

Columbus City Bulletin



Bulletin #30
July 23, 2011

Proceedings of City Council

Saturday July 23, 2011



SIGNING OF LEGISLATION

(Legislation was signed by Council President Pro Tem Hearcel F. Craig on the night of the Council meeting, *Monday, July 18, 2011*; by Mayor, Michael B. Coleman on *Wednesday, July 20, 2011*; and attested by the City Clerk, prior to Bulletin publishing.)

The City Bulletin Official Publication of the City of Columbus

Published weekly under authority of the City Charter and direction of the City Clerk. The Office of Publication is the City Clerk's Office, 90 W. Broad Street, Columbus, Ohio 43215, 614-645-7380. The City Bulletin contains the official report of the proceedings of Council. The Bulletin also contains all ordinances and resolutions acted upon by council, civil service notices and announcements of examinations, advertisements for bids and requests for professional services, public notices; and details pertaining to official actions of all city departments. If noted within ordinance text, supplemental and support documents are available upon request to the City Clerk's Office.

Council Journal (minutes)



City of Columbus

Journal - Final

Columbus City Council

Office of City Clerk
90 West Broad Street
Columbus OH
43215-9015
columbuscitycouncil.org

ELECTRONIC READING OF MEETING DOCUMENTS AVAILABLE DURING COUNCIL OFFICE HOURS. CLOSED CAPTIONING IS AVAILABLE IN COUNCIL CHAMBERS. ANY OTHER SPECIAL NEEDS REQUESTS SHOULD BE DIRECTED TO THE CITY CLERK'S OFFICE AT 645-7380 BY FRIDAY PRIOR TO THE COUNCIL MEETING.

Monday, July 18, 2011

5:00 PM

Columbus City Council

Columbus City Council

Journal

July 18, 2011

REGULAR MEETING NO. 34 OF COLUMBUS CITY COUNCIL, JULY 18, 2011 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Absent: 1 - President Ginther

Present: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

READING AND DISPOSAL OF THE JOURNAL

A motion was made by Tyson, seconded by Mills, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

C0022-2011

THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING COMMUNICATIONS AS OF WEDNESDAY July 13, 2011.

New Type: C1, C2

To: 4751 Main St Inc

DBA Marathon

4751 E Main St

Columbus OH 43213

Permit #2850906

New Type: D3, D3A

To: JYY LLC

878 Bethel Rd

Columbus OH 43214

Permit #4198638

Transfer Type: D1, D2

To: Pentria LLC

DBA Caffe Daniela

17 S High St Ste125

Columbus OH 43215

From: Daniel Pizzurro

DBA Hilltop Café
 1st Fl Bsmt & Patio
 2142 Sullivant Av
 Columbus OH 43223
 Permit #68050590005

Transfer Type: C1
 To: A & N Carry Out Inc
 DBA Shawns Market
 3309 E Main St Front Only
 Columbus OH 43213
 From: Jordan Foods LLC
 DBA Shawns Market
 3309 E Main St Front Only
 Columbus OH 43213
 Permit #0010726

Transfer Type: D5
 To: Baby Inc
 DBA Babys Club
 2418 W Broad St
 Columbus OH 43204
 From: 2418 RBKR Inc
 DBA Club 2418
 2418 W Broad St
 Columbus OH 43204
 Permit #0346789

Advertise: 07/23/11
 Return: 07/29/11

Read and Filed

RESOLUTIONS OF EXPRESSION

CRAIG

0124X-2011 To Honor and Recognize the 125th Anniversary of Mount Carmel Hospital

Sponsors: Hearcel Craig, Zachary M. Klein, A. Troy Miller, Michelle M. Mills, Eileen Y. Paley, Priscilla Tyson and Andrew Ginther

A motion was made by President Pro-Tem Craig, seconded by Tyson, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

0128X-2011 To Honor and Recognize John Gregory and the 7th Annual African American Male Wellness Walk on Saturday, August 13, 2011.

Sponsors: Hearcel Craig, Zachary M. Klein, A. Troy Miller, Michelle M. Mills, Eileen Y. Paley, Priscilla Tyson and Andrew Ginther

A motion was made by President Pro-Tem Craig, seconded by Tyson, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - President Ginther
 Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

0129X-2011

To honor and recognize Keith L. Krinn, RS, MA, DAAS, CPHA, Environmental Health Administrator at Columbus Public Health for his leadership of the National Environmental Health Association.

Sponsors: Hearcel Craig, Zachary M. Klein, A. Troy Miller, Michelle M. Mills, Eileen Y. Paley, Priscilla Tyson and Andrew Ginther

A motion was made by President Pro-Tem Craig, seconded by Tyson, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - President Ginther
 Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

GINTHER

0125X-2011

To honor and recognize Commissioner Ronald L. Hupman for his service to the University Area Commission and thank him for his support and commitment to the Columbus community.

Sponsors: Andrew Ginther, Hearcel Craig, Zachary M. Klein, A. Troy Miller, Michelle M. Mills, Eileen Y. Paley and Priscilla Tyson

A motion was made by Klein, seconded by Tyson, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - President Ginther
 Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

0126X-2011

To honor and recognize Commissioner Sharon Young for her service to the University Area Commission and thank her for her support and commitment to the Columbus community.

Sponsors: Andrew Ginther, Hearcel Craig, Zachary M. Klein, A. Troy Miller, Michelle M. Mills, Eileen Y. Paley and Priscilla Tyson

A motion was made by Klein, seconded by Tyson, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - President Ginther
 Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

0127X-2011

To honor and recognize Commissioner Richard Talbott for his service to the University Area Commission and thank him for his support and commitment to the Columbus community.

Sponsors: Andrew Ginther, Hearcel Craig, Zachary M. Klein, A. Troy Miller, Michelle M. Mills, Eileen Y. Paley and Priscilla Tyson

A motion was made by Klein, seconded by Tyson, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - President Ginther
 Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

MILLS

0122X-2011

To recognize the 28th Annual National Night Out and commend its

Columbus area sponsors and participants for their dedicated efforts in crime and drug prevention.

Sponsors: Michelle M. Mills, Hearcel Craig, Zachary M. Klein, A. Troy Miller, Eileen Y. Paley, Priscilla Tyson and Andrew Ginther

A motion was made by Mills, seconded by Paley, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

FIRST READING OF 30-DAY LEGISLATION

A MOTION WAS MADE BY COUNCILMEMBER TYSON, SECONDED BY COUNCILMEMBER PALEY TO WAIVE THE READING OF THE TITLES OF FIRST READING LEGISLATION. THE MOTION CARRIED THE FOLLOWING VOTE:

AFFIRMATIVE: 6 NEGATIVE: 0

FINANCE: TYSON, CHR. MILLER PALEY GINTHER

1129-2011 FR To authorize the Finance and Management Director to modify and increase a contract on behalf of the Office of Construction Management with Miles McClellan Construction Company for project management services; and to authorize the expenditure of \$200,000.00 from the Construction Management Capital Improvement, Gov'l SuperB.A.B.'s (Build America Bonds) Fund. (\$200,000.00)

Read for the First Time

RECREATION & PARKS: KLEIN, CHR. MILLS TYSON GINTHER

1021-2011 FR To authorize the Director of the Recreation and Parks Department to execute those documents as requested by Wide Open West Ohio LLC ("WOW"), a Delaware limited liability company, which are necessary to grant a perpetual non-exclusive subsurface easement under real property owned by the City, which is located in the vicinity of Hines Road and Old Refugee Road.

Read for the First Time

PUBLIC SERVICE & TRANSPORTATION: PALEY, CHR. CRAIG MILLER GINTHER

1149-2011 FR To grant consent and propose cooperation with the Ohio Department of Transportation for a project to reduce the speed limit on I-70 from I-71 to the Livingston Avenue interchange.

Read for the First Time

1150-2011 FR To authorize the Director of Public Service to submit applications for Round 26 of the Local Transportation Improvement Program and State Capital Improvement Program and to execute project agreement forms for approved projects for the Department of Public Service on behalf of the City of Columbus, and to authorize the Director of Finance and Management and City Auditor, as appropriate, to sign for funding use certification, local match availability, and to certify loan portion repayment. (\$0.00)

Read for the First Time

PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER

0978-2011 FR To authorize the Director of Finance and Management to establish Blanket

Purchase Orders with Anderson Concrete Corporation from an established Universal Term Contract for the purchase of Ready Mix Concrete for the Division of Sewerage and Drainage, and to authorize the expenditure of \$85,000.00 from the Sewerage System Operating Fund. (\$85,000.00)

Read for the First Time

- 0984-2011** FR To authorize the Director of Public Utilities to enter into a service agreement with SimplexGrinnell for Security System Maintenance, Monitoring and Inspection and for the purchase of Annual Software for the Division of Sewerage and Drainage in accordance with the provisions of Sole Source procurement of the Columbus City Code, and to authorize the expenditure of \$24,057.00 from the Sewerage System Operating Fund. (\$24,057.00)

Read for the First Time

- 1018-2011** FR To authorize the Director of Public Utilities to enter into a professional service agreement with Woolpert, Inc. to develop GIS Contour Lines; in the amount of \$219,929.00; for the Divisions of Sewerage and Drainage and Power and Water; to authorize a transfer and expenditure of \$149,929.00 from the Sanitary Sewer General Obligation Fund; to authorize a transfer and expenditure of \$70,000.00 from the Water Build America Bonds Fund; and to authorize an amendment to the 2011 Capital Improvements Budget. (\$219,929.00)

Read for the First Time

- 1033-2011** FR To authorize the Director of Public Utilities to enter into an agreement for professional engineering services with Gresham Smith and Partners; for the Holt Avenue/Somersworth Drive Stormwater System Improvements Project for the Division of Sewerage and Drainage; to authorize the transfer of \$29,394.02 within the Storm Super Build America Bonds Fund; to amend the 2011 Capital Improvements Budget and to authorize the expenditure of \$229,394.02 within the Storm Super Build America Bonds Fund. (\$229,394.02)

Read for the First Time

ZONING: MILLER, CHR. CRAIG KLEIN MILLS PALEY TYSON GINTHER

- 1048-2011** FR To rezone 4037 LOCKBOURNE ROAD (43207), being 1.9± acres located at the southwest corner of Lockbourne Road and Vernon Avenue, From: R, Rural District, To: L-C-4, Limited Commercial District (Rezoning # Z10-025).

