

The City Record

Official Publication of the Council of the City of Cleveland



September the Twenty-Ninth, 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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Containing	PAGE
City Council	3
The Calendar	17
Board of Control	18
Civil Service	20
Board of Zoning Appeals	23
Board of Building Standards and Building Appeals	24
Public Notice	24
Public Hearings	24
City of Cleveland Bids	25
Adopted Resolutions and Ordinances	25
Committee Meetings	33
Index	33



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

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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 – Randall T. Scott, Commissioner, Room 25
Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1
Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 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 _____, 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, Robert Bennett, President; Michael Nelson, Sr., Vice President; Lucille Ambroz, Secretary; Members: Michael Flickinger, Pastor Gregory Jordan.

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, Verne 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

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71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, SEPTEMBER 29, 2010

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CITY COUNCIL

MONDAY, SEPTEMBER 27, 2010

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City Clerk, Clerk of Council
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

Cleveland, Ohio

Monday, September 27, 2010

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

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

Also present were: Mayor Frank G. Jackson, Ken Silliman, Chief of Staff, Darnell Brown, Chief Operating Officer, Valarie J. McCall, Chief of Government Affairs, Chris Warren, Chief of Regional Development, Monyka S. Price, Chief of Education, Natoya J. Walker Minor, Chief of Public Affairs, Andrea V. Taylor, Press Secretary, Andrew Watterson, Chief of Sustainability, and Directors Triozzi, Dumas, Withers, Smith, Wasik, Carroll, Flask, Cox, Griffin, West, Fumich, Brown, Interim Director John D. Mahone, Lucille Ambroz, Secretary, Civil Service Commission, and Teresa Stevenson of Legislative Affairs.

Council Members, Administration, Staff, and those in the audience rose for a moment of silent reflection. Pledge of Allegiance.

MOTION

On the motion of Council Member Brady, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Mitchell.

FROM THE DEPARTMENT OF OF LIQUOR CONTROL

File No. 1297-10.

Re: #0683825 — D5J D6 New Application - BFR Ventures, LTD, d.b.a. Corks at Play House Square, 1415 Euclid Avenue. (Ward 3). Received.

File No. 1298-10.

Re: #1918454 — D1, D2, D3, D3A, D6 Transfer of Ownership and Location Application - Daniel M. Miller, Inc., 1301 East 9th Street. (Ward 3). Received.

File No. 1299-10.

Re: #034788 — D5 Transfer of Ownership and Location Application - BDP Entertainment, LLC, d.b.a. Grayton Road Tavern, Units 5, 6, 7, 4760 Grayton Road. (Ward 18). Received.

OATH OF OFFICE

File No. 1300-10.

From Bruce Cutlip — Lieutenant, Division of Police. Received.

File No. 1301-10.

From Jose Delgado — Sergeant, Division of Police. Received.

File No. 1302-10.

From Neil Hutchinson — Sergeant, Division of Police. Received.

File No. 1303-10.

From Michael Lawrence — Sergeant, Division of Police. Received.

File No. 1304-10.

From Lisa Steel — Sergeant, Division of Police. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 1305-10—Jerry Thomas Mitchell.

Res. No. 1306-10—Gerald A. "Jerry" DePiero.

Res. No. 1307-10—Sgt. Martin Stanton.

CONGRATULATION RESOLUTIONS

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

Res. No. 1308-10—Terry Ross.

Res. No. 1309-10—Ralph Bodziony.

Res. No. 1310-10—Kathy Boll.

Res. No. 1311-10—Michael Polichuk.

Res. No. 1312-10—Dennis G. Terez.

Res. No. 1313-10—Det. Joseph J. Chojnowski, Badge #187.

Res. No. 1314-10—Jack A. Staph.

Res. No. 1315-10—Old Brooklyn Community School.

Res. No. 1316-10—Old Brooklyn Community Elementary School.

Res. No. 1317-10—William Cullen Bryant Elementary School.

Res. No. 1318-10—Benjamin Franklin Elementary School.

RESOLUTION OF RECOGNITION

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

Res. No. 1319-10—Fugitive Safe Surrender Program.

Res. No. 1320-10—“Cleveland, City of Peace and Non-Violence” initiative.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1284-10.
By Council Members Brancatelli, Kelley and Keane.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 692B.01 through 692B.15 and 692B.99 relating to Sweepstakes Terminal Cafes.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 692B.01 through 692B.15 thereof, to read as follows:

Section 692B.01 Title, Purpose and Objectives

(a) *Title.* This chapter shall be known and may be cited as “Sweepstakes Terminal Café”.

(b) *Purpose and Objective.* The purpose of this chapter is to establish standards for licensing, regulation and control of computerized sweepstakes devices and sweepstakes terminal cafes and the premises upon which they are located and operated for purpose of entertainment of the public. The objectives of this chapter are to prevent safety and fire hazards, disturbances, disruption of pedestrian traffic, disorderly assemblies, theft of personal property, and gambling within the City.

Section 692B.02 Definitions

As used in this chapter,

(a) “Commissioner” means the Commissioner of Assessments and Licenses.

(b) “Computerized sweepstakes device” means any computer, machine, game or apparatus which, upon the insertion of a coin, plate, disc, plug, key, card, token, or similar object, and/or upon payment of a fee or anything of value, wherein a product or service is provided, and operates or may be operated by the public generally for use as a game, contest of skill, entertainment, or amusement, and which in no way tends to encourage gambling. “Computerized sweepstakes device” shall not include mechanically produced music, as regulated by Chapter 692, coin operated amusement devices as regulated by Chapter 692A, billiard or pool tables as regulated by Chapter 688 and Adult Video Arcades and Adult Live Entertainment Arcades as regulated by Chapter 237.

(c) “Sweepstakes terminal café” means an individual building or premises in which any computerized sweepstakes device is located for the use or entertainment of the public, whether or not such premises have other business purposes of any nature whatsoever.

(d) “Premises” means the building or portion of building used to conduct or operate a sweepstakes terminal café.

(e) “Licensee” means the person or persons who sign an application for a license and to whom the license is issued.

(f) “Operator” means any person having authority to control the premises where any computerized sweepstakes device is located or who operates a sweepstakes terminal café area.

(g) “Owner” means any person who possesses a pecuniary interest, either directly or indirectly, or twenty-five percent (25%) or more in a computerized sweepstakes device business or an amusement device business.

(h) “Residential District” means any residential district in the City as defined in the Zoning Code.

(i) “School” means any education institution, private, secular or parochial, which offers instruction to preschool age children, elementary through high school education, and/or colleges and universities of higher education, technical schools, arts and music schools and other specialty schools, and includes day care operations.

(j) “Day Care” has the same meaning as under Chapter 227 of the Codified Ordinances.

Section 692B.03 Licenses Required.**(a) Computerized Sweepstakes Device License.**

No person shall display or allow the use of any computerized sweepstakes device without having first obtained a computerized sweepstakes device license as provided in this chapter. A separate license is required for each computerized sweepstakes device.

(b) Sweepstakes Terminal Café License.

No person shall conduct or operate a sweepstakes terminal café without having first obtained a sweepstakes terminal café license as provided in this chapter.

Section 692B.04 License Fees

(a) *Computerized Sweepstakes Devices.* The fee for each computerized sweepstakes device license shall be fifty dollars (\$50.00) per device, per month.

(b) *Sweepstakes Terminal Cafes.* The fee for a sweepstakes terminal café license shall be ten thousand dollars (\$10,000) every six months.

(c) *Replacement license.* The fee for a replacement license shall be fifteen dollars (\$15.00).

(d) *Filed with Application.* All fees required under this chapter shall be filed with the application of the license.

(e) *Return of Fee.* In the event an application is denied under this chapter, one-half of the license fees, less any costs incurred for reports and investigations, shall be returned to the applicant. No portion of the license or application fee shall be returned to the owner should the license be suspended or revoked.

Section 692B.05 Licenses Generally

(a) Each license required by this chapter shall be a bi-annual license, covering a period from January 1 through May 31 and June 1 through

December 31, unless earlier suspended or revoked.

(b) Each license required by this chapter shall vest a personal privilege but not any property rights in the licensee.

(c) Each license issued under this chapter shall be permanently and conspicuously displayed on the premises for which it is issued.

(d) Each license issued under this chapter shall be in the name of the applicant and is neither assignable nor transferable, either as to person, business or location.

(e) Each license issued under this chapter that is lost, destroyed or mutilated may be replaced if application for replacement is made within thirty 30 days of the loss, destruction or mutilation. Such replacement license shall bear the word “Replacement” across its face and shall have the same license information and number as the license it replaces.

(f) Computerized Sweepstakes Device Licenses.

(1) One computerized sweepstakes device license shall be issued for each individual computerized sweepstakes device and shall specify the name and address of the licensee, and the manufacturer, model number and serial number of the computerized sweepstakes device for which it was issued.

(2) Each license shall become invalid if the computerized sweepstakes device is replaced or moved to another location not specifically stated on the license.

(3) Any license that is changed, mutilated, erased or defaced in any manner is invalid and the computerized sweepstakes device which the license purports to authorize shall be deemed unlicensed and may be removed or taken out of service.

(4) Any additional computerized sweepstakes device(s) added to the premises after issuance of the sweepstakes terminal café license must be licensed within seven (7) days pursuant to this chapter.

(g) Sweepstakes Terminal Café Licenses.

(1) One sweepstakes terminal café license shall be issued for each sweepstakes terminal café business at an individual premise, and shall specify the name and address of the licensee, and the manufacturer, model number and serial number of each computerized sweepstakes device located at the premises for which it was issued.

(2) Change(s) or variation(s) to the sweepstakes terminal café license as originally issued will invalidate the sweepstakes terminal café license.

(3) Any additional computerized sweepstakes device(s) added to the premises after the issuance of the sweepstakes terminal café license and not licensed within seven (7) days pursuant to this chapter is cause for revocation of the sweepstakes terminal café license.

Section 692B.06 Applications for Licenses

(a) Applications for the licenses required by this chapter shall be made to the Commissioner of Assessments and Licenses on forms to be prescribed by the Commissioner.

(b) All applications shall be signed by the owner or owners, including all partners in the case of a partnership and all officers and

directors in the case of a corporation.

(c) In the event no person owns 25% or more of the sweepstakes terminal café, such application shall be signed by an authorized representative of the sweepstakes terminal café.

(d) All applications shall contain a statement that the information contained in the application is complete, accurate and truthful to the best knowledge of all applicants.

(e) Every owner and operator of the sweepstakes terminal café shall be fingerprinted by the Cleveland Police Department. The costs associated with obtaining the fingerprints of the owners and operators shall be borne by those owners and operators.

(f) All applications shall contain the following, as to each owner:

(1) Name and home address (no post office boxes), age and birth date;

(2) Business and home telephone numbers;

(3) Employment history for the past five years;

(4) A statement as to whether the owner has been convicted of any crime other than traffic offenses and, if so, the date and place of conviction, the nature of the offense and the penalty imposed;

(5) A statement as to whether the owner has ever conducted a sweepstakes terminal café and, if so, when, where and for how long;

(6) A description of the nature and operation of the main type of business activity to be conducted upon the premises for which the license is sought;

(7) A description of the nature and operation of any business to be conducted in conjunction with the sweepstakes terminal café and the anticipated percentage of gross revenue to be derived from each respective business;

(8) The address (no post office boxes) and telephone number of the premises for which the license is sought, and of the business if different from the premises;

(9) A statement as to whether the owner will directly operate the sweepstakes terminal café or whether or not an operator who is not an owner will operate it and, if the latter, the application shall contain information required by this section supplied in detail as to each such operator;

(10) A floor plan of the premises, including adjoining properties showing the location of all buildings located on the adjoining properties and use of adjoining properties, including parking facilities drawn to scale by a registered architect. Applicant's plan shall include the square footage for the area utilized for placement of the computerized sweepstakes devices, exit locations and sizes, window size, windows, storage spaces, bicycle storage racks and off-street parking that will be utilized for the sweepstakes terminal café;

(11) A map showing all schools, day cares, playgrounds, parks and or other businesses as may be deemed necessary by the Commissioner, within a radius of 1,000 feet of the premises, and including all churches located within a radius of 500 feet of the premises;

(12) The name, address and telephone number of the agent of the business upon whom service of

process can effectively and validly be made;

(13) The number, type, name, model and manufacturer's serial number of each computerized sweepstakes device requested to be licensed;

(14) Specification of terms of agreement governing the acquisition and installation of each computerized sweepstakes device requested to be licensed;

(15) A description of the nature and type of property or services which will be sold or supplied on the premises;

(16) A copy of the title or lease to the premises;

(17) A copy of the Article of Incorporation, if the owner is a corporation;

(18) A copy of the Operating Agreement, if the owner is a limited liability corporation;

(19) A copy of the Partnership Agreement, if the owner is a partnership;

(20) Specification of the days of the week and the hours of the day during which the licensed activity will be conducted; and

(21) Any other information as may be deemed reasonably necessary by the Commissioner.

Section 692B.07 Issuance of Licenses

(a) All applications properly received by the Commissioner shall be forwarded to the Director of Public Safety and the Director of Building and Housing for their approval within 7 days of receipt of application by the Commissioner.

(b) The Director of Public Safety or the Director of Building and Housing, as appropriate, shall determine that the following prerequisites to the issuance of a license have been established:

(1) The owner(s) and/or operator(s) have not been convicted within the previous five (5) years of a felony, a misdemeanor involving minors, a misdemeanor involving moral turpitude or a crime of violence, or a misdemeanor involving gambling activity, controlled substances or alcoholic beverages;

(2) A license properly issued to the applicant has not been revoked or forfeited within the previous five (5) years;

(3) The location, structure, placement, wiring and connections of the computerized sweepstakes devices covered by the application are suitable under the requirements of the Building Code, the Zoning Code and this chapter, and all required inspection fees have been paid to the city; and

(4) The building or premises in which the sweepstakes terminal café is located, and the location of the sweepstakes terminal café, is in compliance with all requirements of the Building Code, the Zoning Code and this chapter and all required inspection fees have been paid to the City.

(c) The Directors of Public Safety and of Building and Housing shall endorse on each application their approval or disapproval with reasons for any disapproval and return the same to the Commissioner within thirty (30) days of receiving the application. Within fourteen (14) days of approval or denial by the Directors of Public Safety and

Building and Housing, and payment of the license fees, the Commissioner shall either approve or deny the license pursuant to this chapter.

Section 692.08 Renewal of License

Every computerized sweepstakes device license and sweepstakes terminal cafe license shall be renewed bi-annually in accordance with the requirements of this chapter. At the time of the renewal, the applicant shall file with the Commissioner a statement that all information listed on the original application for the license is still complete, accurate and truthful to the best of his or her knowledge, or a statement listing any and all changes since the original application. The statement shall be signed by the original signers of the original license application. The Commissioner shall determine whether to accept such renewal statement and renew the licenses or whether to require a new application pursuant to this chapter.

Section 692B.09 Denial of Sweepstakes Terminal Café License

The Commissioner shall not issue or renew a sweepstakes terminal café license for any business or premises:

(a) Where the premises are located in any residential district in the city;

(b) Where any of the owners or operators have been convicted within the last five years of any felony, a misdemeanor involving minors, a misdemeanor involving moral turpitude or a crime of violence, or a misdemeanor involving any gambling activity, controlled substances or alcoholic beverages;

(c) Where the premises do not specifically designate at least 30 gross square feet of floor area for each computerized sweepstakes device to be located upon the premises, excluding areas used for other principal uses;

(d) Where the premises do not provide a minimum of 35 off-street parking places, or 1 parking space for every 2 computerized sweepstakes devices, whichever is greater;

(e) Where the premises are located within 1,000 feet of any school, playground, daycare, public park or other sweepstakes terminal café, or within 500 feet of any church;

(f) Where it is determined that the premises or operation would be in violation of any provision of the Building Code, the Zoning Code or the Fire Code or any other pertinent provisions of local, state or federal law;

(g) Where the applicant made a false statement as to a material matter on the application or in a hearing concerning the license;

(h) Where the application failed to provide all the required information; or

(i) Where the owner, operator and/or applicant fails to comply with all terms and conditions under this chapter and all other applicable ordinances, laws, rules or regulations.

Section 692B.10 Regulations and Prohibitions

(a) In addition to any other regulation found in this chapter or these codified ordinances, the following regulations are applicable to

and shall govern and control all licenses issued under this chapter:

(1) Each licensee shall at all times open each and every portion of the premises for inspection by the Division of Police or the Department of Building and Housing for the purpose of enforcing any provision of this chapter.

(2) Each licensee shall have present on the premises at all times when the premises are open to the public at least one adult operator who has not been convicted of any felony or of any crime of violence or involving gambling activities, controlled substances, alcoholic beverages, minors or any crime involving moral turpitude.

(3) No licensee shall open the premises for business under this chapter except on Sunday between 2:00 p.m. and 6:00 p.m.; Monday through Thursday between 9:00 a.m. and 11:00 p.m.; and Friday and Saturday between 9:00 a.m. to 12:00 midnight.

(4) No licensee shall allow living quarters to exist with direct entry to the premises.

(5) No licensee shall operate the sweepstakes terminal café business other than on street level or on a level within three feet of street level.

(6) No licensee shall allow any person, other than an owner or operator over twenty-one (21) years of age, who shall be readily identifiable, to be in control of the premises, nor allow the operator to be regularly situated in a place upon the premises other than a place from which he has an unobstructed view of the entire portion of the premises devoted to the operation of computerized sweepstakes devices.

(7) No person under twenty-one (21) years of age shall be permitted in or on the premises in which is located a licensed sweepstakes terminal café.

(8) Any and all sweepstakes rules and odds of winning shall be posted in a conspicuous place at the premises and displayed on the computerized sweepstakes device at the start of each game and/or activity.

(9) Each licensee shall operate the sweepstakes terminal café business in compliance with any and all pertinent rules and regulations of the Federal Trade Commission.

(b) All computerized sweepstakes devices shall be located on the premises in conformity with the floor plan filed with the application for the license and shall:

(1) not impair ingress or egress to the premises;

(2) not interfere with free and unfettered passage through the premises;

(3) be located so that at least 30 gross square feet of floor area is specifically designated for each computerized sweepstakes device, excluding areas used for other principal uses;

(4) be located so that there is a minimum unobstructed area of five feet on either side of each computerized sweepstakes device where persons may use, watch or wait to use the computerized sweepstakes device;

(5) be located so to permit a clear and complete view of the interior of the premises immediately upon entry; and

(6) be located so that the back of any computerized sweepstakes

device is not exposed to a window.

