

The City Record

Official Publication of the Council of the City of Cleveland



June the Second, Two Thousand and Ten

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward	Name
1	Terrell H. Pruitt
2	Zachary Reed
3	Joe Cimperman
4	Kenneth L. Johnson
5	Phyllis E. Cleveland
6	Mamie J. Mitchell
7	TJ Dow
8	Jeffrey D. Johnson
9	Kevin Conwell
10	Eugene R. Miller
11	Michael D. Polensek
12	Anthony Brancatelli
13	Kevin J. Kelley
14	Brian J. Cummins
15	Matthew Zone
16	Jay Westbrook
17	Dona Brady
18	Martin J. Sweeney
19	Martin J. Keane

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Terrell H. Pruitt	3877 East 189th Street	44122
2	Zachary Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Eugene R. Miller	13615 Kelso Avenue	44110
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Jay Westbrook	1278 West 103rd Street	44102
17	Dona Brady	1272 West Boulevard	44102
18	Martin J. Sweeney	3632 West 133rd Street	44111
19	Martin J. Keane	15907 Colletta Lane	44111

City Clerk, Clerk of Council – Patricia J. Britt, 216 City Hall, 664–2840
First Assistant Clerk — Sandra Franklin

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development
Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary
Andrew Watterson, Executive Assistant to the Mayor, Chief of Sustainability
Natoya J. Walker, Interim Director, Office of Equal Opportunity

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

DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;

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

DEPT. OF PUBLIC UTILITIES – Barry A. Withers, Director, 1201 Lakeside Avenue

DIVISIONS – 1201 Lakeside Avenue
Cleveland Public Power – Ivan Henderson, Commissioner
Street Lighting Bureau – _____, Acting Chief
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – John Christopher Nielson, Commissioner
Water Pollution Control – Ollie Shaw, Commissioner

DEPT. OF PORT CONTROL – Ricky D. Smith, Director

Cleveland Hopkins International Airport, 5300 Riverside Drive
Burke Lakefront Airport – Khalid Bahhur, Commissioner
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC SERVICE – Jomarie Wasik, Director, Room 113

DIVISIONS: Architecture – Kurt Wiebusch, Commissioner, Room 517
Engineering and Construction – _____, Commissioner, Room 518
Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards
Streets – Randell T. Scott, Commissioner, Room 25
Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1
Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 75 Erieview Plaza

DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner
Environment – Willie Bess, Commissioner, Mural Building, 75 Erieview Plaza
Health – Karen K. Butler, Commissioner, Mural Building, 75 Erieview Plaza

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230

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

DEPT. OF PARKS, RECREATION & PROPERTIES – Michael Cox, Director

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

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

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

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Nycole D. West, Interim Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Tracey A. Nichols, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – John D. Mahone, Interim Director

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

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

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

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

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

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

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

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

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Director; Anthony J. Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

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

FAIR HOUSING BOARD – Charles See, Chair; Lisa Camacho, Daniel Conway, Robert L. Render, Genesis O. Brown.

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

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

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

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey, Allan Dreyer, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert Keiser, Secretary.

AUDIT COMMITTEE – Yvette M. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Martin J. Sweeney; Law Director Robert J. Triozzi.

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

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

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Paul J. Mizerak – Bailiff, Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate

The City Record

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WEDNESDAY, JUNE 2, 2010

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CITY COUNCIL

MONDAY, MAY 31, 2010

The City Record
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216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

9:30 A.M. — **Public Parks, Properties, and Recreation Committee:** K. Johnson, Chair; Conwell, Vice Chair; Brancatelli, Cimperman, Dow, Polensek, Reed.

9:30 A.M. — **Health and Human Services Committee:** Cimperman, Chair; J. Johnson, Vice Chair; Conwell, Keane, Kelley, Reed, Zone.

11:00 A.M. — **Public Service Committee:** Miller, Chair; Cummins, Vice Chair; Cleveland, Dow, K. Johnson, Keane, Polensek, Pruitt, Sweeney.

11:00 A.M. — **Legislation Committee:** Mitchell, Chair; K. Johnson, Vice Chair; Brancatelli, Cimperman, Cleveland, Reed, Sweeney.

MONDAY

2:00 P.M. — **Finance Committee:** Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Brancatelli, Chair; Dow, Vice Chair; Cimperman, Cummins, J. Johnson, Miller, Pruitt, Westbrook, Zone.

1:30 P.M. — **Employment, Affirmative Action and Training Committee:** Pruitt, Chair; Miller, Vice Chair; Cummins, J. Johnson, K. Johnson, Mitchell, Westbrook.

WEDNESDAY — Alternating

10:00 A.M. — **Aviation and Transportation Committee:** Keane, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, K. Johnson, Kelley, Mitchell.

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Polensek, Vice Chair; Brady, Cleveland, Cummins, Dow, Miller, Mitchell, Zone.

WEDNESDAY — Alternating

1:30 P.M. — **Public Utilities Committee:** Kelley, Chair; Brady, Vice Chair; Conwell, Cummins, Dow, Miller, Polensek, Pruitt, Westbrook.

1:30 P.M. — **City Planning Committee:** Cleveland, Chair; Westbrook, Vice Chair; Brady, Conwell, Dow, Keane, Zone.

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

Rules Committee: Sweeney, Chair; Cleveland, Keane, Polensek, Pruitt.

Personnel and Operations Committee: Westbrook, Chair; Conwell, K. Johnson, Kelley, Mitchell, Sweeney, Zone.

Mayor's Appointment Committee: Dow, Chair; Cleveland, Kelley, Miller, Sweeney.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

May 26, 2010

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 26, 2010, at 10:30 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Wasik, Carroll, Flask, Cox, Rush, Acting Director Thornton, Director Fumich, Interim Director Mahoney and Director Rybka.

Absent: Mayor Jackson, Directors Dumas, Withers, Smith, Acting Director West and Commissioner Hardy.

Others: Natoya Walker, Acting Director, Office of Equal Opportunity.

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

Resolution No. 205-10.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that that all bids received on February 17, 2010 for the purchase of an esti-

mated quantity of PVC & FRE Conduit, Fittings & Accessories, for the Division of Cleveland Public Power, Department of Public Utilities, under the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Triozzi, Wasik, Carroll, Flask, Cox, Rush, Acting Director Thornton, Director Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Withers, Smith, Acting Director West and Commissioner Hardy.

Resolution No. 206-10.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of West Park Auto Parts for an estimated quantity of Automotive and Truck Parts and Services, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years starting upon the execution of a contract, received on January 22, 2010, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$500,000.00 (2%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in the sum of not less than \$75,000.00.

The requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by West Park Auto Parts for the above-mentioned service is approved:

<u>SUBCONTRACTORS</u>	<u>DOLLAR AMOUNT</u> <u>PERCENTAGE</u>
Poly Services, Inc. (CSB/M)	\$90,000.00 18.00%
Aamco Transmission (CSB/F)	\$15,000.00 3.00%
Samsel Supply Co. (CSB/F)	\$20,000.00 4.00%

Yeas: Directors Triozzi, Wasik, Carroll, Flask, Cox, Rush, Acting Director Thornton, Director Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Withers, Smith, Acting Director West and Commissioner Hardy.

Resolution No. 207-10.

By Directors Carroll and Wasik.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of Perk Company, Inc. for the public improvement of Safe Routes to Schools Project, Bid Item Nos. 1-22, for the Departments of Public Health and Public Service, received on May 5, 2010, under the authority of Ordinance No. 1416-07, passed by the Cleveland City Council October 22, 2007, as amended by Ordinance No. 1589-08, passed December 8, 2008, upon a unit basis for the improvement, in the aggregate amount of \$257,304.50, is affirmed and approved as the lowest responsible bid, and the Directors of Public Health and Public Service are authorized to enter into contract for the improvement with the bidder.

Be it further resolved that the employment of the following subcontractor by Perk Company, Inc. for the above-mentioned public improvement is approved:

TraffTech, Inc.
\$33,585.00 — 13.05%

Yeas: Directors Triozzi, Wasik, Carroll, Flask, Cox, Rush, Acting Director Thornton, Director Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Withers, Smith, Acting Director West and Commissioner Hardy.

Resolution No. 208-10.

By Director Cox.

Resolved, by the Board of Control of the City of Cleveland that the bid of Big Trees, Inc. for an estimated Ash Borer Phase III Tree Planting services for base items, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 35, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for one year beginning with the date of execution of a contract, with two options to renew for an additional one year, received on September 16, 2009, under the authority of Section 181.101, Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$65,739.00, is affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in the sum of not less than \$50,000.00.

The requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for the goods

and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor for the above-mentioned service is approved:

American Merchandising Services
CSB/MBE — \$15,033.06 — 27.865%

Yeas: Directors Triozzi, Wasik, Carroll, Flask, Cox, Rush, Acting Director Thornton, Director Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Withers, Smith, Acting Director West and Commissioner Hardy.

Resolution No. 209-10.

By Director Cox.

Resolved, by the Board of Control of the City of Cleveland that the bid of Aaron Landscaping for an estimated quantity of Ash Borer Phase III Tree Planting services for base items, 22, 27, 34, 36, 39, 56 for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for one year beginning with the date of execution of a contract, with two options to renew for an additional one year, received on September 16, 2009, under the authority of Section 181.101, Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$5,600.00, is affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in the sum of not less than \$5,600.00.

The requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor for the above-mentioned service is approved:

The J and S Company
CSB/MBE — \$19,920.00 — 56.469%

Yeas: Directors Triozzi, Wasik, Carroll, Flask, Cox, Rush, Acting Director Thornton, Director Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Withers, Smith, Acting Director West and Commissioner Hardy.

Resolution No. 210-10.

By Director Cox.

Resolved, by the Board of Control of the City of Cleveland that the bid of Big Trees, Inc. for an estimated Citywide Tree Planting services for

base items, 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 13, 15, 17, 18, 23, 24, 25, 26 for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for one year beginning with the date of execution of a contract, with two options to renew for an additional one year, received on September 16, 2009, under the authority of Section 181.101, Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$68,103.00, is affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in the sum of not less than \$60,000.00.

The requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor for the above-mentioned service is approved:

American Merchandising Services
CSB/MBE — \$19,400.00 — 20.023%

Yeas: Directors Triozzi, Wasik, Carroll, Flask, Cox, Rush, Acting Director Thornton, Director Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Withers, Smith, Acting Director West and Commissioner Hardy.

Resolution No. 211-10.

By Director Cox.

Resolved, by the Board of Control of the City of Cleveland that the bid of Aaron Landscaping for an estimated Citywide Tree Planting services for base items, 6, 12, 14, 16, 19-22, 27, and 28 for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for one year beginning with the date of execution of a contract, with two options to renew for an additional one year, received on September 16, 2009, under the authority of Section 181.101, Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$25,992.00, is affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in the sum of not less than \$50,000.00.

The requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery

orders separately certified to the contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor for the above-mentioned service is approved:

The J and S Company
CSB/MBE — \$32,100.00 — 29.812%

Yeas: Directors Triozzi, Wasik, Carroll, Flask, Cox, Rush, Acting Director Thornton, Director Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Withers, Smith, Acting Director West and Commissioner Hardy.

Resolution No. 210-10.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland, that the bid of Gordon Food Services for an estimated quantity of Food, Food Products, and Beverages, Condiments, and Paper Products for Camp Forbes, Group A, items 1/1 - 1/10, Group B, items 2/1 - 2/16, Group C, items 3/1 - 3/9, Group E, items 5/1 - 5/26, Group G, items 7/1 - 7/25, Group H, items 8/1 - 8/80 and Group I, items 9/1 - 9/17, for the Division of Recreation, Department of Parks, Recreation and Properties, for the period one (1) year beginning with the date of execution of a contract received on the 29th day of April 2009, under the authority of Ordinance No. 1593-09, passed December 7, 2009, which on the basis of the estimated amount is \$86,024.11, is affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is requested to enter into requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

which shall be certified against the contract in the sum of not less than \$50,000.00.

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

Yeas: Directors Triozzi, Wasik, Carroll, Flask, Cox, Rush, Acting Director Thornton, Director Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Withers, Smith, Acting Director West and Commissioner Hardy.

Resolution No. 213-10.

By Director Cox.

Resolved, by the Board of Control of the City of Cleveland that the bid of Hillcrest Egg and Cheese Co. dba Hillcrest Food Service for an estimated quantity of Food, Food Products, and Beverages, Condiments, and Paper Products for Camp Forbes, group D, items 4/1 - 4/7 and group F, items 6/1 - 6/16 for the Division of Recreation, Department of Parks, Recreation and Properties, for the period one (1) year begin-

ning with the date of execution of a contract received on the 29th day of April 2010, under the authority of Ordinance No. 1593-09, passed December 7, 2009, which on the basis of the estimated amount is \$7,807.00, is affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is requested to enter into requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

which shall be certified against the contract in the sum of not less than \$7,807.00.

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

Yeas: Directors Triozzi, Wasik, Carroll, Flask, Cox, Rush, Acting Director Thornton, Director Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Withers, Smith, Acting Director West and Commissioner Hardy.

Resolution No. 214-10.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland, that the bid of Barber's Chemicals, Inc., for an estimated quantity of Pool Chemicals, Item I, numbers 1, 2, 5 and 6, for the Division of Recreation, Department of Parks, Recreation and Properties, for the period one (1) year beginning with the date of execution of a contract, received on the 7th day of April 2010, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$153,308.00, is affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase, as the initial amount of the contract, of the following:

which shall be certified against such contract in the sum of not less than \$59,000.00.

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

Yeas: Directors Triozzi, Wasik, Carroll, Flask, Cox, Rush, Acting Director Thornton, Director Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Withers, Smith, Acting Director West and Commissioner Hardy.

Resolution No. 215-10.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland, that bids received on April 7, 2010

for various pools chemicals, Item I, numbers 3 & 4 for the Division Recreation, Department of Parks, Recreation and Properties, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio 1976, are rejected.

Yeas: Directors Triozzi, Wasik, Carroll, Flask, Cox, Rush, Acting Director Thornton, Director Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Withers, Smith, Acting Director West and Commissioner Hardy.

Resolution No. 216-10.

By Director Rush.

Whereas, under the authority of Ordinance No. 2076-76, passed October 25, 1976, the City is conducting a Land Reutilization Program according to the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, Section 183.024, Codified Ordinances of Cleveland, Ohio, 1976, authorizes the Commissioner of Purchases and Supplies to acquire certain properties owned by the Department of Housing and Urban Development (HUD) and Fannie Mae, each for a price determined as Fair Market Value, as part of the Land Reutilization Program; and

Whereas, under the authority of Section 183.024, the City has acquired Permanent Parcel No. 138-03-010, located at 3977 East 123rd Street, from HUD; and

Whereas, Union Miles Development Corporation has proposed to the City to purchase the property for rehabilitation and/or redevelopment; and

Whereas, Section 183.024 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development, and with the prior written consent of the Council member(s) in whose ward the property acquired from HUD or Fannie Mae to be sold is located, to convey the property to purchasers for the public purpose of rehabilitation and/or resale for consideration established by the Board of Control at not less than fair market value; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Section 183.024, Codified Ordinances of Cleveland, Ohio, 1976, the consideration for the sale of Permanent Parcel No. 138-03-010 to Union Miles Development Corporation is established as \$375.00, which amount is determined to be not less than fair market value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Yeas: Directors Triozzi, Wasik, Carroll, Flask, Cox, Rush, Acting Director Thornton, Director Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Withers, Smith, Acting Director West and Commissioner Hardy.

Resolution No. 217-10.

By Director Rush.

Whereas, under the authority of Ordinance No. 2076-76, passed October 25, 1976, the City is conducting a Land Reutilization Program accord-

ing to the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, Section 183.024, Codified Ordinances of Cleveland, Ohio, 1976, authorizes the Commissioner of Purchases and Supplies to acquire certain properties owned by the Department of Housing and Urban Development (HUD) and Fannie Mae, each for a price determined as Fair Market Value, as part of the Land Reutilization Program; and

Whereas, under the authority of Section 183.024, the City has acquired Permanent Parcel No. 138-15-113, located at 4304 East 126th Street from HUD; and

Whereas, Union Miles Development Corporation has proposed to the City to purchase the property for rehabilitation and/or redevelopment; and

Whereas, Section 183.024 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development, and with the prior written consent of the Council member(s) in whose ward the property acquired from HUD or Fannie Mae to be sold is located, to convey the property to purchasers for the public purpose of rehabilitation and/or resale for consideration established by the Board of Control at not less than fair market value; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Section 183.024, Codified Ordinances of Cleveland, Ohio, 1976, the consideration for the sale of Permanent Parcel No. 138-15-113 to Union Miles Development Corporation is established as \$375.00, which amount is determined to be not less than fair market value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Yeas: Directors Triozzi, Wasik, Carroll, Flask, Cox, Rush, Acting Director Thornton, Director Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Withers, Smith, Acting Director West and Commissioner Hardy.

MARK R. MUSSON,
Acting 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. There-

after, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

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

REYNALDO GALINDO,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 14, 2010

9:30 A.M.

Calendar No. 10-72: 4702 Memphis Avenue (Ward 13)

Badah Holdings LLC, owner, and Sam Abdallah appeal to expand the use of a store to include a drive through and a gas station on a corner parcel in a Local Retail Business District; subject to the limitations of Section 343.16 only the remodeling of an existing store is permitted, a service station being first permitted in a General Retail Business District according to Sections 343.11(b)(2)(I)5; and no structure, including a pump island may be built less than 20 feet from the property line adjacent to the public right of way and a proposed pump canopy is 6.5 feet from the sidewalk, contrary to Section 343.15(b)(2) of the Cleveland Codified Ordinances.

Calendar No. 10-75: 2008 West 26th Street (Ward 3)

United Twenty-Fifth Building, owner, appeals to resurface a parking lot located in split zoning between General Retail Business and B1 Two Family Districts, subject to the limitations of Section 337.03 not permitted and first allowed in a Local Retail Business District with conditions defined in Section 349.13(c): (1) parking shall be used only by employees, customers or guests of the person or firm responsible for the parking lot maintenance; (2) no charge is to be made for parking on the lot; (3) the lot is not to be used for sales, repair work or service of any kind; (4) entrance to and exit from the lot are to be located so as to do the least harm to the Residence District; (5) no advertising sign or material is to be located on the lot; (6) all parking is to be kept back of the setback building line by barrier unless specifically authorized otherwise by the Board; (7) the parking lot and driveway are to be adequately screened according to the Code; and in accordance with Sections 352.09 and 325.10, a 6 foot landscape strip is required in front of the lot where it abuts the street and an 8 foot wide strip is required on the south side where it abuts the residential district; and a distance of 7 feet is proposed contrary to Section 343.18(c) that requires all driveways to be at least 15 feet from the property line adjacent to other lots.

