causes of health disparities and effective interventions for prevention and treatment; and

Whereas, eliminating health disparities will also require improving access to the benefits of society, including quality preventive and treatment services, as well as innovative ways of working in partnership with health and behavioral health care systems, federal, state and local governments, advocacy groups academia and community-based organizations; and

Whereas, the recommendation of the NHDR, IOM study and the President's New Freedom Commission Report include: increasing the awareness about health disparities among the general public, health care providers insurance companies and policy-makers; recruiting more minority health and behavioral health care providers especially since they are more likely to serve in minority and medically underserved communities; and recruiting more interpreters for health clinics and hospitals to overcome language barriers that may affect the quality of care; and

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

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

Section 1. That this Council hereby encourages the Federal Government to address the disparities in healthcare access and treatment between racial and ethnic minority population groups and Caucasians by following the recommendations of the National Healthcare Disparities Report, the Institute of Medicine study and the President's New Freedom Commission.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to all members of United States Congress representing the State of Ohio and the appropriate representatives of the National League of Cities.

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 January 8, 2007.
Effective January 12, 2007.

Res. No. 12-07.**By Council Member Conwell.**

An emergency resolution amending the Title, Section 1 and Section 2 of Resolution No. 2104-06, adopted December 11, 2006, to encourage the

City of Cleveland School District to ban artificial trans fats from being served in the City's public schools.

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 the Title, Section 1 and Section 2 of Resolution No. 2104-06 adopted December 11, 2006 are amended to read, respectively, as follows:

An emergency resolution encouraging the City of Cleveland's Department of Public Health to study ways to reduce artificial trans fats in citizens' diets and work with the Cuyahoga County Board of Health towards banning artificial trans fats from restaurants and further encouraging the City of Cleveland School District to ban artificial trans fats from being served in the City's public schools.

Section 1. That this Council hereby encourages the City of Cleveland's Department of Public Health to study ways to reduce artificial trans fats in citizens' diets and work with the Cuyahoga County Board of Health towards banning artificial trans fats from restaurants and further encourages the City of Cleveland School District to ban artificial trans fats from being served in the City's public schools.

Section 2. That the Clerk of Council is directed to transmit a copy of this resolution to the Cuyahoga County Board of Health and to Eugene Sanders, CEO of the City of Cleveland School District.

Section 2. That the existing Title, Section 1 and Section 2 of Resolution No. 2104-06 adopted December 11, 2006 are hereby repealed.

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

Adopted January 8, 2007.
Effective January 12, 2007.

Res. No. 13-07.**By Council Member Polensek.**

An emergency resolution supporting a township-wide celebration of the Euclid Township Charter Bicentennial, 1809-2009.

Whereas, on July 22, 1796 General Moses Cleaveland and a team of surveyors of the Connecticut Land Company came to this area to settle a capital of the Western Reserve lands of Connecticut and to establish a settlement here; and

Whereas, Moses Cleaveland's team not only established Cleaveland as a settlement but some also surveyed land some seven miles east to establish the Euclid Township; and

Whereas, Euclid Township's boundaries covered all or most of current Cleveland Heights, Collinwood Village, East Cleveland, Euclid, Lyndhurst, Nottingham Village,

Richmond Heights and South Euclid; and

Whereas, in November, 1809, the State of Ohio gave Euclid Township residents a charter to hold elections, pass ordinances and levy taxes; the first election was on April 10, 1810; and

Whereas, these dates mark the beginning of local democratic government on Cleveland's East Side; and

Whereas, two hundred years after founding, it is time to revisit the historic event of Euclid Township by celebrating a township-wide charter bicentennial; and

Whereas, impetus for a substantial yet light-hearted event comes from the City of Euclid's "Sesquicentennial" for the 1809 charter; and

Whereas, celebratory events for the Euclid Township Charter Bicentennial celebration will be held in venues across the old township during the fall of 2009 and the winter and spring of 2010; 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 supports a township-wide celebration of the Euclid Township Charter Bicentennial, 1809-2009.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to the City of Euclid, the Euclid Landmark Commission and the Euclid Historical Society.