(c) No licensee shall permit or fail to take active steps to eliminate the activities set forth in this section from occurring on the premises. Every licensee shall have a duty to diligently pursue enforcement of this section. The actions of the operator and the failure to take action by the operator shall be imputed to the licensee. No licensee shall:

(1) Permit any indecent, immoral or profane language, or indecent, immoral or disorderly conduct, upon the premises;

(2) Permit the premises to become a gathering place for disorderly persons of any type;

(3) Permit gambling in any form or the possession or use of gambling paraphernalia on the premises;

(4) Permit smoking inside of the premises in accordance with state law;

(5) Permit intoxication or the possession or use of alcoholic beverages on the premises;

(6) Permit the possession or use of any unlawful drug, narcotic or controlled substance on the premises;

(7) Permit the public street, sidewalks, alleys or walkways in the immediate vicinity of any entrance or exit to the premises to become littered;

(8) Permit the walkways to become obstructed in any manner so that pedestrian traffic is hindered;

(9) Permit any computerized sweepstakes device in the premises to be operated at any time the premises is not open for business, or permit the entrance to be locked at any time the premises are open for business;

(10) Permit the premises to become overcrowded so as to constitute a hazard to the health or safety of persons inside or to be in violation of any of the city's relevant code provisions;

(11) Permit any computerized sweepstakes device to be offered to the public for operation unless fully operable and in safe operating condition.

Section 692B.11 Inspection

The Commissioner and the Director of Building and Housing, or their designees, and any law enforcement officer, are hereby authorized to make periodic checks of any business establishment operating a sweepstakes terminal café during the business hours of such establishment for the purpose of inspecting the premises and the computerized sweepstakes device(s) to enforce any provision of this chapter, or to protect the health, safety and welfare of the general public.

Section 692B.12 Enforcement

In addition to the removal authorized pursuant to division (f)(3) of section 692B.05, the Commissioner, the Director of Building and Housing, or any duly authorized law enforcement officer of the city may seize any computerized sweepstakes device for which no license has been issued and which is found to be in use by any person, or may immediately close down the business on the premises, in order to prevent further violations of this chapter. The seizure shall not be lifted, nor the

premises open again for business unless and until a valid license(s) first has been issued and any fines and penalties have been paid in full, including the city's administrative costs of any seizure and/or business closure.

Section 692B.13 Expiration, Suspension or Revocation of License

(a) Any sweepstakes terminal café license issued under this chapter will expire upon the transfer or sale of a majority interest in the computerized sweepstakes device business, or the discontinuation of the business for a continuous period of thirty (30) days. Any computerized sweepstakes device license issued under this chapter will expire upon the transfer or sale of the computerized sweepstakes device authorized by the license.

(b) The Commissioner may at any time revoke or suspend any license granted under this chapter for failure to comply with any provision of this chapter, the Building Code, the Zoning Code, or any other relevant city, state or federal laws, rules or regulations.

Section 692B.14 Appeal

If the Commissioner denies an application for a license or renewal of a license, or revokes or suspends a license, the applicant or licensee may appeal to the Board of Zoning Appeals (Board) of the city. Written notice of such appeal shall be filed with the Board within ten (10) days after the date of the Commissioner's order. The Board shall hear the appeal within ten (10) days of the date the notice of appeal is filed. At the hearing, all interested parties shall be afforded the opportunity to be heard. The Board shall approve, modify or annul the order from which the appeal has been perfected, and the finding of the Board shall be final with respect to all parties.

Section 692B.15 Severability

Each section of this chapter is an independent section and if any section of this chapter, or application of it to any person or circumstance, is held invalid by a court of competent jurisdiction, the remaining sections and the application to any other person or circumstance shall not be affected.

Section 692B.99 Penalties

In addition to any other penalties provided in this chapter, whoever violates any provision of this chapter is guilty of a misdemeanor of the first degree. Each day a violation occurs or continues to occur is a separate offense as to each computerized sweepstakes device, unless the city has closed the business pursuant to this chapter.

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

Referred to Directors of Finance, Law; Committees on Legislation, Finance.

Ord. No. 1285-10.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums opposite the names of the claimants.

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 pay as Moral Claims the sums opposite the names of the following claimants and charged against the fund:

<u>Claimant:</u>	<u>Claim No.</u>	<u>Amount</u>	<u>Division</u>	<u>Fund</u>
Department of Public Safety				
Smith, Erik	12204	\$ 150.00	Corrections	01-600701-672000
Grigsby, Christal A.	12222	946.23	Police	01-600200-672000
Holmes, Wanda	12233	92.02	Police	01-600200-672000
Department of Parks, Recreation and Property				
Parmeter, Audrey	12228	\$ 100.00	Vacant Lots	01-701205-672000
Thomas, Sidney	12203	1,000.00	Urban Forestry	01-701204-672000
Donley, Andrea	12214	500.00	Urban Forestry	01-701204-672000
Department of Public Service				
Tomasch, Ronald R.	12194	\$ 30.00	Waste Collection	01-400303-672000
Urbanski, Maryanne	12220	15.00	Waste Collection	01-400303-672000
Francis, Mary K.	12229	250.00	Waste Collection	01-400303-672000
Department of Public Utilities				
Andolsek, Yolanda	4568	\$ 500.00	CPP	58 SF 001, Unit 80
Ryland, Loretta	4960	500.00	Water	52 SF 001
Miller, Jim and Kim	5021	3,068.29	WPC	54 SF 001
Lysyj, Emily	5022	1,005.20	WPC	54 SF 001

Section 2. That the authority of the Director of Finance to pay the amounts in this ordinance is conditioned on a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance.

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

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

Ord. No. 1286-10.

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

An emergency ordinance to amend Section 47 of Ordinance No. 947-08, passed June 9, 2008, as amended, relating to compensation for various classifications.

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

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

Section 1. That Section 47 of Ordinance No. 947-08, passed June 9, 2008, as amended by Ordinance No. 1459-08, passed September 22, 2008, and Ordinance No. 1674-09, passed November 16, 2009, is amended to read as follows:

Section 47. Hourly Rate - MCEO

Effective May 1, 2010, compensation for all persons employed by the hour in any of the following classifications shall be fixed by the appointing authority within the limits established in the following schedule for each classification:

	Minimum	Maximum
1. Construction Equipment – Group A	\$27.42	\$45.45
2. Construction Equipment – Group B	\$27.27	\$45.30
3. Master Mechanic.....	\$27.92	\$45.95

Section 2. That Section 47 of Ordinance No. 947-08, passed June 9, 2008, as amended by Ordinance No. 1459-08, passed September 22, 2008, and Ordinance No. 1674-09, passed November 16, 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.

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

Ord. No. 1290-10.
By Council Members J. Johnson, Cleveland, Brancatelli and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into an amendment to Contract No. 44522 and an amendment to the Rental Rehabilitation Loan agreement, entered into on January 23, 1992, as amended, both with NOAH Midtown II Limited Partnership, for the rehabilitation of low income rental units in two multifamily buildings located at 3147 Prospect Avenue and 2029 East 40th Street, to change certain terms of the agreements.

Whereas, under Ordinance No. 1267-91, passed June 17, 1991, this Council authorized the Director of Community Development to enter into Contract No. 44522 with NOAH Midtown II Limited Partnership, for the rehabilitation of low income rental units in two multi-family buildings located at 3147 Prospect Avenue and 2029 East 40th Street using Community Development Block Grant Housing Trust funds ("CDBG NOAH Loan"); and

Whereas, under Ordinance No. 1471-88, passed June 20, 1988, as amended, this Council authorized the Director of Community Development to enter into an agreement with NOAH Midtown II Limited Partnership, for the rehabilitation of low income rental units in two multi-family buildings located at 3147 Prospect Avenue and 2029 East 40th Street using Rental Rehabilitation funds ("NOAH Rental Rehabilitation Loan"); and

Whereas, the Director of Community Development entered into amendments to both the CDBG NOAH Loan and the NOAH Rental Rehabilitation Loan on January 23, 1992, to change the terms of the loans; and

Whereas, additional modifications are desired; 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 an amendment to Contract No. 44522 with NOAH Midtown II Limited Partnership ("NOAH CDBG Loan") for the rehabilitation of low income rental units in two multifamily buildings located at 3147 Prospect Avenue and 2029 East 40th Street (1) to extend the terms of the loan for an additional 5 years, to be coterminous with Key Banks' first mortgage; (2) to continue the Tax Credit rent and income limits throughout the term of this loan; (3) to continue the interest rate on the NOAH CDBG Loan at 1%; (4) to allow borrower to make one annual payment of principal and interest to the City that will be the higher of \$10,000 per year of 25% of the available net cash flow after operating expenses and first mortgage debt service; and (5) make such other changes as they deem necessary to allow the refinancing of the existing NOAH CDBG Loan.

Section 2. That the Director of Community Development is authorized to enter into an amendment to the Rental Rehabilitation Loan agreement, entered into on January 23, 1992, as amended, with NOAH Midtown II Limited Partnership ("NOAH Rental Rehabilitation Loan") for the rehabilitation of low income rental units in two multifamily buildings located at 3147 Prospect Avenue and 2029 East 40th Street (1) to extend the terms of the loan for an additional 5 years, to be

coterminous with Key Banks' first mortgage; (2) to continue the Tax Credit rent and income limits throughout the term of this loan; (3) to reduce the interest rate on the NOAH Rental Rehabilitation Loan to 1%; (4) to allow borrower to make one annual payment of principal and interest to the City that will be the higher of \$10,000 per year of 25% of the available net cash flow after operating expenses and first mortgage debt service; (5) to forgive the accrued interest on the NOAH Rental Rehabilitation Loan; and (6) make such other changes as they deem necessary to allow the refinancing of the existing NOAH Rental Rehabilitation Loan.

Section 3. That the terms of the CDBG Loan and the Rental Rehabilitation Loan for NOAH Midtown II Limited Partnership for the rehabilitation of low income rental units in two multifamily buildings located at 3147 Prospect Avenue and 2029 East 40th Street shall be in accordance with the terms as set forth in the Summary contained in File No. 1290-10-A.

Section 4. That the amendments and related documents shall be prepared by the Director of Law and shall contain terms and provisions as the Director of Law deems necessary to protect and benefit the public interest.

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

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

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 1287-10.

By Council Member Sweeney (by departmental request).

An emergency resolution accepting the amounts and rates as determined by the Cuyahoga County Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Whereas, this Council, under the provisions of law, has adopted a Tax Budget for the fiscal year commencing January 1, 2011; and

Whereas, the Budget Commission of Cuyahoga County, Ohio, has certified its action on the Tax Budget to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council and what part is within and what part is outside the 10-mill tax limitation; 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 the amounts and rates as determined by the Budget Commission in its certification are accepted.

Section 2. That there is levied on the tax duplicate of the City of Cleveland the rate of each tax necessary to be levied within and without the 10-mill tax limitation, as follows:

SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY
TAX APPROVED BY BUDGET COMMISSION
AND COUNTY AUDITOR'S ESTIMATE TAX RATES

Fund	Amount to be Derived From Levies	Amount Approved By Budget Commission	County Auditor's Estimate of Tax Rate To Be Levied	
	Outside 10-Mill Limitation	Inside 10-Mill Limitation	Inside 10-Mill Limitation	Outside 10-Mill Limitation
	Column II	Column IV	Column V	Column VI
GENERAL FUND			-----	7.75
BOND RETIREMENT FUND			4.35	-----
POLICE PENSION FUND			-----	0.30
FIRE PENSION FUND			<u>0.05</u>	<u>0.25</u>
TOTAL			<u>4.40</u>	<u>8.30</u>

Section 3. That the Clerk of Council is directed to certify a copy of this resolution to the County Auditor of Cuyahoga County.

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.

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1288-10.

By Council Member Sweeney.
An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Integrated Consulting & Management, LLC for the professional services necessary to make computer-based automated phone calls to targeted audiences in the City for Cleveland City Council.

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

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with Integrated Consulting & Management, LLC for the professional services necessary to make computer-based automated phone calls to residents in a wards or wards, or other targeted audiences in the City for Cleveland City Council. The agreement shall begin October 1, 2010 and shall terminate February 28, 2010, unless sooner cancelled by the Clerk of Council.

The agreement shall be certified in an amount not to exceed \$32,830.00 from fund numbers Fund 01, Dept. 0101, subfund 001, acct. 6320.

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

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

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

Ord. No. 1289-10.

By Council Member Polensek.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at on scattered sites to St. John's West Family Homes, L.P.

Whereas, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; now owned or to be acquired by the City of Cleveland's Land Reutilization Program; and

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

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

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

Section 1. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

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

P. P. No. 103-22-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 107 in Horace P. Weddell's Subdivision of part of Original Ten Acre Lot Nos. 64, 65 and 66, as shown by the recorded plat in said Subdivision in Volume 2 of Maps, Page 30 of Cuyahoga County Records. Said Sublot No. 107 has a frontage of, 40 feet on the Southerly side of Cedar Avenue, S.B., and extends back between parallel lines 132 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

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

P. P. No. 103-22-012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 96.50 feet of Sublot No. 39 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and being 50 feet front on the Southerly side of Cedar Avenue, S.E., (formerly Cedar Street), and extending back 96.50 feet on the Easterly line, 96.50 feet on the Westerly line, which is also the Easterly

line of East 38th Street (formerly William Street), and has a rear line of 50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 5. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

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

P. P. No. 103-22-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 40 feet of the Northerly 125 feet of Sublot No. 40 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Cedar Avenue, S.E., and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 7. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

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

P. P. No. 103-22-015

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Easterly half of Sublot No. 41 in William Williams' Subdivision of part of Original Ten Acre Lot No. 68 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and being 25 feet front on the Southerly side of Cedar Avenue S.E., and extending back of equal width 150 feet deep, as appears by said plat, be the same more or less but subject to all legal highways.

Also subject to zoning ordinances.
Section 9. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

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

P. P. No. 103-22-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southwesterly 25 feet of Sublot No. 42 in William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being 25 feet front on the Southeasterly side of Cedar Avenue, S.E. and extending back between parallel lines 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 11. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

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

P. P. No. 103-22-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as Parcel D of the Lot Split and Consolidation plat for BFR Partners, LLC, shown by the recorded plat in Volume 341, Page 31 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Section 13. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

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

P. P. No. 102-22-018

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as Parcel A 1 of the Lot Split and Consolidation plat for BFR Partners, LLC, shown by the recorded plat in Volume 341, Page 97 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Section 15. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

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

P. P. No. 103-22-019

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as Parcel A2 of the Lot Split and Consolidation plat for BFR Partners, LLC, shown by the recorded plat in Volume 341, Page 97 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Section 17. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

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

P. P. No. 103-22-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 50 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being 50 feet front on the Westerly side of East 39th Street (formerly Grant Street) and extends back of equal width 151 feet 7 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 19. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

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

P. P. No. 103-22-038

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly one-half of Sublot No. 19 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67 to 70, both inclusive, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Northerly line of Central Avenue, S.E. (formerly Garden Street) 63 feet wide at the Southwesterly corner of land conveyed to Fredrick Nauman, by deed dated August 27, 1864, and recorded in Volume 129, Page 203 of Cuyahoga County Records; thence Westerly along the Northerly line of Central Avenue, S.F., 25 feet, 6 inches to the Southwesterly corner of Sublot No. 19; thence Northerly along the Westerly line of said Sublot No. 19, 128 feet, 9 inches to the Northwesterly corner of said Sublot No. 19; thence Easterly along the Northerly line of said Sublot No. 19, to the Northwesterly corner of land so conveyed to Frederick Nauman; thence Southerly along the Westerly line of land so conveyed to Frederick Nauman, to the place of beginning, be the same more or less, but subject to all legal highways.

Section 21. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

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

P. P. No. 103-22-040

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 2 in Taylor and Hoyt's Allotment of part of Original Ten Acre Lot No. 66, as shown by the recorded plat of said Allotment in Volume 2 of Maps, Page 34 of Cuyahoga County Records and part of Sublot No. 18 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat of said Allotment in Volume 3 of Maps, Page 6 of Cuyahoga County Records, said part of Sublot No. 2 in Taylor and Hoyt Allotment and said part of Sublot No. 18 in William Williams' Allotment together forming a parcel of land bounded and described as follows:

Beginning in the Northerly line of Central Avenue, S.E., 35.32 feet Easterly from the Southwesterly corner of said Sublot No. 2; thence Easterly along the Northerly line of Central Avenue, S.E., 35.36 feet to a point in the center of said Sublot No. 18; thence Northerly parallel with the Westerly line of said Sublot No. 18 and about 119 feet to a point in the rear line of said Sublot No. 18,

25 feet Westerly from the North-easterly corner thereof; thence Westerly along the Northerly line of said Sublot No. 18, 22.89 feet; thence in a straight line to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 23. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

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

P. P. No. 103-22-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 106 in the Horace P. Weddell's Subdivision of part of Original Ten Acre Lot No. 66, as shown by the recorded plat in Volume 2 of Maps, Page 30 of Cuyahoga County Records. Said Sublot has a frontage of 30 feet front on the Westerly side of East 37th Street as appears by said plat, be the same more or less, but subject to all legal highways.

Section 25. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

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

P. P. No. 103-22-074

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being the Southerly 31.50 feet from front to rear of Sublot No. 100 in Horace F. Weddell's Subdivision of part of Original Ten Acre Lot Nos. 65 and 66 as shown by the recorded plat in Volume 2 of Maps, Page 30 of Cuyahoga County Records, and being 31.50 feet front on the Westerly side of East 37th Street (formerly Wheat Street) and extending back between parallel lines 117 feet eleven inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 27. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

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

P. P. No. 103-22-088

Situated in the City of Cleveland, in the County of Cuyahoga and State of Ohio, and known as being parts of Sublot Nos. 16 and 17, in Wm Williams Allotment of part of Original Ten Acre Lot Nos. 67, 68 and 69, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and the Southerly 30 feet from front to rear of Sublot No. 4 in Taylor and Hoyt's Allotment of part of Original Ten Acre Lot No. 66, as shown by the recorded plat in Volume 2 of Maps, Page 34 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 37th Street, (formerly Wheat Street) at the Southwesterly corner of said Sublot No. 4; thence Northerly along said Easterly line of East 37th Street, 30 feet to the Southwesterly corner of land conveyed to Eliza E. Rose, by deed dated March 17, 1887 and recorded in Volume 406, Page 626 of Cuyahoga County Records; thence Easterly along the Southerly line of land so conveyed to Eliza E. Rose, about 85 feet to the Westerly line of land conveyed to Girolamo Rini and Agneta Rini, (husband and wife) by deed dated October 1, 1914, and recorded in Volume 1633, Page 499 of Cuyahoga County Records; thence Southerly along said Westerly line of land so conveyed to Girolamo Rini and Angela Rini, 30 feet to a Northerly line of land so conveyed to the said Girolamo Rini and Angela Rini; thence Westerly along said Northerly line of land so conveyed to Girolamo Rini and Angela Rini and along the Southerly line of said Sublot No. 4, about 85 feet 5 inches to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 29. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 30. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-089

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 4 and 5 in Taylor and Hoyt's Subdivision of part of Original Ten Acre Lot No. 66, as shown by the recorded plat in Volume 2 of Maps, Page 34 of Cuyahoga County Records and also a part of Sublot No. 16 in William Williams' Re-Subdivision of William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat of said Re-Subdivision in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 37th Street (formerly Forest Street) at the Southwesterly corner of land conveyed by James Hoyt and others to Ellen Burke by deed dated October 21, 1875 and recorded in Volume 205, Page 605 of Cuyahoga County Records; thence Easterly and along the prolongation of same, Easterly about 85 feet to the Westerly line of land conveyed by Elisha Sheldon Ganson to Victoria E. Ganson by deed dated March 17, 1887 and recorded in Volume 412, Page 397 of Cuyahoga County Records; thence Southerly along the Westerly line of said land conveyed to Victoria E. Ganson about 30 feet to the Northeastly corner of land conveyed by Frederick W. Smith to Helen M. Smith Quit Claim Deed dated December 8, 1910 and recorded in Volume 1301, Page 259 of Cuyahoga County Records; thence Westerly along the Northerly line of said land so conveyed to Helen M. Smith about 85 feet to the Easterly line of said East 37th Street; thence Northerly along the Easterly line of

said East 37th Street, about 30 feet to the place of the beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 31. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 32. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-090

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly one half of Sublot No. 5 and the Southerly 5 feet from front to rear of Sublot No. 6 in Taylor and Hoyt's Allotment of part of Original Ten Acre Lot No. 66 as shown by the recorded plat in Volume 2 of Maps, Page 34 of Cuyahoga County Records, and together forming a parcel of land 25 feet front on the Easterly side of Wheat Street (now known as East 37th Street) and extending back of equal width 73 feet and 5 inches deep, be the same more or less, but subject to all legal highways.

