

The City Record

Official Publication of the City of Cleveland

April the Twenty-Sixth, Two Thousand

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

Ward	Name	Residence	
1	Joseph T. Jones	15601 Lotus Drive	44128
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3032 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Dona Brady	1272 West Boulevard	44102
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

Clerk of Council – Ruby F. Moss, 216 City Hall, 664-2840.
First Assistant Clerk – Sandra Franklin.

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

DEPT. OF LAW – Cornell P. Carter, Director, Pinky Carr, Chief Counsel, Room 106
Lauren Moore, Chief City Prosecutor; Criminal Branch – Justice Center 8th Floor, Court Towers, 1200 Ontario Street
Karen E. Martinez, Law Librarian, Room 100

DEPT. OF FINANCE – Ronald Brooks, Director, Room 104;
Frank Badalamenti, Manager, Internal Audit
DIVISIONS – Accounts – Gayle Goodwin Smith, Commissioner, Room 19
City Treasurer – Algeron Walker, Treasurer, Room 115
Assessments and Licenses – Robert J. Schneider, Commissioner, Room 122
Purchases and Supplies – Myrana Branche, Commissioner, Room 128
Printing and Reproduction – James D. Smith, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
Financial Reporting and Control – Robert Dolan, Controller, Room 18
Information Systems Services – Joyce Thomas, Acting Commissioner, 1404 E. 9th St.

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

DEPT. OF PORT CONTROL – LaVonne Sheffield-McClain, Director,
Cleveland Hopkins International Airport, 5300 Riverside Drive;
Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner
Burke Lakefront Airport – _____, Commissioner

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

DEPT. OF PUBLIC HEALTH – Michele Whitlow, Director, Mural Building
1925 St. Clair Avenue
DIVISIONS – Health – Cheri Hahn, Commissioner, Mural Building,
1925 St. Clair Avenue
Environment – Donald Culp, Commissioner, Mural Building,
1925 St. Clair Avenue
Correction – Thomas Hardin, Commissioner, Cleveland House of
Corrections, 4041 Northfield Road

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 87

WEDNESDAY, APRIL 26, 2000

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CITY COUNCIL

MONDAY, APRIL 24, 2000

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216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Dolan, Chairman; O'Malley, Vice Chairman; Jones, Patmon, Robinson, Rybka, Sweeney.
10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Patmon, Vice Chairman; Britt, Cimperman, Coats, Gordon, Jackson, Melena, Sweeney.

WEDNESDAY—Alternating

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

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

The following Committee is subject to the Call of the Chairman:
Mayor's Appointment Committee: O'Malley, Chairman; Britt, Cimperman, Patmon, Sweeney.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

ORDINANCES

Ord. No. 324-99.

By Councilmen Jones, Zone and Johnson (by departmental request).
An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 133.34 thereof, relating to greenhouse fees.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 133.34 thereof, to read respectively, as follows:

Section 133.34 Greenhouse Fees

(a) The Director of Parks, Recreation and Properties shall assess and collect fees for the use of the City Greenhouse in accordance with the following schedule for City Residents:

(1) Photo shoots (a maximum of 4 hours)	\$ 50.00
(2) Wedding ceremonies and photo shoots (a maximum of 4 hours)	\$100.00

(b) The Director of Parks, Recreation and Properties shall assess and collect fees for the use of the City Greenhouse in accordance with the following schedule for non-City Residents:

(1) Photo shoots (a minimum of 2 hours)	\$ 40.00 per hour
(2) Wedding ceremonies and photo shoots	\$ 40.00 per hour plus rental of chairs

Section 2. That the information on Greenhouse permit fees provided to the Committee on Public Parks, Property and Recreation by the Director of Parks, Recreation and Properties shall be contained in File No. 342-99-A and maintained by the Clerk of Council.

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

Ord. No. 2160-99.

By Councilman Cintron (by request).

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

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to 2888 Detroit LLC, 22348 Professor Avenue, P.O. Box 91644, Cleveland, Ohio 44101-3644, its successors and assigns, for the construction, use and maintenance of a parking lot, and security fencing with special City of Cleveland Fire Department approved safety gates, which will encroach into the public right-of-way of West 29th Street and Vermont Avenue N.W. at the locations described as follows:

**PROPOSED ENCROACHMENT
AREA/VERMONT AVENUE &
WEST 29TH STREET**

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and known as being all that portion of West 29th Street (66.00 feet wide) extending Northerly from the Northerly line of Detroit Avenue N.W. (width varies) as widened to the **Northerly line** of Vermont Avenue N.W. (width varies).

AND

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all that portion of Vermont Avenue N.W. (width varies) extending Easterly from the Easterly line of West 29th Street (66.00 feet wide) to the Northerly prolongation of the **Easterly line** of the property conveyed to 2888 Detroit LLC by deed recorded in Volume 98-09990, Page 1 of Cuyahoga County Deed Records, and being also known as Permanent Parcel Number 003-14-027.

Section 2. That said parking lot, security fencing, and gates, will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. And, that all other required permits, including a building permit shall be obtained before said parking lot, security fencing and gates are constructed.

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

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

Ord. No. 2178-99.

By Councilman Britt.

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

Ord. No. 63-2000.

By Councilman Polensek.

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

Ord. No. 109-2000.

By Councilmen Melena and Westbrook.

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

Ord. No. 139-2000.

By Councilman Gordon.

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

Ord. No. 253-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of paper and envelopes, for the Division of Printing and Reproduction, Department of Finance.

Ord. No. 254-2000.

By Councilman Patmon (by departmental request).

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

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

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

Section 1. That the Director of Finance is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) ECRM image setter package, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Printing and Reproduction, Department of Finance.

Section 2. That the cost of said contract hereby authorized shall **not to exceed \$36,500 and shall be paid from Fund No. 70-301, Request No. 15336.**

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

Ord. No. 258-2000.

By Councilmen Dolan and Patmon (by departmental request).

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

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

a municipal department; now, therefore,

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

Section 1. That the Director of Port Control ("Director") is hereby authorized to enter into a Lease By Way of Concession ("Lease") with U.S. Airways ("Lessee") for approximately 27,300 square feet of space known as Bay 3 of the Primary Hangar (the "Premises") at Cleveland Hopkins International Airport for use as an aircraft maintenance facility and approximately 32,760 square feet of **preferential use** ramp area adjacent to the Premises. The term of said Lease shall be for three (3) years, with a City-option to renew for an additional three (3) years. The rent for the Premises shall be \$5.50 per square foot, the rent for the **preferential use** ramp area shall be \$0.40 per square foot. The City shall issue credits against rent, in an amount not to exceed \$360,000, for improvements made to the Premises, provided such improvements are first approved by the Director, in writing.

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

Section 3. That the Lease authorized herein shall not be amended or extended without City Council authorization.

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

Ord. No. 265-2000.

By Councilmen Cintron and Patmon (by departmental request).

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

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of **one year** of the necessary items of rebuilt or remanufactured automatic Allison transmissions, including installation if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a peri-

od less than **one year** may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. **All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the immediately preceding year.** (RL 17521)

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

Ord. No. 266-2000.
By Councilmen Cintron and Patmon (by departmental request).

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

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of **one year** for the necessary items of labor and materials necessary to repair or replace the fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, and stationary air compressor, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than **one year** may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent

purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. **All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term.** (RL 17522)

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

Ord. No. 270-2000.
By Councilmen Cintron and Patmon (by departmental request).

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

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of **one year** of the necessary items of Chevrolet-GMC passenger car, police car, van and truck parts, including labor to install if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than **one year** may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. **All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the immediately preceding year.** (RL 17519)

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

from and after the earliest period allowed by law.

Ord. No. 272-2000.
By Councilmen Cimperman, Polensek, Rybka and Patmon (by departmental request).

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

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 and Section 133.24 of the Codified Ordinances of Cleveland, Ohio, 1976, the Directors of Public Safety and Parks, Recreation and Properties are hereby authorized to enter into a property adoption agreement with the Cleveland Fire Fighters' Memorial Fund for the construction and maintenance of the Cleveland Fire Fighters' Memorial, on an area of the North Coast Harbor described as follows:

PARCEL PROPOSED TO BE LEASED BY CLEVELAND FIREFIGHTERS MEMORIAL FUND
Sited in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Original Two Acre Lot Nos. 16, 17 and 18, together forming a parcel of land, bounded and described as follows:

Beginning at the Easterly end of a curved turn-out connecting the North-easterly line of Relocated Erieside Avenue N.E., 70 feet in width, and the Northwesterly line thereof;

Course No. 1:
Thence Northwesterly along said curved turnout, being along the arc of a circle deflecting to the right, 62.69 feet to a point of tangency in said Northwesterly line of Relocated Erieside Avenue N.E., said curved line having a radius of 40.00 feet and a chord which bears North 79°-02'-42" West a distance of 56.47 feet;

Course No. 2:
Thence North 34°-08'-55" West along said Northwesterly line of Relocated Erieside Avenue N.E., 161.28 feet to a point on a curved line of the Southeasterly line of an existing exit drive of the Science Center Museum;

Course No. 3:
Thence Northeasterly along the arc of a circle deflecting to the right, 7.67 feet to a point of the original Northerly curved line of Erieside Avenue N.E., said curved line having a radius of 25.00 feet and a chord which bears North 27°-12'-55" East a distance of 7.64 feet;

Course No. 4:
Thence Southerly along the original Northerly curved line of Erieside Avenue N.E., along the arc of a circle deflecting to the left, 355.55 feet to a point of tangency in the Northwesterly line of said Original Erieside Avenue N.E., said curved line having a radius of 265.00 feet

and a chord which bears South 85°-30'-17" East a distance of 329.48 feet;

Course No. 5:

Thence South 56°-03'-30" West along said Northwesterly line of Relocated Erieside Avenue N.E., 224.19 feet to the place of beginning, containing 14,461 square feet of land (0.3320 acres), as compiled from record data by Garrett and Associates, Inc., Registered Engineers and Surveyors, in March, 1999, be the same more or less, but subject to all legal highways.

The bearings used herein are based on an assumed meridian and are used only to denote angles.

Section 2. That this property adoption shall not be construed as a conveyance of any right, title, or interest in public property, but is the grant of a privilege revocable at the will of the Council.

Section 3. That the Director of Parks, Recreation and Properties is authorized to accept the gift of any improvements to the adopted property constructed by the Cleveland Fire Fighters' Memorial Fund.