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 January 8, 2007.

Effective January 12, 2007.

Res. No. 14-07.

By Council Members Zone, Turner, Brady, Coats, Santiago, Polensek, Lewis, Conwell, Kelley, Cummins, Pierce Scott, Brancatelli, Cimperman, Cleveland, Westbrook and White.

An emergency resolution endorsing the City of Cleveland's Anti-Idling Policy and encouraging other municipalities to adopt Anti-Idling Policies; announcing City Council's intent to enact Anti-Idling legislation that regulates private commercial fleet vehicles.

Whereas, unnecessary running an engine at low speed (idling) wastes fuel and pollutes the air; and

Whereas, idling causes twice the wear on internal parts compared to driving at regular speeds; and

Whereas, idling of vehicles consumes approximately 17% of the fuel that a vehicle has on board; and

Whereas, the City of Cleveland and Northeast Ohio have been attempting to lessen pollutants that

pose a detriment to the region's air quality, but the region is still in a non-attainment status; and

Whereas, reducing idling is necessary to protect public health and the environment by reducing emissions while conserving fuel; and

Whereas, effective June 1, 2006, the City of Cleveland adopted an Anti-Idling Policy that applies to all City vehicles, equipment, and operators, that is available on the City of Cleveland's Division of Water website sustainability page and a copy is in File No. 14-07-A, 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 endorses the City of Cleveland's Anti-Idling Policy and encourages other municipalities to adopt Anti-Idling Policies.

Section 2. That this Council announces its intent to enact Anti-Idling legislation that regulates private commercial fleet vehicles.

Section 3. That the Clerk of Council is directed to send copies of this resolution to the Cuyahoga County Commissioners, the Cuyahoga County Mayors' and Managers Association and the Northeast Ohio City Council Association.

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

Adopted January 8, 2007.

Effective January 12, 2007.

Ord. No. 2005-06.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland provided such violation may result in incarceration, for the Cleveland Municipal Court for a period of one year, with one option to renew for an additional one-year period.

Whereas, in *Argersinger v. Hamlin* and *Scott v. Illinois*, the United States Supreme Court held that no indigent criminal defendant may be sentenced to a term of imprisonment unless he has been afforded the right to assistance of appointed counsel in his defense; and

Whereas, the City of Cleveland, through the Cleveland Municipal Court, is obligated to provide an indigent defendant appointed counsel in order to permit the imposition

of a sentence including a term of imprisonment; and

Whereas, under Section 120.14 of the Revised Code, a county commission that has organized a county public defender commission may contract with any municipal corporation within the County served by the county public defender to provide legal representation on behalf of the municipal corporation; and

Whereas, the Cleveland Municipal Court, the district of which encompasses Bratenahl and the City of Cleveland, recommends that the Cuyahoga County Public Defender Commission should provide indigent defense; and

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

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

Section 1. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided the violation may result in incarceration, for a period of one year beginning January 1, 2007, at an estimated cost of \$1,517,539, with one option to renew for an additional one-year period, payable from the fund or funds appropriated for this purpose in budget year 2007, Request No. 149973.

Section 2. That two percent (2%) of any payment received by the City and/or Cleveland Municipal Court from the financing of defense counsel for indigent persons shall be utilized by participants in a court exchange program between Cleveland Municipal Court and the Cleveland Municipal School District.

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

Passed January 8, 2007.

Effective January 12, 2007.

Ord. No. 2008-06.

By Council Member Sweeney (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 240-06, passed February 27, 2006, relating to one or more requirement contracts for the rental and laundry of work clothing, for the various divisions of City government.

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

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

Section 1. That the title and Section 1 of Ordinance No. 240-06, passed February 27, 2006, are amended to read as follows:

An emergency ordinance authorizing the purchase by one or more requirement contracts of the rental and laundry of work clothing, for the various divisions of City government.

Section 1. That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of three years, with two options to renew for additional one year periods, which options are exercisable by the Director of Finance, after receiving separate legislative authority, for the necessary items of the rental and laundry of work clothing in the approximate amount as purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the existing title and Section 1 of Ordinance No. 240-06, passed February 27, 2006, are repealed.

