

ADOPTED RESOLUTIONS AND ORDINANCES

Ord. No. 1421—40.

An emergency ordinance to amend section 1 of ordinance No. 1194—40, passed July 22, 1940.

Whereas, through an inadvertent error ordinance No. 1194—40, passed July 22, 1940, authorized the purchase of not to exceed one (1) 250-kilowatt ultra high frequency radio transmitter, and no such capacity transmitter has as yet been built; and

Whereas, said description should have been "not to exceed one (1) 250-watt ultra high frequency radio transmitter;" and

Whereas, this ordinance constitutes an emergency in that the same provides for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the council of the city of Cleveland:

Section 1. That section 1 of ordinance No. 1194—40, passed July 22, 1940, be and the same is hereby amended to read as follows:

"Section 1. That the director of public safety be and he hereby is authorized and directed to enter into one or more contracts for the purchase of the following equipment for the use of the division of police, department of public safety, to-wit:

Not to exceed one (1) 1-kilowatt ultra high frequency radio transmitter.

Not to exceed one (1) 250-watt ultra high frequency radio transmitter.

Not to exceed one (1) field intensity meter.

Said contract or contracts to be entered into with the lowest responsible bidder upon a unit basis after advertisement once a week for two consecutive weeks in the City Record in accordance with section 108 of the city charter; the cost of said contract to be payable out of fund 71-Z-19, division of police, department of public safety."

Sec. 2. That existing section 1 of ordinance No. 1194—40, passed July 22, 1940, be and the same is hereby repealed.

Sec. 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 August 5, 1940.

A. L. DeMAIORIBUS,
President of Council.
CHRISTIAN J. BANNICK,
Clerk of Council.
Effective August 5, 1940.
Approved by Harold H. Burton,
Mayor, August 5, 1940.

Ord. No. 1422—40.

An emergency ordinance determining the method of making the public improvement of making new land, including the construction of the necessary shore protection, and improving said newly created land and existing land in Edgewater park by the construction of baseball diamonds, recreational areas, parking areas, landscaping, the development of a yacht basin, including winter storage facilities, and otherwise improving and extending the facilities of said park.

Whereas, by reason of the improvement and widening of Bulkley Blvd. as heretofore authorized, the baseball diamonds and other recreational facilities situated therein must be abandoned and the number of such facilities is wholly inadequate to meet the needs of this community and,

Whereas, in connection with the improvement of the Cuyahoga river, there will become available more than 1,000,000 cu. yds. of fill and such fill, if obtained and placed in Edgewater Park north of the present shore line, would be suitable for the making of additional land to the extent of approximately thirty-six (36) acres, and this newly created land, together with the existing park land, would then be eligible for development through a WPA project; and,

Whereas, there has been submitted to the Federal Work Projects Administration a project for the public improvement hereinafter set forth; and,

Whereas, the city of Cleveland is required to contribute a proportionate share of the cost of the materials and supplies needed for said project; and,

Whereas, this ordinance constitutes an emergency in that the same provides for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the council of the city of Cleveland:

Section 1. That pursuant to section 167 of the charter of the city of Cleveland, it is hereby determined to make so much of the public improvement of making new land, including the construction of the necessary shore protection and improving said newly created land and existing land in Edgewater park by the construction of baseball diamonds, recreational areas, parking areas, landscaping, the development of a yacht basin, including winter storage facilities and otherwise improving and extending the facilities of said park, to-wit, the obtaining and placing of the necessary fill in Edgewater park, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement; and the balance of said improvement, together with all necessary appurtenances and work incident thereto, including therein such modifications or alterations as may be made in said projects by the Work Projects Administration and the city of Cleveland shall be made by the direct employment of the necessary labor and the purchase of the necessary supplies and materials with a separate accounting, as to each improvement so made. Since it will be necessary to deal with the contractors with the United States army engineers for the acquisition of the necessary fill material, the director of public properties is hereby authorized to permit said contractors to deposit such fill at a suitable place in Edgewater park. The director of public properties is further authorized and directed to enter into one or more contracts with the lowest responsible bidder for the placing of such fill material in the area designated to be filled. By reason of the emergency requiring the immediate capture of such fill material, the requirement of advertising once a week for two consecutive weeks in the City Record is hereby dispensed with, and the provisions of section 224 are authorized to be substituted therefor.

Sec. 2. That "direct employment of the necessary labor" as set forth in section 167 of the charter of the city of Cleveland shall be deemed to include labor furnished by the Federal Work Projects Administration.

Sec. 3. That the director of the department of public properties is hereby authorized to enter into one or more contracts for the necessary supplies and materials, including rental of necessary equipment and services in connection with such rental in the prosecution of such project, and when so required by section 108 of the charter of the city of Cleveland such contract or contracts shall be entered into with the lowest responsible bidder upon a unit basis after advertisement once a week for two consecutive weeks, provided that the commissioner of purchases and supplies may procure such necessary supplies and materials, including rental of necessary equipment and services in connection with such rentals, when the amount involved is less than \$500.00. By reason of the necessity of making immediate provision for the retaining of the fill material when recaptured, the requirement of advertising once a week for two consecutive weeks in the City Record is hereby dispensed with as to any and all contracts necessary for the construction of necessary shore protection and the provisions of section 224 are authorized to be substituted therefor.

Sec. 4. That the cost of said improvement other than that paid by the Work Projects Administration shall be paid by the city of Cleveland and the mayor and director of finance are hereby authorized to sign an agreement to that effect with the Work Projects Administration.

Sec. 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 its approval by the mayor, otherwise it shall take effect and be in force at the earliest time allowed by law.

Passed August 5, 1940.

A. L. DeMAIORIBUS,
President of Council.
CHRISTIAN J. BANNICK,
Clerk of Council.
Effective August 5, 1940.
Approved by Harold H. Burton,
Mayor, August 5, 1940.

File No. 1423—40.

Mr. Waldenmaier.
An emergency resolution authorizing a lease of additional space on the second floor of the administration building at Cleveland municipal airport with the United States of America for the term beginning August 1, 1940 and ending June 30, 1941, and rescinding resolution No. 630—40.

Whereas, the United States of America now leases from the city of Cleveland for remote control and teletype quarters of Civil Aeronautics Board certain space in the administration building of the Cleveland municipal airport as authorized by ordinance No. 104764, passed September 28, 1936, and renewed in accordance with paragraph 5 of the lease, beginning July 1, 1936, drawn pursuant thereto; and,

Whereas, said Civil Aeronautics Board proposes to modernize its airway radio and teletype station and for such purpose requires additional space; and,