Section 4. That the property adoption agreement hereby authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions as said Director deems necessary to protect and benefit the public interest.

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

Ord. No. 322-2000.

By Councilmen Dolan and Patmon (by departmental request).

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

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

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

Section 1. That the Director of Port Control is hereby authorized to employ by contract one or more computer consultants or one or more firms of computer consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to network administration, including software assistance and required materials for Cisco computer products.

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

riized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 2. That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

Section 3. That the costs of the contract authorized herein shall not exceed \$20,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8262.

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

Ord. No. 323-2000.

By Councilmen Dolan and Patmon (by departmental request).

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

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

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

Section 1. That the Director of Port Control is hereby authorized to employ by contract one or more computer consultants or one or more firms of computer consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide client and server administration, including software; maintenance and support of MicroSoft computer products.

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

Section 2. That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

Section 3. That the costs of the contract authorized herein shall not exceed \$40,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8260.

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

Ord. No. 324-2000.

By Councilmen Dolan and Patmon (by departmental request).

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

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

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

Section 1. That the Director of Port Control is hereby authorized to employ by contract one or more computer consultants or one or more firms of computer consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary for programming, materials, software development and design for existing and new computer applications.

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

Section 2. That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

Section 3. That the costs of the contract authorized herein shall not exceed \$40,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8258.

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

Ord. No. 325-2000.

By Councilmen Dolan and Patmon (by departmental request).

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

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

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

Section 1. That the Director of Port Control is hereby authorized to employ by contract one or more web site developers or one or more firms of web site developers for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional ser-

vices necessary to web site development and implementation, including software and other required materials.

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

Section 2. That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

Section 3. That the costs of the contract authorized herein shall not exceed \$15,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8263.

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

Ord. No. 326-2000.

By Councilmen Dolan and Patmon (by departmental request).

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

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

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

Section 1. That the Director of Port Control is hereby authorized to employ by contract one or more computer consultants or one or more firms of computer consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to support services, installations, upgrades, programming administration, including software and materials required for Oracle computer products.

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

Section 2. That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

Section 3. That the costs of the contract authorized herein shall not exceed \$25,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8261.

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

Ord. No. 329-2000.

By Councilmen Dolan and Patmon (by departmental request).

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

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

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

Section 1. That the Director of Port Control is hereby authorized to employ by contract one or more telecommunication consultants or one or more firms of telecommunication consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide maintenance and administrative services for telephone equipment.

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

Section 2. That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

Section 3. That the costs of the contract authorized herein shall not exceed \$15,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8264.

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

Ord. No. 330-2000.

By Councilmen Dolan and Patmon (by departmental request).

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

Ord. No. 366-2000.

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

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

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. **All expenditures under the contract authorized herein shall not exceed \$320,000.00.** (RL 134)

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

Ord. No. 475-2000.

By Councilmen Patmon and Rybka (by departmental request).

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

Ord. No. 476-2000.

By Councilmen Gordon and Patmon (by departmental request).

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

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$2,053,271 from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment in accordance with the purposes set forth in the respective application; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to apply for and receive the funds under said grants; and that said funds be appropriated for the purposes set forth in the application for said grants.

Section 2. That the application for said grant, File No. 476-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the sum of \$392,993, from the Division of Environment's General Fund budget in order to receive the grant from the U.S. Environmental Protection Agency.

Section 3. That the Director of Public Health is hereby authorized to enter into contracts for the purchase of equipment and services necessary to implement the Program, and that said contracts are payable from the fund or funds to which are credited the grant proceeds accepted pursuant to this ordinance.

Section 4. That the chairperson of the Public Health Committee shall be copied on all memorandum and correspondence between the Department of Public Health and the Ohio Environmental Protection Agency.

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

Ord. No. 523-2000.

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2000-2001 Federal Child Lead Poison Prevention Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$312,000, from the Ohio Department of Health, to conduct the 2000-2001 Federal Child Lead Poison Prevention Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; **and that said grant funds shall not be expended until first authorized by ordinance or resolution of this Council.**

Section 2. That the application for said grant, File No. 523-2000-A, made a part hereof as if fully rewritten herein, including the obligation to devote program income from first and third party billings, estimated at \$95,645, is hereby approved in all respects.

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

Ord. No. 524-2000.

By Councilmen Rybka and Patmon (by departmental request).

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

Ord. No. 525-2000.

By Councilmen White and Patmon (by departmental request).

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

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to apply for and accept a grant in the amount of \$8,391,886, from the Ohio Department of Human Services, to conduct the Temporary Assistance to Needy Families Program, for the purposes set forth in the application and according thereto; that the Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 525-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 526-2000.

By Councilmen White and Patmon (by departmental request).

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

Whereas, pursuant to Ordinance No. 522-99, passed March 29, 1999, this Council authorized the Director of Personnel and Human Resources to accept allocations of grants from the State of Ohio Bureau of Employment Services under Title II and III of the Job Training Partnership Act and to appropriate such funds to provide for administration of the JTPA program; and

Whereas, additional allocations have become available to the City of Cleveland from the State of Ohio Bureau of Employment Services which will provide additional services under the grant accepted by Ordinance No. 522-99; and

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to accept additional allocations from the State of Ohio Bureau of Employment Services Power OHIO under Titles II and III of the Job Training Partnership Act and the Governor's Reserve Grant in an aggregate amount of **\$76,000**, for the purposes set forth in the application contained in File No. **522-99-A** and according thereto. That the Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to receive the funds authorized above; and that said additional allocations are hereby appropriated for the purposes set forth in File No. **522-99-A**.

Section 2. That the Director of Personnel and Human Resources is hereby authorized to enter into an amendment to Contract No. 55656 with United Labor Agency to provide for additional services under this agreement, and shall increase the amount of the contract by \$77,988.00. Said increase shall be paid from Fund Nos. 15 SF 093 and 15 SF 200.

Section 3. That this amendment to Contract to 55656 shall be prepared and approved by the Director of law and shall contain such provisions as he deems necessary to protect the public interest.

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

RESOLUTION

Res. No. 276-2000.

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

BOARD OF CONTROL

April 19, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 19, 2000, at 11:00 a.m. with Mayor White presiding.

Present: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Absent: Director Carter.
Others: Myrna Branche, Commissioner, Purchases and Supplies, Lucille Ambroz, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 239-00.

By Director Brooks.
Resolved, by the Board of Control of the City of Cleveland that the bid of Concretech, a Division of Libby Construction for an estimated quantity of Ready Mix Concrete (all items), for the various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on March 31, 2000, pursuant to the authority of Ordinance No. 705-99, passed May 17, 1999, which on the basis of the estimated quantity would amount to One Million Four Hundred Eighty-One Thousand Seven Hundred Fifty and 00/100 Dollars, (\$1,481,750.00), (2%, 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. RE-08871 which shall be certified against such contract in the sum of Seventy-Four Thousand Eighty-Seven and 50/100 Dollars (\$74,087.50).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.
Absent: Director Carter.

Resolution No. 240-00.

By Director Brooks.
Resolved, by the Board of Control of the City of Cleveland that the bid of First Energy Services for an estimated quantity of Natural Gas (all

items), for the various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on April 12, 2000, pursuant to the authority of Ordinance No. 252-00, passed April 10, 2000, which on the basis of the estimated quantity would amount to One Million Two Hundred Sixty-Six Thousand Nine Hundred Four and 95/100 Dollars, (\$1,266,904.95), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. RE-23432 which shall be certified against such contract in the sum of Sixty-Five Thousand and 00/100 Dollars (\$65,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.
Absent: Director Carter.

Resolution No. 241-00.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of Utilicon Corporation for the public improvement of year 2000 cleaning and cement lining of distributions areas 2000 -1, -2, and -3 and a 10% contingency allowance for the Division of Water, Department of Public Utilities, received on March 29, 2000, pursuant to the authority of Ordinance No. 215-2000, passed March 6, 2000, for a gross price for the improvement in the aggregate amount of Two Million Fifty Thousand Fifty Five Dollars and Seventy Cents (\$2,050,055.70), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Utilicon Corporation, for the above-mentioned public improvement is hereby approved:

SUBCONTRACTOR WORK

RMC, Inc.
MBE — \$323,700.00

Choice Construction Co., Inc.
FBE — \$112,000.00

DanRay Construction
MBE — \$112,500.00

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.
Absent: Director Carter.

Resolution No. 242-00.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Cooper Landscaping, Inc. for an estimated quantity of landscaping, item nos. 1 and 2, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract received on the 23rd day of March, 2000, pursuant to the authority of 1260-99, passed August 11, 1999 on the basis of the estimated quantity would amount to One Hundred Twenty Five Thousand and no/100 Dollars, (\$125,000.00), (Net 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 15533 which shall be certified against such contract in the sum of Twenty Thousand no/100 Dollars (\$20,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.
Absent: Director Carter.

Resolution No. 243-00.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of Utilicon Corporation for the public improvement of year 2000 cleaning and cement lining of distribution areas 2000 -4, -5, and -6 and a 10% contingency allowance for the Division of Water, Department of Public Utilities, received on March 31, 2000, pursuant to the authority of Ordinance No. 215-2000, passed March 6, 2000, for a gross price for the improvement in the aggregate amount of One Million Seven Hundred Eighty Nine Thousand Three Hundred Fifty Five Dollars and Seventy Cents (\$1,789,355.70), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Utilicon Corporation, for the above-mentioned public improvement is hereby approved:

SUBCONTRACTOR WORK

RMC, Inc.
MBE — \$292,500.00

Choice Construction Co., Inc.
FBE — \$97,500.00

Dan Ray Construction
MBE — \$97,500.00

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whit-

low, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.

Absent: Director Carter.

Resolution No. 244-00.

By Director Sheffield-McClain.

Whereas, pursuant to the authority of Ordinance No. 163-96, passed by Cleveland City Council on May 20, 1996, the City of Cleveland entered into a Lease By Way of Concession ("Agreement") with Host International, Inc. ("Host"), City Contract No. 33958, for Host's use of certain space in the Airport Terminal Building at Cleveland Hopkins International Airport; and

Whereas, pursuant to Article XVII of said Agreement Host desires to sublease part of its leased premises at Cleveland Hopkins International Airport to Divine Enterprises, LLC ("Divine"); and

Whereas, subleasing of said premises to Divine shall not constitute a release or waiver of any of Host's obligations under City Contract No. 33958; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the terms of the Agreement, this Board does hereby approve the request of Host to enter into a sublease with Divine for Divine's exclusive use of approximately eight hundred (800) square feet of space in the rotunda of Concourse C, commencing on the earlier of (i) sixty (60) days from plan approval by the Director of Port Control, or (ii) the date Divine opens for business in the leased premises for a period of five (5) years thereafter, provided that the terms of such sublease shall not be in conflict with the terms of City Contract No. 33958.