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

Passed January 8, 2007.
Effective January 12, 2007.

Ord. No. 2044-06.
By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of dry cell batteries, 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 authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one or two years for the necessary items of dry cell batteries in the approximate amount as pur-

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

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 118770)

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

Passed January 8, 2007.
Effective January 12, 2007.

Ord. No. 2046-06.
By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of keys, locks, and hardware, 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 authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one or two years for the necessary items of keys, locks, and hardware in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City govern-

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

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 118770)

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

Passed January 8, 2007.
Effective January 12, 2007.

Ord. No. 2047-06.
By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of exterminating services, 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 authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years of the necessary items of exterminating services, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of

Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Finance is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Finance by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 118770)

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

Passed January 8, 2007.
Effective January 12, 2007.

Ord. No. 2048-06.
By Council Member Sweeney (by departmental request).

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

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 118770)

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

from and after the earliest period allowed by law.

Passed January 8, 2007.
Effective January 12, 2007.

Ord. No. 2076-06.
By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract with the Cuyahoga County Corrections Planning Board and the Cuyahoga County Court of Common Pleas Adult Probation Department Drug Testing Laboratory, for drug and alcohol testing services, for a term of one year, with one option to renew for an additional one year period.

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

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

Section 1. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to enter into contract with the Cuyahoga County Corrections Planning Board and the Cuyahoga County Court of Common Pleas Adult Probation Department Drug Testing Laboratory, for laboratory testing services necessary to test specimens to determine the presence of alcohol or drugs of abuse, for a term of one year, with one option to renew for an additional one year period, in the approximate sum of \$70,000, for the Cleveland Municipal Court, on a unit basis. The contracts or contracts shall be paid from Fund Nos. 01-011509-632000 and 10 SF 085, Request No. 149987.

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

Passed January 8, 2007.
Effective January 12, 2007.

Ord. No. 9-07.
By Council Member Sweeney (by departmental request).

An emergency ordinance approving two collective bargaining agreements with the Cleveland Association of Firefighters, Local 93 for the bargaining terms beginning April 1, 2004 and April 1, 2007; and amending Section 55 of Ordinance No. 289-06, passed March 27, 2006, relating to compensation for various classifications.

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

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

Section 1. That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the Cleveland Association of Firefighters, Local 93, under the terms contained in File No. 9-07-A, for the period from April 1, 2004 through March 31, 2007, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

<u>Increase</u>	<u>Effective Date of Increase</u>
3%	April 1, 2006

In addition to the percentage increase effective April 1, 2006, eligible members of the bargaining unit will receive a separate payment in the amount of \$500.00 on or about January 8, 2007, which amount is not part of the member's wage base. An additional \$1,000.00 increase shall be paid to each member of the Division of Fire as follows: a one-time non-pensionable retro payment of \$1,000.00 not rolled into the base for 2006, and on the first pay period of 2007, the \$1,000.00 shall be rolled into the base of journeymen fire fighters, with the existing rank differential being maintained.

Section 2. That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the Cleveland Association of Firefighters, Local 93, under the terms contained in the above-mentioned file, for the period from April 1, 2007 through March 31, 2010, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

<u>Increase</u>	<u>Effective Date of Increase</u>
2%	April 1, 2007
2%	April 1, 2008
2%	April 1, 2009

Section 3. That Section 55 of Ordinance No. 289-06, passed March 27, 2006, is amended to read as follows:

Section 55. Division of Fire; Various Positions

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

	Minimum	Maximum
1. Battalion Chief.....	\$72,039.84	\$80,850.89
2. Captain.....	\$62,034.36	\$69,699.05
3. Lieutenant.....	\$53,408.93	\$60,085.38
4. Firefighter - Journeyman.....	\$45,973.21	\$51,797.74
5. Apprentice - Medic III.....	\$41,881.79	\$46,622.11
6. Apprentice - Medic II.....	\$41,381.79	\$45,122.11
7. Apprentice - Medic I.....	\$40,381.79	\$44,122.11
8. Trainee.....	\$ 10.50	\$ 10.50

Section 4. That existing Section 55 of Ordinance No. 289-06, passed March 27, 2006, is repealed.