Read for the First Time

- 1067-2011** FR To rezone 700 WEST THIRD AVENUE (43212), being 7.7± acres located on the north side of West Third Avenue, 200± feet west of Olentangy River Road, From: M, Manufacturing District, To: C-4, Commercial and L-AR-O, Limited Apartment Office District (Rezoning # Z11-007).

Read for the First Time

- 1068-2011** FR To grant a Variance from the provisions of Sections 3312.27, Parking setback line and 3333.18, Building lines, of the Columbus City Codes for property located at 700 WEST THIRD AVENUE (43212), to permit multi-unit residential development with reduced parking and building setbacks along West Third Avenue in conjunction with rezoning Z11-007. (CV11-013)

Read for the First Time

- 1078-2011** FR To rezone 9215 ANTARES AVENUE (43240), being 16.2± acres located at

the terminus of Antares Avenue, 375± feet northeast of Polaris Parkway,
From: L-C-4, Limited Commercial District, To: L-ARLD, Limited Apartment
Residential District (Rezoning # Z11-016).

Read for the First Time

- 1079-2011 FR To grant a Variance from the provisions of Sections 3333.255, Perimeter Yard, of the Columbus City Codes for property located at 9215 ANTARES AVENUE (43240), to permit multi-unit residential development with reduced perimeter yard in conjunction with rezoning Z11-016. (CV11-017)

Read for the First Time

CONSENT ACTIONS

DEVELOPMENT: KLEIN, CHR. MILLER TYSON GINTHER

- 1117-2011 CA To accept the application AN11-002 of William H. & Rebecca J. Campbell for the annexation of certain territory containing .93 ± acres in Sharon Township.
This Matter was Approved on the Consent Agenda.
- 1118-2011 CA To accept the application (AN11-003) of David R. & Diana L. Clarey for the annexation of certain territory containing .717 ± acres in Prairie Township.
This Matter was Approved on the Consent Agenda.
- 1138-2011 CA To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (2901 East 12th Avenue) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.
This Matter was Approved on the Consent Agenda.

RECREATION & PARKS: KLEIN, CHR. MILLS TYSON GINTHER

- 1093-2011 CA To accept grant funds and authorize the appropriation of \$36,100.00 from the unappropriated balance of the Recreation and Parks Grant Fund, To authorize and direct the Director of Recreation and Parks to enter into contract with Wingle Construction, Inc. for the Harrison House Roof Project; to authorize the expenditure of \$38,800.00 and a contingency of \$1,200.00 for a total of \$40,000.00 from the Voted Recreation and Parks Bond Fund and ARRA Grant; and to declare an emergency. (\$40,000.00)
This Matter was Approved on the Consent Agenda.
- 1094-2011 CA To authorize the Director of the Department of Recreation and Parks to execute a Quitclaim Deed of Easement necessary to grant Ohio River Pipe Line LLC, a Delaware limited liability company, a replacement easement, through the City's Woodward Park property in exchange for their release of all other existing right of way easements in the park and the payment of \$38,000.00 and to declare an emergency.
This Matter was Approved on the Consent Agenda.
- 1140-2011 CA To authorize the Director of Recreation and Parks to execute a modification of the Operation and Maintenance Agreement for the Whittier Peninsula Grange-Audubon Nature Center site, including a modification of the incorporated Operation and Maintenance Plan, and any other additional documents and instruments that are necessary and incident thereto; and to

declare an emergency.

This Matter was Approved on the Consent Agenda.

ADMINISTRATION: MILLER, CHR. PALEY TYSON GINTHER

- 0820-2011 CA To authorize the Director of the Department of Technology and the Director of Public Utilities to renew an existing contract with VESOFT Inc. for software maintenance and support services; in accordance with the sole source provisions of the Columbus City Codes; and to authorize the expenditure of \$1,850.00 from the Department of Technology, Internal Services Fund. (\$1,850.00)

This Matter was Approved on the Consent Agenda.

- 1059-2011 CA To authorize and direct the Executive Director of the Civil Service Commission to enter into a contract with the Association for Psychotherapy, Inc. for the psychological screening of public safety recruits, and to authorize the expenditure of \$55,650.00 from the General Fund; and to declare an emergency (\$55,650.00).

This Matter was Approved on the Consent Agenda.

PUBLIC SAFETY & JUDICIARY: MILLS, CHR. CRAIG PALEY GINTHER

- 0877-2011 CA To authorize and direct the Finance and Management Director to sell an aluminum boat, motor, and trailer equipment that is of no further value to the Division of Fire to the Central Ohio Fire Museum for the sum of \$1.00; and to waive the provisions of the City Code relating to the sale of City-owned property. (\$1.00)

This Matter was Approved on the Consent Agenda.

PUBLIC SERVICE & TRANSPORTATION: PALEY, CHR. CRAIG MILLER GINTHER

- 1003-2011 CA To authorize the Director of the Department of Public Service to execute those documents necessary to allow the City to grant the aerial encroachment easement to 504 South Front Street LP which will allow the installation of the proposed awning located at 503 South Front Street.

This Matter was Approved on the Consent Agenda.

- 1134-2011 CA To authorize the Director of Public Service to enter into contract with Righter Company, Inc. for the Bridge Rehabilitation - Arcadia Avenue Over Glen Echo Ravine project; to provide for the payment of inspection services in connection with the project; to authorize and direct the City Auditor to appropriate and transfer \$100,000.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$100,000.00 within the Streets and Highways G.O. Bonds Fund; to authorize the transfer of funds to the Fed-State Highway Engineering Fund; to appropriate and authorize the expenditure of \$475,000.00 from the Fed-State Highway Engineering Fund; and to declare an emergency. (\$475,000.00)

This Matter was Approved on the Consent Agenda.

- 1135-2011 CA To authorize the Finance and Management Director to establish a purchase order for the upfitting of six single axle dump trucks and six tandem axle dump trucks with HYO Inc., dba Pengwyn Hydraulics, in accordance with the terms and conditions of a pending citywide universal term contract, for the

Division of Planning and Operations; to authorize and direct the City Auditor to transfer \$213,000.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$213,000.00 within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of \$213,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$213,000.00)

This Matter was Approved on the Consent Agenda.

- 1136-2011 CA To authorize the Director of Public Service to enter into contract with Lake Erie Construction Company for the Roadway Improvements - Guardrail project for the Division of Planning and Operations; to authorize and direct the City Auditor to transfer \$350,000.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$350,000.00 within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of \$350,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$350,000.00)

This Matter was Approved on the Consent Agenda.

- 1137-2011 CA To authorize the Director of Public Service to enter into a contract for radio repairs with Comtech Inc., in accordance with the sole source provision of the Columbus City Codes; and to authorize the expenditure of \$12,480.00 from the Division of Refuse Collection General Fund; and to declare an emergency. (\$12,480.00)

This Matter was Approved on the Consent Agenda.

- 1142-2011 CA To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Roadway Improvements - Emerald Parkway/Tuttle Crossing Blvd - Rings Road Project, to authorize the expenditure of \$633,410.00 from the Department of Public Service, Streets and Highways Improvement Fund; and to declare an emergency. (\$633,410.00).

This Matter was Approved on the Consent Agenda.

- 1146-2011 CA To authorize the Director of Public Service to enter into a design reimbursement agreement with TechCenter South Development Co., LLC, for the design of public infrastructure improvements in connection with the Roadway Improvements - Tech Center South project in the amount of \$173,351.21; to authorize and direct the City Auditor to transfer \$173,351.21 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$173,351.21 within the Streets and Highways G.O. Bonds Fund; to authorize the Director of Public Service to expend \$173,351.21 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$173,351.21)

This Matter was Approved on the Consent Agenda.

- 1154-2011 CA To authorize the Director of Finance and Management to establish purchase orders with Quick Kurb Inc. for the purchase of Longitudinal Channelizers per the terms and conditions of an existing universal term contract for the Division of Planning and Operations; to authorize and direct the City Auditor to transfer \$50,000.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$50,000.00 within the Streets and Highways G.O. Bonds Fund; to authorize

the expenditure of \$50,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$50,000.00)

This Matter was Approved on the Consent Agenda.

PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER

- 0119X-2011** CA To declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Leonard Avenue and Wildwood Avenue Stormwater System Improvement Project, and to declare an emergency.
This Matter was Adopted on the Consent Agenda.
- 0783-2011** CA To authorize the Director of Public Utilities to enter into a planned contract modification with 360water, Inc. for Facilities and Safety Training Management and Documentation Services; to authorize the expenditure of \$222,650.00 from the Sewer System Operating Fund; and \$68,125.00 from the Water Systems Operating Fund. (\$290,775.00)
This Matter was Approved on the Consent Agenda.
- 0864-2011** CA To authorize the Director of Finance and Management to establish a Blanket Purchase Order for the purchase of U.S. Filter/Envirex Parts from an established Universal Term Contract with Siemens Industry, Inc., for the Division of Sewerage and Drainage; and to authorize the expenditure of \$100,000.00 from the Sewerage System Operating Fund. (\$100,000.00)
This Matter was Approved on the Consent Agenda.
- 0873-2011** CA To authorize the Director of Public Utilities to enter into an engineering agreement with Chester Engineers for the Upper Scioto West Air Quality Improvements Project; and to authorize the transfer within and expenditure of \$404,599.33 from the Sanitary Sewer Build America Bond Fund; and to amend the 2011 Capital Improvements Budget. (\$404,599.33)
This Matter was Approved on the Consent Agenda.
- 0879-2011** CA To authorize the Director of Public Utilities to enter into a planned modification of the Janitorial Services contract with AA Programmed Janitorial and Building Maintenance, Inc., for the Division of Sewerage and Drainage, and to authorize the expenditure of \$168,492.00 from the Sewerage System Operating Fund. (\$168,492.00)
This Matter was Approved on the Consent Agenda.
- 0892-2011** CA To authorize the Director of Public Utilities to enter into an engineering agreement modification with RW Armstrong for the CSO Regulator Sluice Gate Modifications project; to authorize the transfer within and expend \$96,235.11 from the Sanitary Sewer General Obligation Bond Fund, and to amend the 2011 Capital Improvements Budget for the Division of Sewerage and Drainage. (\$96,235.11).
This Matter was Approved on the Consent Agenda.
- 0912-2011** CA To authorize the Director of Public Utilities to enter into a contract with J. F. Electric Inc. for Emergency Overhead Electric Repairs for the Division of Power and Water and to authorize the expenditure not to exceed \$60,000.00 from the Electricity Operating Fund. (\$60,000.00)
This Matter was Approved on the Consent Agenda.

- 0927-2011** CA To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a certain utility easement, located in the vicinity of Chatterton Road and Falcon Bridge Drive, at the request of Chatterton Square LLC, an Ohio limited liability company, in exchange for a replacement easement previously granted to the City of Columbus, Ohio.
This Matter was Approved on the Consent Agenda.
- 0956-2011** CA To authorize the Director of Public Utilities to enter into contract with The Shelly Company for Asphalt Paving, Sealing and Repair Services, for the Division of Sewerage and Drainage, and to authorize the transfer and expenditure of \$175,000.00 from the Sewerage System Operating Fund. (\$175,000.00)
This Matter was Approved on the Consent Agenda.
- 0980-2011** CA To authorize the Director of Finance and Management to establish a Blanket Purchase Order with Moyno, Inc. from an established Universal Term Contract for the purchase of Moyno Pump Parts for the Division of Sewerage and Drainage, and to authorize the expenditure of \$100,000.00 from the Sewerage System Operating Fund. (\$100,000.00)
This Matter was Approved on the Consent Agenda.
- 0981-2011** CA To authorize the Director of Finance and Management to establish a blanket purchase order for Laboratory Supplies from an established Universal Term Contract with VWR International, LLC for the Division of Sewerage and Drainage, and to authorize the expenditure of \$35,000.00 from the Sewerage System Operating Fund. (\$35,000.00)
This Matter was Approved on the Consent Agenda.
- 0995-2011** CA To authorize the Director of Finance and Management to establish a Blanket Purchase Order with Andritz Separation, Inc. from an established Universal Term Contract for the purchase of Andritz D7LL Centrifuge Parts & Services for the Division of Sewerage and Drainage, and to authorize the expenditure of \$75,000.00 from the Sewerage System Operating Fund. (\$75,000.00)
This Matter was Approved on the Consent Agenda.
- 1013-2011** CA To authorize the Director of Public Utilities to execute a construction contract with Storts Excavation, Inc. for the Fire Hydrant Replacements - 2011 Project; to authorize a transfer and expenditure of \$623,975.00 within the Water Build America Bonds Fund; and to amend the 2011 Capital Improvements Budget. (\$623,975.00)
This Matter was Approved on the Consent Agenda.
- 1026-2011** CA To authorize the Director of Public Utilities to enter into an engineering agreement with DLZ Ohio, Inc. in the amount of \$116,243.95 for the needed inspection and testing services of the 2010 Annual Lining Contract Project; to authorize the transfer within and expenditure of funds from Sanitary Sewer General Obligation Bond Fund, to amend the 2011 Capital Improvements Budget, and to declare an emergency. (\$116,243.95)
This Matter was Approved on the Consent Agenda.
- 1030-2011** CA To authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with CH2M Hill, Inc. for the

Parsons Avenue Water Plant Surface Water Treatment Upgrade Project; to authorize a transfer and expenditure of \$275,000.00 within the Water Super Build America Bonds Fund; and to authorize an amendment to the 2011 Capital Improvements Budget. (\$275,000.00)

This Matter was Approved on the Consent Agenda.

- 1041-2011 CA To authorize the Director of Public Utilities to enter into contract with Rama Consulting Group for Employee Mentoring Program Design and Services for the Department of Public Utilities, to authorize the expenditure of \$12,200.00 from the Electricity Operating Fund, \$77,600.00 from the Water Operating Fund, \$87,000.00 from the Sewer System Operating Fund and \$23,200.00 from the Stormwater Operating Fund (\$200,000.00)

This Matter was Approved on the Consent Agenda.

- 1043-2011 CA To authorize the Director of Public Utilities to enter into an agreement with the Mid-Ohio Regional Planning Commission (MORPC) for the purposes of providing funding and support for the Central Ohio Green Pact for Fiscal Year 2011, and to authorize the expenditure of \$50,000.00 from the Sewerage System Operating Fund, and \$50,000.00 from the Water Operating Fund. (\$100,000.00)

This Matter was Approved on the Consent Agenda.

APPOINTMENTS

- A0087-2011 CA Appointment of Brian Scarpino, 1232 Livingston Avenue, Columbus, Ohio 43205 to serve on the Livingston Avenue Area Commission with a term expiration date of December 31, 2011 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0088-2011 CA Appointment of Demetrius Curry, 810 Kimball Place, Columbus, Ohio 43205 to serve on the Livingston Avenue Area Commission with a term expiration date of July 21, 2012 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0089-2011 CA Appointment of Roger Farrell, 76 East Third Avenue, Columbus, Ohio 43201 to serve on the Board of Commission Appeals with a term expiration date of June 30, 2014 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0090-2011 CA Appointment of Tom Wolf, 674 Mohawk Street, Columbus, Ohio 43206 to serve on the Historic Resources Commission with a term expiration date of June 30, 2014 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0091-2011 CA Appointment of John Risteter, 1510 Indianola Avenue, Columbus, Ohio 43201 to serve on the University Area Commission with a term expiration date of May 31, 2013 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0092-2011 CA Appointment of Seth Golding, 43 East Dodridge Street, Columbus, Ohio 43202 to serve on the University Area Commission with a term expiration date of May 31, 2014 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0093-2011** CA Appointment of Joyce Hughes, 1196 North Sixth Street, Columbus, Ohio 43201 to serve on the University Area Commission with a term expiration date of May 31, 2014 (resume attached).
This Matter was Read and Approved on the Consent Agenda.
- A0094-2011** CA Appointment of Lucas Dixon, 464 East Oakland Avenue, Columbus, Ohio 43202 to serve on the University Area Commission with a term expiration of May 31, 2014 (resume attached).
This Matter was Read and Approved on the Consent Agenda.
- A0095-2011** CA Reappointment of Melissa P. Ingwersen, Chase, 100 East Broad Street Columbus, Ohio 43215, to serve on the Columbus Downtown Development Corporation with a new term expiration date of July 8, 2014 (resume attached)
This Matter was Read and Approved on the Consent Agenda.
- A0096-2011** CA Reappointment of Russell Austin, Battelle 505 King Ave. Columbus Ohio 43201 to serve on the Columbus Downtown Development Corporation with a new term expiration of July 8, 2014 (resume attached).
This Matter was Read and Approved on the Consent Agenda.
- A0097-2011** CA Appointment of Terry D. Lahm, Ph.D., Capital University, 1 College and Main, Columbus, Ohio 43209-2394 to serve on the Wellfield Protection Board of Appeals with a new term expiration date of March 31, 2016 (resume attached)
This Matter was Read and Approved on the Consent Agenda.
- A0098-2011** CA Reappointment of Kerstin Carr, 8266 Priestley Drive, Reynoldsburg, OH 43068 to serve on the Transportation and Pedestrian Commission with a new term expiration of June 30, 2014 (resume attached).
This Matter was Read and Approved on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Tyson, seconded by Paley, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION

HEALTH, HOUSING & HUMAN SERVICES: CRAIG, CHR. MILLS TYSON GINTHER

- 1139-2011** To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of thirteen parcels of real property held in the Land Bank pursuant to the Land Reutilization Program and Neighborhood Stabilization Program to Columbus Housing Partnership or a subsidiary established to hold properties for the Duxberry Landing project; and to declare an emergency.