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.
Absent: Director Carter.

Resolution No. 245-00.

By Director Sheffield-McClain.

Whereas, pursuant to the authority of Ordinance No. 1602-A-78 which was passed by Council on March 12, 1979, on April 6, 1979, the City entered into City Contract No. 29768 ("Lease By Way Of Concession") with Lessee (Park Corporation) for the principal purpose of operating a fixed base operation and hangar facility and for carrying on an air-freight operation; and

Whereas, pursuant to the authority of Ordinance No. 184-81 which was passed by Council on March 8, 1982, the City entered into a supplement to said Lease By Way Of Concession by which the City leased additional City-owned property to lessee to provide additional parking space for autos; and

Whereas, pursuant to Section 20.1 of said Lease By Way Of Conces-

sion, Lessee now, desires to enter into a sublease of the entire leased premises to Jet Aviation Center of Cleveland LLC; and

Whereas, the sublease agreement shall not release or waive any of Lessee's obligations under City Contract No. 29768; now, therefore

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the terms of said Lease By Way Of Concession, this Board does hereby approve the request of Lessee (Park Corporation) to enter into a sublease agreement with Jet Aviation Center of Cleveland LLC of the entire leased premises for the principal purposes enumerated above, provided that the terms of the sublease agreement shall not be in conflict with the terms of City Contract No. 29768.

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.
Absent: Director Carter.

Resolution No. 246-00.

By Director Sheffield-McClain.

Whereas, pursuant to Ordinance No. 229-82, passed by the Council of the City on May 17, 1982, the City entered into a Lease By Way Of Concession with Beckett Aviation Corporation for the operation of a fixed base operation ("FBO") at Cleveland Hopkins International Airport ("Airport"), City Contract No. 32713 ("Original Lease"); and

Whereas, pursuant to Board of Control Resolution No. 54-86, adopted January 29, 1986, Beckett Aviation Corporation subleased its FBO premises and assigned its FBO rights and duties under the Original Lease to Aero Services International, Inc. ("Aero"); and

Whereas, the Original Lease was amended on January 30, 1987, September 24, 1987 and February 20, 1990; and

Whereas, pursuant to Board of Control Resolution No. 799-93, adopted September 15, 1993, Aero subleased its FBO premises and assigned its FBO rights and duties under the Original Lease, as amended, to Air Services of Cleveland, Inc.; and

Whereas, pursuant to Ordinance No. 1226-98, passed by City Council on October 5, 1998, the Original Lease was amended to reflect a change in the leased premises governed by said Original Lease (resulting in a net gain of approximately 6821 square feet to the leased premises); and

Whereas, pursuant to Section 9.A. (General Provisions) of said Lease By Way Of Concession, Air Services of Cleveland, Inc. now desires to enter into a Stock Purchase Agreement with Jet Aviation Group, LLC relative to all of the stock owned by Air Services of Cleveland, Inc.; and

Whereas, the Stock Purchase Agreement shall not release or waive any of Air Service of Cleve-

land, Inc.'s obligations under City Contract No. 32713; now, therefore

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the terms of said Lease By Way Of Concession, this Board does hereby approve the request of Air Services of Cleveland, Inc. to transfer all of its stock to Jet Aviation Group, LLC pursuant to a Stock Purchase Agreement by and between the two parties, provided that the terms of the Stock Purchase Agreement shall not be in conflict with the terms of City Contract No. 32713, as amended.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the Stock Purchase Agreement hereby approved, which documents shall contain such additional terms and conditions as the Director shall deem necessary to protect the City's interests.

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.
Absent: Director Carter.

Resolution No. 247-00.

By Director Sheffield-McClain.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to Section 571.02 of the Codified Ordinances of Cleveland, Ohio, 1976, and subject to the exemptions set forth below, all persons, firms or corporations engaged in the sales of aviation fuel and lubricants, directly or indirectly, from or at a Municipally owned airport facility of the City, shall pay the City a fee for the privilege and right to make such sales according to the following schedules:

From May 1, 2000 through
December 31, 2001

	Rate per Gallon
Aviation Fuel	\$0.06
Aviation Lubricants	\$0.15

From and after January 1, 2002

	Rate per Gallon
Aviation Fuel	\$0.07
Aviation Lubricants	\$0.15

Aviation fuel and lubricant fees shall not apply to:

(1) Scheduled Airlines, as defined in the Agreement and Lease authorized by City Ordinance No. 1585-A-96, passed August 16, 1976, or their suppliers; or

(2) Other airlines or their suppliers that are exempted from such fees by legislation and/or agreements with the City.

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.
Absent: Director Carter.

Resolution No. 248-00.

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland, that the bid of Signature Technologies, Inc. dba Com-Net Software Specialists for the public improvement of installing

and maintaining dynamic/LED signs for the Divisions of Cleveland Hopkins International Airport and Burke Lakefront Airport, Department of Port Control, received on 24th day of March, 2000, pursuant to the authority of Ordinance No. 717-99, passed June 7, 1999, for a gross price for the improvement in the aggregate amount of Seventy-Seven Thousand Four Hundred Five and 31/100 Dollars (\$77,405.31), is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractors to Signature Technologies, Inc. dba Com-Net Software Specialists is hereby approved:

Gilcrest Electric
MBE — \$9,879.52 — 13%

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.
Absent: Director Carter.

Resolution No. 249-00.

By Director Ricchiuto.
Resolved, by the Board of Control of the City of Cleveland that the bid of Euclid Transmission, Inc. for an estimated quantity of remanufactured transmissions, all items, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on January 21, 2000, pursuant to the authority of Ordinance No. 1823-99, passed December 6, 1999, which on the basis of the estimated quantity would amount to Forty Nine Thousand One Hundred Twenty Nine and 65/100 Dollars, (\$49,129.65), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17640 which shall be certified against such contract in the sum of Ten Thousand and no/100 Dollars (\$10,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.
Absent: Director Carter.

Resolution No. 250-00.

By Director Ricchiuto.
Resolved, by the Board of Control of the City of Cleveland that the bid of B and S Transport, Inc. for an estimated quantity of new tires, Items: A-4 and 6, B-1, 5, 7, 8, 10, 12,

13, 15, 16, 17, 19-21, 23, 26, 29, C-1, 3, 5, 7, 8, D-1, 4, 5, E-2, 4, 9, 12, F 1-5, H-6, 9, 18, 38, 39, J-5, 6, 27, 34, 35, 40, K-7 and 8, L-1, M-1 and 6, N-1, 2, 5, 6, 12, 15, 17, 18, O-2, 3, 5, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on February 25, 2000, pursuant to the authority of Ordinance No. 1961-99, passed December 13, 1999, which on the basis of the estimated quantity would amount to One Hundred Twenty Five Thousand Nine Hundred and 38/100 Dollars, (\$125,900.38), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17689

which shall be certified against such contract in the sum of Seven Thousand and no/100 Dollars (\$7,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.
Absent: Director Carter.

Resolution No. 251-00.

By Director Ricchiuto.
Resolved, by the Board of Control of the City of Cleveland that the bid of Tire Distributors, Inc. for an estimated quantity of new tires, Items: A 1-3, 5, B-14, 25, C-2, 4, 6, 9-14, D-2, 6, 7, E-1, 3, 5-8, 10, 13, 14, F-6 and 7, G-1, 2, 4, 5, 8, 10-12, H 1-5, 7, 8, 10, 13, 16, 17, 20, 22, 28, 29, 30, 31, 34, 37, 40, 41, 44, 45, I-5, 7-13, 15, 16, 18, 20-28, 30-35, 38, J 1-4, 9-19, 21, 22, 25, 26, 28-30, 32, 33, 36, 39, 41, 42, K-4, L 3-6, M 2-5, 7-10, N-4, 11, O-1, 6, 8, 11-13, P 1-15 for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on February 25, 2000, pursuant to the authority of Ordinance No. 1961-99, passed December 13, 1999, which on the basis of the estimated quantity would amount to Two Hundred Fifty Three Thousand Five Hundred Seventy Nine and 58/100 Dollars, (\$253,579.58), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17691

which shall be certified against such contract in the sum of Thirty Thousand and no/100 Dollars (\$30,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the

City's requirements for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.
Absent: Director Carter.

Resolution No. 252-00.

By Director Ricchiuto.
Resolved, by the Board of Control of the City of Cleveland that the bid of Goodyear Tire and Rubber Co. for an estimated quantity of new tires, Items: N-10 and 13, O-4, 7, 10, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on February 25, 2000, pursuant to the authority of Ordinance No. 1961-99, passed December 13, 1999, which on the basis of the estimated quantity would amount to Twenty Thousand Two Hundred Seventy Eight and 06/100 Dollars, (\$20,278.06), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17690

which shall be certified against such contract in the sum of Six Thousand and no/100 Dollars (\$6,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.
Absent: Director Carter.

Resolution No. 253-00.

By Director Ricchiuto.
Resolved, by the Board of Control of the City of Cleveland that the bid of Ziegler Tire and Supply for an estimated quantity of new tires, Items: B 2-4, 6, 9, 11, 18, 22, 24, 27, 28, D-3, E-11, G-3, 6, 7, 9, 13, H-11, 12, 14, 15, 19, 21, 23-27, 32, 33, 35, 36, 42, 43, I 1-4, 6, 14, 17, 19, 29, 36, 37, J-7, 8, 20, 23, 24, 31, 37, 43, K 1-3, 5, 6, L-2, N-3, 7, 8, 14, 16, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on February 25, 2000, pursuant to the authority of Ordinance No. 1961-99, passed December 13, 1999, which on the basis of the estimated quantity would amount to One Hundred Ninety Five Thousand Ninety Three and 56/100 Dollars, (\$195,093.56), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods

and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17692

which shall be certified against such contract in the sum of Thirty Thousand and no/100 Dollars (\$30,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 254-00.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Petroleum Traders Corp. for an estimated quantity of gasoline, Items 1(a) and (b), for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on February 25, 2000, pursuant to the authority of Ordinance No. 1821-99, passed December 6, 1999, which on the basis of the estimated quantity would amount to Seven Hundred Seventy Nine Thousand Four Hundred Twenty Seven and no/100 Dollars, (\$779,427.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17632

which shall be certified against such contract in the sum of Seventy Thousand and no/100 Dollars (\$70,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 255-00.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Fleet Supplies, Inc. for an estimated quantity of gasoline, Items 2(a) and (b), 3 (a) and (b), for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on February 25, 2000, pursuant to the authority of Ordinance No. 1821-99, passed Decem-

ber 6, 1999, which on the basis of the estimated quantity would amount to Eight Hundred Forty Two Thousand Seventy One and 60/100 Dollars, (\$842,071.60), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17661

which shall be certified against such contract in the sum of One Hundred Thousand and no/100 Dollars (\$100,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 256-00.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 107-15-239 under said Land Reutilization Program; and

Whereas, Ordinance No. 1972-99 passed March 27, 2000, authorized the sale of said for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Elvira Jackson has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1972-99 passed March 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Elvira Jackson for the sale and development of Permanent Parcel No. 107-15-239, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 257-00.