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

Passed January 8, 2007.

Effective January 12, 2007.

Ord. No. 15-07.
By Council Member Conwell.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Glenville Development Corporation to stretch banners on St. Clair Avenue between East 110th and East 113th, for the period from January 8, 2007 to February 7, 2007, inclusive, honoring Troy Smith and the Glenville 7.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Glenville Development Corporation to install, maintain and remove banners on St. Clair Avenue between East 110th & East 113th, for the period from January 8, 2007 to

February 7, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed January 8, 2007.

Effective January 12, 2007.

COUNCIL COMMITTEE MEETINGS

**Tuesday, January 16, 2007
9:30 a.m.**

Community and Economic Development Committee: Present: Pierce Scott, Chair; Cummins, Coats, Westbrook, Brady, Zone, Lewis. *Authorized Absence:* Brancatelli, Vice Chair; Cimperman.

**Wednesday, January 17, 2007
10:00 a.m.**

Public Safety Committee: Present: Conwell, Chair; Brady, Vice Chair; Britt, Polensek, Coats, Kelley, Cummins, Turner, Santiago.

1:30 p.m.

Public Utilities Committee: Present: Zone, Chair; Reed, Vice Chair; Cleveland, Polensek, Cummins, Dolan, Kelley, Westbrook, Santiago.

Index

O—Ordinance; R—Resolution; F—File
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
Bold type in sections indicates amendments

Banners

Glenville Development Corporation — honoring Troy Smith and the Glenville 7
(O 15-07) **46**

Board of Building Standards and Building Appeals

Detroit Avenue, 11609, (Ward 18) — Zum Properties, owner — appeal resolved on
1/10/07 (Doc. A-119-06) 39
East 118th Street, 1581-89, (Ward 9) — The Doan Brook Company, LLC, owner — appeal
adopted on 1/10/07 (Doc. A-126-06) 40
East 54th Street, 3666, (Ward 12) — Wells Fargo Bank, c/o Ocwen Loan Servicing LLC, —
appeal resolved on 1/10/07 (Doc. A-118-06) 39
Honeydale Avenue, 11607, (Ward 4) — Eadie Scott, owner — appeal resolved on 1/10/07
(Doc. A-133-06) 40
Miles Avenue, 13900, (Ward 1) — Zhenghna Gu, owner — appeal resolved on 1/10/07
(Doc. A-37-06) 39
Puritas Avenue, 13735, (Ward 20) — Dexter W. Clark, owner — appeal resolved on 1/10/07
(Doc. A-109-06) 39
Superior Avenue, 1100, (12th floor), (Ward 13) — Hines, Inc., owner — appeal adopted on
1/10/07 (Doc. A-130-06) 40
W. Clinton Avenue, 7004, (Ward 17) — The Estate of Thomas J. Kiley c/o Thomas E. Kiley,
owner — appeal resolved on 1/10/07 (Doc. A-122-06) 40
West 11th Street, 2366, (Ward 13) — Robert Holcepl, owner — appeal adopted on
1/10/07 (Doc. A-97-06) 40
West 11th Street, 2950, (Ward 13) — Charles Blaha, owner — appeal resolved on
1/10/07 (Doc. A-117-06) 39
West 2nd Street, 1660, (8th floor), (Ward 13) — Bank of New York, owner — appeal adopted
on 1/10/07 (Doc. A-129-06) 40
West 4th Street, 1260, (Ward 13) — 1260 West 4th Street LLC, owner — appeal resolved on
1/10/07 (Doc. A-120-06)
Woodland Avenue, 8322, (Ward 5) — Saeid B. Amini, owner — appeal resolved on 1/10/07
(Doc. A-113-06) 39