Calendar No. 10-76: 2036 West 26th Street (Ward 3)

United Twenty-Fifth Building, owner, appeals to resurface a parking lot located in a B1 Two-Family District contrary to Section 337.03 and first permitted in a Local Retail Business District with conditions defined in Section 349.13(c): (1) parking shall be used only by employees, customers or guests of the person or firm responsible for the parking lot maintenance; (2) no charge is to be made for parking on the lot; (3) the lot is not to be used for sales, repair work or service of any kind; (4) entrance to and exit from the lot are to be located so as to do the least harm to the Residence District; (5) no advertising sign or material is to be located on the lot; (6) all parking is to be kept back of the setback building line by barrier unless specifically authorized otherwise by the Board; (7) the parking lot and driveway are to be adequately screened according to the Code; and in accordance with Sections 352.09 and 325.10, a 6 foot landscape strip is required in front of the lot where it abuts the street and an 8 foot wide strip is required on the south side where it abuts the residential district; and a 12 foot wide accessibility isle to the parking spaces is proposed on the south side of the lot, contrary to a width of 20 to 24 feet that is required according to Section 337.17 of the Cleveland Codified Ordinances.

Calendar No. 10-77: 2043 West 26th Street (Ward 3)

United Twenty-Fifth Building, owner, appeals to resurface a parking lot located in a B1 Two-Family District contrary to Section 337.03 and first permitted in a Local Retail Business District with conditions defined in Section 349.13(c): (1) parking shall be used only by employees, customers or guests of the person or firm responsible for the parking lot maintenance; (2) no charge is to be made for parking on the lot; (3) the lot is not to be used for sales, repair work or service of any kind; (4) entrance to and exit from the lot are to be located so as to do the least harm to the Residence District; (5) no advertising sign or material is to be located on the lot; (6) all parking is to be kept back of the setback building line by barrier unless specifically authorized otherwise by the Board; (7) the parking lot and driveway are to be adequately screened according to the Code; and in accordance with Sections 352.09 and 325.10, a 6 foot landscape strip is required in front of the lot where it abuts the street along West 26 and West 25th Streets; and a 14 foot wide accessibility isle to the parking spaces is proposed, contrary to a width of 20 to 24 feet that is required according to Section 337.17 of the Cleveland Codified Ordinances.

Calendar No. 10-78: 2081 West 73rd Street (Ward 15)

Julio Rivera, owner, appeals to establish use as a bar/tavern occupying 995 square feet that is attached to one dwelling unit on a 70' x 52.60' corner lot in a Local Retail Business District and the proposed use requires accessory off-street parking at the rate of one space for each employee plus one for each 100

square feet of floor area and one space is required for the dwelling unit on the property, an equivalent of at least 11 accessory off-street parking spaces are required, in accordance with Section 349.04(f) in the Cleveland Codified Ordinances.

Calendar No. 10-83: Violation Notice — 15124 Triskett Road (Ward 19)

Colleen Bonk, owner, appeals under the authority of Section 76 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from a Notice of Violation issued by the Department of Building and Housing on April 14, 2010 for failure to comply with Section 357.14 that prohibits the parking of motor vehicles in the setback area and violation of the Fence Regulations for height and fence material in the front yard as stated in Section 358.04 of the Cleveland Codified Ordinances.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

TUESDAY, JUNE 1, 2010

At the meeting of the Board of Zoning Appeals on Tuesday, June 1, 2010, the following appeals were heard by the Board.

The following appeal was **Approved:**

Calendar No. 10-66: 3541 West 56th Street

Jean Nasr, owner, and Virginia Reynolds, tenant, appealed to install a wheel chair lift within the front yard setback in a B1 Two-Family District.

The following appeals were **Denied:**

Calendar No. 10-71: 2267 East 83rd Street — Violation Notice

Timothy Willis appealed from a Notice of Violation issued by the Building and Housing Department.

Calendar No. 10-74: 6811 Carnegie Avenue — Used Motor Vehicles Storage License

David Jurek dba Friendship Auto Sales appealed from the Building and Housing recommendation to deny a Used Motor Vehicles Storage License.

The following appeal was **Withdrawn:**

None.

The following appeal was **Postponed:**

Calendar No. 10-34: 16569 St. Clair Avenue postponed to July 26, 2010.

The following appeals heard by the Board on May 24, 2010 were adopted and approved on June 1, 2010.

The following appeals were **Approved:**

Calendar No. 10-61: 9418 Orleans Avenue

Barbara Luke appealed to erect a ramp within the front and side yard setback of a one family dwelling in a Two-Family District.

Calendar No. 10-62: 9858 Lorain Avenue

Julia Fitch appealed to add live entertainment to a coffee shop/restaurant in a mixed use building in a General Retail Business District.

Calendar No. 10-63: 6308 Lexington Avenue

Christopher and Francine Hawkins appealed to erect a one-story detached reverse gable garage with an open front breezeway in a Multi-Family District.

Calendar No. 10-64: 1161 East 147th Street

Willie Howe appealed to erect a 12' x 20' frame private garage in a Two-Family District.

Calendar No. 10-48: 16616 Stockbridge Avenue

Becky Joyner appealed to install privacy fence 9 feet high in the side yard from the rear of the dwelling house to the garage in a One Family District.

The following appeal was **Denied:**

Calendar No. 10-42: 1668 East 40th Street — Notice of Violation

Cash Mischka appealed from a Notice of Violation issued by the Department of Building and Housing.

The following appeal heard by the Board on May 10, 2010 was adopted and approved on June 1, 2010.

The following appeal was **Approved:**

Calendar No. 10-51: 10924 Magnolia Drive

Montessori Development Partnership appealed to establish use as a school in an existing three-story residential building in a Limited One-Family District; subject to conditions.

Secretary

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

Re: Report of the Meeting of
May 26, 2010

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

* * *

Docket A-1-10.

RE: Appeal of Curtis S. Hunt, Owner of Residential Property located on the premises known as 5701 Diamond Avenue from a VOIDED PERMIT, dated December 23, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to obtain permits and ninety (90) additional days in which to abate all violations on the property, with extensions if progress is satisfactory to the City. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-2-10.

RE: Appeal of Karen Hasan Walker, Owner of Two Dwelling Units Two-Family Residence Two and One-half Story Frame Property located on the premises known as 2793 East 127th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated December 9, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant ninety (90) days in which to complete abatement of the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Saab.

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

* * *

Docket A-4-10.

RE: Appeal of SI Harb, Owner of the M Mercantile — Retail Shops, Carry-out Food Shops One and One-half Story Masonry Property located on the premises known as 8400 Euclid Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated December 8, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 8400 Euclid Avenue to the Department of Building and Housing for supervision and any required further action, noting the ongoing condition of the property. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

* * *

Docket A-10-10.

RE: Appeal of Iqbal Athwal, Owner of the Residential Property located on the premises known as 3612 East 117th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated November 12, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland.

land and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant forty-five (45) days in which to complete abatement of the exterior violations, and ninety (90) days, concurrent, to complete abatement of all violations on the property, with extensions if progress is satisfactory from the City. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-12-10.

RE: Appeal of Mark Girgir, Owner of the MXD Mixed Uses — Multiple Uses In One Building Two Story Masonry Walls/Wood Floors Property located on the premises known as 5100 Lorain Avenue from a NOTICE OF VIOLATION — INTERIOR / EXTERIOR MAINTENANCE, dated December 9, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to complete abatement of all exterior violations on the property, and ninety (90) days in which to complete abatement of all violations on the property. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-13-10.

RE: Appeal of Lazette Walls, Owner of the Two Dwelling Units Two-Family Residence Two and One-half Story Frame Property located on the premises known as 1490 East 172nd Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated November 25, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to complete abatement of the violations. The property is REMANDED at this time to the Department of Building and housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

* * *

Docket A-14-10.

RE: Appeal of Kimball Walker, Owner of One Dwelling Unit Single-Family Residence One and One-half Story Frame Property located on the premises known as 3331 West 48th Street from a CONDEMNATION ORDER — MAIN STRUCTURE,

dated July 15, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-14-10 has been POSTPONED; to be rescheduled for June 23, 2010.

* * *

Docket A-15-10.

RE: Appeal of Charles Holmes, Owner of One Dwelling Unit Single-Family Residence Two and One-half Story Frame Property located on the premises known as 2624 East 112th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated December 17, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to complete abatement of the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-17-10.

RE: Appeal of Truong & Catherine Huynh, Owners of Three Dwelling Units Three-Family Residence Two and One-half Story Frame Property located on the premises known as 7918 Madison Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated January 6, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Violation Notice was properly issued. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action, noting no progress of any work, by the Owners and lack of attendance at the hearing. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

* * *

Docket A-19-10.