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976,

the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel No. 107-16-135 under said Land Reutilization Program; and

Whereas, Ordinance No. 1973-99 passed March 27, 2000, authorized the sale of said for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Hallie F. Smith has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1973-99 passed March 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Hallie F. Smith for the sale and development of Permanent Parcel No. 107-16-135, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 258-00.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 104-28-040 under said Land Reutilization Program; and

Whereas, Ordinance No. 1974-99 passed March 27, 2000, authorized the sale of said for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Cordia Bray and Shirley Bray have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1974-99 passed March 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Cordia Bray and Shirley Bray for the sale and development of Permanent Parcel No. 104-29-040, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director

Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.

Absent: Director Carter.

Resolution No. 259-00.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 113-14-011 under said Land Reutilization Program; and

Whereas, Ordinance No. 61-2000 passed March 27, 2000, authorized the sale of said for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Northeast Shores Development Corporation or designee has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 61-2000 passed March 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Northeast Shores Development Corporation or designee for the sale and development of Permanent Parcel No. 113-14-011, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.

Absent: Director Carter.

Resolution No. 260-00.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 125-19-034 under said Land Reutilization Program; and

Whereas, Ordinance No. 1967-99 passed March 27, 2000, authorized the sale of said for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Reginald Madgett has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1967-99 passed March 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Reginald Madgett for the sale and development of Permanent Parcel No. 125-19-034, as described in said Ordinance in accordance with

the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.

Absent: Director Carter.

Resolution No. 261-00.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 104-27-006 under said Land Reutilization Program; and

Whereas, Ordinance No. 1749-99 passed March 27, 2000, authorized the sale of said for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Dorothy Childs has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1749-99 passed March 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Dorothy Childs for the sale and development of Permanent Parcel No. 104-27-006, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.

Absent: Director Carter.

Resolution No. 262-00.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 104-20-010 under said Land Reutilization Program; and

Whereas, Ordinance No. 1272-99 passed November 29, 1999, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Capitol Development Group, Inc. has proposed to the City to purchase and develop said parcel; now, therefore,

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

pursuant to the authorization of Ordinance No. 1272-99 passed November 29, 1999, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Capitol Development Group, Inc. for the sale and development of Permanent Parcel No. 104-20-010, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1,200.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.

Absent: Director Carter.

Resolution No. 263-00.

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland that all bids received on March 15, 2000, for an estimated quantity of 750,000 square inches of street grinding for the Division of Streets, Department of Public Service, pursuant to the authority of Ordinance No. 1838-99, passed by the Council of the City of Cleveland on December 21, 1999, be and the same are hereby rejected.

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Roberts, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.
Nays: None.

Absent: Director Carter.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ANNE BLOOMBERG,
President

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, MAY 8, 2000

9:30 A.M.

Calendar No. 00-78: 7508 Donald Avenue (Ward 7)

Ruthie Mae Owens, owner, appeals to construct a 20' x 6' front porch addition to an existing one and one-half dwelling house situated on a 36' x 89' parcel located in a Two-Family District on the south side of Donald Avenue at 7508 Donald Avenue; said construction being contrary to the Yards and Courts Requirements where no aggregate a vertical area in any story more than 20% of the area facade in that story is permitted as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 00-82: 8225 Carnegie Avenue (Ward 6)

J.T. Bailey & Company, d.b.a. Carter Howell LLC, owners, appeal to construct an 85'-4" x 42' one-story masonry shopping plaza building on a 193' x 127' irregular shaped parcel located in a General Retail Business District on the north side of Carnegie Avenue at 8225 Carnegie Avenue; said construction being contrary to the Business District Requirements of Section 343.18(c), where 15' is required between driveway and adjacent property at the rear of the property that borders on East 83rd Street and a transition strip at the rear of the building between the General Retail use and the Multi-Family use is not provided and 8' is required as stated in Section 352.09 of the Codified Ordinances.

Calendar No. 00-83: 2901 Bridge Avenue (Ward 14)

Patricia M. Williams, owner, appeals to use a 47' x 108' vacant parcel for 14 accessory off-street parking spaces located in a Two-Family District on the south side of Bridge Avenue at 2901 Bridge Avenue; said parking facility being contrary to the Off-Street Parking and Loading Requirements of Section 349.05 where all such parking shall be located behind setback building line; no such parking shall be located within 10' of any wall of a residential building if the wall contains a ground floor opening designed to provide light or ventilation and Section 349.07 where the maximum width of driveway required is 30' at Carroll Court and 0' is provided and Section 349.08 where screening of off-street parking spaces requires an opaque wall, uniform painted fence or strip of land 4' wide and densely planted shrubs, and parking in a Residence District requires Board of Zoning Appeals approval as stated in Section 349.13(c) of the Codified Ordinances.

BOARD OF APPEALS

Calendar No. 00-84: 17115 Amber Drive (Ward 21)

David McGuiirk, appeals under the authority of Sections 329.02(d), where the appellant has the right to appeal to the Board of Appeals and

where the appellant is appealing the issuance of a building permit, No. B129810, issued on April 6, 2000 by the Commissioner of the Division of Building and Housing, Department of Community Development.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, APRIL 24, 2000

At the meeting of the Board of Zoning Appeals on Monday, April 24, 2000, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 00-69: 3150 West 58th Street

The West 58th Street Church of God, owner c/o Reverend Howard Black, appealed to construct a one-story sanctuary building addition to an existing one-story "T" shaped Church in a Two-Family District; granted subject to submission and approval of a modified plan that shows detailed landscaping and screening with inclusion of an added driveway access from Frontier Avenue.

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

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

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

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

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

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

The following appeal was **Dismissed:**

Calendar No. 00-70: 14822 Lake Shore Boulevard

Christopher Adimibe, owner, and Martial Arts Federation, tenant, appealed to change the use of an existing retail building in a Local Retail District.

The following appeals were **Postponed:**

Calendar No. 00-10: 3209-3305 Franklin Boulevard postponed to May 15, 2000.

Calendar No. 00-72: 10250 Shaker Boulevard postponed to May 8, 2000.

Calendar No. 99-552: 10721-23 St. Clair Avenue postponed to May 22, 2000.

On Monday, April 24, 2000, in Executive Session:

The following appeals were heard on Monday, April 17, 2000 and said decisions were approved and adopted by the Board on April 24, 2000.

The following appeal was **Approved:**

Calendar No. 00-65: 10501 Euclid Avenue
Cleveland Clinic Foundation, owner, and the American Cancer Society, tenant, appealed to construct a two-story office building on a parcel located in a Local Retail Business District.

The following appeal was **Denied:**

Calendar No. 00-47: 10019 Cliff Drive
Andrew William Gallagher, owner, appealed from the revocation of a building permit for construction of a garage and renovation of an existing 2 1/2-story one family dwelling unit.

The following appeal was **Dismissed:**

Calendar No. 00-66: 12701 Kadel Avenue

Kyle Buford, owner, appealed to attach a 24' long antenna to the side of a one-story garage for a height of 39' above grade in a Two-Family District.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF BUILDING STANDARDS
AND BUILDING APPEALS**

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

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

WEDNESDAY, MAY 3, 2000

Reflective Sheeting and Channel Sign Posts, for the Division of Traffic Engineering and Parking, Department of Public Service, as authorized by Ordinance No. 2164-99, passed by the Council of the City of Cleveland, February 14, 2000.

Traffic Sign Blanks, for the Division of Traffic Engineering and Parking, Department of Public Service, as authorized by Ordinance Nos. 2162-99 and 2164-99, passed by the Council of the City of Cleveland, February 14, 2000.

Traffic Paint, for the Division of Traffic Engineering and Parking, Department of Public Service, as authorized by Ordinance No. 2161-99, passed by the Council of the City of Cleveland, February 14, 2000.

Pool Chemicals, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 171-2000.

Rental of Golf Carts, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 105-2000.

Food, Beverages and Paper Products for Camp Forbes, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 211-2000.

April 19, 2000 and April 26, 2000

THURSDAY, MAY 4, 2000

Residential Sound Insulation Program (RSIP) 2000 - Group E-00 General Construction Contract, for the Department of Port Control, as authorized by Ordinance No. 468-98, passed by the Council of the City of Cleveland.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RE-

TURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, APRIL 27, 2000, 3:00 P.M., LOCAL TIME, IN THE 2ND FLOOR MAIN CONFERENCE ROOM, ADMINISTRATION OFFICE, IN CLEVELAND HOPKINS PASSENGER TERMINAL BUILDING.

April 19, 2000 and April 26, 2000

FRIDAY, MAY 5, 2000

FLIR Systems for Helicopters, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 182-99, passed by the Council of the City of Cleveland, June 7, 1999.

Commercial Electric Water Heaters, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 761-98, passed by the Council of the City of Cleveland, May 18, 1998.

April 19, 2000 and April 26, 2000

THURSDAY, MAY 11, 2000

Janitorial Supplies (Group A), for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 710-99, passed by the Council of the City of Cleveland, May 17, 1999.

April 19, 2000 and April 26, 2000

THURSDAY, MAY 18, 2000

Labor and Materials to Maintain and Replace Interior Plants, for Various Divisions of Port Control, as authorized by Ordinance No. 576-99, passed by the Council of the City of Cleveland.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, MAY 11, 2000, 1:00 P.M. IN THE CONFERENCE ROOM LOCATED ON THE SECOND FLOOR ADMINISTRATION OFFICES, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.