Board of Control — Cleveland Public Power Division

Environmental equipment and supplies for EPA regulations — contract per
Ord. 978-06 to Fisher Scientific Company, LLC. — Dept. of Public Utilities
(BOC Res. 13-07) 36
Safety equipment for OSHA regulations — contract per Ord. 1028-05 to
Ohio Machinery Co., dba Ohio CAT — Dept. of Public Utilities
(BOC Res. 11-07) 36

Board of Control — Community Development Department

Kingsbury Road fencing replacement project — contract per Ord. 701-04
to Ballast Construction, Inc. — Dept. of Public Service
(BOC Res. 14-07) 37

Board of Control — Economic Development Department

Trinity property (9203 Detroit Ave.) demolition and clean-up — contract
per Ord. 23-06 to OBO Demolition and Construction
(BOC Res. 19-07) 37

Board of Control — Finance Department

Moving services — per Ord. 1622-06 — all bids rejected (BOC Res. 7-07) 35

Board of Control — Police Division

Examination for entry level Police Officer — contract per Ord. 788-06
to E.E. Jacobs, LLC — Dept. of Public Safety
(BOC Res. 20-07) 38

Board of Control — Professional Service Contracts

Engineering services — contract per Ord. 1025-05 to URS Corporation —
Dept. of Public Utilities (BOC Res. 8-07) 35

Environmental Housing Assessments for Limited Assessment Minor Repair
Initiative (LAMRI) — contract per Ord. 942-06 to Lead Techs —
Dept. of Public Health (BOC Res. 15-07) 37

Environmental Housing Assessments for Limited Assessment Minor Repair
Initiative (LAMRI) — contract per Ord. 942-06 to GETCO Environmental —
Dept. of Public Health (BOC Res. 16-07) 37

Environmental Housing Assessments for Limited Assessment Minor Repair
Initiative (LAMRI) — contract per Ord. 942-06 to J.A. Consultants —
Dept. of Public Health (BOC Res. 17-07) 37

Environmental Housing Assessments for Limited Assessment Minor Repair
Initiative (LAMRI) — contract per Ord. 942-06 to Loraine Allamby —
Dept. of Public Health (BOC Res. 18-07) 37

Examination for entry level Police Officer — contract per Ord. 788-06 to
E.E. Jacobs, LLC — Division of Police, Dept. of Public Safety
(BOC Res. 20-07) 38

Board of Control — Public Health Department

Environmental Housing Assessments for Limited Assessment Minor Repair
Initiative (LAMRI) — contract per Ord. 942-06 to Lead Techs
(BOC Res. 15-07) 37

Environmental Housing Assessments for Limited Assessment Minor Repair
Initiative (LAMRI) — contract per Ord. 942-06 to GETCO Environmental
(BOC Res. 16-07) 37

Environmental Housing Assessments for Limited Assessment Minor Repair
Initiative (LAMRI) — contract per Ord. 942-06 to J.A. Consultants
(BOC Res. 17-07) 37

Environmental Housing Assessments for Limited Assessment Minor Repair
Initiative (LAMRI) — contract per Ord. 942-06 to Loraine Allamby
(BOC Res. 18-07) 37

Board of Control — Public Improvement Contracts

Kingsbury Road fencing replacement project — contract per Ord. 701-04 to
Ballast Construction, Inc. — Depts. of Public Service and Community
Development (BOC Res. 14-07) 37

Marcella Road sanitary sewer relining project — contract per Ord. 871-06 to United
Survey, Inc. — Division of Water Pollution Control, Dept. of Public Utilities
(BOC Res. 10-07) 36

Trinity property (9203 Detroit Ave.) demolition and clean-up — contract per Ord. 23-06
to OBO Demolition and Construction — Dept. of Economic Development
(BOC Res. 19-07) 37

Board of Control — Public Safety Department

Examination for entry level Police Officer — contract per Ord. 788-06 to
E.E. Jacobs, LLC — Division of Police (BOC Res. 20-07) 38

Board of Control — Public Service Department

Kingsbury Road fencing replacement project — contract per Ord. 701-04 to
Ballast Construction, Inc. — Dept. of Community Development
(BOC Res. 14-07) 37