RE: Appeal of Sherrod Tyus, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property located on the premises known as 3716 East 154th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated August 13, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

property at 3716 East 154th Street to the Department of Building and Housing for supervision and any required further action, noting that the Violation Notice was properly issued and that the Appellant is not present. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-20-10.

RE: Appeal of St. Robert Temple C/O James Willis, Owner of A-3 Assembly — Recreation or Religious Facilities One and One-half Story Masonry Property located on the premises known as 3165 East 116th Street from a NOTICE OF VIOLATION — HVAC, dated December 2, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-20-10 has been POSTPONED; to be rescheduled for June 09, 2010.

* * *

Docket A-23-10.

RE: Appeal of Northeast Shores Development Corp., Owner of Two Dwelling units Two-Family Residence Two and One-half Story Frame Property located on the premises known as 384 East 163rd Street from a 30 DAY CONDEMNATION ORDER — MS, dated July 08, 2008 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to obtain the required permits and complete abatement of the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Gallagher.

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

* * *

Docket A-25-10.

RE: Appeal of Temiko Holsey, Owner of One M Mercantile — Retail Shops, Carry-out Food Shops One and One-half Story Masonry Property located on the premises known as 1019 East 123rd Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated September 21, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-25-10 has been POSTPONED; to be rescheduled for June 9, 2010.

* * *

Docket A-26-10.

RE: Appeal of Jose A. Barillas, Owner of One Dwelling Unit Single-

Family Residence One and One-half Story Frame Property located on the premises known as 12405 Brighton Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated May 19, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-26-10 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-27-10.

RE: Appeal of Neal Terrace Apartments, Ltd., Owner of R-3 Residential — Non-transient; Townhomes (Independent Egress) Two Story Masonry Property located on the premises known as 8811 Detroit Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated January 7, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant the requested time, respecting the schedule submitted by the Appellant; and to require that the exterior work be done as quickly as possible. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Gallagher.

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

* * *

Docket A-28-10.

RE: Appeal of Boulevard Terrace Apartments, Ltd., Owner of R-3 Residential — Non-transient; Townhomes (Independent Egress) Two Story Masonry Property located on the premises known as 10107 Detroit Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated January 7, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant the requested time, respecting the schedule submitted by the Appellant; and to require that the exterior work be done as quickly as possible. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Gallagher.

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

* * *

Docket A-40-10.

RE: Appeal of ABE Co. — Ayad Inc., Owner of M Mercantile — Retail Shops, Carry-out Food Shops One Story Frame Property located on the

premises known as 2167 East 55th Street from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated January 14, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant ninety (90) days in which to complete abatement of all building violations and apply for a Certification Of Occupancy. The property is REMANDED at this time to the Department of Building and Housing for Supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

* * *

Docket A-43-10.

RE: Appeal of Michael Troy Watson, Owner of the One Dwelling Unit Single-Family Residence Two and One-half Story Frame Property located on the premises known as 4244 East 119th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated January 19, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant ninety (90) days in which to complete abatement of all violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action, noting that the property must be maintained properly during this interim period. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Gallagher.

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

* * *

Docket A-199-10.

RE: Appeal of Jerry Trotter, Owner of single-Family Residence Property located on the premises known as 3910 Bush Avenue from a NOTICE OF NON-CONFORMANCE (install above ground swimming pool 18' diam.), dated May 17, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, noting the concurrence of the neighbors, a motion is in order at this time to grant the variance required and permit the pool to be installed as proposed. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

AMENDED RESOLUTION:

Docket A-423-09 — George Roganishi — 3197 Louisiana:

FROM: “. . . to DENY the appeal and to REMAND the property to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

TO: “. . . to grant the Appellant six (6) months in which to abate the violations and maintaining the securing as described during that period of time. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

APPROVAL OF RESOLUTIONS:

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

A-33-09—Karas Properties.
 A-423-09—George Roganishi.
 A-431-09—Beverly A. Banks.
 A-432-09—Ossie Hill.
 A-439-09 — Cleveland Habitat for Humanity.
 A-440-09—Ronald D. Pace.
 A-441-09—Ronnie C. Roy.
 A-442-09—Lennox Enterprizes Unlimited.
 A-443-09—James Stuart.
 A-444-09—Edward R. Hayes Jr.
 A-445-09—Bob Boyd.
 A-449-09—Deloris Oliver.
 A-450-09 — Christopher S. Tourtelot.
 A-3-10—Raymond Kelly.
 A-9-10—Helen M. Goczso.
 A-11-10—Kandis Morrisette.
 A-16-10 — Karas Properties C/O The Shelly Co.
 A-146-10 — Katherine Wolf C/O Robert Neitzel.

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

* * *

APPROVAL OF MINUTES:

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

May 12, 2010

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

* * *

Secretary

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, JUNE 23, 2010

File No. 98-2010 — Cudell Recreation Center Master Plan Phase One, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 451-08, passed by the Council of the City of Cleveland, June 9, 2008.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE SPECIFICATIONS).**

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING THURSDAY, JUNE 10, 2010 AT 10:00 A.M., THE BURKE LAKEFRONT AIRPORT, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.**

June 2, 2010 and June 9, 2010

THURSDAY, JUNE 24, 2010

File No. 99-2010 — GIS Disaster Recovery and Storage Area Network System (Re-Bid), for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 446-09, passed by the Council of the City of Cleveland, June 8, 2009.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING THURSDAY, JUNE 10, 2010 AT 10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 4TH FLOOR CONFERENCE ROOM, 1201 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.**

June 2, 2010 and June 9, 2010

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 767-10.

By Council Member Brancatelli.

An emergency resolution strongly objecting to the opening of "Internet cafes," "sweepstakes parlors," "poker clubs" and like operations in the City of Cleveland and other communities in Ohio.

Whereas, it appears that illegal gambling has been revitalized in the form of Internet cafes, poker clubs and sweepstakes parlors set up in storefronts in places such as Youngstown, Newburg Heights, Cuyahoga Heights and Garfield Heights; and

Whereas, these types of gambling operations facilitate playing games of chance where the business makes a profit and are illegal under Ohio law; and

Whereas, this Council believes that the Cleveland Law Department should file a formal complaint against any such Internet cafes, sweepstakes parlors and poker clubs operating illegally in the City and the Ohio Attorney General's office should stop all these gambling outfits from operating illegally in Ohio; and

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

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

Section 1. That this Council hereby strongly objects to the opening of "Internet cafes," "sweepstakes parlors," "poker clubs" and like operations in the City of Cleveland and other communities in Ohio.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to Ohio Attorney General Richard Cordray.

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

from and after the earliest period allowed by law.

Adopted May 24, 2010.

Effective May 27, 2010 without the signature of the Mayor.

Res. No. 768-10.

By Council Members Cimperman, Sweeney, Brady, Brancatelli, Cleveland, Conwell, Cummins, Dow, J. Johnson, K. Johnson, Keane, Kelley, Miller, Mitchell, Polensek, Pruitt, Reed, Westbrook and Zone.

An emergency resolution supporting National Missing Children's Day on Tuesday, May 25, 2010, and supporting Franklin Circle Christian Church's Worship Service and Safety Forum in recognition of this important day.

Whereas, Tuesday, May 25, 2010 is National Missing Children's Day; and

Whereas, Franklin Circle Christian Church is sponsoring a National Missing Children's Day Worship Service and Safety Forum in recognition of this important day on May 25, 2010 at 5:00 p.m. at 1688 Fulton Rd., Cleveland, Ohio 44113; and

Whereas, the service will seek to remember those children who have been abducted and those who are still missing, as well as to empower parents, caregivers, and others to help prevent future such tragedies; and

Whereas, Cleveland's own Gina DeJesus has been missing since April of 2004; and

Whereas, Gina's parents, Felix DeJesus and Nancy Ruiz will be special guests at the service and forum; and

Whereas, many resources will be shared at the forum to help families and communities learn more how they can talk to their children about safety, prevent child abductions, and increase the safety of their neighborhoods; and

Whereas, we are a united community charged with the protection of our children; and

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

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

Section 1. That this Council hereby supports National Missing Children's Day on Tuesday, May 25, 2010, and supporting Franklin Circle Christian Church's Worship Service and Safety Forum in recognition of this important day.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Franklin Circle Christian Church and Ohio City Near West Development Corporation.

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

Adopted May 24, 2010.

Effective May 27, 2010.

Res. No. 769-10.

By Council Member Cimperman.
An emergency resolution with - drawing objection to the transfer of ownership of a D5 and D6 Liquor Permit at 1296 West 6th Street, and repealing Resolution No. 274-10, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a D5 and D6 Liquor Permit to Struga, Inc., DBA Sin Nite Club and patio, 1296 West 6th Street, Cleveland, Ohio 44113, Permanent No. 8651505, by Resolution No. 274-10 adopted by the Council on March 1, 2010; and

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

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

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

Section 1. That objection to a D5 and D6 Liquor Permit to Struga, Inc., DBA Sin Nite Club and patio, 1296 West 6th Street, Cleveland, Ohio 44113, Permanent Number 8651505 be and the same is hereby withdrawn and Resolution No. 274-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted May 24, 2010.

Effective May 27, 2010.

Res. No. 770-10.