Section 33. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 34. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-092

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 10 feet of Sublot No. 6 and the Southerly 15 feet of Sublot No. 7 in Taylor and Hoyt's Subdivision of part of Original Ten Acre Lot No. 66, as shown by the recorded plat of said Subdivision in Volume 2 of Maps, Page 34 of Cuyahoga County Records. Said parts of said Sublot Nos. 6 and 7 together from a parcel of land having a frontage of 25 feet on the Easterly side of East 37th Street (formerly Forest Street) and extending back between equal lines 73 feet 5 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 35. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 36. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-093 and 103-22-094

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Parcel B in Dedication Plat for Stanley Tolliver Avenue, S.E., and Lot Split and Consolidation for BFR Partners Co. LLC of part of Original Ten Acre Lot Nos. 66 and 67, as shown by the recorded plat in Volume 350 of Maps, Page 34 of Cuyahoga County Records.

Section 37. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 38. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-095

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as Parcel "A" in the Dedication Plat for Stanley Tolliver Avenue, S.E. and Lot Split and Consolidation for SFR Partners Co., LLC, of part of Original Ten Acre Lot No. 66, as shown by the recorded Plat in Volume 350 of Maps, Page 34 of Cuyahoga County Records. And being a parcel of land 28.04 feet on the Southerly side of Stanley Tolliver Avenue S.E. and being 28.28 feet on the curved turnout between the Southerly side of Stanley Tolliver Avenue S.E. and the Easterly side of East 37th Street and extending back 93.81 feet on the Westerly line, which is also the Easterly side of East 37th Street, and 111.81 feet on the Easterly line, and having a rear line of 46.04 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Section 39. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 40. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-098 and 103-22-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; And known as being Parcel F in Dedication Plat for Stanley Tolliver Avenue, S.E. and Lot Split and Consolidation for BFR Partners Co., LLC of part of Original Ten Acre Lot Nos. 66 and 67, as shown by the recorded plat in Volume 350 of Maps, Page 34 of Cuyahoga County Records.

Section 41. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 42. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-101

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; And known as being part of Sublot Nos. 12 and 13 in Taylor and Hoyt's Allotment of part of Original Ten Acre Lot No. 66, as shown by the recorded Plat in Volume 2 of Maps, Page 34 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly side of East 37th Street at a point distant Northerly 26.53 feet from the Southwesterly corner of said Sublot No. 12; thence Northerly 26.80 feet along the said Easterly line of East 37th Street to a point; thence Easterly 73.42 feet parallel with the Southerly line of said Sublot No. 13 to a point in the Easterly line thereof; thence Southerly 26.80 feet along the

Easterly line of said Sublot Nos. 12 and 13 to a point; thence Westerly 73.42 feet parallel with the Southerly line of said Sublot No. 13 to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 43. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 44. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-102

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 26 2/3 feet of Sublot No. 13 in Taylor and Hoyt's Subdivision of part of Original Ten Acre Lot No. 66, as shown by the recorded plat in Volume 2 of Maps, Page 34 of Cuyahoga County Records, and being 26 2/3 feet front on the Easterly side of East 37th Street and extending back of equal width 73 feet 6 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 45. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 46. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-103

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 14 in Taylor and Hoyt's Allotment of part of Original Ten Acre Lot No. 66, as shown by the recorded plat in Volume 2 of Maps, Page 34 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 37th Street (formerly Wheat Street), and extending back of equal width 73 feet, 5 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 47. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 48. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-104

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 24 feet of Sublot No. 15 in Taylor and Hoyt's Allotment of part of Original Ten Acre Lot No. 66 as shown by the recorded plat of said Allotment in Volume 2 of Maps, Page 34 of Cuyahoga County Records. Said part of said Sublot No. 15 has a frontage of 24 feet on the Easterly side of East 37th Street (formerly Forest Street) and extends back between parallel lines 73 feet 5 inches, as appears by said

plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 49. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 50. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-107

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 17 in the Taylor and Hoyt's Subdivision of a part of Original Ten Acre Lot No. 66 as shown by the recorded plat in Volume 2 of Maps, Page 34 of Cuyahoga County Records and being a parcel of land having a frontage of 40 feet on the Easterly side of East 37th Street (formerly Forest Avenue) and extending back of equal width 73.5 feet deep as per said recorded plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 51. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 52. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly part of Sublot No. 18 in Taylor and Hoyt Subdivision of part of Original Ten Acre Lot No. 66 as shown by the recorded plat in Volume 2 of Maps, Page 34 of Cuyahoga County Records, and further described as follows:

Said Northerly part of Sublot No. 18 has a frontage of 26 feet on Easterly side of East 37th Street and extending back of equal width 73.50 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 53. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 54. That the real property to be sold pursuant this Ordinance is more fully described as follows:

P. P. No. 103-22-124 and 103-22-126

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; And known as being Parcel E in Dedication Plat for Stanley Tolliver Avenue, S.E. and Lot Split and Consolidation for SFR Partners Company, LLC of part of Original Ten Acre Lot Nos. 66 and 67, as shown by the recorded plat in Volume 350 of Maps, Page 34 of Cuyahoga County Records.

Section 55. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property,

more fully described below, to St. John's West Family Homes, L.P.

Section 56. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-125

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being part of Sublot No. 13 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, bounded as follows:

Beginning in the Westerly line of East 38th Street (formerly Williams Street) at a point 9 feet Southerly from the Northeast corner of said Sublot No. 13; thence Southerly along the Westerly line of East 38th Street, 41.01 feet to the Southeast corner of said Sublot No. 13, 150.60 feet to the Southwest corner of said Sublot No. 13; thence Northerly along the Westerly line of said Sublot No.13, to a point 9 feet Southerly from the Northwest corner, thereof; thence Easterly parallel with the Northerly side of said Sublot No.13, 150.60 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 57. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 58. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-127

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 20-1/100 feet of Sublot No. 14 and the Northerly 10 feet of Sublot No. 15 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67 to 70, both inclusive as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and together forming a parcel of land 30-1/100 feet front on the Westerly side of East 38th Street (formerly Williams Street), and extending back of equal width 150.5 feet deep, be the same more or less, but subject to all legal highways.

Restrictions of record and zoning ordinances, if any.

Section 59. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 60. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-144

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being the Southerly 20 feet on Sublot No. 35 front to rear and the Northerly 10 feet of Sublot No. 34 front to rear in William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69, and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and forming a parcel of land 30 feet front on the Easterly side of East 38th Street, (formerly

Williams Street) and extending back of equal width 151 feet 7 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 61. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 62. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-145

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being the Northerly 30 feet front to rear of Sublot No. 35 in the William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69, and 70, as shown by the recorded plat in Volume 3 of maps, Page 6 of Cuyahoga County Records, and being 30 feet from front on the Easterly side of East 38th Street, (formerly Williams Street) and extending back of equal width 151 feet 7 inches deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 63. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 64. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-147

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 11 feet from front to rear of Sublot No. 37 and the Northerly 17 feet of Sublot No. 36 in William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 6 of Cuyahoga County Records. Said parts of Sublot Nos. 36 and 37 together form a parcel of land having a frontage of 28 feet on the Easterly side of East 38th Street (formerly William Street), and extending back between parallel lines 151-7/12 feet as appears by said plat. Said premises are conveyed subject to and with the right of way in common 6 feet wide and 151-7/12 feet long, extending Easterly from said Easterly line of East 38th Street to the Easterly line of said Sublot No. 36, the center of said right of way being the Southerly line of the above described premises and the side lines of said right of way in common being parallel with the Southerly line and 3 feet distant North and South therefrom, said right of way in common to be kept open and unobstructed and to be used for ingress and egress to and from the premises abutting thereon on the North and South side lines.

Subject to Zoning Ordinances, if any.

Section 65. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is

authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 66. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-152

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 39 in W. Williams Allotment of part of Original One Hundred Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat of said Allotment in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly side of East 38th Street (formerly William Street) at a point 125 feet Southerly from the Southerly line of Cedar Avenue, S. E.; thence Easterly parallel with the Southerly line of Cedar Avenue, S. E., 50 feet to the Easterly line of said Sublot No. 39; thence Northerly along the Easterly line of said Sublot No. 39, 28.60 feet; thence Westerly parallel with the Southerly line of Cedar Avenue, S. E., 50 feet to the Easterly line of East 38th Street, thence Southerly along the Easterly line of East 38th Street, 28.60 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 67. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 68. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-157

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: and known as being part of Sublot No. 14, in the William Williams Subdivision of Original Ten Acre Lot Nos. 67, 68 and 69 and part of 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, bounded and described as follows:

Beginning in the Westerly line of East 38th Street at a point distant Southerly measured along said Westerly line, 27 feet from the Northeasterly corner of said Sublot No. 14; thence Southerly, along the Westerly line of said East 38th Street, 3 feet; thence Westerly parallel with the Northerly line of said Sublot No. 14, 150.50 feet to the Westerly line of said Sublot No. 14; thence Northerly, along said Westerly line 30 feet to the Northwesterly corner of said Sublot No. 14, thence Easterly, along the Northerly line of said Sublot No. 14, 76 feet to a point distant Westerly measured along said Northerly line, 74.50 feet from the Westerly line of said East 38th Street, thence Southerly parallel with the Westerly line of said 38th Street, 27 feet; thence Easterly parallel with the Northerly line of said Sublot No. 14, 74.50 feet to the place of beginning as appears by said plat, be the same more or less, but subject to all legal highways.

Section 69. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 70. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-165

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Sublot No. 4 in William Williams' Allotment of the Southerly ends of Original Ten Acre Lot Nos. 67, 68 and 69 and the middle of Lot No. 70, as recorded in Volume 3, Page 6 of Cuyahoga County Records; and bounded and described as follows: Beginning at a point in the Westerly line of William Street, 60 feet wide, now East 38th Street, 60 feet wide, distant 21.00 feet Southerly herein from the Northeastly corner of said Sublot No. 4; thence Westerly 50.00 feet parallel with the Northerly line of said Sublot No. 4 to a point; thence Southerly 4.00 feet parallel with said Westerly line of East 38th Street to a point; thence Westerly 57.00 feet parallel with the said Northerly line of Sublot No. 4 to a point; thence Northerly 5.00 feet parallel with said Westerly line of East 38th Street to a point; thence Westerly 43.50 feet parallel with said Northerly line of Sublot No. 4 to a point in the Westerly line thereof; thence Northerly 20.00 feet along the Westerly line of Sublot No. 4 to the Northwesterly corner thereof; thence 150.50 feet along said Northerly line of Sublot No. 4 to the Northeastly corner thereof; being a point in said Westerly line of East 38th Street; thence Southerly 21.00 feet along the Westerly line of East 38th Street to the place of beginning, according to a survey by Robert H. Krause, Registered Ohio Surveyor No. 2885, October 23, 1950, as appears by said Plat, be the same more or less, but subject to all legal highways.

Section 71. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 72. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-170

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Parcel C in the Lot Split and Consolidation for BPR Partners Company, of part of Original 10 Acre Lot Nos. 67 to 70, as shown by the recorded Plat in Volume 341, Page 31 of Cuyahoga County Records.

Section 73. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 74. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-001

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Sublot No. 84 and the Westerly 8-5/12 feet from front to rear of Sublot No. 85 in Wm. Williams' Allotment of part of Original Ten Acre Lot Nos. 67 to 70, both inclusive, as shown by the recorded plat in Volume 3 of Maps,

Page 6 of Cuyahoga County Records, and together forming a parcel of land 60 feet, 7 inches front on the Southerly side of Cedar Street, (now known as Cedar Avenue), S.E. and extending back of equal width along the Easterly side of Grant Street, now known as East 39th Street, 150 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 75. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 76. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; known as being Sublot No. 87 in William Williams' Re-Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and being 50 feet front on the Southerly side of Cedar Avenue, &E., 135 feet deep on the Easterly line of 136 feet deep on the Westerly line and 50 feet wide in rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 77. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 78. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-037

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Northerly 45 feet of the Southerly 49.33 feet of Sublot No. 69 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat of said Allotment in Volume 3 of Maps, Page 6 of Cuyahoga County Records. Said part of Sublot No. 69 has a frontage of 45 feet on the Easterly side of East 39th Street, and extends back between parallel lines 151 feet and 7 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 79. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 80. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-039

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Parcel "B" in the Lot Split & Consolidation for BFR Partners, LLC of part of Original Ten Acre Lot Nos. 68 and 69 as shown by the recorded plat in Volume 344 of Maps, Page 72 of Cuyahoga county Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 81. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 82. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-039

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Parcel "B" in the Lot Split & Consolidation for BFR Partners, LLC of part of Original Ten Acre Lot Nos. 68 and 69 as shown by the recorded plat in Volume 344 of Maps, Page 72 of Cuyahoga county Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 83. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 84. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot Nos. 72 and 73 in William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 39th Street (formerly Grant Street) at a point distant 3.50 feet Southerly, measured along said Easterly line, from the Northwesterly corner of said Sublot No. 72; thence Northerly along said Easterly line of East 39th Street, 6 feet; thence Easterly and parallel with the Southerly line of said Sublot No. 73, 81.70 feet; thence Northerly, and parallel with the Easterly line of East 39th Street, 34 feet; thence Easterly, and parallel with the Southerly line of said Sublot No. 73, 70 feet to the Easterly line of said Sublot No. 73; thence Southerly, along the Easterly line of said Sublot Nos. 73 and 72, 40 feet; thence Westerly, and parallel with the Northerly line of said Sublot No. 72, 151.70 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 85. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 86. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-045

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Parcel A of the Lot Split and Consolidation Plat for BFR Partners, LLC of part

of Original Ten Acre Lot Nos. 68 and 69 as shown by the recorded plat in Volume 346 of Maps, Page 55 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 87. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 88. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Sublot No. 79 in William William's Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69, and 70, said Sublot No. 79 has a frontage of 50 feet, 50 feet on the East side of East 39th Street (formerly Grant Street) and is 50 feet wide and 151 feet, 7 inches in depth, according to the plat of said Allotment as recorded in Volume 3 of Maps, Page 6 of Cuyahoga County Records.

Section 89. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 90. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 80 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68 and 69, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being 50 feet front on the Easterly side of Grant Street (now known as East 39th Street) and extending back of equal width 151 feet, 7 inches deep, as appears by said plat, be the same more or less, but subject to all legal highways, now known as Parcel A of the Lot Split and Consolidation Plat for BFR Partners, LLC, as shown by the recorded plat in Volume 343, Page 00 of Cuyahoga County Records.

Section 91. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 92. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-050

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 30 feet from front to rear of Sublot No. 82 in William William's Re-Subdivision of part of William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69, as shown by the recorded plat of said Re-Subdivision in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being a parcel of land 30 feet front on the Easterly side of Grant Street (now known as East 39th Street), and extending

back of equal width 151 feet 7 inches deep as appears by said plat, be the same more or less, but subject to all legal highways, and further subject to restrictions of record, reservations, easement and conditions of record, if any.

Section 93. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 94. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-051

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Parcel B in the Lot Split and Consolidation for BFR Partners, LLC, of part of Original Ten Acre Lot Nos. 67 to 70, as shown by the recorded Plat in Volume 346, Page 57 of Cuyahoga County Records.

Section 95. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 96. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-096

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Parcel B in the Lot Split and Consolidation for BFR Partners, LLC, of part of Original 10 Acre Lot Nos. 67 to 70, as shown by the recorded Plat in Volume 346, Page 57 of Cuyahoga County Records.

Also subject to zoning ordinances, if any.

Section 97. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to St. John's West Family Homes, L.P.

Section 98. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-097

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: and known as being part of Sublot No. 70 in William William's Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being a parcel of land 12.70 feet on the Easterly side of East 39th Street, and extending back 152.42 feet on the Northerly line, 152.43 feet on the Southerly line, and having a rear line of 12.73 feet as appears by said plat, be the same more or less, but subject to all legal highways. Known as Parcel "C" in the Lot Split & Consolidation for 13FR Partners Company, LLC as shown by Plat Volume 344 of Maps, Page 72 of Cuyahoga County Records.

Section 99. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six

(6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 100. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 101. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 102. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

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

Ord. No. 1291-10.

By Council Member Brancatelli.
An emergency ordinance amending Section 2 of Ordinance No. 865-09 passed June 8, 2009 as it pertains to The First Tee of Cleveland and the Participant Activity Board Project through the use of Ward 12 Neighborhood Capital 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 Section 2 of Ordinance No. 865-09 passed June 8, 2009 is hereby amended to read as follows:

Section 2. That the cost of said contract shall be in an amount not to exceed \$20,000 and shall be paid from Fund No. 10 SF 177.

Section 2. That Section 2 of Ordinance No. 865-09 passed June 8, 2009 is hereby repealed.

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

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

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

Ord. No. 1292-10.**By Council Member Zone.****An emergency ordinance authorizing certain persons to engage in peddling in Ward 15 (Maria Konstanino).**

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, the consent of Council, expressed by ordinance is a prerequisite to temporary sidewalk peddling upon the 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 engage in peddling in Ward 15; and

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

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

Section 1. That, pursuant to Section 675.07 of the Codified Ordinances, this Council hereby consents to allow the person named in this section to engage in peddling in the public right of way in Ward 15 at the locations specified: Maria Konstanino, 4906 Clark Avenue.

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

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

Section 4. That this ordinance supersedes any and all preceding ordinances that may authorize peddling at the above named location.

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

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

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

Ord. No. 1296-10.**By Council Member Pruitt.****An emergency ordinance amending Section 2 of Ordinance No. 765-10 passed May 26, 2010 as it pertains to the Cleveland Metropolitan School District's 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 Section 2 of Ordinance No. 765-10 passed May 26, 2010 is hereby amended to read as follows:

Section 2. That the cost of said contract shall be in an amount not to exceed \$25,500 and shall be paid from Fund No. 10 SF 166.