A motion was made by President Pro-Tem Craig, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther
Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

1164-2011

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (775 Heyl Avenue) held in the Land Bank pursuant to the Land Reutilization Program and Neighborhood Stabilization Program; and to declare an emergency.

A motion was made by President Pro-Tem Craig, seconded by Paley, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther
Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

DEVELOPMENT: KLEIN, CHR. MILLER TYSON GINTHER

1092-2011

To authorize the Director of the Department of Development to enter into a Jobs Growth Incentive Agreement with ExpressPoint equal to twenty-five percent (25%) of the amount of new income tax withheld on employees for a term of five (5) years in consideration of the company's proposed investment of \$125,000.00 and the creation of 30 new full-time permanent positions within the City of Columbus.

A motion was made by Klein, seconded by Tyson, that this matter be Tabled Indefinitely. The motion carried by the following vote:

Absent: 1 - President Ginther
Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

1095-2011

To authorize the Director of the Department of Development to enter into a Job Creation Tax Credit Agreement of sixty percent (60%) for six (6) years and a Jobs Growth Incentive Agreement with Manta Media, Inc., to pay annually an amount equal to twenty-five percent (25%) of the personal income tax withheld on new employees for a term of 5 years, in consideration of a proposed investment of \$1 million and the creation of 130 permanent full-time jobs.

A motion was made by Klein, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther
Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

1096-2011

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Agreement with Turner Construction Company as provided in Columbus City Council Resolution Number 0088X-2007, adopted June 4, 2007.

A motion was made by Klein, seconded by Paley, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther
Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

RECREATION & PARKS: KLEIN, CHR. MILLS TYSON GINTHER

1020-2011 To authorize and direct the Director of Recreation and Parks to enter into sixteen (16) contracts for the provision of services to older adults in Central Ohio in connection with the Alzheimer's Respite and Senior Volunteer Programs administered by the Central Ohio Area Agency on Aging, to authorize the expenditure of \$375,000.00 from the Recreation and Parks Grant Fund, and to declare an emergency. (\$375,000.00)

A motion was made by Klein, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

ADMINISTRATION: MILLER, CHR. PALEY TYSON GINTHER

1131-2011 To comply with OPERS requirements regarding Recognition of Pick-up of Contributions, for employees covered by CMAGE/CWA Local 4502 collective bargaining agreement; and to declare an emergency.

A motion was made by Miller, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

PUBLIC SAFETY & JUDICIARY: MILLS, CHR. CRAIG PALEY GINTHER

1128-2011 To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with PK Builders, LLC for the renovation of the roof for Fire Station No. 23; to authorize the expenditure of \$51,500.00 from the Department of Public Safety's Gov'l B.A.B.'s (Build America Bonds) Fund; and to declare an emergency. (\$51,500.00)

A motion was made by Mills, seconded by Paley, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

PUBLIC SERVICE & TRANSPORTATION: PALEY, CHR. CRAIG MILLER GINTHER

1047-2011 To authorize the Director of the Department of Public Service to execute the document that is needed to grant an easement for a portion of the Huntington Park baseball facility foundation that encroaches into Nationwide Boulevard.

A motion was made by Paley, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

1089-2011 To authorize the Director of Public Service to modify and increase a professional engineering services contract with Burgess and Niple, Inc.; to authorize and direct the City Auditor to appropriate and transfer \$100,000.00

from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$100,000.00 within the Streets and Highways G.O. Bonds Fund; to authorize the transfer of funds between the Streets and Highways G.O. Bonds Fund and the Fed-State Highway Engineering Fund; to authorize the expenditure of \$100,000.00 from the Fed-State Highway Engineering Fund; and to declare an emergency (\$100,000.00).

A motion was made by Paley, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

1122-2011

To authorize the City Attorneys' Office, Real Estate Division to contract for professional services relative to the acquisition of fee simple title and lesser interests in and to property needed for the Bikeway Development - SR 161 Bikeway Connector/Sawmill Road - Linworth Road Project; to authorize the City Attorney's Office, Real Estate Division to negotiate with property owners to acquire the additional rights-of-way necessary to complete this project; to authorize and direct the City Auditor to appropriate and transfer \$100,000.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate and to authorize the expenditure of \$100,000.00 from the Streets and Highways G.O. Bonds Fund for acquisition related expenses including professional service and land costs; and to declare an emergency. (\$100,000.00)

A motion was made by Paley, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER

0975-2011

To authorize the Director of Public Utilities to modify and increase the agreement with URS Corporation - Ohio for Professional Construction Management Services; for the Division of Power and Water; to authorize a transfer within the Water Super Build America Bonds Fund; to authorize an expenditure of \$15,750,000.00 within the Water Super Build America Bonds Fund; and to authorize an amendment to the 2011 Capital Improvements Budget. (\$15,750,000.00)

A motion was made by Paley, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

0985-2011

To authorize the Director of Finance and Management to establish a Blanket Purchase Order from an established Universal Term Contract for the Rental of Construction Equipment with Operator with Travco Construction Inc., for the Division of Sewerage and Drainage, and to authorize the expenditure of \$10,000.00 from the Sewerage System Operating Fund. (\$10,000.00)

A motion was made by Paley, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

0992-2011

To authorize the Director of Public Utilities to enter into a construction contract with the Trumbull Corporation, in connection with the OSIS Augmentation & Relief Sewer (OARS) Project Phase 2; to authorize the appropriation, transfer, and expenditure of \$76,919,700.00 from the Sewer System Reserve Fund to the Ohio EPA Water Pollution Control Fund ; to amend the 2011 Capital Improvements Budget for the Division of Sewerage and Drainage; and declare an emergency. (\$76,919,700.00)

A motion was made by Paley, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

RULES & REFERENCE: GINTHER, CHR. KLEIN PALEY MILLS

0791-2011

To supplement and amend Chapter 3303, Definitions, and Chapter 3321, General Site Development Standards, of the Columbus Zoning Code, Title 33, to add and delete definitions, revise the lighting standards, and create new landscaping and screening requirements; and to make other needed changes in various code sections of Title 33 in order to accommodate the new and updated general site development standards and requirements.

Sponsors: A. Troy Miller

A motion was made by Miller, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

1065-2011

To amend Chapter 919 of the Columbus City Codes, 1959, to limit offshore and shorebound fishing and associated trailering activities between the hours of 11:00pm and 7:00am to reservoirs, creeks, and rivers, clarify that written permission by the director is necessary before engaging in sales activities associated with the parks, and to prohibit the use of nets, buckets, or methods other than pole fishing to harvest fish from ponds.

Sponsors: Zachary M. Klein

A motion was made by Klein, seconded by Paley, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Ginther

Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

A motion was made by Klein, seconded by Paley, that this matter be Reconsidered. The motion carried by the following vote:

Absent: 1 - President Ginther
 Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

A motion was made by Klein, seconded by Paley, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:

Absent: 1 - President Ginther
 Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

A motion was made by Klein, seconded by Paley, that this matter be Approved as Amended. The motion carried by the following vote:

Absent: 1 - President Ginther
 Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

1145-2011

To amend existing Section 2311.21 of the Columbus City Codes, 1959, to increase the penalties relative to criminal trespassing.

Sponsors: Michelle M. Mills

A motion was made by Mills, seconded by Paley, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:

Absent: 1 - President Ginther
 Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

A motion was made by Mills, seconded by Paley, that this matter be Approved as Amended. The motion carried by the following vote:

Absent: 1 - President Ginther
 Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson

(THE LAST COUNCIL MEETING PRIOR TO AUGUST RECESS IS MONDAY, JULY 25TH. DEADLINE FOR LEGISLATION IS FRIDAY, JULY 15TH AT NOON.)

(THE NEXT REGULAR MEETING IN SEPTEMBER IS MONDAY, SEPTEMBER 12TH AT 5:00 P.M.)