Labor and Materials Necessary to Install Airfield Security Equipment, for the Department of Port Control, as authorized by Ordinance No. 2149-96, passed by the Council of the City of Cleveland.

April 19, 2000 and April 26, 2000

WEDNESDAY, MAY 10, 2000

Summer Food Program, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 211-2000.

April 26, 2000 and May 3, 2000

WEDNESDAY, MAY 17, 2000

Animal Trapping, for the Division of Environment, Department of Public Health, as authorized by Ordinance No. 365-2000, passed by the Council of the City of Cleveland, April 3, 2000.

April 26, 2000 and May 3, 2000

FRIDAY, MAY 19, 2000

Six (6) Semi-Dump Trailers, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1816-99, passed by the Council of the City of Cleveland, December 13, 1999.

April 26, 2000 and May 3, 2000

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1333-98.

By Councilman Coats.

An emergency resolution urging the adoption of laws prohibiting the sale of alcohol near schools and churches.

Whereas, it has been estimated that the costs attributable to alcohol problems in America exceed \$70 billion per year; and

Whereas, according to the Department of Health and Human Services, alcohol is implicated in nearly half of all deaths caused by motor vehicle crashes and fatal intentional injuries, and victims are intoxicated in approximately one-third of all homicides, drownings and boating deaths; and

Whereas, the use of alcohol has been shown to jeopardize physical, mental and social development during the formative years and to endanger the successful transition from school to the workplace; now, therefore,

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

Section 1. That this Council urges Governor Robert Taft and the state legislators to protect the youth of Ohio by limiting their access and proximity to the use of alcohol by passing legislation prohibiting any sale of alcohol within 500 feet of any school or church or by passing legislation allowing municipalities to legislate such matters.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this Resolution to Governor Robert Taft, Richard Finan, President of the Ohio Senate, and JoAnn Davidson, Speaker of the Ohio House of Representatives, and the Minority Leader of the Ohio Senate and House of Representatives.

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

Adopted April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Res. No. 612-2000.

By Councilmen Coats, Johnson, Cintron, Britt, Brady, Robinson, Willis and Rybka.

An emergency resolution urging the United Nations and the United States federal government to provide food and assistance to the citizens of the eastern and central African nations who are suffering from starvation.

Whereas, a severe drought has plagued many nations in Africa, causing a widespread famine throughout east and central Africa; and

Whereas, the United Nations has warned that as many as 16 million people in at least 10 countries in Africa are at risk of starvation; and

Whereas, in Gode, Ethiopia, children have been dying at a rate of over one dozen a day since February; and

Whereas, this Council of the City of Cleveland is deeply concerned about the well-being of our African brothers and sisters; and

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

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

Section 1. That this Council of the City of Cleveland urges the United Nations and the United States federal government to immediately provide food and all other means of assistance to the citizens of the eastern and central African nations who are suffering from starvation.

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

Adopted April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Res. No. 613-2000.

By Councilman O'Malley.

An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to 4995-97 Denison Avenue, 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 42683440005, Jeg Lounge Bar Inc., 4995-97 Denison Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44102 to Permit No. 1667755, Compact Bar Inc., 4995-97 Denison Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 42683440005, Jeg Lounge Bar Inc., 4995-97 Denison Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44102 to Permit No. 1667755, Compact Bar Inc., 4995-97 Denison Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Res. No. 614-2000.

By Councilman Rybka.

An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 6224 Broadway Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 4134363, George M. Ina, DBA Tramend Club, 6224 Broadway Avenue, Cleveland, Ohio 44127, to Permit No. 9170555, Uptown Office Inc., DBA Tramend Lounge, 6224 Broadway Ave., Cleveland, Ohio 44127; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit from Permit No. 4134363, George M. Ina, DBA Tramend Club, 6224 Broadway Avenue, Cleveland, Ohio 44127, to Permit No. 9170555, Uptown Office Inc., DBA Tramend Lounge, 6224 Broadway Ave., Cleveland, Ohio 44127 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Res. No. 615-2000.

By Councilmen Rybka and White. An emergency resolution supporting the Mill Creek project and urging NOACA to fund such project.

Whereas, Mill Creek Falls are the largest water falls located in Cuyahoga County; and,

Whereas, Mill Creek Falls, located in the Broadway Community of the City of Cleveland, has suffered from pollution and years of neglect; and

Whereas, there is a proposal to connect Mill Creek Falls into the Towpath Trail, a bike/hike trail along the Ohio & Erie Canal Reservation that goes into the Cuyahoga Valley National Park; and

Whereas, the proposal would extend the current bike/hike trail to the Mill Creek Falls, providing access to the trail for residents of Garfield Heights, the Warner-Turney neighborhoods, and the Miles Avenue and Broadway Avenue neighborhoods; and

Whereas, the City of Cleveland has demonstrated its support for this project by previously budgeting \$200,000.00 from the agreement with Norfolk-Southern Railroad, approved by Cleveland City Council in 1999, and pledging to commit \$50,500 in road resurfacing dollars to this project; and

Whereas, the NOACA District has not expended all possible Enhancement Project Dollars and this project will be ready for construction in January, 2001; and

Whereas, the Council of the City of Cleveland is strongly supportive of the Mill Creek project and the positive impact it will have on the development of our neighborhoods; and

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

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

Section 1. That this Council of the City of Cleveland is strongly supportive of the Mill Creek project and urges that NOACA grant funding for this important economic development initiative to benefit the neighborhoods of the City of Cleveland.

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

Adopted April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1748-99.
By Councilmen Patmon, Jones, Robinson, Johnson and Polensek (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving certain City-owned parks, recreation facilities, and the Rockefeller Park Public Greenhouse, including site improvements and appurtenances; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; authorizing said director to proceed with said improvement by the direct employment of the necessary labor; and authorizing the purchase by contract of furniture and equipment necessary for the improvement for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties.

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

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

Section 1. The public improvements authorized in all of the sections herein shall include improvements to the following City-owned parks and recreation facilities total expenditures not to exceed the amount authorized herein:

Halloran Park for flooring	\$15,000.00
Cudell Recreation Center for wiring	12,000.00
Cudell Recreation Center for locker rooms	6,000.00
Clark Recreation Center for interior windows	10,000.00
Clark Recreation Center for gutters	10,000.00
Rockefeller Park Phase VI	268,000.00
Rockefeller Park Greenhouse	175,000.00
Parks in the 11 Odd Wards	2,750,000.00
Kovacic, Glenville, Sterling, Central Cory, Lonnie Burten, Clark and Zone Recreation Centers for pool steps	12,000.00
Thurgood Marshall Recreation Center and Sterling Recreation Center for new lockers	50,000.00
Lonnie Burten Recreation Center for lobby furniture	15,000.00
Hough Multipurpose Center for replacement of 2 HVAC Units	78,000.00
Gunning Park Recreation Center Phase II Improvements	118,000.00

Section 1a. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving certain City-owned parks, recreation facilities, and the Rockefeller Park Public Greenhouse, including all site improvements and appurtenances necessary and incidental thereto, for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties, by contract let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination of such trades or components may be the subject of a separate contract for a gross price. The contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvements. A copy of such schedule shall be provided to the Clerk of Council and the Chairman of the Committee on Public Parks, Property and Recreation.

Section 3. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving certain City-owned parks,

playgrounds, and the Rockefeller Park Public Greenhouse, including all site improvements and appurtenances necessary and incidental thereto, as authorized in Section 1, for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 4. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination of such trades or components may be the subject of a separate contract upon a unit basis.

Section 5. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of improving the areas of City-owned parks, playgrounds, and the Rockefeller Park Public Greenhouse, for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties, by the direct employment of the necessary labor and the purchase or rental of the necessary supplies and materials for the making of such improvement, with a separate accounting as to each improvement so made.

Section 6. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the items comprising the necessary supplies and materials necessary for said improvement, including the rental of necessary equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties.

Section 7. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: furniture and equipment to be utilized in connection with the making of the public improvements authorized by this ordinance, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties.

Section 8. That the costs of the improvements, rentals and purchases herein authorized shall be paid from Fund Nos. 11 SF 006, 20 SF 313, 20 SF 323, 20 SF 330, 20 SF 343, 20 SF 354, and 20 SF 361, Request No. 5027.

Section 9. That no improvements are to be made to Carrie Cain Playground until the Councilman from Ward 7 approves of the improvements in writing.

Section 10. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2057-A-99 (as substitute for Ordinance No. 2057-99).
By Mayor White and Councilman Polensek.**

An emergency ordinance to amend Section 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1713-96, passed September 16, 1996, relating to assault.

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

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

Section 1. That Section 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1713-96, passed September 16, 1996, is hereby amended to read as follows:

Section 621.03 Assault

(a) No person shall knowingly cause or attempt to cause physical harm to another.

(b) No person shall recklessly cause serious physical harm to another.

(c) Whoever violates this section is guilty of assault, a misdemeanor of the first degree.

(d) Notwithstanding the provisions of division (c) of this section, if the sentencing court determines that the victim of the offense was any of the following:

(1) an official or employee of the Cleveland City School District or the City of Cleveland; or

(2) a member of the City's Auxiliary Police Force; or

(3) a school crossing guard or his or her alternate; or

(4) a volunteer working on school property, whether public or private, or at a City-owned recreation center; and the court further determines that the victim was performing his or her official duties at the time of the offense, the court shall set the offender's fine at \$1,000.00 and in addition to said fine shall sentence the offender to not less than sixty (60) days' and not more than six (6) months' imprisonment. The minimum fine and imprisonment to be imposed by the court pursuant to this division (d) are mandatory. The court shall not suspend all or any portion of said fines and imprisonment.

(e) Notwithstanding the provisions of division (c) of this section, if the sentencing court determines that the victim of the offense was a child between the ages of six and seventeen and was in attendance in a facility owned by the Cleveland City School District at the time of the offense, the court shall set the offender's fine at \$1,000.00 and, in addition to said fine, shall sentence the offender to not less than sixty (60) days' and not more than six (6) months' imprisonment. The minimum fine and imprisonment to be imposed by the court pursuant to this division (e) are mandatory. The

court shall not suspend all or any portion of said fines and imprisonment.

(f) This section does not apply where the offense constitutes a felony pursuant to Section 2903.13 of the Revised Code.

Section 2. That the Council shall receive quarterly reports from the Department of Public Safety, Division of Police, pertaining to the number of arrests and convictions under this ordinance. The reports shall specify the individual number of offenses against members of the City's Auxiliary Police Force, school crossing guards or their alternates and volunteers working on school property or at a city-owned recreation center.