Section 2. That Section 2 of Ordinance No. 765-10 passed May 26, 2010 is hereby repealed.

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED**Res. No. 1293-10.****By Council Members Sweeney and Mitchell.****An emergency resolution supporting State Senate Bill 273 which generally authorizes municipal corporations and other political subdivisions to enter into agreements to perform services for one another.**

Whereas, current law provides a variety of specific statutes that authorize political subdivisions such as the City of Cleveland to contract for certain services; and

Whereas, for example, the city has entered into cooperation agreements with other municipalities to share emergency medical services and fire fighting services; and

Whereas, general authority also exists under R.C. 307.15, which authorizes intergovernmental agreements for exercising powers, performing functions or rendering services, as well as under R.C. Chapter 167, which authorizes political subdivisions to enter into agreements creating regional councils of government to, inter alia, promote cooperative agreements among its members; and

Whereas, state Senate Bill 273 provides general authority for specified political subdivisions, namely municipal corporations, counties, townships, port authorities, water or sewer districts, school districts, library districts, health districts, park districts, soil and water conservation districts, water conservancy districts, or any other taxing district, to enter into agreements to provide services to one another; and

Whereas, such general authority given to these specified subdivisions will advance cooperation between municipalities and other political subdivisions by causing the political subdivisions to allocate and share resources, and make political subdivisions more efficient by cutting administrative costs; 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 supports State Senate Bill 273 which generally authorizes municipal corporations and other political subdivisions to enter into agreements to perform services for one another.

Section 2. That the Clerk is directed to forward copies of this resolution to Ohio State Senators Nina Turner, Dale Miller and Shirley Smith.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1294-10.**By Council Member Cleveland.****An emergency resolution withdrawing objection to the transfer of stock of a C2 and C2X Liquor Permit at 5611 Woodland Avenue and repealing Resolution No. 838-10, objecting to said transfer.**

Whereas, this Council objected to the transfer of stock of a C2 and C2X Liquor Permit to Jai Ambaji, Inc., DBA Hometown Grocery, 5611 Woodland Avenue, Cleveland, Ohio 44104, Permanent No. 4225578, adopted by the Council on June 7, 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 and C2X Liquor Permit to Jai Ambaji, Inc., DBA Hometown Grocery, 5611 Woodland Avenue, Cleveland, Ohio 44104, Permanent Number 4225578 be and the same is hereby withdrawn and Resolution No. 838-10, 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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1295-10.**By Council Member Reed.****An emergency resolution withdrawing objection to the transfer of ownership of C2 and C2X Liquor Permit at 3744 East 144th Street, 1st floor only and repealing Resolution No. 465-10, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to Lilly Aziza, Inc., DBA One Stop Market, 3744 East 144th Street, 1st floor only, Cleveland, Ohio 44120, Permanent No. 5202187, by Resolution No. 465-10 adopted by the Council on April 12, 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 and C2X Liquor Permit to Lilly Aziza, Inc., DBA One Stop Market, 3744 East 144th Street, 1st floor only, Cleveland, Ohio 44120, Permanent Number 5202187, be and the same is hereby withdrawn and Resolution No. 465-10, 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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 813-10.

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 the United States Department of Public Safety for the 2010 Port Security Grant; and authorizing one or more requirement and standard contracts for materials, equipment, supplies, and services, including training, needed to implement the grant.

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

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

Ord. No. 885-10.

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 the United States Department of Justice for the 2010 Byrne Justice Assistance Grant Program; authorizing the purchase by one or more requirement or standard contracts of materials, equipment, supplies, and services needed to implement the grant; and authorizing the Director to enter into one or more contracts with Cuyahoga County and the Cities of Euclid, Garfield Heights, Lakewood, Parma, and Roger Oviatt to implement the grant.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read

third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 886-10.

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 the State of Ohio Emergency Management Agency, or a designated entity, for the 2009 Urban Area Security Initiative Program; authorizing one or more requirement and standard contracts for the purchase of materials, equipment, supplies, and services; authorizing one or more agreements with governmental entities; and to employ one or more professional consultants to implement the program.

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

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

Ord. No. 887-10.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into one or more Concession Agreements for the operation of concession stands at Gordon Park and Brookside Park, for the Department of Parks, Recreation and Properties, for a period not to exceed three years.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Passage recommended by Committees on Public Parks, Properties, and Recreation, Finance.

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

Ord. No. 1055-10.

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

An emergency ordinance authorizing the Director of Building and Housing to employ one or more professional consultants to perform deconstruction services of structures in the City of Cleveland.

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

1. In Section 1, line 12, after "Control." insert "**The term of each contract or contracts shall expire not later than December 31, 2011.**"

Amendment agreed to.

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

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

Ord. No. 1189-10.

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

An emergency ordinance authorizing the Director of Economic Development to enter into one or more loan and forgivable loan agreements with MCPC, Inc., or its designee, to provide development assistance to

partially finance the renovation and related costs associated with relocating their corporate headquarters to 1801 Superior Avenue, and certain other costs necessary to redevelop the property.

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

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

Ord. No. 1190-10.

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

An emergency ordinance to amend Section 8 of Ordinance No. 2156-05, passed December 4, 2005, as amended by various ordinances, relating to the creation of the Neighborhood Retail Assistance Program.

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

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

Ord. No. 1202-10.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to lease certain space located within Willard Park to the Cuyahoga County Board of Developmental Disabilities for the purpose of establishing an urban garden to provide employment to adults with developmental disabilities, for a term of five years, with one five-year option to renew, exercisable by the Director of Parks, Recreation and Properties.

Approved by Directors of Park, Recreation and Properties, City Planning Commission, Finance Law; Relieved of Committee on City Planning, Passage recommended by Committees on Public Park, Properties and Recreation, Finance.

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

MOTION

The Council Meeting adjourned at 7:44 p.m. to meet on Monday, October 4, 2010 at 7:00 p.m. in the Council Chambers.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

September 22, 2010

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 22, 2010, at 10:30 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Director Wasik, Acting Directors Butler, H. Smith, Director Cox, Acting Directors Wilbur, West, Director Fumich, Interim Director Mahoney and Acting Director O'Leary.

Absent: Mayor Jackson and Director Nichols.

Others: James Hardy, Commissioner, Purchases and Supplies.

Natoya Walker, Director, Office of Equal Opportunity.

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

Resolution No. 398-10.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Utilicon Corp for an estimated quantity of labor and materials necessary to repair or replace water mains, fire hydrants, valves, service connections and appurtenances-Area A, including concrete repair, and tree lawn restoration, all items, for the Division of Water, Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on June 16, 2010 under the authority of Ordinance No. 1538-09, passed November 23, 2009, which on the basis of the estimated quantity would amount to \$4,085,031.75 (0%), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$500,000.00.

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 Utilicon Corp for the above-mentioned service is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Dan Ray Construction, LLC (CSB/MBE)	\$492,000.00 12.044%
ECC Enterprises, LLC (CSB/FBE)	\$328,000.00 8.029%

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Director Wasik, Acting Directors Butler, H. Smith, Director Cox, Acting Directors Wilbur, West, Director Fumich, Interim Director Mahoney and Acting Director O'Leary.

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

Resolution No. 399-10.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Noce Enterprises Inc. for an estimated quantity of labor and materials necessary to repair or replace water mains, fire hydrants, valves, service connections and appurtenances-Area B, including concrete repair, and tree lawn restoration, all items, for the Division of Water, Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on June 16, 2010 under the authority of Ordinance No. 1538-09, passed November 23, 2009, which on the basis of the estimated quantity would amount to \$3,233,785.00 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 an amount not less than \$500,000.00.

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 Noce Enterprises Inc. for the above-mentioned service is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Corlett Trenching and Plumbing (CSB/MBE)	\$970,135.50 30.000%
AMROC Construction	\$646,757.00 20.000%

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Director Wasik, Acting Directors Butler, H. Smith, Director Cox, Acting Directors Wilbur, West, Director Fumich, Interim Director Mahoney and Acting Director O'Leary.

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

Resolution No. 400-10.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Noce Enterprises Inc. for an estimated quantity of labor and materials necessary to repair or replace water mains, fire hydrants, valves, service connections and appurtenances-Area C, including concrete repair, and tree lawn restoration, all items, for the Division of Water, Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on June 17, 2010 under the authority of Ordinance No.

1538-09, passed November 23, 2009, which on the basis of the estimated quantity would amount to \$3,596,040.00 (0%), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$500,000.00.

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 Noce Enterprises Inc. for the above-mentioned service is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Corlett Trenching and Plumbing (CSB/MBE)	\$1,078,812.00 30.000%
AMROC Construction	\$ 719,208.00 20.000%

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Director Wasik, Acting Directors Butler, H. Smith, Director Cox, Acting Directors Wilbur, West, Director Fumich, Interim Director Mahoney and Acting Director O'Leary.

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

Resolution No. 401-10.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Utilicon Corp for the public improvement of cleaning and cement mortar lining of distribution main in East 42nd Street, East 52nd Street, East 53rd Street and Brow Avenue in the Village of Newburgh Heights, Ohio, including a \$39,170.40 contingency allowance, all items, for the Division of Water, Department of Public Utilities, received on July 15, 2010, under the authority of Ordinance No. 1928-07, passed December 10, 2007, upon a unit basis for the improvement in the aggregate amount of \$430,874.40, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following sub-contractors by Utilicon Corp for the above-mentioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Dan-Ray Construction, LLC (CSB/MBE)	\$73,400.00 17.035%
ECC Enterprises, LLC (CSB/MBE/FBE)	\$56,200.00 13.043%

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Director Wasik, Acting Directors Butler, H. Smith, Director Cox, Acting Directors Wilbur, West, Director Fumich, Interim Director Mahoney and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

Resolution No. 402-10.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Utilicon Corp for an estimated quantity of labor and materials necessary to repair or replace water mains, fire hydrants, valves, service connections and appurtenances-Area D, including concrete repair, and tree lawn restoration, all items, for the Division of Water, Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on June 17, 2010 under the authority of Ordinance No. 1538-09, passed November 23, 2009, which on the basis of the estimated quantity would amount to \$3,088,908.63 (0%), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$500,000.00.

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 Utilicon Corp for the above-mentioned service is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Dan Ray Construction, LLC (CSB/MBE)	\$372,000.00 12.043%
ECC Enterprises, LLC (CSB/FBE)	\$248,000.00 8.029%

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Director Wasik, Acting Directors Butler, H. Smith, Director Cox, Acting Directors Wilbur, West, Director Fumich, Interim Director Mahoney and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

Resolution No. 403-10.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Terrace Construction Company, Inc. for the public improvement of cleaning and cement mortar lining of distribution main in Effingham Boulevard in the City of Euclid, Ohio, including a \$16,685.20 contingency allowance, all items, for the Division of Water,

Department of Public Utilities, received on June 10, 2010, under the authority of Ordinance No. 1928-07, passed December 10, 2007, upon a unit basis for the improvement in the aggregate amount of \$183,537.20, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following sub-contractors by Terrace Construction Company, Inc. for the above-mentioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Rockport Construction & Materials, Inc. (CSB/FBE)	\$10,100.00 5.503%
The Vallejo Company, Inc. (CSB/MBE)	\$45,000.00 24.518%

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Director Wasik, Acting Directors Butler, H. Smith, Director Cox, Acting Directors Wilbur, West, Director Fumich, Interim Director Mahoney and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

Resolution No. 404-10.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of SHIHLIN ELECTRIC USA COMPANY LIMITED for the following: Purchase of Transformers and Accessories, Group K, Items K1 through K10, Group L, Items L1 through L3, Items L5 through L12, and Group M, Item M1 (0%, Net 30 Days), for the Division of Cleveland Public Power, Department of Public Utilities, received on June 9, 2010, under the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the order quantities would amount to \$1,045,820.00, is approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into contract for the items.

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Director Wasik, Acting Directors Butler, H. Smith, Director Cox, Acting Directors Wilbur, West, Director Fumich, Interim Director Mahoney and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

Resolution No. 405-10.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of K D Lamp Company, Incorporated for an estimated quantity of decorative post lights, Group A, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years starting upon execution of the contract, received on July 9, 2010 under the authority of Ordinance No. 1751-09, passed December 7, 2009, which on the basis of the estimated quantity would amount to \$79,992.50 (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 delivery order, the cost of which shall be certified against the contract in an amount not less than \$79,992.50.

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

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Director Wasik, Acting Directors Butler, H. Smith, Director Cox, Acting Directors Wilbur, West, Director Fumich, Interim Director Mahoney and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

Resolution No. 406-10.

By Director Withers.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on June 9, 2010 for the purchase of Transformers and Accessories, Groups A, B, C, D, E, F, G, H, I, J, and N, all items, and Group L, Item L4, 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, Dumas, Withers, Acting Director Dangerfield, Director Wasik, Acting Directors Butler, H. Smith, Director Cox, Acting Directors Wilbur, West, Director Fumich, Interim Director Mahoney and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

Resolution No. 407-10.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Westside Lighting Center, Inc. for an estimated quantity of decorative post light installation, Group B, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years starting upon execution of the contract, received on July 9, 2010 under the authority of Ordinance No. 1751-09, passed December 7, 2009, which on the basis of the estimated quantity would amount to \$59,200.00 (0%, 0 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract, for the goods and/or services, which contract shall provide for an initial delivery order, the cost of which shall be certified against the contract in an amount not less than \$59,200.00.

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

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Director Wasik, Acting Direc-

tors Butler, H. Smith, Director Cox, Acting Directors Wilbur, West, Director Fumich, Interim Director Mahoney and Acting Director O'Leary.

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

Resolution No. 408-10.

By Director Cox.
Whereas, Charter One Bank is holding an event at the West Side Market on September 29, 2010 to launch the Growing Communities Initiative for the Ohio City Market District; and

Whereas, the City of Cleveland wishes to support this initiative and grant Charter One Bank the privilege, permit and license to distribute from the West Side Market property approximately 5,000 promotional bags as part of the September 29, 2010 event; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, that the Director of Parks, Recreation and Properties is authorized to enter into an agreement ("Agreement") granting Charter One Bank the privilege, permit and license to utilize booth spaces 80 and 82 at the West Side Market at no charge for the sole purpose of storing and distributing 5,000 promotional bags to the public on September 29, 2010.

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Director Wasik, Acting Directors Butler, H. Smith, Director Cox, Acting Directors Wilbur, West, Director Fumich, Interim Director Mahoney and Acting Director O'Leary.

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

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 stated in the examination announcement.

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

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

REYNALDO GALINDO,
President

CIVIL SERVICE NOTICE

**ANNOUNCEMENTS — 2010
10/1/2010 — 10/7/2010**

Announ- cement No.	Exam Method	Classi- fication	Exam Type
63A	WR	Customer Service Representative	Open
64	WR/TY	Emergency Medical Dispatcher	Open
65	EE	Geriatric Outreach Worker	Open
66	EE	Mechanical Inspector	Open
67	EE	Supervisor Of Vital Statistics	Open

PROOF OF CITY RESIDENCY

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing.** The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current.** Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

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

Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 63A**

CUSTOMER SERVICE REPRESENTATIVE (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.03 - \$17.16 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE AVAILABLE FOR PICK UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION ON THE FOLLOWING DATES FROM 8:30 A.M. ON FRIDAY, SEPTEMBER 24, 2010 UNTIL 4:30 P.M. ON THURSDAY, OCTOBER 7, 2010.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, OCTOBER 7, 2010.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

DUTIES OF THE POSITION

Under supervision, assists a high volume of utility customers concerning inquiries, concerns, or complaints regarding their accounts, equipment, and services by walk-in or telephone in accordance with established guidelines and procedures. Receives information regarding customer's circumstances. Uses computer software and hardware, reference manuals, federal/county/municipal records, intranet/internet sites, training sessions, etc. to investigate address, branch, and meter information as well as customer usage, account, and bill payment history. Assesses resulting information to determine theft of services or possible causes for high or low meter readings. Calculates specific charges and makes billing adjustments as necessary. Evaluates customer eligibility for billing and service programs, bill extensions, and extended payment arrangements and determines if supervisory approval is needed for such. Explains policies and procedures as well as billing

process. Answers simple billing questions. Informs customers of possible reasons for high or low bills and the steps necessary to resolve problems. Advises them of service programs and special billings available. Completes necessary forms, documents, or letters to establish new accounts, establish or terminate service, request repairs, issue permits, and initiate account adjustments. Enters information into utility records. Processes service requests and applications for various permits. Refers customers to appropriate offices or agencies. Follows up with customer if necessary. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. One year of full time paid experience in a call center with an emphasis in customer service, billing, and/or service complaints OR two years of general customer service experience in a high-volume business environment is required. Experience in a utility call center is preferred. (Substitution: National Professional Certification in Customer Service may substitute for 6 months of experience lacking). Must possess basic level knowledge of the internet and MS Office (Word, Excel, Outlook, etc.) in a Windows-based environment. The ability to speak a second language is preferred.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application. **THOSE APPLICANTS WHO APPLIED FOR THE MOST RECENT TEST WILL ALSO BE EXEMPT FROM THE FILING FEE.**

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

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

NOTE: Those persons who are residents of the City of Cleveland for at

least one year and who received passing Scores shall have ten (10) additional points added to their grades. A copy of acceptable proofs of residency is included with each application.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 64

EMERGENCY MEDICAL DISPATCHER (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.50 - \$19.86 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION ON THE FOLLOWING DATES FROM 8:30 A.M. ON FRIDAY, OCTOBER 1, 2010 UNTIL 4:30 P.M. ON THURSDAY, OCTOBER 7, 2010.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, OCTOBER 7, 2010.

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

EXAMINATION INFORMATION

TYPE: WRITTEN & TYPING

NOTE: WRITTEN TEST = 60% OF FINAL GRADE, TYPING TEST = 40% OF FINAL GRADE, THE WRITTEN TEST WILL BE ADMINISTERED FIRST, CANDIDATES MUST RECEIVE A PASSING GRADE ON THE WRITTEN TEST IN ORDER TO BE ABLE TO TAKE THE TYPING TEST WHERE A MINIMUM OF 35 WPM IS REQUIRED IN ORDER TO HAVE THEIR EXAMS GRADED. FAILURE TO OBTAIN 35 WPM ON THE TYPING PORTION OF THE EXAM WILL RESULT IN AN AUTOMATIC SCORE OF ZERO. (FAILURE)

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

DUTIES OF THE POSITION

Answers emergency medical telephone calls from citizens, elicits pertinent information, prioritizes the call using information from the caller, and assigns the proper priority code. Operates Emergency Medical Services divisional computers and radio equipment according to City and FCC rules and regulations. Dispatches Emergency Medical

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

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

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

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

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 65

GERIATRIC OUTREACH WORKER (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.00 - \$21.52 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK UP in the civil service office TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION ON THE FOLLOWING DATES FROM 8:30 A.M. ON FRIDAY, OCTOBER 1, 2010 UNTIL 4:30 P.M. ON THURSDAY, OCTOBER 7, 2010.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, OCTOBER 7, 2010.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

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

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

DUTIES OF THE POSITION

Under general supervision, locates and contacts elderly persons who may be in need of services. Determines which services, benefits, or entitlements they may be in greatest need of. Determines which agencies or individuals may best provide the necessary services. Assists the elderly in making contact with the proper authorities. Intervenes in crisis situations involving the elderly and performs related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. Four years of full time experience in Human Services dealing with older persons is required. (Substitution: A Bachelor's Degree in Gerontology, Education, Social Work, or a closely related field from a four-year accredited college or university may substitute for experience.) A

valid State of Ohio Driver's License is required. Bilingual is preferred.