By Council Member Cleveland.
An emergency resolution with - drawing objection to the transfer of Liquor License of a C2 Liquor Permit at 2625 East 55th Street, and repealing Resolution No. 20-10, objecting to said transfer.

Whereas, this Council objected to the transfer of liquor license of a C2 Liquor Permit to 2625 East 55th Gas, Inc., DBA East 55th Shell, 2625 East 55th Street, Cleveland, Ohio 44104, Permanent No. 91167010005, adopted by the Council on January 11, 2010; and

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

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

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

Section 1. That objection to a C2 Liquor Permit to 2625 East 55th Gas, Inc., DBA East 55th Shell, 2625 East 55th Street, Cleveland, Ohio 44104, Permanent No. 91167010005, be and the same is hereby withdrawn and Resolution No. 20-10, containing such

objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted May 24, 2010.

Effective May 27, 2010.

Res. No. 771-10.

By Council Member Cimperman.
An emergency resolution appointing an assessment equalization board to hear objections to estimated assessments with respect to the renewal of the Downtown Cleveland Improvement District and to provide additional security for the Downtown Cleveland Improvement District, additional cleaning and maintenance of the public rights-of-way within the Downtown Cleveland Improvement District and collective economic development and marketing of the Downtown Cleveland Improvement District, by making specific improvements along the public right-of-way.

Whereas, by Resolution No. 1386-05 adopted on August 3, 2005, this Council approved the formation of the Downtown Cleveland Improvement District (the "District") and the Articles of Incorporation of the Downtown Cleveland Improvement Corporation, and approved an initial plan for public services benefiting all of the District; and

Whereas, by Resolution No. 272-10, adopted on March 8, 2010, this Council accepted the Petition of the property owners in the District and a comprehensive services plan (the "Plan") for the continuation of operations of the District; and

Whereas, by Resolution No. 369-10, adopted on April 12, 2010, this Council determined and declared it necessary and conducive to the public health, convenience and welfare of the City of Cleveland to provide additional security for the District, additional cleaning and maintenance of the public rights-of-way within the District and collective economic development and marketing of the District; and provided for the assessment of the cost and expense of such work upon benefited property in the District; and

Whereas, under the above resolution the estimated assessments for the improvement have been prepared and placed on file in the office of the Clerk of Council as File No. 369-10-A; and

Whereas, notice of the adoption of the resolution and of the filing of the estimated assessments have been duly served on all property owners to be assessed in the manner provided by law; and

Whereas, under Section 727.16 of the Revised Code, in the event the owner of any lot or parcel of land to be assessed in the District objects

to the amount or apportionment of the estimated assessment or to the assessment against such lot or parcel, this Council is to appoint an assessment equalization board, consisting of three disinterested freeholders of the City, and shall fix the time and place for the hearing by such board of such objections, and the Clerk of Council shall notify, by certified mail, the persons so objecting of the time and place of such hearing; and

Whereas, written objection to the estimated assessments have been filed by one or more property owners; and

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

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

Section 1. That David Fleming, Gretchen Snediker, and Elizabeth Newman, three disinterested freeholders of the City, and Matt Silversten, an alternate disinterested freeholder of the City, are appointed as an assessment equalization board to hear and determine all written objections filed under the law to the estimated assessments heretofore filed with the Clerk of Council under Resolution No. 369-10, adopted April 12, 2010.

Section 2. That the assessment equalization board shall meet at 9:00 a.m. on June 2, 2010, in Room 220, Cleveland City Hall, for the purpose mentioned above, and on completion of the hearing and any adjournments, shall report its recommendations, including any changes which should be made in the estimated assessments, to this Council.

Section 3. That the Clerk of Council is authorized and directed to notify, certified mail, each person who has filed timely written objection to the estimated assessments of the time, date and place of the hearing of the assessment equalization board. Such notice shall be mailed at least five days before the date of such hearing.

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

Adopted May 24, 2010.

Effective May 24, 2010.

Ord. No. 203-10.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from Department of Justice Violence Against Women through the County Criminal Justice Services Agency for the 2010 Cleveland Team Approach to Domestic Violence Program; and authorizing the Director to enter into one or more contracts with Cuyahoga County to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$115,108 from the Department of Justice Violence Against Women through the County Criminal Justice Services Agency to conduct the 2010 Cleveland Team Approach to Domestic Violence Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the subgrant application for the grant contained in the file described below.

Section 2. That the subgrant application for the grant, File No. 203-10-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority; including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$38,369.33 from Fund Nos. 10 SF 025, 10 SF 027, and 20 SF 049, is approved in all respects.

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

Section 4. That the Director of Public Safety is authorized to enter into one or more agreements with the County of Cuyahoga to implement the grant as described in the file.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 355-10.

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

An emergency ordinance authorizing the Director of Port Control to exercise the second option to renew Contract No. 67096 with Brenda Y. Terrell, Ph.D. & Associates to provide business relations consulting services for the Department of Port Control.

Whereas, under the authority of Ordinance No. 1846-06, passed December 11, 2006, the Director of Port Control entered into Contract No. 67096 with Brenda Y. Terrell, Ph.D. & Associates to provide business relations consulting services for the Department of Port Control; and

Whereas, Ordinance No. 1846-06 requires further legislation before ex-

ercising the options to renew this contract; 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 Port Control is authorized to exercise the second option to renew Contract No. 67096 for an additional year at a cost not to exceed \$75,000, with Brenda Y. Terrell, Ph.D. & Associates to provide business relations consulting services for the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 1846-06 to exercise this option. Notwithstanding Ordinance No. 1846-06, no further options to renew will be exercised for this contract after this ordinance has passed. Request No. RQS 3001 RL 2010-42.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 359-10.

By Council Members Cummins, K. Johnson, Cleveland and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter a Concession Agreement with the Roberto Clemente League for the operation of a concession stand at Roberto Clemente Park, for the Department of Parks, Recreation and Properties, for a period of one year, with four one year options to renew, the second and fourth of which are exercisable through additional legislative authority.

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 any section of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to enter a Concession Agreement with the Roberto Clemente League for the operation of the concession stand at Roberto Clemente Park for a period of one year, with four one-year options to renew. The first of the one-year options to renew may be exercisable by the Director of Parks, Recreation and Properties. The second one-year option to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the second of the one-year options to

renew is exercised, then the third one-year option to renew may be exercisable at the option of the Director of Parks, Recreation and Properties. The fourth one-year option to renew may not be exercised by the Director of Finance without additional legislative authority. That the Director of Parks, Recreation and Properties shall provide an update to the Committee on Public Parks, Property and Recreation each year in which the Concession Agreement is renewed.

Section 2. That the Concession Agreement shall be prepared by the Director of Law.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 406-10.

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

An emergency ordinance authorizing the Director of Port Control to exercise the second option to renew Contract No. 68263 with Airports Council International to provide customer service satisfaction surveys, data collection, reporting, benchmarking, and similar services for the Department of Port Control.

Whereas, under the authority of Ordinance No. 754-08, passed June 9, 2008, the Director of Port Control entered into Contract No. 68263 with Airports Council International to provide customer service satisfaction surveys, data collection, reporting, benchmarking, and similar services for the Department of Port Control; and

Whereas, Ordinance No. 754-08 requires further legislation before exercising the second option to renew on this contract; 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 Port Control is authorized to exercise the second option to renew Contract No. 68263 for an additional year at a cost not to exceed \$56,600, with Airports Council International to provide customer service satisfaction surveys, data collection, reporting, benchmarking, and similar services for the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 754-08 to exercise this option. (RQS 3001 RL 2010-39)

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

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 409-10.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary for painting and paint removal on roadways, runways and other paved surfaces, for the various divisions of the Department of Port Control, for a period of two years with two one-year options to renew, the first of which is exercisable through additional legislative authority.

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

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

Section 1. That the Director of Port Control is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years, with two one-year options to renew for the necessary items of labor and materials necessary for painting and paint removal on roadways, runways and other paved surfaces in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of the Department of Port Control. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL RQN 3001 RL 2010-10)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Port Control may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 414-10.

By Council Members Cleveland, Brancatelli and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a Clean Ohio Revitalization Fund grant from the State of Ohio Department of Development for environmental cleanup and demolition of St. Vincent Charity Hospital campus buildings in order to prepare the site for redevelopment and other major renovations to the campus located at 2351 E. 22nd Street in the City of Cleveland; and authorizing the Director to enter into one or more contracts with St. Vincent Charity Medical Center to implement the project.

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

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

Section 1. That the Director of Economic Development is authorized to apply for and accept a Clean Ohio Revitalization Fund grant in an amount up to \$3,000,000, from the State of Ohio Department of Development for the environmental cleanup and demolition of St. Vincent Charity Hospital campus buildings in order to prepare the site for redevelopment and other major renovations to the campus located at 2351 E. 22nd Street in the City of Cleveland, to be used to implement the project as described in the executive summary below; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the executive summary for the grant contained in the file described below.

Section 2. That the executive summary for the grant, File No. 414-10-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in

all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Economic Development is authorized to enter into one or more contracts with St. Vincent Charity Medical Center, or its designee, to implement the project. The contract or contracts shall require the establishment of performance goals for the redevelopment of the property in accordance with LEED Standards.