Section 3. That Section 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1713-96, passed September 16, 1996, is hereby repealed.

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2068-99.

By Councilman Dolan.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting Section 185.45 thereof, relating to alterations or modifications in contracts.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 185.45 thereof, to read as follows:

Section 185.45 Alterations or Modifications in Contracts

That notwithstanding any Codified Ordinance to the contrary, when in the prosecution of any work or improvement under contract it becomes necessary, in the opinion of the director of the appropriate department, to make alterations or modifications in such contracts wherein the alteration or modification requires the payment of ten thousand dollars (\$10,000.00) or more by the City of Cleveland and/or wherein the alteration or modification affects a right of the City to receive funds or property having a value of ten thousand dollars (\$10,000.00) or more, such alterations or modifications shall be made only when authorized by the Council upon the written recommendations of such director, countersigned by the Mayor. No such alterations shall be valid unless both the price to be paid for the work or material, or both, under the altered or modified contract, shall have been agreed upon in writing and signed by the contractor and such director prior to such authorization

by Council. For purposes of this Section, "work or improvement under contract" means all purchase, professional service, grant and loan agreements executed by the City of Cleveland, excluding public improvement agreements.

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 104-2000.

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

An emergency ordinance determining the method of making the public improvement of replacing and renovating various portions of Halloran Park skating rink, including but not limited to, replacing pavement; replacing fencing at various swimming pools, authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; authorizing the purchase by contract of vehicles; and authorizing said director to enter into contracts without competitive bidding with Saf-Dek and Childsafe to replace and renovate safety surfaces at playgrounds and other safety surfaces, for the Department of Parks, Recreation and Properties.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of replacing and renovating various portions of Halloran Park skating rink, including but not limited to, replacing pavement for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement consistent with Section 1 above with the lowest responsible bidder after competitive bidding for a gross price for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. The contractor shall furnish a correct-schedule of unit prices, including profit and overhead, for all items constituting units of said improvement. A copy of such schedule shall be forwarded to the Clerk of Council and the Chairman of the Committee on Public Parks, Property & Recreation.

Section 3. That all expenditures under the contract authorized pursuant to Sections 1 and 2 of this ordinance for the public improvement of replacing and renovating various portions of Halloran Park skating rink, including but not limited to, replacing pavement shall not exceed \$272,000.00, of which a maximum of \$175,000 shall be for pavement and sewer, a maximum of \$45,000 shall be for netting, \$40,000 shall be for the purchase and installation of acrylic sheets above the dashboards surrounding the rink and \$12,000 shall be for a contingency for the netting and acrylic shields.

Section 4. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement replacing fencing at various swimming pools, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 5. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, consistent with Section 4 above, provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 6. That all expenditures under the contract authorized pursuant to Section 4 of this ordinance for the public improvement of replacing fencing at various swimming pools shall not exceed \$133,000.00.

Section 7. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) chipper and not to exceed eight (8) trucks, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

Section 8. That all expenditures under the contract authorized pursuant to Section 7 of this ordinance shall not exceed \$350,000.00.

Section 9. That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Saf-Dek. Therefore, the Director of Parks, Recreation and Properties is hereby authorized to make a written contract with said Saf-Dek for repair and maintenance of Saf-Dek's safety surfaces at locations currently having Saf-Dek surfaces, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

Section 10. That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Childsafe. Therefore, the Director of Parks, Recreation and Properties is hereby authorized to make a written contract with said Childsafe for repair and maintenance of Childsafe's safety surfaces at locations

currently having Childsafe surfaces, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

Section 11. That all expenditures under the contract authorized pursuant to Sections 9 and 10 of this ordinance shall not exceed \$145,000.00.

Section 12. That the cost of said improvements and purchases hereby authorized shall be paid from the fund or funds to which are credited the proceeds of the sale of property authorized by Ordinance No. 512-99, passed June 7, 1999, as described in Section 3 of that ordinance, Request No. 05042.

Section 13. That the Director of Parks, Recreation and Properties is hereby authorized to demolish the Luke Easter Tennis Shelter. Such demolition shall be paid from the City demolition fund and shall be completed within thirty (30) days of passage of this ordinance.

Section 14. That all public improvement contracts entered into pursuant to this ordinance shall be executed no later than ninety (90) days after passage of this ordinance and all work authorized herein shall be completed no later than November 1, 2000. However, all netting authorized by this ordinance for Halloran Park shall be substantially installed within thirty (30) days after passage of this ordinance. Furthermore, the Director of Parks, Recreation and Properties shall provide a written report by the 1st of each month detailing the status of each public improvement project authorized herein.

Section 15. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 217-2000.
By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7307-11 Lexington Avenue to Beverly Butler.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 106-16-027, as more fully described in Section 2 below, to Beverly Butler.

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

P. P. No. 106-16-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 25 and the Westerly 5 feet of Sublot No. 24 in Celia B. Deming's Subdivision of part of Original One Hundred Acre Lot No. 342, as shown by the recorded plat in Volume 11 of Maps, Page 13 of Cuyahoga County Records, and being 56.80 feet front on the Northerly side of Lexington Avenue, N.E., and extending back 150 feet on the Easterly line, 150 feet on the Westerly line, and has a rear line of 57.2 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 255-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into contract without competitive bidding with Oracle Corporation for the purchase of technical support and software licenses for Oracle computer products, for the Department of Finance.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Oracle Corporation. Therefore, the Director of Finance is hereby authorized to make a written contract with said Oracle Corporation upon the basis of its proposal dated February 14, 2000, for the purchase of technical support and software licenses for Oracle computer products currently being used by various departments of the City, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Department of Finance.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-999800-638000, Request No. 1439.

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 259-2000.
By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of making emergency repairs, replacements or modifications to flooring for the Division of Cleveland Hopkins International Airport and authorizing the Director of Port Control to enter into one or more requirement contracts for the making of said improvement for the period not to exceed two years.

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

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

Section 1. That pursuant to Section 167 of the Charter, it is hereby determined to make the public improvement of making emergency repairs, replacements or modifications to flooring for the Division of Cleveland Hopkins International Airport, by one or more public improvement requirement contracts duly let to the lowest responsible bidder after competitive bidding.

Section 2. That the Director of Port Control is hereby authorized to enter into a written requirement contract with the lowest responsible bidder after advertising for all such work estimated to be done during the two-year term of the contract, upon a unit basis.

Section 3. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8249)

Section 4. That expenditures under the contract authorized herein shall not exceed \$50,000.

Section 5. That the Department of Port Control shall conduct an audit of the flooring at Cleveland Hopkins International Airport and prepare a report detailing the areas requiring repair, replacement, or modification. Such report shall be provided to the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee no later than August 31, 2000.

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 260-2000.
By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of making emergency repairs, replacements or modifications to roofs for the Division of Cleveland Hopkins International Airport and authorizing the Director of Port Control to enter into one or more requirement contracts for the making of said improvement for the period not to exceed two years.

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

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

Section 1. That pursuant to Section 167 of the Charter, it is hereby determined to make the public improvement of making emergency repairs, replacements or modifications to roofs for the Division of Cleveland Hopkins International Airport, by one or more public improvement requirement contracts duly let to the lowest responsible bidder after competitive bidding.

Section 2. That the Director of Port Control is hereby authorized to enter into a written requirement contract with the lowest responsible bidder after advertising for all such work estimated to be done during the two-year term of the contract, upon a unit basis.

Section 3. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8248)

Section 4. That expenditures under the contract authorized herein shall not exceed \$40,000.

Section 5. That the Department of Port Control shall conduct an audit of the roofs at Cleveland Hopkins International Airport and prepare a report detailing the areas requiring repair, replacement, or modification. Such report shall be provided to the

President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee no later than August 31, 2000.

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 261-2000.
By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of paint and paint supplies, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of paint and paint supplies, in the estimated sum of \$50,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8247)

Section 3. That the expenditures under the contract authorized herein shall not exceed \$50,000.00.

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 262-2000.
By Councilmen Dolan and Patmon
(by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain, repair or replace existing rolling overhead doors, for various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 8246)

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 263-2000.
By Councilmen Dolan and Patmon
(by departmental request).

An emergency ordinance authorizing the Director of Port Control to apply for and accept State of Ohio and Federal grant funds.

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

a municipal department; now, therefore,

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

Section 1. That the Director of Port Control is hereby authorized to apply for and accept grants from the United States of America acting through its Federal Aviation Administration ("FAA"), the United States Department of Transportation and/or its member agencies, and grants from the State of Ohio, as they may become available, to fund projects related to the operations of Cleveland Hopkins International Airport and Burke Lakefront Airport. The Director is further authorized to file all papers and execute all documents necessary to apply for, accept and receive funds under said grants; provided that the City shall follow all applicable federal regulations; and that any grant funds be and are hereby appropriated for the purposes set forth in the applications for said grants, or any amendments thereto. The Director of Port Control shall notify the Council President, the Chairman of the Aviation and Transportation Committee and the Chairman of the Finance Committee within five (5) days of application for a grant pursuant to this ordinance. Such notification shall specify the nature of the grant, the scope of the grant, and the intended application of the grant funds. Upon acceptance of any grant application authorized herein, the Director of Port Control shall notify the Council President, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee within five (5) days of acceptance.

Section 2. That the Director of Port Control is further authorized to pay cash match funds for projects approved by the above-named grantors for grant funding. Said matching funds shall be paid from funds appropriated for the use of the Department of Port Control and any existing or future revenue bond funds, grant proceeds and PFC authorizations.

Section 3. That the Director of Port Control shall prepare an annual report detailing grant applications that were submitted to the FAA and the State of Ohio pursuant to the authority of this ordinance, grant applications that were accepted pursuant to the authority of this ordinance, and the expenditure of grant funds pursuant to the authority of this ordinance. Such report shall be provided to the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee.

Section 4. That the provisions of this ordinance shall expire on December 31, 2001.

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 271-2000.

By Councilmen Cintron and Patmon
(by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of automobile and truck spring parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed one year with a one-year option to renew.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year, with a one-year renewal option, of the necessary items of automobile and truck spring parts, including labor to install if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the one year renewal option authorized herein may be exercised only if doing so would result in substantial savings to the City and such savings are reported to the Public Service Committee of City Council.

Section 3. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 17520)

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 315-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of first aid equipment and supplies, for the various divisions of City government.