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

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

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

NOTE: Those persons who are residents of the City of Cleveland for at least one year and who received a passing scores shall have (10) additional points added to their grades. A copy of acceptable proofs of residency is included with each application.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 66

MECHANICAL INSPECTOR (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.08 - \$27.97 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION ON THE FOLLOWING DATES FROM 8:30 A.M. ON FRIDAY, OCTOBER 1, 2010 UNTIL 4:30 P.M. ON THURSDAY, OCTOBER 7, 2010.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, OCTOBER 7, 2010.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's eligibility will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her

education and experience at the time of filing application.

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

DUTIES OF THE POSITION

Under the supervision of the Commissioner of Code Enforcement makes inspections of residential and commercial buildings and structures for the purposes of ensuring compliance with laws, ordinances, rules, and regulations relating to the design, installation, maintenance, alteration, repair, relocation, replacement, addition to, use, and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes. Performs related duties as required that pertain to enforcement of the Cleveland Housing, Building, and Zoning Codes as well as the Ohio Building, Residential, and Mechanical Codes. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

(Note: this classification utilizes the working title of Mechanical Inspector I, II, or III, depending on the certifications held. Also, employees must be in each level at least one year before going on to the next level.) A High School Diploma or GED is required. One of the two is required: Three years of full time paid experience as a skilled HVAC system and associated refrigeration, fuel, gas, and heating pipe tradesman for work subject to inspection under a model building code of a national model code organization or a code adopted for non-residential buildings or structures within the scope of groups regulated by the rules of the Board or experience as specified in section 103.3.3(2) OR; successful completion of the trainee program pursuant to section 103.3.9. A valid State of Ohio Driver's License is required. State of Ohio Board of Building Standards (OBBS) certification as a Mechanical Inspector and OBBS certification as a Residential Building Inspector is required. Must have and maintain certifications throughout employment. In addition to the above: (A) Mechanical Inspector I (Substitution: An OBBS interim certification as a Mechanical Inspector and an interim certification as a Residential Building Inspector may substitute for Mechanical Inspector and Residential Building Inspector certifications.) (B) Mechanical Inspector II - Must have passed the B2 Commercial Building Inspector examination through the international Code Council (ICC) per the inspector incentive schedule or

the 1B Building General through the NCPCC. (C) Mechanical Inspector III - Must have passed the 77 Commercial Energy Inspector examination through the ICC per the inspector incentive schedule.

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

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 67

SUPERVISOR OF VITAL STATISTICS (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,800.00 - \$54,163.56 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION ON THE FOLLOWING DATES FROM 8:30 A.M. ON FRIDAY, OCTOBER 1, 2010 UNTIL 4:30 P.M. ON THURSDAY, OCTOBER 7, 2010.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, OCTOBER 7, 2010.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her

education and experience at the time of filing application.

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

DUTIES OF THE POSITION

Under direction, supervises the work performed by the Vital Statistics staff. Audits work for compliance with quality assurance and insurance requirements. Supervises and controls the receipt of monies. Supervises the registration of births and deaths within the City. Prepares routine reports. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. A Bachelor's Degree in Finance, Economics, or related field from a four year accredited college or university is required. Two years of full time paid accounting experience as well as three years of management is required. (Substitution: One year of experience will substitute for each year of college education lacking.) Should possess strong customer service skills.

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

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

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

AN EQUAL OPPORTUNITY EMPLOYER

REYNALDO GALINDO,
President

September 29, 2010

SCHEDULE OF THE BOARD OF ZONING APPEALS

TUESDAY, OCTOBER 12, 2010

9:30 A.M.

Calendar No. 10-166: 4594 Rocky River Drive (Ward 19)
Cleveland Muslim Community Center, owner, appeals for expansion of use from one family dwelling unit to include a school in a Two-Family District, pursuant to Section 337.03 and by reference from a One Family District. Sections 337.02(f) (3), a school if located less than 30 feet from any adjoining premises in a residence district, not used for a similar purpose, is subject to the review and approval of the Board of Zoning Appeals and the proposed school is surrounded by a residence district.

Calendar No. 10-167: 4600 Rocky River Drive (Ward 19)
Cleveland Muslim Community Center, owner, appeals to construct a parking lot in a Two-Family District subject to the restrictions of Section 337.03 the use requires Board of Zoning Appeals approval pursuant to Section 349.13 and accessory off-street parking spaces shall be provided with wheel or bumper guards located so that no part of a parked vehicle extends beyond the parking space pursuant to Section 349.07; landscaping detail is required and an island strip shall have a minimum area of 100 square feet each and be separated by no more than 20 parking spaces in accordance with Sections 352.10 and 352.10(e) of the Cleveland Codified Ordinances.

Calendar No. 10-168: 4568 Rocky River Drive (Ward 19)
Cleveland Muslim Community Center, owner, appeals to construct a parking lot on a 157' x 194.45' lot in a Two-Family District and subject to the restrictions of Section 337.03 the use requires Board of Zoning Appeals approval pursuant to Section 349.13, and accessory off-street parking spaces shall be provided with wheel or bumper guards located so that no part of a parked vehicle extends beyond the parking space pursuant to Section 349.07; landscaping detail is required and an island strip shall have a minimum area of 100 square feet each and be separated by no more than 20 parking spaces in accordance with Sections 352.10 and 352.10(e) of the Cleveland Codified Ordinances.

Calendar No. 10-169: 4431 West 130th Street (Ward 18)
Abrams family Properties LLC, owner, and Shelly Materials, Inc., tenant, appeal for a change of use to an asphalt concrete mixing site on acreage in a B3 General Industry District subject to the limitations of Section 345.04(b)(1) not permitted and first allowed in an Unrestricted Industry District in accordance with Section 345.05; and with the provisions of Section 349.04(j) requires one parking space for each three employees expected to be on the premises during the largest work shift period or a total parking area equivalent to 25 percent of the gross floor area, whichever is greater.

Calendar No. 10-170: 17119 Lorain Avenue (Ward 19)

Patrick Campbell, owner, appeals for an expansion of an existing bar and restaurant use to include the basement and second floor, live entertainment and a dance studio/school in a Local Retail Business District; subject to the limitations of Section 343.01 live entertainment is not permitted and first allowed in a General Retail District and it abuts a Two-Family District contrary to Section 347.12(a)(1) and is not permitted within 500 feet of a residential district, nor is it allowed to be established within 500 feet of another such use by the limitations of Section 343.11(a)(2); and the expansion/addition of nonconforming use requires the Board of Zoning Appeals approval in accordance with the provisions of Section 359.01 of the Cleveland, Codified Ordinances.

Calendar No. 10-174: 3849 West 25th Street (Ward 3)

WHS Realty Services, Inc., owner, and Happy's Pizza Holdings LLC, prospective tenant, appeal to establish use as a restaurant in an existing building located on a corner parcel in a Local Retail Business District; contrary to Section 352.08 through 352.11 and the requirement for a landscaping strip 6 feet wide at the front and side street yard frontage along West 25th Street and Denison Avenue.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, SEPTEMBER 27, 2010

At the meeting of the Board of Zoning Appeals on Monday, September 27, 2010, the following appeals were heard by the Board.

The following appeals were **Approved:**

Calendar No. 10-158: 6401 Midtown Commerce Park Drive

Ardent Products Corporation appealed to establish a light industrial use with light warehousing on acreage located in zoning for Midtown Mixed Use District 1 and District 4.

Calendar No. 10-133: 2814 Detroit Avenue

Bounce Properties, LLC appealed to construct a 703 square foot outdoor patio deck to a legal nonconforming night club in a Semi-Industry District; subject to conditions.

The following appeal was **Dismissed:**

Calendar No. 10-145: 3870 West 25th Street aka Pearl Road

Frank J. Gallo appealed from a Notice of Violation issued by the Department of Building and Housing.

The following appeals were **Postponed:**

Calendar No. 10-148: 3207 West 65th Street postponed to November 1, 2010.

Calendar No. 10-155: 5905 Thackeray Avenue postponed to October 18, 2010.

Calendar No. 10-156: 5911 Thackeray Avenue postponed to October 18, 2010.

Calendar No. 10-157: 5917 Thackeray Avenue postponed to October 18, 2010.

The following appeals scheduled for postponement hearing on October 12, 2010 were postponed to October 18, 2010:

Calendar No. 10-150: 15225 Ohio Avenue postponed to October 18, 2010.

Calendar No. 10-151: 14905 Naples Avenue postponed to October 18, 2010.

Calendar No. 10-152: 14509 Naples Avenue postponed to October 18, 2010.

The following appeals heard by the Board on September 20, 2010 were adopted and approved on September 27, 2010.

The following appeals were **Approved:**

Calendar No. 10-147: 4472 West 134th Street

Valarie Burrell appealed to erect an L-shaped wheelchair ramp in the front yard of a dwelling in a One-Family District.

Calendar No. 10-153: 10701 Shaker Boulevard

Springfield Investment Properties LLC appealed to install 1,056 linear feet of ornamental steel fence 6 feet high in a General Retail Business District; subject to condition.

Calendar No. 10-130: 18200 Lorain Avenue

Fairview Hospital appealed to construct a parking lot on consolidated parcels located in Multi-Family and One-Family Districts.

Calendar No. 10-134: 10660 Carnegie Avenue

Tudor Arms Hotel, LLC appealed to expand a parking lot on consolidated parcels in a General Retail Business District.

The following appeals heard by the Board on August 16, 2010 will be rescheduled for reconsideration by the Board on October 18, 2010:

Calendar No. 10-67: 2388 West 6th Street

Nancy Corral Trust appealed to erect a two-story frame single family residence with an attached garage in a B1 Two-Family District; subject to conditions.

Calendar No. 10-68: 2379 West 6th Street

Nancy Corral Trust appealed to erect a two-story frame single family residence with an attached garage in a B1 Two-Family District; subject to conditions.

Calendar No. 10-69: 2382 West 6th Street

Nancy Corral Trust appealed to erect a two-story frame single family residence with an attached garage in a B1 Two-Family District; subject to conditions.

Calendar No. 10-70: 2387 West 7th Street

Nancy Corral Trust appealed to erect a two-story frame single family residence with an attached garage in a B1 Two-Family District; subject to conditions.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

Notice of Public Hearing By the Council Committee On City Planning

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, October 13, 2010
1:00 p.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, October 13, 2010, at 1:00 p.m., to consider the following ordinances now pending in the Council:

Ord. No. 730-10.

By Council Member Cimperman. An ordinance changing the Use District of lands on the south side of Holmden Avenue to Two Family Residential District (Map Change No. 2310; Sheet No. 5).

Ord. No. 732-10.

By Council Member Cimperman. An ordinance changing the Use District of lands at the intersection of Professor St. & Starkweather Ave. shown shaded on the attached map to Local Retail Business (Map Change No. 2314; Sheet No. 5).

Ord. No. 733-10.

By Council Member Cimperman. An ordinance changing the Use District of lands bounded by Kenilworth Ave., Starkweather Ave., West 11th St. and W. 14th St., shown shaded on the attached map, to an Open Space and Recreation District (Map Change No. 2311; Sheet No. 5).

Ord. No. 734-10.

By Council Member Cimperman. An ordinance changing the Use District of lands known as City of Cleveland's Clark Field recreation site including land at I490 and Quigley Roads, shown shaded on the attached map to an Open Space and Recreation District (Map Change No. 2312; Sheet No. 5).

Ord. No. 1076-10.

By Council Member Cimperman. An ordinance changing the Use District of land located near the southwest corner of Rowley Avenue and West 11th Street from Two Family Residential to Local Retail Business (Map Change No. 2336; Sheet No. 6).

Ord. No. 1077-10.

By Council Members Dow and J. Johnson. An ordinance establishing the Superior Avenue Design Review District (Map Change No. 2337, Sheet No. 4).

All interested persons are urged to be present or to be represented at the above time and place.

Phyllis E. Cleveland
Chair
Committee on City Planning

September 29, 2010 and October 6, 2010

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."

THURSDAY, OCTOBER 14, 2010

File No. 150-2010 — Messenger Services, for the Various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING TUESDAY, OCTOBER 5, 2010 AT 2:30 P.M. THE CITY OF CLEVELAND, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CLEVELAND, OHIO 44114.

September 15, 2010, September 22, 2010 and September 29, 2010

WEDNESDAY, OCTOBER 20, 2010

File No. 155-2010 — Commercial Gases, for the various Divisions of City government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio 1976. THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING MONDAY, OCTOBER 11, 2010 AT 10:30 A.M. THE CITY OF CLEVELAND, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CLEVELAND, OHIO 44114.

September 29, 2010 and October 6, 2010

FRIDAY, OCTOBER 22, 2010

File No. 153-2010 — Purchase of Various Types of Safety Equipment Required for OSHA/PERRP Compliance, for the Divisions of Water, Cleveland Public Power and Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 870-10, passed by the Council of the City of Cleveland, August 18, 2010.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, OCTOBER 8, 2010 AT 2:30 P.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

File No. 154-2010 — Disposal of Debris at Landfills, for the Divisions of Water, Cleveland Public Power and Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 805-10 passed by the Council of the City of Cleveland, July 14, 2010.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, OCTOBER 7, 2010 AT 10:30 A.M. THE DISTRIBUTION & MAINTENANCE, 4600 HARVARD AVENUE, SECOND FLOOR CONFERENCE ROOM, CLEVELAND, OHIO 44105.

September 29, 2010 and October 6, 2010

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1078-10.
By Council Members Polensek, Brancatelli, Cleveland and Sweeney (by departmental request).

An emergency resolution approving the City's participation in and formation of the City of Cleveland-First Suburbs Development Council Advanced Energy Special Improvement District; authorizing the execution and delivery of a Petition and approving the Petition, Articles of Incorporation, and Initial Plan of the City of Cleveland-First Suburbs Development Council Advanced Energy Special Improvement District; and declaring an emergency.

Whereas, Chapter 1710 of the Ohio Revised Code (the "Revised Code") authorizes the formation of special improvement districts within the boundaries of a municipality, or any combination of contiguous municipal corporations, to allow property

owners to assess themselves to pay costs of developing and implementing plans for public improvements and public services that benefit the special improvement district, including special energy improvement projects which are defined in Chapter 1710 of the Revised Code to mean "any property, device, structure or equipment necessary for the acquisition, installation, equipping and improvement of any real or personal property used for the purpose of creating a solar photovoltaic project, a solar thermal energy project, a geothermal energy project, a customer-generated energy project, or an energy efficiency improvement, whether such real or personal property is publicly or privately owned."; and

Whereas, the City of Cleveland-First Suburbs Development Council Advanced Energy Special Improvement District is the short name for the special improvement district being authorized hereby for the purpose of developing and implementing plans for special energy improvement projects in the City and a combination of contiguous municipal corporations, a petition is required to be signed by one hundred percent of the owners of the area of all real property located within the proposed special improvement district (the "Petition"), at least one special energy improvement project shall be designated for each parcel of real property within the special improvement district, and the special improvement district may include any number of parcels of real property as determined by the legislative authority of each participating political subdivision in which the proposed special improvement district is to be located; and

Whereas, Chapter 1710 of the Revised Code provides that no special improvement district may include any property of federal or state government or a county, township or municipal corporation, unless the county, township or municipal corporation specifically requests in writing that the property be included in the special improvement district, and further provides that the territory in a special improvement district may contain non-contiguous parcels of real property if all parcels of real property included in the District contain at least one special energy improvement project and 100% of the owners of the parcels of real property in the District sign a petition requesting inclusion in the District. District boundaries can include parcels of real property located in multiple municipal corporations or townships, so long as each of the municipal corporations or townships is contiguous to one another; and

Whereas, the District is to be governed by the board of trustees of a nonprofit corporation (the "Corporation") to be formed under Chapters 1702 and 1710 of the Revised Code, and the articles of incorporation establishing the Corporation to be filed with the Ohio Secretary of State in accordance with this resolution shall include the official names of the District and Corporation when each participating political subdivision of the District has been determined pursuant to and in accordance with this resolution; and

Whereas, under Section 1710.02(F) of the Revised Code, a proposed initial plan for special energy improvement projects benefitting the district (the "Plan") has been submit-

ted to the City as part of the Petition proposing the creation of the District; and

Whereas, the Petition and Plan and the Articles of Incorporation of the Corporation (the "Articles") have been filed with the Mayor and the Clerk of Council of the City in File No. 1078-10-A; and

Whereas, adoption of this resolution represents the first legislative step in the process of creating the District (hereinafter referred to as the "Advanced Energy District"), which will likely be the first special improvement district created for the purpose of developing and implementing plans for special energy improvement projects under the amendments to Chapter 1710 of the Revised Code and which may be the first or one of the first multi-jurisdictional urban-first ring suburban Property Assessed Clean Energy (PACE) programs in the United States; and

Whereas, the Mayors and the Economic Development Directors of the City of Cleveland and member communities of the First Suburbs Consortium Development Council are requesting this Council to approve the creation of the Advanced Energy District and a pilot program to be marketed to commercial and industrial property owners within the City of Cleveland and each of the participating municipal corporations in the Advanced Energy District that will (i) provide commercial and industrial property owners who desire to generate electricity on their properties the ability to pursue long term special assessment financing, (ii) use authority under Chapters 1710 and 4928 of the Revised Code to permit these property owners to participate in various federal and state grant and tax incentives that will lower the property owner's electric utility bills; (iii) lower the carbon footprint of the region; and (iv) create economies of scale through joining with other participating municipal corporations to achieve results listed in items (i) through (iii); and

Whereas, in order to create a common plan for the development of special energy improvement projects in the Advanced Energy District and achieve certain economies of scale needed to lower special energy improvement project financing costs, the Mayors and Economic Development Directors of the City of Cleveland and the participating contiguous member communities of the First Suburbs Consortium Development Council are requesting that each contiguous municipal corporation wishing to participate in the Advanced Energy District join the Advanced Energy District as initial members. To do this each City Council is being requested to approve the development of a demonstration special energy improvement project that will be located on land owned by the participating municipal corporation and then approve the execution and delivery of a Petition that requests in writing that the municipally owned real property where the special energy improvement project will be developed be included in the Advanced Energy District. By each participating municipal corporation becoming the initial members of the District and approving the same plan, special energy improvement projects developed by commercial-industrial property owners in each City participating in the Advanced Energy District

will be able to join the Advanced Energy District to develop their special energy improvement projects according to one Advanced Energy District plan approved by each participating municipal corporation. The City Councils of each of the participating member communities of the First Suburbs Consortium Development Council have adopted or will be adopting resolutions similar to this resolution. The costs of developing and financing special energy improvement projects and providing services to and operating the Advanced Energy District are anticipated to be assessed to the commercial-industrial property owners developing special energy improvement projects in the District and will not be financed with general obligation bonds of the City of Cleveland; 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 the Director of Economic Development is hereby authorized to execute and deliver the Petition on behalf of the City in substantially the form on file with the Clerk of Council, together with such revisions and additions as are approved by the Director of Law as being consistent with the objectives and requirements of this resolution, including the addition of the names and related information of those member communities of the First Suburbs Consortium Development Council that have or will approve, execute and deliver the Petition and Plan of the Advanced Energy District as participating municipal corporation and all of such approvals and authorizations shall be conclusively evidenced by the execution and delivery of the Petition by said officers.