Section 4. That the contract or contracts authorized by this ordinance shall be prepared by the Director of Law.

Section 5. That the cost of the contract or contracts authorized will be paid from the fund or subfunds that are credited the proceeds of the grant accepted under this ordinance.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 467-10.

By Council Members Brancatelli, Cleveland and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contracts and expend funds on various programs approved under the Neighborhood Stabilization II Program; authorizing one or more grant agreements with various entities, agencies, and individuals to provide financial assistance to perform various improvements to City-owned eligible properties under the pilot land improvement program; and authorizing the lease of the improved land bank lots to various entities, agencies, and individuals for a period up to five years.

Whereas, the City has a direct allocation of Neighborhood Stabilization II Program funds from Cuyahoga County Land Reutilization Corporation in an amount of \$21,053,162; and

Whereas, the City through the Department of Community Development has been authorized to accept the Neighborhood Stabilization II Program funding; and

Whereas, the Department of Community Development seeks to expend the Neighborhood Stabilization II Program funds as set forth below; and

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

Section 1. That the Neighborhood Stabilization II Program shall be administered in accordance with the Executive Summary, placed in File No. 467-10-A, which file shall also contain a description of the Neighborhood Stabilization II Program.

Section 2. That Neighborhood Stabilization II Program funds in the approximate amount of \$4,760,000,

be expended for costs of the Department of Building and Housing associated with conducting the demolition and deconstruction programs supported by appropriate staffing and technical assistance, in furtherance of nuisance abatement objectives, all in accordance with the appropriate regulations in conjunction with the Neighborhood Stabilization II Program.

Section 3. That the Director of Community Development is authorized to enter into or amend one or more contracts for the purpose of implementing the Neighborhood Stabilization II Program.

Section 4. That eligible activities under the Neighborhood Stabilization II Program include site acquisition, site preparation and predevelopment, rehabilitation, new construction, and financial assistance to developers and home buyers.

Section 5. That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and/or any other security instrument(s) executed to evidence and secure repayment of loans made under this program.

Section 6. That the Director of Community Development is authorized to enter into or amend contracts for a pilot land improvement program. The activities will include development of pocket parks, gardens, urban planning, alternate energy or sustainability resources, and other eligible uses.

Section 7. That Neighborhood Stabilization Program administrative funds in the amount of \$1,600,000, are appropriated for administrative expenses.

Section 8. That the Director of Community Development is authorized to enter into one or more grant agreements with various entities, agencies, and individuals to provide financial assistance to perform various improvements to City-owned eligible properties under the pilot land improvement program, including but not limited to, fences, sheds, trees, shrubs, and other vegetation, and for all other purposes necessary to carry out the pilot program.

Section 9. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to lease the improved land bank lots to various entities, agencies, and individuals ("Lessees") for a period up to five years, which are suitable for lease for a public use.

Section 10. That the properties authorized by this ordinance shall be leased at fair market value as determined by the Board of Control, exclusive of utilities.

Section 11. That the leases may authorize the Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 12. That the Director of Community Development, the Director of Law, and other appropriate City officials are authorized to execute any other documents and cer-

tificates, and take any other actions which may be necessary or appropriate to complete the transactions authorized by this ordinance.

Section 13. That the grant agreements, contracts, leases, and other appropriate documents needed to complete the transactions authorized by this ordinance shall be prepared by the Director of Law.

Section 14. That the cost of the contracts authorized in this ordinance shall not exceed \$21,053,162, and shall be paid from the fund or funds to which are credited the grant proceeds accepted under Ordinance No. 463-09, passed April 20, 2009.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 497-10.
By Council Members Keane and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Port Control to exercise an option to renew Contract No. 68194 with O.R. Colan Associates, Inc. for professional appraisal services, for the Department of Port Control.

Whereas, under the authority of Ordinance No. 777-07, passed June 4, 2007, the Director of Port Control entered into Contract No. 68194 with O.R. Colan Associates, Inc. for professional appraisal services, for the Department of Port Control; and

Whereas, Ordinance No. 777-07 requires further legislation before exercising the option to renew on this contract; 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 Port Control is authorized to exercise the option to renew Contract No. 68194 for an additional year with O.R. Colan Associates, Inc. for professional appraisal services, for the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 777-07 to exercise this option.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 500-10.

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

An emergency ordinance to amend Section 4 of Ordinance No. 487-07, passed June 4, 2007, relating to the rehabilitating, renovating, reconstructing or otherwise improving various Department of Public Health Facilities.

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

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

Section 1. That Section 4 of Ordinance No. 487-07, passed June 4, 2007, is amended to read as follows:

Section 4. That the cost of the contracts authorized shall be paid from Fund Nos. 19 SF 500, 20 SF 362, 20 SF 371, 20 SF 381, 20 SF 391, 20 SF 503, 20 SF 509, 20 SF 517, and 20 SF 524, Request No. 156215.

Section 2. That existing Section 4 of Ordinance No. 487-07, passed June 4, 2007, is repealed.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 515-10.

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

An emergency ordinance to amend the title and Sections 1 of Ordinance Nos. 658-09, passed June 8, 2009, and 721-09, passed June 8, 2009, relating to grants from Cuyahoga County for the 2007 and 2008 Law Enforcement Terrorism Protection Program; and authorizing the Director of Public Safety to enter into amendments to Contract No. 69633 or contracts with Cogent Systems, Inc. and Contract No. 69451 with Fingerprint USA to implement both grants, and to change the name of the 2007 and 2008 grants from the Law Enforcement Terrorism Protection Program to the State Homeland Security Program.

Whereas, under Ordinance No. 721-09, passed June 8, 2009, this Council authorized the Director of Public Safety to apply for and accept a grant from Cuyahoga County for the 2007 Law Enforcement Terrorism Protection Program ("LETTP") and to enter into Contract No. 69451 with Fingerprint USA, LLC, to implement the 2007 grant; and

Whereas, additional funding has become available to the City for the 2007 grant; and

Whereas, under Ordinance No. 658-09, passed June 8, 2009, this Council authorized the Director of Public Safety to apply for and accept a grant from Cuyahoga County for the 2008 LETTP; and

Whereas, because both the 2007 and the 2008 LETTP grants will

use the same contractors and resources for the same purposes, although for different grant terms, the applicable ordinances should be amended to cover both the 2007 and the 2008 grant terms to ensure continuity of the programs and improve efficiency of delivery and the internal management of both grants; and

Whereas, under Ordinance No. 921-09, passed July 1, 2009, Council authorized the Director of Public Safety to enter into Contract No. 69633 with Cogent Systems, Inc. to provide equipment, install, implement, and provide other services for an Automated Fingerprint Identification System ("AFIS"), funded by LETPP, that will be used on a Regional basis by the Cleveland Division of Police and other law enforcement agencies; and

Whereas, in 2010, the State changed the name of the grant program from LETPP to the "State Homeland Security Program"; and

Whereas, additional contracts and contract amendments with, and transfer of equipment to, law enforcement agencies is needed to further implement the AFIS;

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

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

Section 1. That the title and Section 1 of Ordinance No. 658-09, passed June 8, 2009, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Public Safety to apply for and accept grant funding from Cuyahoga County for the 2007 and 2008 State Homeland Security Program f.k.a., the Law Enforcement Terrorism Protection Program ("LETPP"); authorizing one or more requirement contracts for the purchase of materials, equipment, supplies, and services; to employ one or more professional consultants to manage the program.

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$734,995.30, and any other funds that may become available during the grant term, from Cuyahoga County to conduct the 2007 and 2008 State Homeland Security Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the grant agreement and award letter for the grant contained in the file described below.

Section 2. That the existing title and Section 1 of Ordinance No. 658-09, passed June 8, 2009, are repealed.

Section 3. That Section 1 of Ordinance No. 721-09, passed June 8, 2009, is amended to read as follows:

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$761,671.23, and any other funds that may become available during the grant term from Cuyahoga County to con-

duct the 2008 State Homeland Security Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 4. That Section 1 of Ordinance No. 721-09, passed June 8, 2009, is repealed.

Section 5. That the Director of Public Safety is authorized to enter into new contracts or amendments to Contract No. 69633 with Cogent Systems, Inc. and to Contract No. 69451 with Fingerprint USA, LLC, to implement the 2007 and 2008 grant purposes.

Section 6. That the cost of these contracts and/or amendments shall be paid from the fund or funds to which are credited the grant proceeds accepted for the 2007 and 2008 State Homeland Security Programs under Ordinance Nos. 658-09, passed June 8, 2009, and 721-09, passed June 8, 2009.

Section 7. That the Director is authorized to enter into agreements with other governmental law enforcement entities for the transfer of automated fingerprint identification system (AFIS) equipment purchased under the grants.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 516-10.

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

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

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 36 from the United States Government; and

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

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

Section 1. That Community Development Block Grant funds in the amount of \$419,000, from Fund No. 14 SF 036, RQS 8006 RL 2010-78, are appropriated for the reimbursement of administrative expenses of the Code Enforcement Program following the appropriate federal regulations for the Department of Building and Housing, in conjunction with the Community Development Block Grant Program.

Section 2. That prior to expending funds under this ordinance, the Director of Building and Housing

and the Director of Community Development shall enter into a memorandum of understanding for this program.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 518-10.