Board of Control — Public Utilities Department

Chemicals, neutralization — contract per C.O. Sec. 129.24 to Bonded Chemicals, Inc. —
 Division of Water (BOC Res. 9-07) 36

Engineering services — contract per Ord. 1025-05 to URS Corporation (
 BOC Res. 8-07) 35

Environmental equipment and supplies for EPA regulations — contract per Ord. 978-06 to
 Fisher Scientific Company, LLC. (BOC Res. 13-07) 36

Marcella Road sanitary sewer relining project — contract per Ord. 871-06 to United
 Survey, Inc. — Division of Water Pollution Control (BOC Res. 10-07) 36

Safety equipment for OSHA regulations — contract per Ord. 1028-05 to Ohio Machinery Co.,
 dba Ohio CAT (BOC Res. 11-07) 36

Sewer maintenance appurtenances — slabs — contract per C.O. Sec. 129.27 to Perk Co., Inc. —
 Division of Water Pollution Control (BOC Res. 12-07) 36

Board of Control — Requirement Contracts

Chemicals, neutralization — contract per C.O. Sec. 129.24 to Bonded Chemicals, Inc. —
 Division of Water, Dept. of Public Utilities (BOC Res. 9-07) 36

Environmental equipment and supplies for EPA regulations — contract per Ord. 978-06 to
 Fisher Scientific Company, LLC. — Dept. of Public Utilities
 (BOC Res. 13-07) 36

Safety equipment for OSHA regulations — contract per Ord. 1028-05 to Ohio Machinery Co.,
 dba Ohio CAT — Dept. of Public Utilities (BOC Res. 11-07) 36

Sewer maintenance appurtenances — slabs — contract per C.O. Sec. 129.27 to
 Perk Co., Inc. — Division of Water Pollution Control, Dept. of Public Utilities
 (BOC Res. 12-07) 36

Board of Control — Water Division

Chemicals, neutralization — contract per C.O. Sec. 129.24 to Bonded Chemicals, Inc. —
 Dept. of Public Utilities (BOC Res. 9-07) 36

Environmental equipment and supplies for EPA regulations — contract per Ord. 978-06 to
 Fisher Scientific Company, LLC. — Dept. of Public Utilities
 (BOC Res. 13-07) 36

Safety equipment for OSHA regulations — contract per Ord. 1028-05 to Ohio Machinery Co.,
 dba Ohio CAT — Dept. of Public Utilities (BOC Res. 11-07) 36

Board of Control — Water Pollution Control Division

Environmental equipment and supplies for EPA regulations — contract per
 Ord. 978-06 to Fisher Scientific Company, LLC. — Dept. of Public Utilities
 (BOC Res. 13-07) 36

Marcella Road sanitary sewer relining project — contract per Ord. 871-06 to United
 Survey, Inc. — Dept. of Public Utilities (BOC Res. 10-07) 36

Safety equipment for OSHA regulations — contract per Ord. 1028-05 to Ohio Machinery Co.,
 dba Ohio CAT — Dept. of Public Utilities (BOC Res. 11-07) 36

Sewer maintenance appurtenances — slabs — contract per C.O. Sec. 129.27 to Perk Co., Inc. —
 Dept. of Public Utilities (BOC Res. 12-07) 36

Board of Zoning Appeals — Report

East 152nd Street, 944, (Ward 10) — Rajamikant Patel, owner — appeal heard on 1/16/2007
 (Cal. 06-204) 38

Mayview Avenue, 1325, (Ward 15) — John Cruz, owner — appeal heard on 1/16/07
 (Cal. 06-263) 38

Murray Hill Road, 2161, (Ward 6) — Diana and Leo Lenzo, owners — appeal heard on 1/16/07
 (Cal. 06-251) 38

Pearl Road, 4755, (Ward 16) — ASD Corporation, owner and Sam Shah — appeal granted and
 adopted on 1/16/2007 (Cal. 06-190) 39

South Waterloo Road, 16606-16702, (Ward 11) — Joseph Mobily, owner and Jim Dupee, tenant —
 appeal postponed to 2/26/07 on 1/16/07 (Cal. 06-256) 39