Whereas, this ordinance constitutes an emergency measure provid-

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 3054)

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 316-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to refill, repair and replace fire extinguishers, for the various divisions of City government, for a period not to exceed two years.

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

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

Section 1. That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to

refill, repair and replace fire extinguishers, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 1455)

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 317-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of landscape material, grass seed, mulch and topsoil, for the various divisions of City government.

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

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

Section 1. That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of landscape material, grass seed, mulch and topsoil in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of

Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 3053)

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 318-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of lumber, for the various divisions of City government.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the

amount purchased during the preceding equivalent term. (RL 1453)

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 319-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of microfiche services, for the various divisions of City government, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 3055)

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 362-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of computer and related hardware equipment, for the various divisions of City government, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 1452)

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 363-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of unarmed uniformed security guard services, for the various divisions of City government, for a period not to exceed two years.

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

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

Section 1. That the Director of Finance is hereby authorized to

make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of unarmed uniformed security guard services, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 3051)

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 364-2000.
By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of deicing chemicals, for the various divisions of the Department of Port Control for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of deicing chemicals, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of

Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 8268)

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 370-2000.
By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1817, 1811-15, 1805 East 86th Street to Milton Allen and Crystal Allen.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 119-05-101, 102 and 103, as more fully described in Section 2 below, to Milton Allen and Crystal Allen.

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

P. P. No. 119-05-101

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bounded and described as follows, to wit: And known as being Sublot No. 11 and the Southerly

49/100 of a foot of Sublot No. 12 in Henrietta E. Weatherhead's Subdivision of part of Original One Hundred Acre Lots Nos. 391, 392 and 400 as shown by the recorded plat in Volume 33 of Maps, Page 13 of Cuyahoga County Records, and together forming a parcel of land 38 feet front on the Easterly side of East 86th Street, N.E., (being the Northerly extension of Glen Park Place) and extending back in an Easterly direction of equal width 81-667/1000 feet deep, be the same more or less, but subject to all legal highways.

P. P. No. 119-05-102

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 37 feet of Sublot No. 12 and the Southerly 13 feet of Sublot No. 13 in Henrietta E. Weatherhead's Subdivision of part of Original One Hundred Acre Lots Nos. 391, 392, 399 and 400 and Re-Subdivision of a part of Crumb, Baslington and Oviatt's Allotment of a part of Original One Hundred Acre Lot No. 400, as shown by the recorded plat of said Subdivision and Re-Subdivision in Volume 33 of Maps, Page 13 of Cuyahoga County Records. Said part of Sublot No. 12 has a frontage of 37 feet on the Easterly side of East 86th Street and extends back between parallel lines 81-667/1000 feet; said part of Sublot No. 13 has a frontage of 13 feet on the Easterly side of East 86th Street and extends back between parallel lines 102-667/1000 feet as appears by said plat, be the same more or less, but subject to all legal highways; and being the same property conveyed to the Union Central Life Insurance Company by deed dated March 1, 1935 and recorded in Volume 4472, parallel 108, recorded of Cuyahoga County, Ohio.

Easement from Mary A. Cunningham to Laura B. Griffin, dated June 14, 1920, and recorded in Volume 2349, Page 9 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

P. P. No. 119-05-103

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 22 feet from front to rear of Sublot No. 13 and the Southerly 22 feet from front to rear of Sublot No. 14 in Henrietta E. Weatherhead's Subdivision of part of Original East Cleveland Township Lots Nos. 391, 392, 399 and 400, and Re-Subdivision of Crumb, Baslington and Oviatt's Allotment of part of Original One Hundred Acre Lot No. 400, as shown by the recorded plat of said Subdivision in Volume 33 of Maps, Page 13 of Cuyahoga County Records, and together forming a parcel of land 44 feet front on the Easterly side of East 86th Street (being the Northerly extension of Glen Park Place) and extending back of equal width about 102.667 feet, as appears by said plat.

Subject to Zoning Ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordi-

nance shall be repealed and shall be of no further force or effect.

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

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

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 472-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to install overhead doors, for the various divisions of City government, for a period not to exceed two years.

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

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

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

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

exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 3052)

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 473-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of car washing services, for the various divisions of City government, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 3057)

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 474-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Toro mower parts, for the various divisions of City government, for a period not to exceed two years.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 3058)

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 477-2000.
By Councilmen White and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with the Cleveland Municipal School District to provide services under Title II of the Job Training Partnership Act.

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

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

Section 1. That the Director of Personnel and Human Resources is

authorized to enter into contract with the Cleveland Municipal School District for the delivery of basic education skills for the State Education Program, PY '99 under Title II of the Job Training Partnership Act, in an amount not to exceed \$400,000. All seniors in the Cleveland Public Schools who are in need of one credit to graduate shall be eligible to participate in the program funded by this contract.

Section 2. That the cost of the contract authorized above shall be paid from Fund Nos. 15 SF 095 and 15 SF 096, Request No. 15413.

Section 3. That, prior to summer recess, the Director of Personnel and Human Resources shall return to the Employment, Affirmative Action and Training Committee with a report detailing the results of the program and provide a budget analysis. Also, at the conclusion of the contract authorized above, the Director of Personnel and Human Resources shall submit a written report to the Chairman of the Finance committee of Council evaluating the successes and failures of the program funded by the contract authorized above.

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 480-2000.
By Councilman Cimperman.
An emergency ordinance to change the Use and Area Districts of lands on both sides of Glass Avenue, N.E. between Norwood Road and East 64 Street and the southeasterly side of Glass Avenue, N.E. between East 61 Street and Norwood Avenue, N.E. (Map Change No. 2016, Sheet No. 4)

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that the proposed change in use is necessary to secure the character of the property, eliminate the potential of unlawful activity and other quality of life issues and to remove a potential danger to the surrounding neighborhood; now, therefore;

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

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

Beginning at the intersection of the southwesterly extension of a line located approximately forty (40) feet southeast of the southeasterly line of Glass Avenue, N.E. and the center line of Norwood Road, N.E.; thence northwesterly along said center line of Norwood Road, N.E. to its intersection with the southwesterly extension of a line located approximately one hundred fifty (150) feet southeast of the southeasterly line of St. Clair Avenue, N.E.; thence northeasterly along said southwesterly extension and along said line which is parallel to and approximately one hundred fifty (150) feet southeast of the

southeasterly line of St. Clair Avenue, N.E. To its intersection with the northeasterly line of Sublot No. 21 in the J.F. Kilfoyl Allotment as recorded in Volume 16, Page 12 of the Cuyahoga County Map Records; thence southeasterly along said northeasterly line of said Sublot No. 21 to its intersection with the northwesterly line of Sublot No. 25 in J.F. Kilfoyl Allotment; thence northeasterly along said northwesterly line of said Sublot No. 25 and along its northeasterly extension to the center line of East 64 Street; thence southeasterly along said center line of East 64 Street to the center line of Glass Avenue, N.E.; thence southwesterly along said center line of Glass Avenue, N.E. to the center line of East 63 Street; thence southeasterly along said center line of East 63 Street to its intersection with the northeasterly extension of said line located approximately forty (40) feet southeast of said southeasterly line of Glass Avenue, N.E.; thence southwesterly along said northeasterly extension and along said line which is parallel to and approximately forty (40) feet southeast of said southeasterly line of Glass Avenue, N.E. and along said southwesterly extension to the place of beginning,

and as outlined in red on the map hereto attached be and the same are hereby changed to a Two Family Use District and a 'B' Area District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2016, Sheet No. 4 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That the Use District of lands bounded and described as follows,

Beginning at the intersection of the southwesterly extension of a line located approximately one hundred forty (140) feet southeast of the southeasterly line of Glass Avenue, N.E. and the center line of East 61 Street; thence northwesterly along said center line of East 61 Street to the center line of Glass Avenue, N.E.; thence northeasterly along said center line of Glass Avenue, N.E. to the center line of Norwood Road, N.E.; thence southeasterly along said center line of Norwood Road, N.E. to its intersection with the northeasterly extension of said line located approximately one hundred forty (140) feet southeast of said southeasterly line of Glass Avenue, N.E.; thence southwesterly along said northeasterly extension and along said line which is parallel to and approximately one hundred forty (140) feet southeast of said southeasterly line of Glass Avenue, N.E. and along said southwesterly extension to the place of beginning,

and as outlined in green on the map hereto attached, be and the same is hereby changed to a Multi-Family Use District.

Section 4. That said changed designation of lands described in Section 3 shall be identified as Map Change No. 2016, Sheet No. 4 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by

the appropriate person designated for such purpose.

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 527-2000.
By Councilmen Cimperman and Lewis.**

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 341.07, thereof, relating to pedestrian retail area restrictions.

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety in that Cleveland's older downtown buildings are in immediate demand for conversion and use as telecommunications switching terminals by intensely competitive telecommunications equipment company; the impact of the above-referenced intense competition could be numerous permit applications within the next several weeks for use of first floor space in Cleveland's downtown retail districts for the placement of telecommunications switching equipment; the placement of telecommunications switching equipment on first floor spaces in Cleveland's downtown retail districts would significantly harm those retail districts because this use does not generate pedestrian traffic, which is essential to a vital urban retail district; additionally, the placement of telecommunications switching equipment on first floor spaces in Cleveland's downtown retail district could decrease the safety of that district by lessening pedestrian traffic and surveillance opportunities; now therefore,

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

Section 1. That of the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 341.07 thereof, to read as follows:

Section 341.07 Pedestrian Retail Area Restrictions

(a) Purpose. The regulations of this section are established to achieve, among others, the following purposes.

(1) ensuring the continued economic viability of retail corridors that depend on the patronage of customers who seek a shopping environment that is convenient and comfortable for pedestrians;

(2) enhancing the vitality of downtown streets, thereby strengthening the district's attractiveness as a location for residences, offices and tourism;

(3) increasing the marketability of housing located on upper floors of historic buildings in the district;

(4) providing necessary retail services to downtown residents and office workers;

(5) reducing traffic congestion by allowing downtown residents and employees to patronize retail busi-

nesses by walking rather than by traveling in automobiles or other vehicles;

(6) furthering economic development in the City of Cleveland and providing additional employment for City residents.

(b) Applicability. The regulations of this section shall apply to the ground floor or "street-level floor area" of any property located both in the Public Land Protective District and in a Retail Business District on a "pedestrian-oriented shopping street," as defined herein. No use in such location shall be established or changed except in accordance with the provisions of this section.