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

An emergency ordinance appropriating Community Development Block Grant funds for expenses for the Fair Housing Program; and authorizing the Director of Community Relations to enter into one or more contracts with various agencies to implement this program.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 36 from the United States Government; and

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

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

Section 1. That Community Development Block Grant funds in the amount of \$86,000 from Fund No. 14 SF 036, RQS 8006 RL 2010-79, are appropriated for costs of the Department of Community Relations incurred in Fund 19 following the appropriate federal regulations associated with conducting the Fair Housing Program in conjunction with the Community Development Block Grant Program.

Section 2. That the Director of Community Relations is authorized to enter into one or more contracts with various non-profit and for-profit agencies providing services necessary to implement the Fair Housing Program.

Section 3. That the cost of the contracts authorized in this ordinance shall not exceed \$86,000 and shall be paid from Fund No. 14 SF 036.

Section 4. That prior to expending funds under this ordinance, the Director of Community Relations and the Director of Community Development shall enter into a memorandum of understanding for this program.

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

Passed May 24, 2010.

Effective May 27, 2010.

**Ord. No. 545-10.
By Council Members Keane and Sweeney (by departmental request).**

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 68070 with Peregrine Advisors, LLC to provide professional services for financial consulting services to the Department of Port Control.

Whereas, under the authority of Ordinance No. 1403-07, passed November 12, 2007, the Director of Port Control entered into Contract No. 68070 with Peregrine Advisors, LLC to provide professional services for financial consulting services to the Department of Port Control; and

Whereas, Ordinance No. 1403-07 requires further legislation before exercising the first option to renew on this contract; 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 Port Control is authorized to exercise the first option to renew Contract No. 68070 for an additional year, at a cost not to exceed \$300,000, payable from Fund Nos. 60 SF 001 and 60 SF 106, with Peregrine Advisors, LLC to provide professional services to the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 1403-07 to exercise this first option. (RQS 3001 RL 2010-43)

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

Passed May 24, 2010.
Effective May 27, 2010.

**Ord. No. 546-10.
By Council Members Keane and Sweeney (by departmental request).**

An emergency ordinance authorizing the Director of Port Control to make alterations and modifications in Contract No. 66813, for the runway uncoupling and extension project with Kokosing Construction Company, Inc., for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Whereas, Ordinance No. 993-08, passed August 6, 2008, authorized the Director of Port Control to enter into a subsidiary agreement to City Contract No. 66813 with Kokosing Construction Company, Inc. for the runway uncoupling and extension project at Cleveland Hopkins International Airport; and

Whereas, an additional subsidiary agreement is now necessary in order to complete City Contract No. 66813; 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 Port Control is authorized to make the following alterations and modifications in Contract No. 66813 with Kokosing Construction Company, Inc. for the runway uncoupling and extension project at Cleveland Hopkins International Airport, Department of Port Control:

<u>Subsidiary #2 Additions</u>	
Refuse Removal	\$ 1,309,622.64
Joint Seal Replacement	50,000.00
Grayton Road Landfill boulders Removed to Great Lakes Fill Area	128,535.00
MALSR spare parts	+ 40,738.43
Total Subsidiary #2 Additions	\$ 1,528,896.07
Original Contract Price	\$40,700,213.40
First Subsidiary Additions	+ 1,606,369.34
Revised Contract Amount	\$42,306,582.74
Revised Contract Amount	\$42,306,582.74
Total Subsidiary #2 Additions	+ 1,528,896.07
TOTAL REVISED CONTRACT AMOUNT	\$43,835,478.81

which alteration has been recommended in writing by the Director of Port Control, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed on in writing and signed by the Director of Port Control and the Contractor. This alteration will cause an increase in the amount of the original contract amount, as revised under Ordinance No. 993-08, passed August 6, 2008, in the sum of \$1,528,896.07, to be paid from Fund Nos. 60 SF 112, 60 SF 119, 60 SF 126, 60 SF 130, and 60 SF 289. Request No. RQS 3001 RL-2010-54.

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

Passed May 24, 2010.
Effective May 27, 2010.

**Ord. No. 551-10.
By Council Members Cimperman and Sweeney (by departmental request).**

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Alcohol and Drug Addiction Services for the Drug Court 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 authorized to apply for and accept a grant in the approximate amount of \$18,529, and any other funds that may become available during the grant term from the Ohio Department of Alcohol and Drug Addiction Services to conduct the Drug Court Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 551-10-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 5. That the Director of Public Health is authorized to enter into one or more contracts with or make payments to agencies, entities, or individuals to implement the grant as described in the file.

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

Passed May 24, 2010.
Effective May 27, 2010.

**Ord. No. 552-10.
By Council Members Miller, K. Johnson and Sweeney (by departmental request).**

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a concession agreement for the operation of a food and beverage concession at Collinwood Athletic Complex for a period of one year with two one-year options to renew, the first of which is exercisable through additional legislative authority.

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 any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Parks, Recreation and Properties is authorized to enter into a concession

agreement on the basis of competitive proposals, for the operation of a food and beverage concession at Collinwood Athletic Complex for a period of one year, with two one-year options to renew. The selection of the concessionaire shall be made by the Board of Control on the nomination of the Director of Parks, Recreation and Properties. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Parks, Recreation and Properties, without the necessity of obtaining additional authority of this Council.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 553-10.

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

An emergency ordinance authorizing the Director of Community Development to enter into contracts for Commercial Revitalization and rebate, grant, and/or loan agreements with Storefront Renovation Program applicants, and to enter into agreements for eligible costs to community development corporations for implementation of the Storefront Renovation and Commercial Revitalization Programs.

Whereas, the City has created a Storefront Renovation Program to encourage exterior rehabilitation of buildings in targeted areas in the City of Cleveland; and

Whereas, the City is creating a Commercial Revitalization Program to further encourage rehabilitation, increase the availability of goods and services for low and moderate income residents, and create employment in the City; and

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

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

Section 1. That the Director of Community Development is authorized to enter into rebate, grant, and/or loan agreements with Storefront Renovation Program applicants, and contracts for eligible administrative costs, consulting, or professional services, and expenses to community development corporations for implementation of the Commercial Revitalization and Storefront Renovation Programs. The Director is also authorized to provide compensating balance deposits to a designated lender(s) via Cleveland Action to Support Housing

(CASH) or other designee in return for lower than prime interest commercial loans to be used in the Storefront Renovation Program.

Section 2. That the Director of Community Development is authorized to enter into contracts with Commercial Revitalization Program applicants.

Section 3. That the Director of Community Development is authorized to accept program income monies in repayment from community development corporations under the Storefront Renovation Program and to utilize this program income, other Community Development Block Grant program income and Kiosk program income in a revolving fund for additional Commercial Revitalization and Storefront Renovation Program expenditures, and such program income is appropriated for that purpose.

Section 4. That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans, costs, and fees under the City's Storefront Renovation Program and Commercial Revitalization Program.

Section 5. That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan, administered by the City for Commercial Revitalization or Storefront Renovation.

Section 6. That the Director of Community Development is authorized to collect from persons or entities with whom the City is entering into loan agreements or forbearance agreements an amount equal to any amount spent for services related to such agreements, such as title searches, credit bureau reports and document filing fees. Such fees shall be deposited into Fund No. 14.

Section 7. That the total of the contracts and rebate agreements authorized may not exceed \$450,000 and will be paid from Fund No. 14 SF 036, Request No. RQS 8006 RL 2010-85.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 557-10.

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

An emergency ordinance appropriating Community Development Block Grant funds and Federal HOME funds for the operation of the Low Interest Loan and Grant Programs; and to enter into one or more contracts with various agencies to implement these programs.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 36 and 2010 Federal HOME grant funds, from the United States Government; and

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

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

Section 1. That the Director of Community Development is authorized to expend funds from Fund No. 14 SF 036 in the amount of \$2,417,000, and Federal HOME Program funds from Fund 19 SF 640 in the amount of \$1,273,584, for the operation of the Low Interest Loan and Grant Programs, including all related services. The Low Interest Loan and Grant Programs include Repair-A-Home (RAH), Corrective Action Grant, Afford-A-Home (AAH), Senior Home Owners Assistance Program (SHAP), Paint Refund Program, Housewarming, Furnace Repair, and Home Maintenance Assistance Program (HMAP) RQS 8006 RL 2010-87.

Section 2. That the Director of Community Development is authorized to enter into one or more contracts with various non-profit agencies, rehabilitation service providers, tenants, homeowners, and entities providing services necessary to process loans and grants to implement the Low Interest Loan and Grant Programs in the City of Cleveland.

Section 3. That the Director of Community Development is authorized to accept monies in repayment under the programs and to utilize the repayments, and other program income in a revolving fund for additional expenditures under these programs and administrative expenses, which repayments and program income are appropriated for those purposes.

Section 4. That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.

Section 5. That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited into Fund No. 14 and are hereby appropriated for the purposes of the Low Interest Loan and Grant Program.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 560-10.

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

An emergency ordinance appropriating Community Development Block Grant funds for anti-predatory lending and foreclosure prevention assistance, financial literacy programs, and administrative costs to implement the programs; and authorizing the Directors of Consumer Affairs and Community Development to enter into one or more contracts with various entities to provide assistance to City residents.