Section 2 That the Petition as executed and delivered as provided for in Section 1 hereof is hereby approved and further that the Articles of Incorporation of the Advanced Energy District are hereby approved in substantially the form now on file with the Clerk of Council, together with such revisions and additions to the Articles of Incorporation as are approved by the Director of Law as being consistent with the objectives and requirements of this resolution, including such revisions to the Articles of Incorporation to reflect the participating municipal corporations in the Advanced Energy District, which approval by the Director of Law shall be conclusively evidenced by a certificate executed by the Director of Law approving the Articles of Incorporation as being in accordance with this resolution.

Section 3. That the Petition represents the request in writing of the City of Cleveland for inclusion into the Advanced Energy District of certain real property owned by the City, as defined below and more particularly described in the Petition on file with the Clerk of Council.

Section 4. That, under Chapter 1710 of the Revised Code, the Petition and the Articles, there is hereby established a special improvement district to be known as the Advanced Energy District, and the City's participation in the Advanced Energy District is hereby authorized with the approval of this Council herein of the inclusion of the fol-

lowing City-owned property for solar powered security lighting installations:

Humphrey Park
16166 Groveswood Ave.
Cleveland, OH 44110
Permanent Parcel Number 113-18-014

as more particularly described in the Petition on file with the Clerk of Council.

Section 5. That the Director of Economic Development shall be the City Council appointee to the board of directors of the Advanced Energy District.

Section 6. That the Clerk of Council is hereby authorized to file or cause to be filed a copy of the Articles of Incorporation, together with such revisions and additions to the Articles of Incorporation as are approved by the Director of Law as being consistent with the objectives and requirements of this resolution and the Revised Code, the approval of the Director of Law and a copy of this resolution with the Ohio Secretary of State.

Section 7. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of the Council and that all deliberations of the Council and of any of its committees that resulted in those formal actions were in meeting open to the public in compliance with the law.

Section 8. 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 September 20, 2010.
Effective September 22, 2010.

Res. No. 1263-10.

By Council Member Cimperman. An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit at 1104 Rowley Avenue, 1st floor and basement and repealing Resolution No. 1059-10, objecting to said renewal.

Whereas, this Council objected to a D2, D2X, D3 and D3A Liquor Permit to Rowley Inn, 1104 Rowley Avenue, 1st floor and basement, Cleveland, Ohio 44109 by Resolution No. 1059-10 adopted by the Council on August 18, 2010; and

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

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

Be it resolved by the Council of the City of Cleveland

Section 1. That objection to a D2, D2X, D3 and D3A Liquor Permit to Rowley Inn, 1104 Rowley Avenue, 1st floor and basement, Cleveland, Ohio 44109, Permanent Number 6985049 be and the same is hereby withdrawn and Resolution No. 1059-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted September 20, 2010.
Effective September 22, 2010.

Res. No. 1264-10.
By Council Member Kelley.
An emergency resolution withdrawing objection to the transfer of liquor license of a C1, C2 and D6 Liquor Permit at 4702 Memphis Avenue and repealing Resolution No. 840-10, objecting to said transfer.

Whereas, this Council objected to the transfer of liquor license of a C1, C2 and D6 Liquor Permit to Badah Enterprise, Inc., DBA Gasway #2, 4702 Memphis Avenue, Cleveland, Ohio 44144, Permanent No. 03701920001, adopted by the Council on June 7, 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 C1, C2 and D6 Liquor Permit to Badah Enterprise, Inc., DBA Gasway #2, 4702 Memphis Avenue, Cleveland, Ohio 44144, Permanent Number 03701920001 be and the same is hereby withdrawn and Resolution No. 840-10, 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 September 20, 2010.
Effective September 22, 2010.

Res. No. 1265-10.
By Council Member Westbrook.
An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 3691 West 105th Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Layaa, Inc., DBA Star Value, 3691 West 105th Street, Cleveland, Ohio 44111, Permanent Number 50687700005 to Sranan, LLC, 3691 West 105th Street, Cleveland, Ohio 44111, Permanent Number 8457477; and

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

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

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

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

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

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

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

Be it resolved by the Council of the City of Cleveland

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Layaa, Inc., DBA Star Value, 3691 West 105th Street, Cleveland, Ohio 44111, Permanent Number 50687700005 to Sranan, LLC, 3691 West 105th Street, Cleveland, Ohio 44111, Permanent Number 8457477; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 20, 2010.
Effective September 22, 2010.

Res. No. 1266-10.
By Council Member Zone.
An emergency resolution objecting to a New C1 Liquor Permit at 5110 Clark Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Clark Petroleum, LLC, 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 15255190005; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is

already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

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

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

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

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

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

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

Be it resolved by the Council of the City of Cleveland

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Clark Petroleum, LLC, 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 15255190005; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 20, 2010.
Effective September 22, 2010.

Res. No. 1267-10.
By Council Member Zone.
An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 5110 Clark Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Zaben, Inc., 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 98723320005 to Clark Petroleum, LLC, 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 1525519; and

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

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

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

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

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

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

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

Be it resolved by the Council of the City of Cleveland

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Zaben, Inc., 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 98723320005 to Clark Petroleum, LLC, 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 1525519; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 20, 2010.

Effective September 22, 2010.

**Ord. No. 837-10.
By Council Members Brancatelli and Pruitt.**

An emergency ordinance to amend Section 187.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1260-08, passed November 30, 2009, relating to the definition of contract to

exclude loans under \$50,000 for storefront renovation.

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 187.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1260-08, passed November 30, 2009, is amended to read as follows:

187.01 Definitions of Terms

As used in this Chapter, the following words, phrases, and terms shall be defined as set forth below:

(a) "Administrator" means the employee or employees in the OEO designated by the Director to act as an administrator of the Cleveland Area Business Program.

(b) "Bidder" means a Person offering to contract with the City in response to an invitation to bid, and for purposes of this Code, includes a proposer in response to a request for proposals or other similar solicitation.

(c) "Bid Discount" means the application of a percentage discount to the total amount of a bid submitted by a Bidder for a Contract solely for the purpose of bid comparisons when evaluating the lowest and best bid, or lowest responsible bid. The use of a Bid Discount for Bid Comparison does not alter the total amount of the bid submitted by a Bidder or the Contract executed based on a bid.

(d) "Business Enterprise" means a firm, sole proprietorship, partnership, association, corporation, company, or other business entity of any kind including, but not limited to, a limited liability corporation, incorporated professional association, joint venture, estate, or trust.

(e) "City" means the City of Cleveland, Ohio.

(f) "City of Cleveland Small Business" or "CCSB" means a CSB that has its principal office located physically within the municipal boundaries of the City.

(g) "Cleveland Area Business Code", "Cleveland Area Business Program", "Code" or "Chapter" means all of the provisions of this Chapter 187 of the Codified Ordinances of Cleveland, Ohio, 1976.

(h) "Cleveland Area Small Business" or "CSB" means a Business Enterprise certified under division (a) of Section 187.03.

(i) "Cleveland Contracting Market" or "Contracting Market" means the geographic market area consisting of Cuyahoga County, Ohio, or the geographic market area identified in a disparity study or otherwise as provided in Section 187.28.

(j) "Commercially Useful Function" means execution by a CSB, MBE, or FBE of a distinct element of the work in carrying out its responsibilities by actually performing, managing, and supervising the work involved by its personnel, materials, and assets. To determine whether a Business Enterprise is performing a Commercially Useful Function, the City will evaluate the amount of the Contractor's work which is appropriate to be subcontracted and actually subcontracted, industry practices, and other relevant factors tending to demonstrate actual performance.

(k) "Construction" means the erection, rehabilitation, alteration, conversion, extension, demolition or repair of improvements to real property, including facilities providing utility service and includes the supervision, inspection, and other on-site functions incidental to construction.

(l) "Contract" means a binding agreement executed on or after the effective date of this Cleveland Area Business Code by which the City either grants a privilege or is committed to expend or does expend its funds or other resources, or confers a benefit having monetary value including, but not limited to, a grant, loan, interest in real or personal property, or tax incentive in any form for or in connection with any work, project, or public purpose including, but not limited to, a contract for the:

(1) Construction of any public improvement, including change orders or subsidiary agreements approved by the City during the performance of such Construction;

(2) Purchase of personal property;

(3) Purchase of any supplies, equipment or services;

(4) Lease by way of concession under Section 183.03;

(5) Lease of any personal property; or

(6) Grant by concession agreement of a specific permission, privilege, or license under sections 183.04, 183.041, and 184.044 of the Codified Ordinances.

"Contract" shall include a binding agreement, funded or benefited by the City, between a party to a Contract and a third party, but shall exclude contracts with other public entities, except as provided in Section 187.09. For purposes of MBE and FBE utilization, "Contract" shall only include the specific types and categories of Contracts and Contractors identified in a disparity study or otherwise as the subject of past or present discrimination as provided in Section 187.28. "Contract" shall exclude loans and grants under \$50,000 for storefront renovation. The exclusion of loans and grants under \$50,000 for storefront renovation shall expire and have no further force and effect on January 1, 2012, unless changed by further legislation of this Council.

(m) "Contracting Department" includes any administrative department under charge of the Mayor or any office, board, or commission treated or construed as a department of City government for any purpose under the Charter or ordinances of the City for the benefit or program of which the City enters into a particular Contract.

(n) "Contractor" means a separate or distinguishable Business Enterprise employing one or more persons and participating in the performance of a Contract, including but not limited to CSBs, MBEs and FBEs where applicable, and shall include a party in privity with a Contractor for implementation of a Contract.

(o) "Control" means the unencumbered ability to direct operations and management.

(p) "Director" means the Director of the Office of Equal Opportunity.

(q) "Disability" means any physical or mental impairment that substantially limits one or more of an individual's major life activities.

(r) "Discriminate" means to exclude an individual or group solely on the basis of race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, Disability, ethnic group or Vietnam-era or disabled-veteran status.

(s) "Discriminate on the basis of age" means to Discriminate as determined by appropriate Federal law against individuals over the age of forty (40).

(t) "Evaluation Credit" means a predetermined number of points in the evaluation of proposals submitted by a Bidder for a Contract to be added solely for the purpose of proposal comparison when evaluating competing proposals. The use of Evaluation Credits does not alter the amount of the proposal submitted by a Bidder or the Contract executed based on the proposal.

(u) "Female" includes only a United States citizen or lawful, permanent resident who is a member of the female gender.

(v) "Female Business Enterprise" or "FBE" means a Business Enterprise owned, operated, and controlled by one or more Females who have 51% ownership. The one or more Females must have operational and managerial Control, interest in capital, and earnings commensurate with the percentage of Female ownership. To qualify as a Female Business Enterprise, the Business Enterprise shall be located and doing business in the Cleveland Contracting Market.

(w) "Front Organization" means any FBE, MBE, or CSB that serves as a Contractor, or as a subcontractor to any Contractor under Contract, who obtained and/or retained certification through false statements or who committed to performance of a distinct element of the work under the Contract but did not carry out its responsibilities by actually performing, managing or supervising the work involved, or who did not provide products, services, goods or supplies in a manner, in the Director's determination, consistent with its certification.

(x) "Gender identity or expression" means the gender-related identity, external presentation of gender identity through appearance, or mannerism or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth.

(y) "Joint venture" means an association of two or more persons or businesses to carry out a single business enterprise for profit for which purpose they combine their property, capital, efforts, skills and knowledge.

(z) "Minority Person" means a United States citizen or lawful, permanent resident who is a member of a racial or ethnic group, such as African American, Hispanic American, Asian American or Native American, against whom past or present discrimination has been demonstrated as provided in Section 187.28.

(aa) "Minority Business Enterprise" or "MBE" means a Business Enterprise owned, operated and controlled by one or more Minority Persons who have at least 51% ownership. The Minority Person(s) must have operational and managerial Control, interest in capital, and earnings commensurate with the percentage of ownership. To qualify as a Minority Business Enterprise, the enterprise shall be located and

doing business in the Cleveland Contracting Market.

(bb) "OEO" means the Office of Equal Opportunity of the City of Cleveland.

(cc) "Person" means and includes a natural person, a Business Enterprise or other entity, unless the context or usage requires otherwise.

(dd) "Public Improvement" means a project determined by the City Council to be a public improvement under Section 167 of the Cleveland City Charter.

(ee) "Regional Cleveland Area Small Business" or "RCSB" means a CSB that has its principal office located physically within the territorial boundaries of Cuyahoga County but outside the municipal boundaries of the City.

(ff) "Regulation" or "Regulations" means and includes the regulations implementing this Code and promulgated by the Director of Equal Opportunity under division (b)(6) of Section 123.08 of these Codified Ordinances.

(gg) "Sexual Orientation" means a person's actual or perceived homosexuality, bisexuality, or heterosexuality, by orientation or practice.

(hh) "Small Business Enterprise" or "SBE" means a Business Enterprise that meets the established economic criteria for a SBE and is owned, operated and controlled by one or more persons who meet the economic criteria for SBE ownership established by the Director in the Regulations.

(ii) "Supplier" means a Business Enterprise performing a Commercially Useful Function in the supply process when it:

(1) Assumes the actual and contractual responsibility for furnishing the supplies or materials;

(2) Is recognized as a distributor of the contracted supplies and materials by the industry involved;

(3) Owns or leases a warehouse, yard, building or other facilities for stocking inventory or otherwise conducts business in a manner which is usual and customary in the industry and market for the supplies or materials; and

(4) Distributes, delivers, and services products primarily with its own staff and/or equipment.

Section 2. That existing Section 187.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1260-08, passed November 30, 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 September 20, 2010.

Awaiting approval or disapproval of the Mayor.

Ord. No. 1046-10.
By Council Member Pruitt.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4798 East 178th Street to Theoderus Bennett.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722

of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to Theoderus Bennett.

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

P. P. No. 143-20-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Warrensville Township Lot No. 93, bounded and described as follows:

Beginning on the Westerly line of proposed East 178th Street, said Westerly line being parallel to and 1192.50 feet Easterly (measured at right angles) from the Westerly line of the second parcel of land described in the Deed from John B. Corlett and others, to William J. Lang dated February 1, 1916, and recorded in Volume 1745, Page 592 of Cuyahoga County Records at a point 400.89 feet Northerly (measured along said Westerly line and the Southerly prolongation thereof) from the Southerly line of third parcel of land so conveyed to William J. Lang; thence Northerly along said Westerly line of proposed East 178th Street, 42 feet; thence Westerly on a line at right angles with said Westerly line of proposed East 178th Street 150 feet; thence Southerly on a line parallel to said Westerly line of proposed East 178th Street, 42 feet; thence Easterly 150 feet to place of beginning, and being further known as Sublot No. 714 in William J. Lang's proposed Lee Heights Allotment, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

Section 5. That the conveyance authorized hereby shall be made by

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

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

Passed September 20, 2010.
Effective September 22, 2010.

Ord. No. 1074-10.

By Council Member Pruitt.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 16320-22 Telfair Avenue to Barry K. Dowdell.

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

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

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

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

Section 1. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to Barry K. Dowdell.

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

P. P. No. 143-02-055

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bounded and described as follows, to wit: and known as being Sublot No. 70 in H.J. Sheets' Lee Road Subdivision of part of Original Warrensville Township Lot No. 91, as shown by the recorded plat in Volume 87 of Maps, Page 35 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Telfair Avenue, and extending back of equal width 156.37 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months

of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed September 20, 2010.
Effective September 22, 2010.

Ord. No. 1180-10.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance to exercise the second option to renew Contract No. 68392 with Dell, Inc. to provide computer hardware and software for the various divisions of City government.

Whereas, under the authority of Ordinance No. 269-08, passed March 10, 2008, the Director of Finance entered into Contract No. 68392 with Dell, Inc. to provide computer hardware and software for the various divisions of City government; and

Whereas, Ordinance No. 269-08 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 Finance is authorized to exercise the second option to renew Contract No. 68392 for an additional year, in the approximate amount of \$1,500,000 with Dell, Inc., for the requirements for an additional year of computer hardware and software, for the various divisions of City government. This ordinance constitutes the additional legislative authority required by Ordinance No. 269-08 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 September 20, 2010.
Effective September 22, 2010.

Ord. No. 1181-10.

By Council Member Sweeney (by departmental request).

An emergency ordinance to amend Section 3 of Ordinance No. 1384-09, passed October 5, 2009, as amended by Ordinance No. 894-10, passed July 14, 2010, relating to designating the City of Cleveland as a recovery zone for the purpose of issuing recovery zone economic development bonds or recovery zone facility bonds and allocating the City's recovery zone facility bonds volume cap limitation to finance a portion of the costs of constructing the Flats East Development 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 Section 3 of Ordinance No. 1384-09, passed October 5, 2009, as amended by Ordinance No. 894-10, passed July 14, 2010, is amended to read as follows:

Section 3. That this Council authorizes the entire allocation of its Recovery Zone Facility Bond Volume Cap to Flats East Development LLC for the issuance of the Flats East Bonds to finance the Flats East Bank Project. This Council hereby authorizes the CPPA, SCPA, and Treasurer to issue Recovery Zone Facility Bonds for the Flats East Bank Project. This allocation is contingent upon bond counsel delivering a satisfactory opinion to the City that the issuance and use of proceeds of the Flats East Bonds comply with the requirements of the Code, including Code Sections 1400U-1 through 1400U-3, and the City being provided with satisfactory indemnification from any liability arising from the issuance of the bonds. This allocation will terminate on December 31, 2010 unless the Flats East Bonds are issued on or before December 31, 2010.

Section 2. That existing Section 3 of Ordinance No. 1384-09, passed October 5, 2009, as amended by Ordinance No. 894-10, passed July 14, 2010, 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 September 20, 2010.
Effective September 22, 2010.

Ord. No. 1182-10.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of ready mix concrete, for the various divisions of City government, for a period of one year, with a one-year option to renew, 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 a period of one year, with one option to renew for an additional one year period, exercisable by the Director of Finance, of the necessary items of ready mix concrete, 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, Department of Finance. 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 delivery order against the contract or contracts certified by the Director of Finance. (RQN 1505 RL 2010-47)

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 September 20, 2010.

Effective September 22, 2010.

Ord. No. 1258-10.
By Council Members Cleveland, Brancatelli and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Dunham Square Land, LLC, or its designee; to provide for the construction of a multi-tenant office/technology center located at 6700 Euclid Avenue; to provide for payments to the Cleveland City School District; and to declare certain improvements to real property to be a public purpose.