ADJOURNMENT

ADJOURNED 6:36 PM

A motion was made by Paley, seconded by Tyson, to adjourn this Regular Meeting. The motion carried by the following vote:

Absent: 1 - President Ginther
 Affirmative: 6 - President Pro-Tem Craig, Klein, Miller, Mills, Paley and Tyson



City of Columbus

Journal - Final

Zoning Committee

Office of City Clerk
90 West Broad Street
Columbus OH
43215-9015
columbuscitycouncil.org

A. Troy Miller, Chair
All Members

Monday, July 18, 2011

6:30 PM

Zoning Committee

Zoning Committee

Journal

July 18, 2011

REGULAR MEETING NO. 35 OF CITY COUNCIL (ZONING), JULY 18, 2011 AT 6:30 P.M. IN COUNCIL CHAMBERS
ROLL CALL

Absent: Ginther

Present: Miller: Craig: Klein: Mills: Paley and Tyson

READING AND DISPOSAL OF THE JOURNAL

A motion was made by Klein, seconded by Tyson, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

Absent: Ginther

Affirmative: Miller, Craig, Klein, Mills, Paley and Tyson

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: MILLER, CHR. CRAIG KLEIN MILLS PALEY TYSON GINTHER

0473-2011

To grant a Variance from the provisions of Sections 3356.03, C-4 Permitted uses and 3312.49, Minimum number of parking spaces required, of the Columbus City Codes; for the property located at 4148 EASTON COMMONS (43035), to permit an apartment complex, with a decreased parking ratio in the CPD, Commercial Planned Development District (CV10-005).

A motion was made by Miller, seconded by Paley, that this matter be Approved. The motion carried by the following vote:

Absent: Ginther

Affirmative: Miller, Craig, Klein, Mills, Paley and Tyson

1010-2011

To grant a variance from the provisions of Sections 3356.03, C-4 Permitted Uses; 3363.01, M-Manufacturing districts; 3309.14, Height districts; 3312.49 Minimum numbers of parking spaces required; 3372.406 (B), (C), and (H), Design standards; 3372.407 (A), Parking and circulation; 3372.604 (B), Setback requirements; 3372.607, Landscaping and screening; and 3372.609(A), Parking and circulation, of the Columbus City codes, for the property located at 540 WEST BROAD STREET (43215), to permit a 100-unit apartment building with up to 4,089 square feet of commercial space with reduced development standards in the C-4, Commercial, and M,

Manufacturing Districts (Council Variance # CV11-002).

TABLED UNTIL 7/25/2011

A motion was made by Miller, seconded by Paley, that this matter be Tabled to Certain Date. The motion carried by the following vote:

Absent: Ginther

Abstained: Tyson

Affirmative: Miller, Craig, Klein, Mills and Paley

1017-2011

To grant a variance from the provisions of Sections 3356.03, C-4 Permitted uses; 3312.21(A), Landscaping and Screening; 3312.25 Maneuvering area; and 3312.49 Minimum numbers of parking spaces required, of the Columbus City codes, for the property located at 2555 INDIANOLA AVENUE (43202), to conform nine dwelling units in an existing building with reduced parking standards. (CV11-004)

A motion was made by Miller, seconded by Tyson, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:

Absent: Ginther

Affirmative: Miller, Craig, Klein, Mills, Paley and Tyson

A motion was made by Miller, seconded by Tyson, that this matter be Approved as Amended. The motion carried by the following vote:

Absent: Ginther

Affirmative: Miller, Craig, Klein, Mills, Paley and Tyson

1037-2011

To grant a Variance from the provisions of Sections 3356.03, C-4 Permitted Uses; 3312.25, Maneuvering; 3312.29, Parking space; and 3312.49, Minimum number of parking spaces required, of the Columbus City codes; for the property located at 1733 WEST THIRD AVENUE (43212), to permit a dwelling on the ground floor with reduced parking requirements in the C-4, Commercial District (Council Variance # CV11-006).

A motion was made by Miller, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: Ginther

Affirmative: Miller, Craig, Klein, Mills, Paley and Tyson

1038-2011

To rezone 700 CHILDRENS DRIVE (43205), being 53.28± acres located west of Parsons Avenue and north of Kennedy Drive and generally extending from the southeast corner of Parsons Avenue and Mooberry Street, east to the southwest corner of Mooberry Street and the first alley east of and parallel with Eighteenth Street, south to the northwest corner of the first alley east of and parallel with Eighteenth Street and Livingston Avenue, south to the southeast corner of Livingston Avenue and Heyl Avenue, west to the southeast corner of Jackson Street and Putnam Street, west to the southwest corner of Jackson Street and Parsons Avenue, and north to the northwest corner of Parsons Avenue and Denton Alley, north and west to the southwest corner of Livingston and Parsons Avenues, north to the northwest corner of Parsons Avenue and Mooberry Street, From: AR-1, Apartment Residential and CPD, Commercial Planned Development Districts, To: CPD, Commercial Planned Development District and to declare an emergency. (Rezoning # Z11-006)

A motion was made by Miller, seconded by Paley, that this matter be Amended to Emergency. The motion carried by the following vote:

Absent: Ginther

Affirmative: Miller, Craig, Klein, Mills, Paley and Tyson

A motion was made by Miller, seconded by Paley, that this matter be Approved as Amended. The motion carried by the following vote:

Absent: Ginther

Affirmative: Miller, Craig, Klein, Mills, Paley and Tyson

1046-2011

To rezone 156 DERING AVENUE (43207), being 5.8± acres located at the northwest corner of Dering Avenue and South Fifth Street, From: L-M, Limited Manufacturing and R-2, Residential Districts, To: CPD, Commercial Planned Development District (Rezoning # Z08-035).

A motion was made by Miller, seconded by Paley, that this matter be Approved. The motion carried by the following vote:

Absent: Ginther

Affirmative: Miller, Craig, Klein, Mills, Paley and Tyson

1056-2011

To grant a Variance from the provisions of Sections 3332.029, SR, Suburban Residential District; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at 1187-1189 NEWBURY DRIVE (43229), to conform an existing two-unit dwelling with reduced development standards in the SR, Suburban Residential District and to declare an emergency (Council Variance # CV11-014).

A motion was made by Miller, seconded by Paley, that this matter be Amended to Emergency. The motion carried by the following vote:

Absent: Ginther

Affirmative: Miller, Craig, Klein, Mills, Paley and Tyson

A motion was made by Miller, seconded by Paley, that this matter be Approved as Amended. The motion carried by the following vote:

Absent: Ginther

Affirmative: Miller, Craig, Klein, Mills, Paley and Tyson

1058-2011

To rezone 2400 PERFORMANCE WAY (43207), being 4.6± acres located north side of Performance Way, 665± feet west of Alum Creek Drive, From: C-4, Commercial District, To: L-M, Limited Manufacturing District and to declare an emergency. (Rezoning # Z11-012).

A motion was made by Miller, seconded by Klein, that this matter be Amended to Emergency. The motion carried by the following vote:

Absent: Ginther

Affirmative: Miller, Craig, Klein, Mills, Paley and Tyson

A motion was made by Miller, seconded by Paley, that this matter be Approved as Amended. The motion carried by the following vote:

Absent: Ginther

Affirmative: Miller, Craig, Klein, Mills, Paley and Tyson

1119-2011

To rezone 4514 WINCHESTER PIKE (43232), being 2.6± acres located at the northwest corner of Hamilton Road and Winchester Pike, From: L-C-4, Limited Commercial and R, Rural Districts, To: CPD, Commercial Planned Development District. (Rezoning # Z11-005)

A motion was made by Miller, seconded by Paley, that this matter be Approved. The motion carried by the following vote:

Absent: Ginther

Affirmative: Miller, Craig, Klein, Mills, Paley and Tyson

ADJOURNMENT

ADJOURNED 6:54 PM

A motion was made by Klein, seconded by Mills, to adjourn this Regular Meeting. The motion carried by the following vote:

Absent: Ginther

Affirmative: Miller, Craig, Klein, Mills, Paley and Tyson

Ordinances and Resolutions

**City of Columbus
City Bulletin Report**

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Number: 0119X-2011

Drafting Date: 07/05/2011

Version: 1

Current Status: Passed

Matter Type: Resolution

Explanation

Background:

The following is a resolution to declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Leonard Avenue and Wildwood Avenue Stormwater System Improvement Project.

Fiscal Impact:

N/A

Emergency Justification: Emergency action is requested to allow for the immediately acquisition of the subject parcels in order to stay within the Department of Public Utilities acquisition time line.

Title

To declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Leonard Avenue and Wildwood Avenue Stormwater System Improvement Project, and to declare an emergency.

Body

WHEREAS, the City of Columbus is engaged in the Leonard Avenue and Wildwood Avenue Stormwater System Improvement Project; and,

WHEREAS, in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to declare the necessity and intent to appropriate construction easements in, over, under and through the hereinbefore described real estate necessary for the aforementioned project; now, therefore:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That this Council hereby declares the necessity and intent to appropriate construction easements in, over, under and through the following described real estate necessary for the Leonard Ave and Wildwood Avenue Stormwater system Improvement Project, Project #610990, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

1T
TEMPORARY CONSTRUCTION EASEMENT
COLUMBUS BARNES
0.0017 ACRES (72 S.F.)