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 CDBG and Federal Home Grant funds in the amount of \$300,000 are appropriated for anti-predatory lending and foreclosure prevention assistance, financial literacy programs, and administrative costs to implement the programs.

Section 2. That the Director of Consumer Affairs and Director of Community Development are authorized to enter into one or more contracts with various organizations to provide counseling, training, marketing, program evaluation and other services required for anti-predatory lending and foreclosure prevention assistance and financial literacy and to expend funds for administrative costs to implement the programs.

Section 3. That the aggregate cost of the contracts and administrative costs shall not exceed \$300,000 and shall be paid from Fund 14 SF 036, Request No. RQS 8006 RL 2010-94.

Section 4. That prior to expending funds under this ordinance, the Directors of Consumer Affairs and Community Development shall enter into a memorandum of understanding for this program.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 592-10.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of lumber and supplies, for the various divisions of City government, for a period of one year with one option to renew for an additional year, exercisable by the Director 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 authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year, with one option to renew, exercisable by the Director of Finance, of the necessary items of lumber and supplies, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (Request No. RQN 1505 RL 2010-26)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements with other governmental agencies. The Director of Finance may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 593-10.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into one or more requirement contracts without competitive bidding with Dominion East Ohio for the purchase of natural gas transportation services for the City's natural gas accounts; and authorizing the purchase by one or more requirement contracts of natural gas, for the various natural gas accounts of City government, for a period of one year, with two one-year options to renew, the second of which is exercisable through additional legislative authority.

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 this Council has determined that natural gas transportation services are non-competitive and cannot be secured from any source other than Dominion East Ohio. Therefore, the Director of Finance is authorized to make one or more written requirement contracts with Dominion East Ohio, for the requirements for a period of one year, with two one-year options to renew, to renew for an additional one-year term, for natural gas transportation services, to be purchased by the Commissioner of Purchases and Supplies on a unit basis (per Mcf), for the various divisions of City government. The first of the one-year options to renew may be exercised by the Director of Finance, without the necessity of obtaining additional authority of this Council. The second of the one-year options to renew may not be exercised without additional legislative authority.

Section 2. That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year, with two one-year options to renew, for the purchase of natural gas in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis (per Mcf) for the various divisions of City government. The first of the one-year options to renew may be exercised by the Director of Finance, without the necessity of obtaining additional authority of this Council. The second of the one-year options to renew may not be exercised without additional legislative authority. Bids shall be taken in a manner that permits an award to be made for all City natural gas accounts as a single contract, or by separate contract for each or any combination of City natural gas accounts as the Board of Control determines. Alternate bids for a period less than the term 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 3. That the costs of the contract or contracts shall be certified and charged against the proper appropriation accounts in accordance with law. (Request No. RQN 1505 RL 2010-24)

Section 4. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 666-10.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of the rental and laundry of work clothing, for the various divisions of City government, for a period of three years, with two one-year options to renew, the first of which is exercisable through additional legislative authority.

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

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

Section 1. That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of three years, with two one year options to renew, for the necessary items of the rental and laundry of work clothing in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercised at the option of the Director of Finance, without the necessity of obtaining additional authority of this Council. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (Request No. RQN 1505 RL 2010-25)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to make the purchases, and may

enter into one or more contracts with the vendors selected through that cooperative process.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 728-10.

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

An emergency ordinance to amend Section 1 of Ordinance No. 1601-09, passed November 9, 2009, relating to a cause payment of the City of Cleveland's share to the State of Ohio for the cost of rehabilitating and reconstructing various projects.

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

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

Section 1. That Section 1 of Ordinance No. 1601-09, passed November 9, 2009, is amended to read as follows:

Section 1. That this Council authorizes payment to the State of Ohio for the City's share of the cost of rehabilitating and reconstructing the West 65th Street Bridge, Adelbert Road Bridge, Denison Avenue Bridge, West 3rd Street Lift Bridge, West 44th Street Bridge, West 53rd Street Bridge, Woodland Avenue Bridge, East 105th Street Bridge, and rehabilitating and reconstructing Franklin Boulevard, from the fund or funds to which are credited the proceeds of the sale of subordinated lien income tax bonds authorized by Ordinance No. 459-10, passed April 26, 2010, if the City sells such bonds, and from Fund Nos. 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, 20 SF 510, 20 SF 520, and 20 SF 528, Request No. 188540.

Section 2. That existing Section 1 of Ordinance No. 1601-09, passed November 9, 2009, is repealed.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 762-10.

By Council Member Cimperman.

An emergency ordinance granting permission and authority to dispense alcoholic beverages in City Hall Rotunda on Friday, June 25, 2010 and Friday, September 24, 2010, in connection with international events.

Whereas, the Republic of Slovenia was declared an independent state on June 25, 1991, and is celebrated by Slovenian citizens as their most important national holiday; and

Whereas, on this historic date, foundations were laid for a new country which enabled Slovenians and other nationalities living on this land to join the international community as one among equals, and decide independently and democratically on their future and further development; and

Whereas, the Serbian Unity Congress was established in 1990 and is an organization of Serbs and their friends in the Diaspora with goals of sustaining and nurturing Serbian heritage and culture, helping secure positive changes in Serbian lands, and informing public opinion and policymakers about the goals and aspirations of the Serbian people; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and welfare in that this Council warmly welcomes Slovenian and Serbian dignitaries to Cleveland in connection with their international events; now therefore,

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

Section 1. That, notwithstanding and as an exception to Section 617.11 of the Codified Ordinances of Cleveland, Ohio, 1976, permission and authority is granted to dispense alcoholic beverages in City Hall Rotunda on June 25, 2010, in connection with the Annual Slovenian Statehood Reception organized by the Consulate General of the Republic of Slovenia in Cleveland honoring 19 years of Slovenian statehood.

Section 2. That, notwithstanding and as an exception to Section 617.11 of the Codified Ordinances of Cleveland, Ohio, 1976, permission and authority is granted to dispense alcoholic beverages in City Hall Rotunda on Friday, September 24, 2010, in connection with the Serbian Unity Congress Convention being held in Cleveland on September 24 and 25, 2010.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 763-10.

By Council Member Cleveland.

An emergency ordinance authorizing Cedric Arrington to engage in mobile peddling in Ward 5.

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights

of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

Section 1. That this Council consents, as required by, Section 675.08 of the Codified Ordinances to allow each persons named below to engage in peddling in the public rights of way of Ward 5 Cedric Arrington.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted may be revoked at any time by this Council.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 764-10.

By Council Member Conwell.

An emergency ordinance authorizing the issuance of a Temporary Sidewalk Occupancy Permit to Nikolaos Likos to engage in peddling at Euclid Avenue and Stokes Boulevard.

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the request of to engage in peddling of Nikolaos Likos outside of the Central Business District, and has determined that it is in the public interest to allow Nikolaos Likos to peddle in Ward 9; and

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

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

Section 1. That this Council consents, as required by, Section 675.07 of the Codified Ordinances to allow Nikolaos Likos to engage in mobile peddling in the public rights of way of Ward 9 at Euclid Avenue and Stokes Boulevard.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted may be revoked at any time by this Council.

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

Passed May 24, 2010.

Effective May 27, 2010.

Ord. No. 765-10.

By Council Member Pruitt.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Cleveland Metropolitan School District for the After-School Education Program through the use of Ward 1 Neighborhood Equity Funds.

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

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

Section 1. That the Director of the Department of Community Development be authorized to enter into an agreement with the Cleveland Metropolitan School District for the After-School Education Program for the public purpose of providing supplemental educational activities for public school students residing in the city of Cleveland through the use of Ward 1 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$15,500 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 May 24, 2010.

Effective May 27, 2010.

Ord. No. 766-10.

By Council Member Zone.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Sagrada Familia Church to stretch banners at 7750 Detroit Avenue and 7775 Detroit Avenue, for the period from July 1, 2010 to July 29, 2010, inclusive, publicizing the Church Festival.

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 notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Sagrada Familia Church to install, maintain and remove banners at 7750 Detroit and 7775 Detroit Avenue for the period from July 1, 2010 to July 29, 2010, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed May 24, 2010.

Effective May 27, 2010.

COUNCIL COMMITTEE MEETINGS

**Tuesday, June 1, 2010
9:30 a.m.**

Community and Economic Development Committee: Present: Brancatelli, Chair; Dow, Vice Chair; Cimperman, Cummins, J. Johnson, Miller, Westbrook, Zone. *Authorized Absence:* Pruitt. *Pro tem:* Mitchell.

**Wednesday, June 2, 2010
10:00 a.m.**

Public Safety Committee: Present: Polensek, Vice Chair; Brady, Cleveland, Cummins, Dow, Miller, Mitchell, Zone. *Authorized Absence:* Conwell, Chair.

1:30 p.m.

City Planning Committee, Public Parks, Properties and Recreation Committee and Community and Economic Development Committee: Present in Planning: Cleveland, Chair; Brady, Westbrook, Vice Chair; Conwell, Dow, Keane, Zone.

Present in Parks: K. Johnson, Chair; Conwell, Vice Chair; Brancatelli, Cimperman, Dow, Polensek, Reed.

Present in CDED: Brancatelli, Chair; Dow, Vice Chair; Cimperman, Cummins, J. Johnson, Miller, Pruitt, Westbrook, Zone.

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