Whereas, under Section 5709.41 of the Revised Code, improvements to

real property may be declared to be a public purpose where fee title to the real property was, at one time, held by the City of Cleveland and the real property is then leased or conveyed by the City; and

Whereas, under the authority of Ordinance No. 795-10, passed June 7, 2010, as amended by Ordinance No. 1039-10, passed August 18, 2010, and prior to the adoption of this ordinance, the City approved both the acquisition and conveyance of fee title to certain real property, which is more particularly described in the documents set forth in the file described in this ordinance (the "Real Property"); and

Whereas, under Section 5709.41 of the Revised Code, the improvements declared to be a public purpose may be exempt from real property taxation; and

Whereas, under Section 5709.41 of the Revised Code, the owners of the improvements may be required to make annual service payments in lieu of taxes that would have been paid had the improvement not been exempt; and

Whereas, under Section 5709.41 of the Revised Code, the exemption may exceed 75% of the improvements for up to 30 years when a portion of the service payments so collected are distributed to the Cleveland City School District ("District") in an amount equal to the amount the District would have received had the improvement not been exempt; and

Whereas, the District has been notified of the intent to enter into the agreement authorized by this ordinance in compliance with Sections 5709.41(C)(4) and 5709.83 of the Revised Code; 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 real property improvements to be constructed by Dunham Square Land, LLC, or its designee ("Redeveloper"), to provide for the construction of a multi-tenant office/technology center located at 6700 Euclid Avenue ("Improvements"), are declared to be a public purpose for purposes of Section 5709.41 of the Revised Code, and are more fully described in File No. 1258-10-A.

Section 2. That one hundred percent (100%) of the Improvements are declared exempt from real property taxation for a period of 30 years; and that in no event shall the exemption period extend beyond 2040.

Section 3. That, under Section 5709.41 of the Revised Code, Redeveloper (or the owners of the Improvements) shall make service payments for a period of 20 years in lieu of the exempt taxes to the Cuyahoga County Treasurer; the payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid had the Improvements not been exempt from taxation.

Section 4. That a portion of the service payments collected under Section 3 of this ordinance shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the District in the amount of the taxes that would have been payable to the

District had the Improvement not been exempt from taxation.

Section 5. That the Director of Economic Development is authorized to enter into an agreement or agreements with Redeveloper to provide for the exemption and service payments described in this ordinance, including agreements securing the payments described in Section 3 of this ordinance, which agreement or agreements shall contain those terms contained in the file mentioned above.

Section 6. That under Section 5709.43 of the Revised Code, there is established a 6700 Euclid Urban Redevelopment Tax Increment Equivalent Fund ("6700 Euclid TIF Fund") which shall be used as a debt reserve for the loan authorized by Ordinance No. 711-10, passed June 7, 2010 or for other economic development purposes as determined by the Director of Economic Development.

Section 7. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in open meetings of this Council, and any of its committees that resulted in formal action were in meetings open to the public in compliance with the law.

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 September 20, 2010.

Effective September 22, 2010.

Ord. No. 1261-10.

By Council Member Polensek.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 15225 Saranac Road to Ishmael Pettigrew, or his designee.

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

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

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

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

Section 1. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to Ishmael Pettigrew or his designee.

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

P. P. Nos. 116-09-001, 116-09-003, 116-09-044, 116-09-045

Situated in the City of Cleveland County of Cuyahoga and State of Ohio: And known as being all of Sublot No. 2 and parts of Sublot Nos. 1 and 109 in William Packard, Frost et al. Re-Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 9 of Maps, Page 35 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 152nd Street, at the Northwest corner of Sublot No. 2; thence Southerly along the Easterly line of East 152nd Street, 53.90 feet to the Southwesterly corner thereof; thence Northeasterly along the Southeasterly line of Sublot No. 2, 150.33 feet to a point which is distant Southwesterly measured along said Southerly line, 10 feet from the Southeasterly corner of Sublot No. 2; thence Southeasterly along a line parallel with the Northeasterly lines of Sublot Nos. 1 and 109, about 94 feet to its intersection with the Northwesterly line of Saranac Road; thence Northeasterly along the Northerly line of Saranac Road, 10 feet to the Southwesterly corner of Sublot No. 109; thence Northerly along the Northeasterly lines of Sublot Nos. 109, 1 and 2, 141.67 feet to the Northeasterly corner of Sublot No. 2; thence Southwesterly along the Northwesterly line of Sublot No. 2, 140 feet to the place of beginning, as appears by said plat be the same more or less, but subject to all legal highways.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Sublot Nos. 3 and 4 in Williams, Packard and others' Allotment of Blocks "A," "B," "C" and "D", of W.G. Rose's Subdivision of a part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 9 of Maps, Page 35 of Cuyahoga County Records, and being 100 feet front on the Northwesterly side of Saranac Road, N.E. (formerly Collins Avenue) and extending back 140 feet on the Northeasterly line, 141 feet 8 inches on the Southwesterly line, and being 80 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of

Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed September 20, 2010.

Effective September 22, 2010.

Ord. No. 1262-10.

By Council Member Conwell.

An emergency ordinance amending the Title and Section 1 of Ordinance No. 1049-10 passed August 18, 2010 as it pertains to the exterior and interior building renovation improvements for the Reflections Beauty Salon through the use of Ward 9 Neighborhood Capital 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 Title and Section 1 of Ordinance No. 1049-10 passed August 18, 2010 are hereby amended to read as follows:

Authorizing the Director of the Department of Economic Development to enter into an agreement with Kyra M. Wordlaw & Company, Inc. for the exterior and interior building renovation improvements for the Reflections Beauty Salon through the use of Ward 9 Neighborhood Capital Funds.

Section 1. That the Director of the Department of Economic Development be authorized to enter into an agreement with Kyra M. Wordlaw & Company, Inc. for the exterior and interior building renovation improvements of the Reflections Beauty Salon located at 11506 Superior Avenue, Cleveland, Ohio for the public purpose of promoting economic development and new job creation in the city of Cleveland through the use of Ward 9 Neighborhood Capital Funds.

Section 2. That the Title and Section 1 of Ordinance No. 1049-10 passed August 18, 2010 are hereby repealed.

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

Passed September 20, 2010.

Effective September 22, 2010.

Ord. No. 1269-10.

By Council Members Cimperman, Cleveland, and Pruitt.

An emergency ordinance designating East Roadway between Superior Avenue and Rockwell Avenue with a secondary and honorary designation of "Jesse Owens Way".

Whereas, Jesse Owens was a 1933 graduate of Cleveland's East Technical High School; and,

Whereas, Jesse Owens broke political and social barriers and achieved international fame at the 1936 Olympics in Berlin, Germany by winning gold medals in the 100- and 200-meter sprints, the long jump and as part of the 4 x 100 meter relay team; and,

Whereas, at a time when Adolf Hitler was using the Olympic Games as a vehicle to bolster the "Aryan race," Jesse Owens was cheered on by 110,000 spectators at Berlin's Olympic Stadium; and,

Whereas, the citizens of Cleveland want to honor the legacy of Jesse Owens with a street sign designation of "Jesse Owens Way"; 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 East Roadway between Superior Avenue and Rockwell Avenue is designated with a secondary and honorary designation of "Jesse Owens Way".

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

Passed September 20, 2010.

Effective September 22, 2010.

Ord. No. 1270-10.

By Council Members Cimperman and Cummins.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Hispanic Roundtable to stretch banners on the north and south side of 2905 Lorain Avenue for the period from September 17, 2010 to October 16, 2010, inclusive, announcing the Hispanic Convention 2010.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Hispanic Roundtable to install, maintain and remove banners on the north and south side of 2905 Lorain Avenue, for the period from September 17, 2010 to October 16, 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 September 20, 2010.
Effective September 22, 2010.

COUNCIL COMMITTEE MEETINGS

Monday September 27, 2010 9:00 a.m.

Legislation Committee: Present: Mitchell, Chair; K. Johnson, Vice Chair; Brancatelli, Cimperman, Cleveland, Reed, Sweeney.

2:00 p.m.

Finance Committee: Present: Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

Tuesday September 28, 2010 9:30 a.m.

Community and Economic Development Committee: Present: Dow, Vice Chair; Cimperman, Cummins, Miller, Pruitt, Westbrook, Zone.

Authorized Absence: Brancatelli, Chair; J. Johnson.

Wednesday, September 29, 2010

10:00 a.m.

Aviation and Transportation Committee: Present: Keane, Chair; Pruitt, Vice Chair, Cummins, J. Johnson, Kelley Mitchell. *Authorized Absence:* K. Johnson

1:30 p.m.

City Planning Committee: Present: Cleveland, Chair; Westbrook, Vice Chair; Brady, Conwell, Dow, Keane, Zone.

Thursday, September 30, 2010 9:30 a.m.

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

Index

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

Agreements

- Amend Sect. 2 of Ord. No. 765-10 — CMSD After-School Education Program (Ward 01 NEF) (O 1296-10)..... 1516
- Amend Sect. 2 of Ord. No. 865-09 — The First Tee of Cleveland & Participant Activity Board Project (Ward 12 NCF) (O 1291-10)..... 1515
- Amend Title & Sect. 1 of Ord. No. 1049-10 — Reflections Beauty Salon — building renovation (Ward 9 NCF) (O 1262-10)..... **1532**
- Automated phone calls — Integrated Consulting & Management (O 1288-10) 1509
- Economic Development — TIF agreement — Dumham Square Land — multi-tenant office / technology center (Euclid Ave., 6700) (O 1258-10)..... **1531**

Banners

- Hispanic Roundtable — Lorain Ave., 2905 — Sept. 17 to Oct. 16 — Hispanic Convention 2010 — Service Department (Ward 03) (O 1270-10) **1532**

Board of Control — Cleveland Public Power Division

- Post lights, decorative — per Ord. 1751-09 to KD Lamp Company, Incorporated — Dept. of Public Utilities (BOC Res. 405-10) 1519
- Post lights, decorative — per Ord. 1751-09 to Westside Lighting Center, Inc. — Dept. of Public Utilities (BOC Res. 407-10) 1519
- Transformers and accessories — per C.O. Sec. 129.26 — bids rejected — Dept. of Public Utilities (BOC Res. 406-10) 1519
- Transformers and accessories — per C.O. Sec. 129.26 to Shihlin Electric USA Company Limited — Dept. of Public Utilities (BOC Res. 404-10) 1519

Board of Control — Parks, Recreation and Properties Department

- Booth space at West Side Market — Growing Communities Initiative — September 29, 2010 — Charter One Bank (BOC Res. 408-10) 1520

Board of Control — Permits

- Booth space at West Side Market — Growing Communities Initiative — September 29, 2010 — Charter One Bank — Dept. of Parks, Recreation and Properties (BOC Res. 408-10) 1520

Board of Control — Public Improvement Contracts

- Distribution mains cleaning and cement mortar lining (Effingham Blvd. in City of Euclid) — per Ord. 1928-07 to Terrace Construction Company, Inc. — Division of Water, Dept. of Public Utilities (BOC Res. 403-10)..... 1519
- Distribution mains cleaning and cement mortar lining (Village of Newburgh Heights) — per Ord. 1928-07 to Utilicon Corp. — Division of Water, Dept. of Public Utilities (BOC Res. 401-10) 1518

Board of Control — Public Utilities Department

Distribution mains cleaning and cement mortar lining (Effingham Blvd. in City of Euclid) — per Ord. 1928-07 to Terrace Construction Company, Inc. — Division of Water (BOC Res. 403-10)	1519
Distribution mains cleaning and cement mortar lining (Village of Newburgh Heights) — per Ord. 1928-07 to Utilicon Corp. — Division of Water (BOC Res. 401-10)	1518
Post lights, decorative — per Ord. 1751-09 to KD Lamp Company, Incorporated — Division of Cleveland Public Power (BOC Res. 405-10)	1519
Post lights, decorative — per Ord. 1751-09 to Westside Lighting Center, Inc. — Division of Cleveland Public Power (BOC Res. 407-10)	1519
Transformers and accessories — per C.O. Sec. 129.26 — bids rejected — Division of Cleveland Public Power (BOC Res. 406-10)	1519
Transformers and accessories — per C.O. Sec. 129.26 to Shihlin Electric USA Company Limited — Division of Cleveland Public Power (BOC Res. 404-10)	1519
Water mains, fire hydrants, valves, service connections and appurtenances (Area A), repair or replace — per Ord. 1538-09 to Utilicon Corp. — Division of Water (BOC Res. 398-10)	1518
Water mains, fire hydrants, valves, service connections and appurtenances (Area B), repair or replace — per Ord. 1538-09 to Noce Enterprises Inc. — Division of Water (BOC Res. 399-10)	1518
Water mains, fire hydrants, valves, service connections and appurtenances (Area C), repair or replace — per Ord. 1538-09 to Noce Enterprises Inc. — Division of Water (BOC Res. 400-10)	1518
Water mains, fire hydrants, valves, service connections and appurtenances (Area D), repair or replace — per Ord. 1538-09 to Utilicon Corp. — Division of Water (BOC Res. 402-10)	1519

Board of Control — Requirement Contracts

Post lights, decorative — per Ord. 1751-09 to KD Lamp Company, Incorporated — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 405-10)	1519
Post lights, decorative — per Ord. 1751-09 to Westside Lighting Center, Inc. — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 407-10)	1519
Water mains, fire hydrants, valves, service connections and appurtenances (Area A), repair or replace — per Ord. 1538-09 to Utilicon Corp. — Division of Water, Dept. of Public Utilities (BOC Res. 398-10)	1518
Water mains, fire hydrants, valves, service connections and appurtenances (Area B), repair or replace — per Ord. 1538-09 to Noce Enterprises Inc. — Division of Water, Dept. of Public Utilities (BOC Res. 399-10)	1518
Water mains, fire hydrants, valves, service connections and appurtenances (Area C), repair or replace — per Ord. 1538-09 to Noce Enterprises Inc. — Division of Water, Dept. of Public Utilities (BOC Res. 400-10)	1518
Water mains, fire hydrants, valves, service connections and appurtenances (Area D), repair or replace — per Ord. 1538-09 to Utilicon Corp. — Division of Water, Dept. of Public Utilities (BOC Res. 402-10)	1519

Board of Control — Standard Purchase Contracts

Transformers and accessories — per C.O. Sec. 129.26 to Shihlin Electric USA Company Limited — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 404-10)	1519
---	------

Board of Control — Water Division

Distribution mains cleaning and cement mortar lining (Effingham Blvd. in City of Euclid) — per Ord. 1928-07 to Terrace Construction Company, Inc. — Dept. of Public Utilities (BOC Res. 403-10)	1519
Distribution mains cleaning and cement mortar lining (Village of Newburgh Heights) — per Ord. 1928-07 to Utilicon Corp. — Dept. of Public Utilities (BOC Res. 401-10)	1518
Water mains, fire hydrants, valves, service connections and appurtenances (Area A), repair or replace — per Ord. 1538-09 to Utilicon Corp. — Dept. of Public Utilities (BOC Res. 398-10)	1518
Water mains, fire hydrants, valves, service connections and appurtenances (Area B), repair or replace — per Ord. 1538-09 to Noce Enterprises Inc. — Dept. of Public Utilities (BOC Res. 399-10)	1518
Water mains, fire hydrants, valves, service connections and appurtenances (Area C), repair or replace — per Ord. 1538-09 to Noce Enterprises Inc. — Dept. of Public Utilities (BOC Res. 400-10)	1518
Water mains, fire hydrants, valves, service connections and appurtenances (Area D), repair or replace — per Ord. 1538-09 to Utilicon Corp. — Dept. of Public Utilities (BOC Res. 402-10)	1519

Board of Control — West Side Market

Booth space — Growing Communities Initiative — September 29, 2010 — Charter One Bank — Dept. of Parks, Recreation and Properties (BOC Res. 408-10)	1520
--	------

Board of Zoning Appeals — Report

Carnegie Avenue, 10660, (Ward 9) – Tudor Arms Hotel, LLC, owner — appeal granted and adopted on 9/27/10 (Cal. 10-134)	1524
Detroit Avenue, 2814, (Ward 3) – Bounce Properties, LLC, owner — appeal heard on 9/27/10 (Cal. 10-133)	1524

Lorain Avenue, 18200, (Ward 19) – Fairview General Hospital, owner — appeal granted and adopted on 9/27/10 (Cal. 10-130) 1524

Midtown Commerce Park Drive, 6404, (Ward 5) – Ardent Products Corporation, owner — appeal heard on 9/27/10 (Cal. 10-158) 1524

Naples Avenue, 14509, (Ward 1) – City of Cleveland, owner and the Department of Community Development — appeal postponed to 10/18/10 on 9/27/10 (Cal. 10-152) 1524

Naples Avenue, 14905, (Ward 1) – City of Cleveland, owner and the Department of Community Development — appeal postponed to 10/18/10 on 9/27/10 (Cal. 10-151) 1524

Ohio Avenue, 15225, (Ward 1) – City of Cleveland, owner and the Department of Community Development — appeal postponed to 10/18/10 on 9/27/10 (Cal. 10-150) 1524

Shaker Boulevard, 10701, (Ward 6) – Springfield Investment Properties LLC, owner and Larry Wolf, agent — appeal granted and adopted on 9/27/10 (Cal. 10-153) 1524

Thackeray Avenue, 5905, (Ward 5) – City of Cleveland, owner and the Department of Community Development — appeal postponed to 10/18/10 on 9/27/10 (Cal. 10-155) 1524

Thackeray Avenue, 5911, (Ward 5) – City of Cleveland, owner and the Department of Community Development — appeal postponed to 10/18/10 on 9/27/10 (Cal. 10-156) 1524

Thackeray Avenue, 5917, (Ward 5) – City of Cleveland, owner and the Department of Community Development — appeal postponed to 10/18/10 on 9/27/10 (Cal. 10-157) 1524

West 134th Street, 4472, (Ward 18) – Valarie Burrell, owner — appeal granted and adopted on 9/27/10 (Cal. 10-147) 1524

West 25th Street, 3870, (Ward 14) – Frank J. Gallo, owner — appeal heard on 9/27/10 (Cal. 10-145) 1524

West 65th Street, 3207, (Ward 15) – Marc Wyman d.b.a. Aaromet Metal Recycling, owner — appeal postponed to 11/01/10 on 9/27/10 (Cal. 10-148) 1524

West 6th Street, 2379, (Ward 3) – Nancy Corral Trust, owner — appeal to rehear on 10/18/10 on 9/27/10 (Cal. 10-68) 1524

West 6th Street, 2382, (Ward 3) – Nancy Corral Trust, owner — appeal to rehear on 10/18/10 on 9/27/10 (Cal. 10-69) 1524

West 6th Street, 2388, (Ward 3) – Nancy Corral Trust, owner — appeal to rehear on 10/18/10 on 9/27/10 (Cal. 10-67) 1524

West 7th Street, 2387, (Ward 3) – Nancy Corral Trust, owner — appeal to rehear on 10/18/10 on 9/27/10 (Cal. 10-70) 1524

Board of Zoning Appeals — Schedule

Lorain Avenue, 17119, (Ward 19) – Patrick Campbell, owner — appeal to be heard on 10/12/10 (Cal. 10-170) 1524