Wakefield Avenue, 6020, (Ward 17) — Luis Martinez and Leonel Pena, owners — appeal heard
 on 1/16/07 (Cal. 06-257) 38

West 134th Street, 3881, (Ward 20) — Clyde Gazda, owner — appeal heard on 1/16/2007
 (Cal. 06-245) 38

Board of Zoning Appeals — Schedule

East 79th Street, 3360, (Ward 5) — Jack Levine and Son, Inc. and Myron Levine, owner - appeal to be heard on 1/29/2007 (Cal. 06-265) 38

Lorain Street, 17119, (Ward 21) — Pat Campbell, owner — appeal to be heard on 1/29/2007 (Cal. 07-2)..... 38

West 150th Street, 3812, (Ward 21) — Raymond Torok, owner, and Chandra Venkataraman, prospective purchaser — appeal to be heard on 1/29/2007 (Cal. 07-4)..... 38

West 41st Place, 2266, (Ward 14) — North Acres, owner and Stanley Roediger — appeal to be heard on 1/29/2007 (Cal. 06-264)..... 38

City Council

Anti-Idling Policy — regulate private commercial fleet vehicles — Council’s intent to enact Anti-Idling legislation (R 14-07)..... **43**

City of Cleveland Bids

Batteries, dry cell — Department of Finance — per Ord. — bid due February 7, 2007 (advertised 1/17/2007 and 1/24/2007)..... 41

Building materials and used paving bricks (Re-bid) — Department of Finance — per Ord. 601-06 — bid due February 8, 2007 (advertised 1/17/2007 and 1/24/2007)..... 41

Cab / chassis with front load packer body — Department of Public Service — Division of Motor Vehicle Maintenance — per Ord. 887-06 — bid due February 2, 2007 (advertised 1/17/2007 and 1/24/2007)..... 41

Cold mix — Department of Public Service — Division of Streets — per Ord. 1054-06 — bid due February 1, 2007 (advertised 1/10/2007 and 1/17/2007)..... 40

Debris disposal at landfill — Department of Public Utilities — Division of Water — per Ord. 601-06 — bid due February 9, 2007 (advertised 1/17/2007 and 1/24/2007) 41

Distribution System Water Quality Monitoring System — Phase 1 — Department of Public Utilities — Division of Water — per Ord. 1520-02, 1628-06 — bid due February 7, 2007 (advertised 1/10/2007 and 1/17/2007)..... 41

Distribution water mains — Area 2007-A, cleaning and cement mortar lining of — Department of Public Utilities — Division of Water — per Ord. 1843-06 — bid due February 7, 2007 (advertised 1/10/2007 and 1/17/2007) 41

Distribution water mains — Area 2007-B, cleaning and cement mortar lining of — Department of Public Utilities — Division of Water — per Ord. 1843-06 — bid due February 9, 2007 (advertised 1/10/2007 and 1/17/2007) 41

Exterminating services — Department of Finance — per Ord. 2047-06 — bid due February 8, 2007 (advertised 1/17/2007 and 1/24/2007) 41

Landscape materials — Department of Finance — per Ord. 237-06 — bid due January 31, 2007 (advertised 1/10/2007 and 1/17/2007)..... 40

Moving services — Department of Finance — per Ord. 1622-06 — bid due January 31, 2007 (advertised 1/10/2007 and 1/17/2007) 40

Rockefeller Park Greenhouse workbench repair — Department of Parks, Recreation and Properties — Division of Park Maintenance and Properties — per Ord. 2202-04 — bid due January 31, 2007 (advertised 1/10/2007 and 1/17/2007)..... 40

Sodium hypochlorite solution — Department of Public Utilities — Division of Water — per C.O. Sec. 129.24 — bid due February 23, 2007 (advertised 1/17/2007 and 1/24/2007) 41

SS1 tack coat — Department of Public Service — Division of Streets — per Ord. 1053-06 — bid due February 1, 2007 (advertised 1/10/2007 and 1/17/2007) 40