(c) Pedestrian-Oriented Shopping Street. A "pedestrian oriented shopping street" is any side of any block of a street characterized by a pre-dominance of retail businesses situated at or near the public sidewalk. The City Planning Commission shall prepare and adopt a map designating pedestrian-oriented streets within the area to which the regulations of this section apply. The Planning Commission shall review and update that map periodically. The Planning Commission shall also consider for designation as a pedestrian-oriented shopping street any block that is designated for retail use in the adopted general plan for the development and improvement of the City, regardless of the current uses located on that block.

(d) Referral by Division of Building and Housing. The Division of Building and Housing shall refer to the City Planning Commission any application for establishment or change of a ground floor use in a building located both in the Public Land Protective District and in a Retail Business District.

(e) Planning Commission Determination. Upon receipt of an application to establish a new street-level use in a location subject to the provisions of this section, the City Planning Commission shall determine whether the space is located on a pedestrian-oriented street and whether the proposed use is permitted by the regulations of this section. The Commission shall make its determination within thirty (30) days of receipt of a complete application, unless the applicant approves an extension of time.

(f) Prohibited Uses. Street-level floor area in a building located on a pedestrian-oriented shopping street, as determined by the City Planning Commission in accordance with the provisions of this section, shall not be occupied principally for purposes of storage or warehousing or operation of telecommunications devices, telephone switching equipment or other automated or remotely controlled machinery or equipment.

(g) Facade and Window Treatment. If any uses prohibited in street-level areas are proposed for upper floors in buildings subject to the provisions of this section, the City Planning Commission or, if applicable, the Landmarks Commission during its review shall ensure that the entire facade and window areas are treated in a manner that does not convey the appearance of a space used for storage or warehousing purposes, but rather conveys the appearance of a space used actively by employees, customers or residents.

(h) Nonconforming Uses. Legally-established uses made nonconform-

ing by the initial adoption of this section may continue but may not be expanded or otherwise changed so as to create a greater degree of nonconformity, unless approved by the Board of Zoning Appeals in accordance with Chapter 359.

(i) For any use subject to the regulations of this section, no exhaust vents shall be placed along the designated pedestrian-oriented shopping street on the first floor, second floor or in the sidewalk area. Furthermore, any emergency generator for such use shall be powered by natural gas, as opposed to diesel power, or by other means that minimize fumes and smoke.

(j) Exceptions. Notwithstanding the variance powers outlined in Section 329.03, the Board of Zoning Appeals may vary or modify the application of these provisions in harmony with the general purpose and intent of the Zoning Code so that the public health, safety, morals and general welfare may be safeguarded and substantial justice done. The decision to vary or modify the application of these provisions shall consider the following factors: (1) the proximity of the proposed use to the pedestrian-oriented street frontage, in the case of a use that will occupy only a portion of the street-level floor space; (2) the physical size, shape or other characteristics of the premises; and (3) whether refusal of the variance appealed for will deprive the owner of substantial property rights.

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

Passed April 17, 2000.
Effective April 17, 2000.

Ord. No. 602-2000.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the American Lung Associations Multi-Event Affair (12.5 mile, 25 mile and 50 mile bike ride and a 5K run or walk) on June 18, 2000, sponsored by the American Lung Association.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinance, of Cleveland, Ohio 1976, this Council consents to and approves the holding of the American Lung Associations Multi-Event Affair (12.5 mile, 25 mile and 50 mile bike ride and a 5K run or walk, on Sunday, June 18, 2000, with the Clean Air Challenge Run starting on Driveway in front of airport lobby and Horn Blowers Restaurant, (Spot — at crosswalk sign by Horn Blowers, in line with black light pole), Note — runners will run with the direction of road traffic on most the course), west on drive to west airport exit and North Marginal, turn right/west on North Marginal which comes into Erieside, stay on Erieside heading west to stop sign

at S.E. corner of Browns Stadium, turn right at stop sign heading north on Erieside to first stop sign at N.E. corner of Browns Stadium, turn left heading west on Erieside around stadium, stay on Erieside heading south which becomes W. 3rd St., turn right/west on to West Lakeside Ave. to West 9th St., turn right/north on to West 9th St. to Front St., turn left/west on to Front St. to West 10th St. to West 10th St./West St. Clair "Hill", (Note — West 10th Street is a one-way street that goes south to north, and runners will be running against the direction of traffic), turn left/east heading up "Hill" on to West St. Clair, stay on St. Clair going east to West 3rd St., turn left/north on to West 3th St. to stop sign at S.W. corner of Browns Stadium, turn right/east at stop sign on to North Coast Stadium Drive to Erieside, stay on Erieside heading east on to North Marginal Dr., stay on North Marginal to first (west entrance/exit) driveway of Burke Lakefront Airport, turn left on to driveway to finish line, Finish on Driveway near airport lobby and Horn Blowers, 22 feet behind/east of start spot (Start line), this includes a short course prevention factor of 15 ft., (3.1 - 7ft. behind start line), Mile 1 — on Erieside/West 3rd St. in line and across from Fire Hydrant at West Third Street RTA Station, Mile 2 — at St. Clair & West 6th St. intersection, in middle of east painted crosswalk, Mile 3 — on North Marginal in line with west corner of U.S.S. Cod driveway entrance, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 603-2000.

By Councilman Cintron.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Blessed Sacrament Church to stretch banners across Fulton Road for the period from May 18, 2000 to June 14, 2000, inclusive, publicizing their Summer Carnival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the

Department of Public Service is hereby authorized and directed to issue a permit to Blessed Sacrament Church to install, maintain and remove banners on Fulton Road at the second pole south of Storer Avenue (E pole type steel), for the period from May 18, 2000 to June 14, 2000 inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed on permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 604-2000.

By Councilman Cintron.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to St. Ignatius Committee to stretch banners across Lorain Avenue between W. 29th and W. 30th St., for a period from April 19, 2000 to May 19, 2000, inclusive, publicizing the 3rd Annual Ohio City Career Fair.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to St. Ignatius Committee to install, maintain and remove banners across Lorain Avenue between W. 29th and W. 30th St., for a period from April 19, 2000 to May 19, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

shall take effect and be in force from and after the earliest period allowed by law.

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 605-2000.

By Councilman Gordon.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Old Brooklyn Community Development Corporation for the development of a Ward 15 Comprehensive Urban Development Plan through the use of Ward 15 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Old Brooklyn Community Development Corporation for the development of a Ward 15 Comprehensive Urban Development Plan.

Section 2. That the costs of said contract shall be in an amount not to exceed \$50,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 606-2000.

By Councilman Johnson.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Buckeye Area Development Corporation for assistance with the construction and sale of several market rate, scattered site housing development homes through the use of Ward 4 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Buckeye Area Development Corporation for assistance with the construction and sale of several market rate, scattered site housing development homes.

Section 2. That the costs of said contract shall be in an amount not to exceed \$80,000 and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said

contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 607-2000.

By Councilman Patmon.

An emergency ordinance appropriating funds to the Neighborhood Equity Fund for various neighborhood public improvements and purposes; and renaming the Workers' Compensation Neighborhood Capital Fund.

Whereas, pursuant to Ordinance No. 1999-A-98, the Council of the City of Cleveland established the Workers' Compensation Neighborhood Capital Fund, Fund No. 10 SF 166, for the betterment of the neighborhoods of the City of Cleveland in accordance with the purposes enumerated in the ordinance; and

Whereas, pursuant to Ordinance No. 147-2000, passed by the Council of the City of Cleveland on March 31, 2000, Council allocated \$10,500,000.00 to be used for the Neighborhood Equity Fund to finance projects that benefit the neighborhoods and residents of the City of Cleveland; and

Whereas, the Council of the City of Cleveland desires to appropriate the funds earmarked for the Neighborhood Equity Fund to Fund No. 10 SF 166 and to change the name of that fund to the "Neighborhood Equity Fund;" and

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

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

Section 1. That the Council of the City of Cleveland hereby changes the name of the Workers' Compensation Neighborhood Capital Fund to the Neighborhood Equity Fund, Fund No. 10 SF 166.

Section 2. That the sum of Ten Million Five Hundred Thousand Dollars (\$10,500,000.00) is hereby appropriated from the General Fund as set forth in the year 2000 appropriation ordinance, and shall be placed in Fund No. 10 SF 166 in addition to the funds currently existing in that fund; the moneys in such fund shall be used for the purposes enumerated in Ordinance No. 1999-A-98; and shall be placed in equal amounts in twenty-one (21) departmental assignments, one to correspond to each ward. Any expenditure that is to be made from this fund shall require written authorization from the member of Council in whose ward the project is located.

Section 3. That the moneys in Fund No. 10 SF 166 shall be invested prudently by the Director of Finance, with the interest generated by the fund, or an amount equivalent to the interest generated, to be allocated annually to Fund No. 10 SF 166 by the Director of Finance.

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 608-2000.

By Councilman Polensek.

An emergency ordinance authorizing the Clerk of Council to extend the term of the contract with Legal News Publishing Company for a period not to exceed four months.

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

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

Section 1. That the Clerk of Council is hereby authorized to extend the term of the current contract with Legal News Publishing Company for a period not to exceed four months; provided, however, that all other terms thereof shall remain the same.

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

Passed April 17, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 609-2000.

By Councilman Polensek.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Northeast Shores Development Corp for a second mortgage program in conjunction with the Water's Edge Development project through the use of Ward 11 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Northeast Shores Development Corp for a second mortgage program in conjunction with the Water's Edge Development project.

Section 2. That the costs of said contract shall be in an amount not to exceed \$25,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

Passed April 17, 2000.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 610-2000.
By Councilman Sweeney.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Bellaire-Puritas Development Corporation for their Creek Improvement Program designed to address critical elements that impact proper functioning of the creek through the use of Ward 20 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Bellaire-Puritas Development Corporation for their Creek Improvement Program designed to address critical elements that impact proper functioning of the creek.

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

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

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

Passed April 17, 2000.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 611-2000.
By Councilman Sweeney.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Parkworks, Inc. for the design and construction of a playground at R.G. Jones School through the use of Ward 20 Neighborhood Equity Funds.

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

a municipal department; now, therefore,

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Parkworks, Inc. for the design and construction of a playground at R.G. Jones School.

Section 2. That the costs of said contract shall be in an amount not to exceed \$55,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed April 17, 2000.
Awaiting the approval or disapproval of the Mayor.

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