Rocky River Drive, 4568, (Ward 19) – Cleveland Muslim Community Center, owner — appeal to be heard on 10/12/10 (Cal. 10-168) 1523

Rocky River Drive, 4594, (Ward 19) – Cleveland Muslim Community Center, owner — appeal to be heard on 10/12/10 (Cal. 10-166) 1523

Rocky River Drive, 4600, (Ward 19) – Cleveland Muslim Community Center, owner — appeal to be heard on 10/12/10 (Cal. 10-167) 1523

West 130th Street, 4431, (Ward 18) – Abrams Family Properties LLC, owner and Shelly Materials, Inc., tenant — appeal to be heard on 10/12/10 (Cal. 10-169) 1523

West 25th Street, 3849, (Ward 3) – WHS Realty Services, Inc., owner and Happy Pizza Holdings LLC, prospective tenant — appeal to be heard on 10/12/10 (Cal. 10-174) 1524

Bonds

Amend Sect. 3 of Ord. No. 1384-09 — Flats East Bonds — Flats East Development LLC — allocate ARRA Recovery Zone Bonds (O 1181-10) 1530

Building and Housing Department

Professional service — deconstruction services (O 1055-10) 1517

City of Cleveland Bids

Debris disposal at landfills — Department of Public Utilities — per Ord. 805-10 — bid due October 22, 2010 (advertised 9/29/2010 and 10/6/2010) 1525

Gases, commercial — Department of Finance — per C.O. Sec. 181.101 — bid due October 20, 2010 (advertised 9/29/2010 and 10/6/2010) 1525

Messenger services — Department of Finance — per C.O. Sec. 181.101 — bid due October 14, 2010 (advertised 9/15/2010 and 9/22/2010 and 9/29/2010) 1525

Safety equipment for OSHA/PERRP compliance — Department of Public Utilities — per Ord. 870-10 — bid due October 22, 2010 (advertised 9/29/2010 and 10/6/2010) 1525

City Planning Commission

East Roadway (between Superior Ave. & Rockwell Ave.)- Jesse Owens Way — secondary and honorary designation — Service Department (Ward 03) (O 1269-10) 1532

Codified Ordinances

Amend Section 187.01 — Definitions of Terms (O 837-10) 1528

Enact new Sect(s)692B.01 — 692B.15 & 692B.99 — Sweepstakes Terminal Cafes (O 1284-10) 1504

Community Development Department

Amend Contract No. 44522 — rental rehabilitation contract with NOAH Midtown (O 1290-10)	1508
Amend Sect. 2 of Ord. No. 765-10 — CMSD After-School Education Program (Ward 01 NEF) (O 1296-10)	1516
East 178th St., 4798 — PPN 143-20-034 — Land Reutilization Program — Theoderus Bennett (Ward 01) (O 1046-10)	1529
Saranac Rd., 15225 — PPN 116-09-001/ 003 / 044/ 045 — Land Reutilization Program — Ishmael Pettigrew (Ward 11) (O 1261-10)	1531
Telfair Ave., 16320-22 — PPN 143-02-055 — Land Reutilization Program — Barry K. Dowdell (Ward 01) (O 1074-10)	1530
Various parcels — Land Reutilization Program — St. John's West Family Homes, L.P. (Ward 05) (O 1289-10)	1509

Concession Agreements

Concession stands at Gordon and Brookside Park (O 887-10)	1517
---	------

Condolences Resolutions

DePiero, Gerald A. "Jerry" (R 1306-10)	1503
Mitchell, Jerry Thomas (R 1305-10)	1503
Stanton, Sgt. Martin (R 1307-10)	1503

Congratulations Resolutions

Benjamin Franklin Elementary School (R 1318-10)	1503
Bodziony, Ralph (R 1309-10)	1503
Boil, Kathy (R 1310-10)	1503
Chojnowski, Det. Joseph J., Badge #187 (R 1313-10)	1503
Old Brooklyn Community Elementary School (R 1316-10)	1503
Old Brooklyn Community School (R 1315-10)	1503
Polichuk, Michael (R 1311-10)	1503
Ross, Terry (R 1308-10)	1503
Staph, Jack A. (R 1314-10)	1503
Terez, Dennis G. (R 1312-10)	1503
William Cullen Bryant Elementary School — congratulations (R 1317-10)	1503

Contracts

Amend Sect. 8 of Ord. No. 2156-05 — Neighborhood Retail Assistance Program (O 1190-10)	1517
Community Development — Amend Contract No. 44522 — rental rehabilitation contract with NOAH Midtown (O 1290-10)	1508
Computer hardware and software — Contract No. 68392 — Dell, Inc. (O 1180-10)	1530
Concrete, ready mix (O 1182-10)	1530
Economic Development — MCPC for Core City and forgivable UDAG loan for headquarters at 1801 Superior Ave. (O 1189-10)	1517

County Auditor

Tax Levies, 2011 — accepting and certifying (R 1287-10)	1508
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City Council

Automated phone calls — agreement — Integrated Consulting & Management (O 1288-10)	1509
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Clerk of Council

Automated phone calls — agreement — Integrated Consulting & Management (O 1288-10)	1509
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Cuyahoga County

Parks, Recreation and Properties — lease portion of Willard Park to Cuy. Co. Board of Developmental Disabilities for an urban garden (O 1202-10)	1517
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Economic Development Department

Amend Sect. 8 of Ord. No. 2156-05 — Neighborhood Retail Assistance Program (O 1190-10)	1517
Amend Title & Sect. 1 of Ord. No. 1049-10 — Reflections Beauty Salon — agreement — building renovation (Ward 9 NCF) (O 1262-10)	1532
Contract — MCPC for Core City and forgivable UDAG loan for headquarters at 1801 Superior Ave. (O 1189-10)	1517
Create Special Energy Improvement District — Humphrey Park (R 1078-10)	1525
TIF agreement — Dumham Square Land — multi-tenant office / technology center (Euclid Ave., 6700) (O 1258-10)	1531

Finance Department

Amend Sect. 3 of Ord. No. 1384-09 — Flats East Bonds — Flats East Development LLC — allocate ARRA Recovery Zone Bonds (O 1181-10)	1530
Computer hardware and software — Contract No. 68392 — Dell, Inc. (O 1180-10)	1530
Concrete, ready mix (O 1182-10)	1530
Moral Claims — authorize payments (O 1285-10)	1507
Tax Levies, 2011 — accepting and certifying (R 1287-10)	1508

Flats District

Amend Sect. 3 of Ord. No. 1384-09 — Flats East Bonds — Flats East Development LLC — allocate ARRA Recovery Zone Bonds (O 1181-10)	1530
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Grants

Byrne Justice Assistance Grant, 2010 — U.S. Department of Justice (O 885-10)	1517
Port Security Grant; 2010 — Safety Department (O 813-10)	1517
Urban Area Security Initiative Program; 2009 — State of Ohio EMS (O 886-10)	1517

Land Reutilization Program

East 178th St., 4798 — PPN 143-20-034 — Theoderus Bennett (Ward 01) (O 1046-10)	1529
Saranac Rd., 15225 — PPN 116-09-001/ 003 / 044/ 045 — Ishmael Pettigrew (Ward 11) (O 1261-10)	1531
Telfair Ave., 16320-22 — PPN 143-02-055 — Barry K. Dowdell (Ward 01) (O 1074-10)	1530
Various parcels — St. John's West Family Homes, L.P. (Ward 05) (O 1289-10)	1509

Leases

Parks, Recreation and Properties — lease portion of Willard Park to Cuy. Co. Board of Developmental Disabilities for an urban garden (O 1202-10)	1517
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Liquor Permits

Clark Ave., 5110 — objection to issuance (Ward 15) (R 1266-10)	1527
Clark Ave., 5110 — objection to transfer of ownership (Ward 15) (R 1267-10)	1527
East 144th St., 3744 (1st fl.)- withdraw objection to transfer of ownership — repeal Res. 465-10 (Ward 02) (R 1295-10)	1516
East 9th St., 1301 — transfer of ownership and location application — (Ward 03) (F 1298-10)	1503
Euclid Ave., 1415 — new application (Ward 03) (F 1297-10)	1503
Grayton Rd., 4760 — transfer of ownership and location application (Ward 18) (F 1299-10)	1503
Memphis Ave., 4702 — withdraw objection to transfer of liquor license — repeal Res. 840-10 (Ward 13) (R 1264-10)	1527
Rowley Ave., 1104 (1st. fl. & bsmt.)- withdraw objection to renewal — repeal Res. 1059-10 (Ward 03) (R 1263-10)	1526
West 105th St., 3691 — objection to transfer of ownership (Ward 16) (R 1265-10)	1527
Woodland Ave., 5611 — withdraw objection to transfer of stock — repeal Res. 838-10 (Ward 05) (R 1294-10)	1516

Loans

Economic Development — contract — MCPC for Core City and forgivable UDAG loan for headquarters at 1801 Superior Ave. (O 1189-10)	1517
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Moral Claims

Authorize payments — Finance Department (O 1285-10)	1507
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Neighborhood Equity Funds

Amend Sect. 2 of Ord. No. 765-10 — CMSD After-School Education Program (Ward 01 NEF) (O 1296-10)	1516
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Oath of Office

Cutlip, Bruce — Lieutenant — Police Division (F 1300-10)	1503
Delgado, Jose — Sergeant — Police Division (F 1301-10)	1503
Hutchinson, Neil — Sergeant — Police Division (F 1302-10)	1503
Lawrence, Michael — Sergeant — Police Division (F 1303-10)	1503
Steel, Lisa — Sergeant — Police Division (F 1304-10)	1503

Office of Equal Opportunity

Amend Section 187.01 — Definitions of Terms (O 837-10)	1528
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Parks, Recreation and Properties Department

Amend Sect. 2 of Ord. No. 865-09 — The First Tee of Cleveland & Participant Activity Board Project (Ward 12 NCF) (O 1291-10)	1515
Concession Agreements for concession stands at Gordon and Brookside Park (O 887-10)	1517
Lease portion of Willard Park to Cuy. Co. Board of Developmental Disabilities for an urban garden (O 1202-10)	1517

Peddlers

Konstanino, Maria — peddling (Ward 15) (O 1292-10)	1516
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Personnel Department

Amend Sect. 47 of Ord. No. 947-08 — Salary and wage schedules (O 1286-10)	1507
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Police Division

Cutlip, Bruce — Lieutenant (F 1300-10)	1503
Delgado, Jose — Sergeant (F 1301-10)	1503
Hutchinson, Neil — Sergeant (F 1302-10)	1503
Lawrence, Michael — Sergeant (F 1303-10)	1503
Steel, Lisa — Sergeant (F 1304-10)	1503

Professional Services

Automated phone calls — agreement — Integrated Consulting & Management (O 1288-10)	1509
Building and Housing — deconstruction services (O 1055-10)	1517

Recognition Resolutions

“Cleveland, City of Peace and Non-Violence” initiative (R 1320-10)	1504
Fugitive Safe Surrender Program (R 1319-10)	1504

Resolution of Support

Economic Development — Create Special Energy Improvement District — Humphrey Park (R 1078-10)	1525
Supporting State Senate Bill 273 (R 1293-10)	1516

Resolutions — Miscellaneous

Economic Development — Create Special Energy Improvement District — Humphrey Park (R 1078-10)	1525
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Safety Department

Byrne Justice Assistance Grant, 2010 — Grants — U.S. Department of Justice (O 885-10)	1517
Port Security Grant; 2010 — Grant (O 813-10)	1517
Urban Area Security Initiative Program; 2009 — Grant — State of Ohio EMS (O 886-10)	1517

Salaries

Amend Sect. 47 of Ord. No. 947-08 — Salary and wage schedules (O 1286-10)	1507
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Senate Bills

Supporting State Senate Bill 273 (R 1293-10)	1516
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Service Department

East Roadway (between Superior Ave. & Rockwell Ave.)- Jesse Owens Way — secondary and honorary designation — City Planning Commission (Ward 03) (O 1269-10)	1532
Hispanic Roundtable — Lorain Ave., 2905 — banners — Sept. 17 to Oct. 16 — Hispanic Convention 2010 (Ward 03) (O 1270-10)	1532

Streets — Name

East Roadway (between Superior Ave. & Rockwell Ave.)- Jesse Owens Way — secondary and honorary designation — City Planning Commission — Service Department (Ward 03) (O 1269-10)	1532
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Taxes Levies

Tax Levies, 2011 — accepting and certifying (R 1287-10)	1508
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Taxes

Tax Levies, 2011 — accepting and certifying (R 1287-10).....	1508
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Ward 01

Amend Sect. 2 of Ord. No. 765-10 — CMSD After-School Education Program (Ward 01 NEF) (O 1296-10)	1516
East 178th St., 4798 — PPN 143-20-034 — Land Reutilization Program — Theoderus Bennett (O 1046-10)	1529
Fugitive Safe Surrender Program — recognition (R 1319-10)	1504
Stanton, Sgt. Martin — condolence (R 1307-10)	1503
Telfair Ave., 16320-22 — PPN 143-02-055 — Land Reutilization Program — Barry K. Dowdell (O 1074-10)	1530

Ward 02

East 144th St., 3744 (1st fl.)- withdraw objection to transfer of ownership — repeal Res. 465-10 — liquor permit (R 1295-10)	1516
Stanton, Sgt. Martin — condolence (R 1307-10)	1503

Ward 03

East 9th St., 1301 — transfer of ownership and location application — liquor permit (F 1298-10)	1503
East Roadway (between Superior Ave. & Rockwell Ave.)- Jesse Owens Way — secondary and honorary designation — City Planning Commission — Service Department (O 1269-10)	1532
Economic Development — contract — MCPC for Core City and forgivable UDAG loan for headquarters at 1801 Superior Ave. (O 1189-10)	1517
Euclid Ave., 1415 — new application — liquor permit (F 1297-10).....	1503
Hispanic Roundtable — Lorain Ave., 2905 — banners — Sept. 17 to Oct. 16 — Hispanic Convention 2010 — Service Department (O 1270-10)	1532
Rowley Ave., 1104 (1st. fl. & bsmt.)- withdraw objection to renewal — repeal Res. 1059-10 — liquor permit (Ward 03) (R 1263-10).....	1526
Stanton, Sgt. Martin — condolence (R 1307-10)	1503
Staph, Jack A. — congratulations (R 1314-10).....	1503

Ward 04

Stanton, Sgt. Martin — condolence (R 1307-10)	1503
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Ward 05

Economic Development — TIF agreement — Dumham Square Land — multi-tenant office / technology center (Euclid Ave., 6700) (O 1258-10)	1531
Stanton, Sgt. Martin — condolence (R 1307-10)	1503
Various parcels — Land Reutilization Program — St. John's West Family Homes, L.P. (O 1289-10).....	1509
Woodland Ave., 5611 — withdraw objection to transfer of stock — repeal Res. 838-10 — liquor permit (R 1294-10)	1516

Ward 06

Stanton, Sgt. Martin — condolence (R 1307-10)	1503
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Ward 07

Stanton, Sgt. Martin — condolence (R 1307-10)	1503
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Ward 08

“Cleveland, City of Peace and Non-Violence” initiative — recognition (R 1320-10)	1504
Stanton, Sgt. Martin — condolence (R 1307-10)	1503

Ward 09

Amend Title & Sect. 1 of Ord. No. 1049-10 — Reflections Beauty Salon — agreement — building renovation (Ward 9 NCF) (O 1262-10)	1532
Stanton, Sgt. Martin — condolence (R 1307-10)	1503

Ward 10

Stanton, Sgt. Martin — condolence (R 1307-10)	1503
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Ward 11

Saranac Rd., 15225 — PPN 116-09-001/ 003 / 044/ 045 — Land Reutilization Program — Ishmael Pettigrew (O 1261-10)	1531
Stanton, Sgt. Martin — condolence (R 1307-10)	1503

Ward 12

Amend Sect. 2 of Ord. No. 865-09 — The First Tee of Cleveland & Participant Activity Board Project (Ward 12 NCF) (O 1291-10)	1515
Mitchell, Jerry Thomas — condolence (R 1305-10)	1503
Ross, Terry — congratulations (R 1308-10)	1503
Stanton, Sgt. Martin — condolence (R 1307-10)	1503

Ward 13

Benjamin Franklin Elementary School — congratulations (R 1318-10)	1503
DePiero, Gerald A. "Jerry" — condolence (R 1306-10)	1503
Memphis Ave., 4702 — withdraw objection to transfer of liquor license — repeal Res. 840-10 — liquor permit (R 1264-10)	1527
Old Brooklyn Community Elementary School — congratulations (R 1316-10)	1503
Old Brooklyn Community School — congratulations (R 1315-10)	1503
Stanton, Sgt. Martin — condolence (R 1307-10)	1503
William Cullen Bryant Elementary School — congratulations (R 1317-10)	1503

Ward 14

Stanton, Sgt. Martin — condolence (R 1307-10)	1503
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Ward 15

Clark Ave., 5110 — objection to issuance — liquor permit (R 1266-10)	1527
Clark Ave., 5110 — objection to transfer of ownership — liquor permit (R 1267-10)	1527
Konstanino, Maria — peddling (O 1292-10)	1516
Stanton, Sgt. Martin — condolence (R 1307-10)	1503

Ward 16

Ross, Terry — congratulations (R 1308-10)	1503
Stanton, Sgt. Martin — condolence (R 1307-10)	1503
West 105th St., 3691 — objection to transfer of ownership — liquor permit (R 1265-10)	1527

Ward 17

Stanton, Sgt. Martin — condolence (R 1307-10)	1503
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Ward 18

Bodziony, Ralph — congratulations (R 1309-10)	1503
Boil, Kathy — congratulations (R 1310-10)	1503
Chojnowski, Det. Joseph J., Badge #187 — congratulations (R 1313-10)	1503
Grayton Rd., 4760 — transfer of ownership and location application — liquor permit (F 1299-10)	1503
Polichuk, Michael — congratulations (R 1311-10)	1503
Ross, Terry — congratulations (R 1308-10)	1503
Stanton, Sgt. Martin — condolence (R 1307-10)	1503
Terez, Dennis G. — congratulations (R 1312-10)	1503

Ward 19

Stanton, Sgt. Martin — condolence (R 1307-10)	1503
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Zoning

Clark Field — Change the Use District — Open Space and Recreation District — City Planning Commission (Ward 03) (O 734-10)	1524
Holmden Ave., (south)- Change the Use District — Two Family Residential District — City Planning Commission (Ward 03) (O 730-10)	1524
Kenilworth Ave., Starkweather Ave., West 11th St., and W. 14th St. — Change the Use District — Open Space and Recreation District — City Planning Commission (Ward 03) (O 733-10)	1524
Professor St. & Starkweather Ave. — Change the Use District — Local Retail Business — City Planning Commission (Ward 03) (O 732-10)	1524
Rowley Ave. & W. 11th St. — Change the Use District — Local Retail Business — City Planning Commission (Ward 03) (O 1076-10)	1524
Superior Avenue Design Review District — establish (O.1077-10)	