Situated in the State of Ohio, County of Franklin, City of Columbus, and being in Lot 36 of The

H.P. Kiner's Meadow-Dale Subdivision as recorded in Plat Book 18, Page 51 as conveyed to Columbus Barnes in Instrument Number 200203260076096, (all references being to records of the Recorder's Office, Franklin County, Ohio), and bounded and described as follows:

Beginning at a the northwest corner of said Lot 36 and the southwest corner of Lot 37 of said H.P. Kiner's Meadow-Dale Subdivision as conveyed to Rosa N. Moorer in Official Record 16488 E01, and being in the easterly right-of-way line of Wildwood Avenue (60');
thence southeasterly with the north line of said Lot 36 and the south line of said Lot 37, South 61° 41' 12" East, 5.34 feet;

thence southwesterly crossing said Lot 36, South 47° 06' 27" West, 15.00 feet;

thence northwesterly continuing across said Lot 36, North 44° 54' 54" West, 5.00 feet to a point in the easterly right-of-way line of Wildwood Avenue;

thence northeasterly with the easterly right-of-way line of Wildwood Avenue along a curve to the right with an arc length of 13.46 feet, a radius of 217.51 feet, a central angle of 03°32'42", and a chord which bears North 46°51'28" East, a distance of 13.46 feet to the POINT OF BEGINNING, containing 0.0017 acres (72 S.F.) more or less.

Subject to all legal rights-of-way and/or easements, if any, of previous record.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, 1983 North American Datum, as established by Franklin County, monuments "FRANK 64" and "YEARLING". The bearing from "FRANK 64" to "YEARLING" is South 33° 48' 28" East.

This description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, E.P. Ferris & Associates, Inc. on May 17, 2010.

Matthew E. Ferris, P.E., P.S. Date, Registered Surveyor No. 8230

Section 2. That the City Attorney be and hereby is authorized to cause a written notice of the adoption of this resolution to be served upon the owners, persons in possession of or persons having a real or possible interest of record in the above described premises in the manner provided by law.

Section 3. That for the reasons stated in the preamble hereto, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0122X-2011

Drafting Date: 07/08/2011

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To recognize the 28th Annual National Night Out and commend its Columbus area sponsors and participants for their dedicated efforts in crime and drug prevention.

Body

WHEREAS, the 28th Annual National Night Out is sponsored by the National Association of Town Watch and locally co-sponsored by the Columbus Division of Police; and

WHEREAS, the National Association of Town Watch established National Night Out, 'America's Night Out Against Crime,' in 1984; and

WHEREAS, National Night Out seeks to heighten crime, drug, and violence awareness; generate support for, and participation in, local anticrime efforts; build neighborhood unity; strengthen police-community partnerships; and send a message to criminals that neighborhoods are organized and fighting back; and,

WHEREAS, National Night Out brings together citizens, law enforcement agencies, civic groups, businesses, neighborhood organizations and local officials in pursuit of this commendable mission; and,

WHEREAS, the 28th Annual National Night Out will be kicked-off in the Columbus community on July 23, 2011; and,

WHEREAS, Columbus, in solidarity with thousands of cities and communities from across the nation, will celebrate the 28th Annual National Night Out on August 2, 2011; now, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby recognize the 28th Annual National Night Out and thank its Columbus area sponsors and participants for their continued service and dedication to the Columbus community.

Legislation Number: 0124X-2011

Drafting Date: 07/11/2011

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To Honor and Recognize the 125th Anniversary of Mount Carmel Hospital

Body

WHEREAS, Mount Carmel Hospital is celebrating its 125th anniversary in 2011; and

WHEREAS, in the early 1880s, Dr. William Hawkes, President of the Board of the Columbus Medical College, recognized the need for another hospital in the growing city of Columbus; and

WHEREAS, Dr. Hawkes enlisted the support of fellow Board member Dr. John Hamilton, who made Dr. Hawkes' vision a reality after his death with the construction on the new hospital began in the spring of 1885 in Franklinton; and

WHEREAS, Dr. Hamilton approached the Congregation of the Sisters of the Holy Cross in Notre Dame, Indiana, and asked them to manage the new hospital and on July 5, 1886, Mother Angela Gillespi and Sister Rufina Dunn arrived in Columbus to bring the new hospital to life; and

WHEREAS, Mount Carmel opened its doors on July 16, 1886, and was dedicated to Our Lady of Mount Carmel whose feast was celebrated on that day; the hospital was named Hawkes Hospital of Mount Carmel in honor of Dr. Hawkes, and today is named Mount Carmel West hospital; and

WHEREAS, Mount Carmel Health System has grown over the past 125 years and includes Mount Carmel West hospital; Mount Carmel East hospital; Mount Carmel St. Ann's hospital; Mount Carmel New Albany Surgical Hospital; primary care and specialty physician practices; Mount Carmel College of Nursing; the Mount Carmel Foundation; MediGold, a Medicare Advantage plan; a community outreach program serving the poor and under-served; home care; palliative care; hospice care; and a range of ambulatory services and other healthcare programs and services;

WHEREAS, today, Mount Carmel is the second-largest healthcare system in central Ohio and serves more than a half million patients each year through state-of-the-art facilities, advanced technologies and the latest procedures to accomplish their mission of healing patients' minds, bodies and spirits, and improving the health of area communities; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby honor and recognize Mount Carmel Health System on its 125th anniversary and thanks the 8,000 associates, 1,500 physicians and 1,000 volunteers who serve our community each day.

Legislation Number: 0125X-2011

Drafting Date: 07/13/2011

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To honor and recognize Commissioner Ronald L. Hupman for his service to the University Area Commission and thank him for his support and commitment to the Columbus community.

Body

WHEREAS, Ronald L. Hupman has been a member of the University Area Commission (UAC) for twenty-one years serving as the commission's President for eight years and the Zoning Committee Chair for twelve years; and

WHEREAS, Commissioner Hupman is a mentor to his fellow commissioners, providing the commission with leadership, and creating a sense of community and accomplishment; and

WHEREAS, Commissioner Hupman has been a member of the University Area Improvement Task Force, Steering Committee for a Plan for High Street, the Old North Columbus UIRF Project, and the Weinland Park Planning Committee; and

WHEREAS, Commissioner Hupman has led several other development related projects and committees that created clear guidelines for development that will positively impact the aesthetic, the character and the future of all of the University District neighborhoods; and

WHEREAS, Commissioner Hupman has committed over thirty years of volunteer service in the University District to improve housing, home ownership, city services and overall impact the lives of every University District resident; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That we do hereby honor and recognize Commissioner Robert L. Hupman for his service to the University Area Commission and thank him for his support and commitment to the Columbus community.

Legislation Number: 0126X-2011

Drafting Date: 07/13/2011

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To honor and recognize Commissioner Sharon Young for her service to the University Area Commission and thank her for her support and commitment to the Columbus community.

Body

WHEREAS, Sharon Young has served on the University Area Commission (UAC) as the appointed representative of the University Community Association since 1994; and

WHEREAS, Commissioner Young has served numerous terms as Corresponding Secretary, Second Vice-President and First Vice-President providing leadership and careful consideration to all University District issues; and

WHEREAS, through her volunteer service on the UAC's Governance, Planning, Community Relations, Elections and Nominating Committees, Commissioner Young has set a high standard of professionalism for her fellow commissioners; and

WHEREAS, Commissioner Young contributed to the development of University District High Street Plan, the University Area Green guide, and continues to serve on various subcommittees to promote healthy development and sustainable progress in the University District; and

WHEREAS, Commissioner Young serves on the Board of Trustees for the University Community Association (UCA) and the University District Organization (UDO) promoting communication to University District residents and stakeholders to positively impact the aesthetic, the character and the future of all of the University District neighborhoods; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That we do hereby honor and recognize Commissioner Sharon Young for her ongoing service to the University Area Commission and thank her for her support and commitment to the Columbus community.

Legislation Number: 0127X-2011

Drafting Date: 07/13/2011

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To honor and recognize Commissioner Richard Talbott for his service to the University Area Commission and thank him for his support and commitment to the Columbus community.

Body

WHEREAS, Richard Talbott has served on the University Area Commission (UAC) for eighteen years representing the University District business community; and

WHEREAS, Commissioner Talbott serves as a mentor to his fellow commissioners on the UAC Zoning Committee and Code & Environment Committee; helping bridge the gap between residents and business owners to build a better community; and

WHEREAS, Commissioner Talbott served on the University District Safety Committee and contributed to the

development of the University District High Street Plan; and

WHEREAS, Commissioner Talbott has supported several positive projects in the University District including one to keep houses of worship free from graffiti; and

WHEREAS, Commissioner Talbott was instrumental in the development and passage of legislation related to University District Zoning Overlays for the Impact area; Aggressive Panhandling; Graffiti; and Handbill Legislation, helping to improve the quality of life for those living in the City of Columbus.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That we do hereby honor and recognize Commissioner Richard Talbott for his ongoing service to the University Area Commission and thank him for his support and commitment to the Columbus community.

Legislation Number: 0128X-2011

Drafting Date: 07/15/2011

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To Honor and Recognize John Gregory and the 7th Annual African American Male Wellness Walk on Saturday, August 13, 2011.