Tire repair road service — Department of Public Service — Division of Motor Vehicle Maintenance — per Ord. 501-06 — bid due February 1, 2007 (advertised 1/10/2007 and 1/17/2007)..... 40

Cleveland Municipal Court

Drug and alcohol testing services — contract — Cuyahoga County Corrections Planning Board — Cuyahoga County Court of Common Pleas Adult Probation Department Drug Testing Laboratory (O 2076-06) **45**

Legal services — contract — Cuyahoga County Public Defender Commission (O 2005-06)..... **43**

Cleveland Public Schools

Trans fats — banned from City’s public schools — encourage the Cleveland School District — amend Res. 2104-06 (R 12-07) 42

Collective Bargaining Agreements

Cleveland Association of Firefighters, Local 93 — collective bargaining agreements — amend Sec. 55 of Ord. 289-06 (O 9-07) 45

Contracts

Drug and alcohol testing services — Cuyahoga County Corrections Planning Board — Cuyahoga County Court of Common Pleas Adult Probation Department Drug Testing Laboratory (O 2076-06) 45

Legal services — Cuyahoga County Public Defender Commission (O 2005-06) 43

County Auditor

Advances — year 2007 (R 10-07) 41

Cuyahoga County

Drug and alcohol testing services — contract — Cuyahoga County Corrections Planning Board — Cuyahoga County Court of Common Pleas Adult Probation Department Drug Testing Laboratory (O 2076-06) 45

Legal services — contract — Cuyahoga County Public Defender Commission (O 2005-06) 43

Finance Department

Advances — year 2007 — County Auditor (R 10-07) 41

Drug and alcohol testing services — contract — Cuyahoga County Corrections Planning Board — Cuyahoga County Court of Common Pleas Adult Probation Department Drug Testing Laboratory (O 2076-06) 45

Dry cell batteries — purchase — various divisions (O 2044-06) 44

Exterminating services — purchase — various divisions (O 2047-06) 44

Keys, locks, and hardware — purchase — various divisions (O 2046-06) 44

Legal services — contract — Cuyahoga County Public Defender Commission (O 2005-06) 43

Overhead doors — maintain and repair — various divisions (O 2048-06) 45

Work clothing — rental and laundry — various divisions — amend Ord. 240-06 (O 2008-06) 43

Glenville Development Corporation

Troy Smith and the Glenville 7 — banners — honoring (O 15-07) 46

Health Care Coverage

Healthcare access and treatment — disparities — National Healthcare Disparities Report — Institute of Medicine study — President’s New Freedom Commission (R 11-07) 42

Health Department

Trans fats — banned from City’s public schools — encourage the Cleveland School District — amend Res. 2104-06 (R 12-07) 42

Personnel Department

Cleveland Association of Firefighters, Local 93 — collective bargaining agreements — amend Sec. 55 of Ord. 289-06 (O 9-07) 45

Resolutions — Miscellaneous

Anti-Idling Policy — regulate private commercial fleet vehicles — Council's intent to enact Anti-Idling legislation (R 14-07)	43
Euclid Township Charter Bicentennial, 1809-2009 — support township-wide celebration (R 13-07).....	42
Healthcare access and treatment — disparities — National Healthcare Disparities Report — Institute of Medicine study — President's New Freedom Commission (R 11-07).....	42
Trans fats — banned from City's public schools — encourage the Cleveland School District — amend Res. 2104-06 (R 12-07)	42

Salaries

Cleveland Association of Firefighters, Local 93 — collective bargaining agreements — amend Sec. 55 of Ord. 289-06 (O 9-07)	45
--	----

Service Department

Glenville Development Corporation — banners — honoring Troy Smith and the Glenville 7 (O 15-07)	46
---	----

Unions

Cleveland Association of Firefighters, Local 93 — collective bargaining agreements — amend Sec. 55 of Ord. 289-06 (O 9-07)	45
--	----

Ward 09

Glenville Development Corporation — banners — honoring Troy Smith and the Glenville 7 (O 15-07)	46
---	----