Body

WHEREAS, The African American Male Wellness Walk was established in 2004 by John Gregory with the objective to bring awareness to the fact that African American men are dying at an alarming rate from many preventable conditions; and

WHEREAS, the walk began with approximately 700 participants and has grown to over 4,000; and

WHEREAS, the walk brings focus and awareness to the facts that African American men live 7.5 years less than other ethnic groups, are 5 times more likely to die for HIV/AIDS, are 4 times as likely to suffer from kidney failure, and have higher incidences of prostate cancer and diabetes; and

WHEREAS, there has been an increase in the number of males who are going to the doctor to receive regularly scheduled check-ups as a result of the free health care screenings and healthy lifestyle information given at the walk; and

WHEREAS, the overall goals for the walk are to increase the number of African American Men who visit the physician, create health and wellness awareness within the African-American community, and to heighten the awareness of the benefits of regular physical exercise and diet for men; and

WHEREAS, Mr. Gregory's ultimate vision to increase the awareness of health and wellness among men in the African American community will be realized with the expansion of the walk nationally and one day establishing a Men's Health Clinic; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby honor and recognize John Gregory and the 7th Annual African American Male Wellness Walk on Saturday, August 13, 2011 and thank Mr. Gregory for his ongoing efforts to increase awareness of health and wellness in the African American community.

Legislation Number: 0129X-2011

Drafting Date: 07/15/2011

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To honor and recognize Keith L. Krinn, RS, MA, DAAS, CPHA, Environmental Health Administrator at Columbus Public Health for his leadership of the National Environmental Health Association.

Body

WHEREAS, Keith L. Krinn served as President of the National Environmental Health Association which is working to advance and motivate environmental health and protection professionals to provide a healthy environment for all; and

WHEREAS, the National Environmental Health Association has more than 4,500 professional members who practice in the public and private sectors, as well as academia and uniformed services; and

WHEREAS, Mr. Krinn oversaw the 75th Annual Educational Conference - the premier national event for environmental health professionals from the U.S. and Canada - in Columbus from June 18-20, 2011; and

WHEREAS, Mr. Krinn helped educate, train and motivate other environmental health professionals who are improving the quality of life in communities all across the country by ensuring clean air and water, green technology and food safety; and

WHEREAS, Mr. Krinn continues to serve as a national officer on the association's executive committee in his role as the Immediate Past President of the National Environmental Health Association; and

WHEREAS, Mr. Krinn has dedicated over 35 years to public health protection as an environmental health professional; and

WHEREAS, Mr. Krinn's Columbus Public Health - Environmental Health colleagues have strongly supported his national, state and local efforts during his tenure of leadership; and

WHEREAS, Mr. Krinn works to protect the health and safety of all Columbus residents and visitors as the Environmental Health Administrator at Columbus Public Health; now, therefore

BE IT RESOLVED BY COLUMBUS CITY COUNCIL:

That this council does hereby honor and recognize Keith L. Krinn for his distinguished leadership of the National Environmental Health Association and thanks him and his Columbus Public Health colleagues for helping all Columbus residents live healthier and safer lives.

BE IT FURTHER RESOLVED, That we do hereby urge all Columbus residents to join in recognition of his honorable achievement and dedicated service to public health protection.

Legislation Number: 0473-2011

Drafting Date: 03/15/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Council Variance Application: CV10-005

APPLICANT: Morso Holding Company; c/o David L. Hodge , Atty.; Smith and Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: An Apartment Complex.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant requests a Council variance to allow a 400 unit apartment complex in the CPD, Commercial Planned Development District and a parking variance to provide one parking space per dwelling unit instead of 1.5 parking spaces per dwelling unit in order to develop residences on this undeveloped site. The site lies within *The Northeast Area Plan (2007)*, which proposes mixed use regional retail / office / light industrial uses for this site. The site is adjacent to another apartment complex and would provide dwellings within walking distance of Easton Town Center, taking advantage of the mixed use nature of the area. The Department of Public Service, Division of Planning and Operations supports this proposal and has supported similar parking variances in this area.

Title

To grant a Variance from the provisions of Sections 3356.03, C-4 Permitted uses and 3312.49, Minimum number of parking spaces required, of the Columbus City Codes; for the property located at **4148 EASTON COMMONS (43035)**, to permit an apartment complex, with a decreased parking ratio in the CPD, Commercial Planned Development District (CV10-005).

Body

WHEREAS, by application No. CV10-005, the owner of property at **4148 EASTON COMMONS (43035)**, is requesting a Council variance to permit an apartment complex with a decreased parking ratio in the CPD, Commercial Planned Development District; and

WHEREAS, the CPD permits almost all C-4, Commercial uses, which include dwelling units located above certain ground-floor commercial uses while the applicant proposes to develop the site with the option of exclusively residential uses; and

WHEREAS, Section 3356.03 C-4 Permitted uses, only permits apartments above certain uses, while the applicant proposes an apartment complex with no commercial uses; and

WHEREAS, Section 3312.49, Minimum number of parking spaces required, requires one and a half (1.5) parking spaces per dwelling unit, while the applicant proposes a parking ratio of one (1) parking space per bedroom of each dwelling unit; and

WHEREAS, the Northeast Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the proposal is consistent with the land use recommendations of *The Northeast Plan(2007)* and the mixed-use nature of the Easton Town Center; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **4148 EASTON COMMONS (43035)**, in using said property as desired; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance from the provisions of Sections 3356.03, C-4 Permitted uses, 3356.05, C-4 District development limitations and 3312.49, Minimum number of parking spaces required, of the Columbus City Codes; are hereby granted for the property located at **4148 EASTON COMMONS (43035)**, insofar as said sections prohibit a 400 unit apartment complex with a parking ratio of one (1) parking space for each dwelling unit, said property being more particularly described as follows:

4148 EASTON COMMONS (43035), being located at the northeast and northwest corners of Easton Commons and Easton Square Place, and being more particularly described as follows:

4.649 ACRES

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 2, Township 1, Range 17, United States Military Lands, being part of the tract conveyed as Parcel 6 to Morso Holding Co. by deeds of record in Official Records 30846G11 and 31131D10, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Easton Commons with Easton Square Place, of record in Plat Book 93, Page 3;

Thence North 04° 04' 40" East, with the centerline of said Easton Square Place, a distance of 70.00 feet to a point;

Thence North 85° 55' 20" West, across the right-of-way of said Easton Square Place, a distance of 37.50 feet to an iron pin set at a point of curvature in the westerly right-of-way line thereof, the TRUE POINT OF BEGINNING;

Thence with the northerly right-of-way line of said Easton Commons, the following courses and distances:

With said curve to the right, having a central angle of 90° 00' 00", a radius of 30.00 feet, an arc length of 47.12 feet, and a chord which bears South 49° 04' 40" West, a chord distance of 42.43 feet to an iron pin set at a point of tangency;

North 85° 55' 20" West, a distance of 582.20 feet to an iron pin set at a point of curvature;

With said curve to the right, having a central angle of 88° 13' 47", a radius of 30.00 feet, an arc length of 46.20 feet, and a chord which bears North 41° 48' 26" West, a chord distance of 41.77 feet, to an iron pin set at a point of tangency, being in the easterly right-of-way line of Easton Loop West, of record in Plat Book 93, Page 3;

Thence North 02° 18' 27" East, with said easterly right-of-way line, a distance of 274.93 feet to an iron pin set at the southwesterly corner of the 4.743 acre tract conveyed to Easton Communities II, LLC by deed of record in Instrument

Number 200304290123727;

Thence with the southerly line of said 4.743 acre tract, the following courses and distances:

South 87° 41' 33" East, a distance of 198.41 feet to an iron pin set at a point of curvature;

With said curve to the right, having a central angle of 68° 02' 34", a radius of 24.00 feet, an arc length of 28.50 feet, and a chord which bears South 53° 40' 16" East, a chord distance of 26.86 feet, to an iron pin set at a point of reverse curvature;

With said curve to the left, having a central angle of 151° 08' 15", a radius of 91.00 feet, an arc length of 240.04 feet, and a chord which bears North 84° 46' 54" East, a chord distance of 176.26 feet to an iron pin set at a point of reverse curvature;

With said curve to the right, having a central angle of 68° 02' 34", a radius of 24.00 feet, an arc length of 28.50 feet, and a chord which bears North 43° 14' 03" East, a chord distance of 26.86 feet to an iron pin set at the southwesterly corner of the 3.461 acre tract conveyed to Easton Communities, LLC by deed of record in Instrument Number 200304290123732;

Thence North 77° 15' 20" East, with the southerly line of said 3.461 acre tract, a distance of 198.96 feet to an iron pin set on a curve in the westerly right-of-way line of said Easton Square Place;

Thence with the westerly right-of-way line, with said curve to the right, having a central angle of 17° 56' 59", a radius of 992.50 feet, an arc length of 310.94 feet, and a chord which bears South 04° 53' 50" East, a chord distance of 309.66 feet, to an iron pin set at a point of tangency;

Thence South 04° 04' 40" West, with said westerly right-of-way line, a distance of 66.67 feet to the TRUE POINT OF BEGINNING, containing 4.649 acres, more or less.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMINC.

Bearings are based on the centerline of Morse Crossing being South 02° 18' 27" West as shown on the plat entitled "Morse Crossing Dedication and Easements" of record in Plat Book 86, Page 56, Recorder's Office, Franklin County, Ohio.

5.028 ACRES

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 2, Township 1, Range 17, United States Military Lands, being part of the tract conveyed as Parcel 6 to Morso Holding Co. by deeds of record in Official Records 30846G11 and 31131D10, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Easton Commons with Easton Square Place, of record in Plat Book 93, Page 3;

Thence North 04° 04' 40" East, with the centerline of said Easton Square Place, a distance of 70.00 feet to a point;

Thence South 85° 55' 20" East, across the right-of-way of said Easton Square Place, a distance of 37.50 feet to an iron pin set at a point of curvature in the easterly right-of-way line thereof, the TRUE POINT OF BEGINNING;

Thence North 04° 04' 40" East, with said easterly right-of-way line, a distance of 66.67 feet to an iron pin set at a point of curvature;

Thence with said westerly right-of-way line, with said curve to the left, having a central angle of $17^{\circ} 52' 14''$, a radius of 1067.50 feet, an arc length of 332.95 feet and a chord which bears North $04^{\circ} 51' 27''$ West, a chord distance of 331.61 feet to an iron pin set at the southwesterly corner of the 3.105 acre tract conveyed to Easton Communities, LLC by deed of record in Instrument Number 200304290123730;

Thence with the southerly line of said 3.105 acre tract, the following courses and distances:

North $77^{\circ} 15' 20''$ East, a distance of 153.21 feet to an iron pin set at a point of curvature;

With said curve to the right, having a central angle of $48^{\circ} 53' 55''$, a radius of 24.00 feet, an arc length of 20.48 feet and a chord which bears South $78^{\circ} 17' 41''$ East, a chord distance of 19.87 feet to an iron pin set at a point of reverse curvature;

With said curve to the left, having a central angle of $07^{\circ} 48' 56''$, a radius of 50.00 feet, an arc length of 6.82 feet and a chord which bears South $57^{\circ} 45' 12''$ East, a chord distance of 6.82 feet to an iron pin set at a point of compound curvature;

With said curve to the left, having a central angle of $67^{\circ} 06' 53''$, a radius of 128.00 feet, an arc length of 149.94 feet and a chord which bears North $84^{\circ} 46' 54''$ East, a chord distance of 141.51 feet to an iron pin set at a point of compound curvature;

With said curve to the left, having a central angle of $07^{\circ} 48' 56''$, a radius of 50.00 feet, an arc length of 6.82 feet and a chord which bears North $47^{\circ} 19' 00''$ East, a chord distance of 6.82 feet to an iron pin set at a point of reverse curvature;

With said curve to the right, having a central angle of $48^{\circ} 53' 55''$, a radius of 24.00 feet, an arc length of 20.48 feet and a chord bearing North $67^{\circ} 51' 30''$ East, a chord distance of 19.87 feet to an iron pin set at the southwesterly corner of the 2.644 acre tract conveyed to Easton Communities II, LLC by deed of record in Instrument Number 200304290123724;

Thence South $87^{\circ} 41' 33''$ East, with the southerly line of said 2.644 acre tract, a distance of 157.47 feet to an iron pin set in the westerly right-of-way line of Chagrin Drive, of record in Plat Book 93, Page 3;

Thence South $02^{\circ} 18' 27''$ West, with said westerly right-of-way line, a distance of 473.50 feet to an iron pin set at a point of curvature;

Thence with said westerly right-of-way line, with said curve to the right, having a central angle of $91^{\circ} 46' 13''$, a radius of 30.00 feet, an arc length of 48.05 feet and a chord which bears South $48^{\circ} 11' 34''$ West, a chord distance of 43.08 feet to an iron pin set in the northerly right-of-way line of said Easton Commons;

Thence North $85^{\circ} 55' 20''$ West, with said northerly right-of-way line, a distance of 395.02 feet to an iron pin set at a point of curvature;

Thence with said northerly right-of-way line, with said curve to the right, having a central angle of $90^{\circ} 00' 00''$, a radius of 30.00 feet, an arc length of 47.12 feet and a chord bearing North $40^{\circ} 55' 20''$ West, a chord distance of 42.43 feet to the TRUE POINT OF BEGINNING, containing 5.028 acres, more or less.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

Bearings are based on the centerline of Morse Crossing being South $02^{\circ} 18' 27''$ West as shown on the plat entitled "Morse Crossing Dedication and Easements" of record in Plat Book 86, Page 56, Recorder's Office, Franklin County, Ohio.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for ground floor residential use, and residential use when not located over a commercial use or when located above any permitted commercial use, and/or those uses permitted in the CPD, Commercial Planned Development District.

SECTION 3. That this ordinance is further conditioned upon no more than 400 dwelling units being constructed.

SECTION 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 5. That this ordinance is further conditioned upon a ratio of 1.5 spaces per dwelling unit will be maintained for the proposed residential development. The ratio of 1.5 parking spaces per dwelling unit may be met by counting: (1) parking spaces on the site of the development, (2) public parking spaces on the public streets of Easton Loop West, Easton Square Place and Chagrin Drive, and (3) any recorded parking agreement to permit parking in an off-site location as approved by the Department of Public Service, Division of Planning and Operations.

SECTION 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0783-2011

Drafting Date: 05/12/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This legislation authorizes the Director of Public Utilities to enter into a planned contract modification with 360water, Inc. for the purposes of providing on-going Facilities and Safety Training for the Division of Sewerage and Drainage and the Division of Power and Water (Water).

The contract allows for the on-going safety training including Ergonomic Training, Respiratory Protection, Chemical Handling and Storage, Blood borne Pathogens, Signs and Tags, Asbestos Awareness, Welding Safety, Scaffolding Training, Laboratory Safety, Fire Protection and Confined Space Entry. Furthermore the contract includes a continuation of the Integrated Contingency Plan development for the Division of Sewerage and Drainage, a regulatory USEPA requirement.

The Director of Public Utilities received the Request for Proposal (RFP) on July 31, 2006. One bid was received. Discussions and negotiations with the selected firm resulted in a further refinement of the scope of work and an award of the contract with 360water, Inc.

This fourth modification is part of the planned scope of services included in the contract, which the original language allowed for five (5) planned extensions/modifications of the services. Funding is for a period of one (1) year to and including December 31, 2011. It is a logical extension of the original contract and expands the training and documentation to include training staff of the Division of Sewerage and Drainage and the Division of Power and Water (Water).

SUPPLIER: 360water, Inc. (31-1704111), Expires 4-23-12
360water, Inc. holds FBE status.

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

1. Amount of additional funds: Total amount of additional funds needed for this contract modification No. 4 is \$290,775.00. Total contract amount including this modification is \$1,403,870.25.
2. Reason additional funds were not foreseen: The need for additional funds was known at the time of the initial contract, as this is an annual expenditure. This legislation is to encumber the funds budgeted for fiscal year 2011

for the Division of Sewerage and Drainage and the Division of Power and Water (Water).

3. Reason other procurement processes not used: Work under this modification is a continuation of services included in the scope of the original bid contract. No lower pricing/more attractive terms and conditions are anticipated at this time.
4. How cost was determined: The cost, terms and conditions are in accordance with the original agreement.

FISCAL IMPACT: \$290,775.00 is budgeted and available for this planned modification.

Original Contract: \$150,000.00
Modification 1. \$364,345.25
Modification 2. \$318,625.00
Modification 3, \$280,125.00

Title

To authorize the Director of Public Utilities to enter into a planned contract modification with 360water, Inc. for Facilities and Safety Training Management and Documentation Services; to authorize the expenditure of \$222,650.00 from the Sewer System Operating Fund; and \$68,125.00 from the Water Systems Operating Fund. (\$290,775.00)

Body

WHEREAS, the Department of Public Utilities has a contract with 360water, Inc. to provide Facilities and Safety Training Management and Documentation and the development of Maintenance and Operation Training Courseware for the Jackson Pike Wastewater Treatment Plant and the Southerly Wastewater Treatment Plant New Headworks Improvement Project , and

WHEREAS, a previous modification of the contract allowed for the expansion of services to include staff of the Division of Power and Water (Water), and

WHEREAS, this planned modification No. 4 of the contract will continue the services provided within the Division of Sewerage and Drainage and the Division of Power and Water (Water), and

WHEREAS, the vendor has agreed to modify and extend EL006779 at current prices and conditions, and it is in the best interest of the City to exercise this option, and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage and the Division of Power and Water (Water) to authorize the Director of Public Utilities to modify and increase the Facilities and Safety Training Management & Documentation Services contract with 360water, Inc., for the preservation of the public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be, and hereby is, authorized to modify and increase contract EL006779 with 360water, Inc., for professional services for the Department of Public Utilities, Division of Sewerage and Drainage and Division of Power and Water (Water) Facilities and Safety Training Management & Documentation Services, in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage. Total amount of modification No. 4 is ADD \$290,775.00. Total contract amount including this modification is \$1,403,870.25.

Section 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes.

Section 3. That the expenditure of \$290,775.00 or so much thereof as may be needed, be and the same hereby is authorized to pay the cost thereof as follows:

Division of Sewerage and Drainage Fund 650

OCA: 605006
Object Level 1: 03
Object Level 3: 3336
Amount: \$245,215.00

Division of Power and Water (Water) Fund 600

OCA: 601849
Object Level 1: 03
Object Level 3: 3336
Amount: \$45,560.00

TOTAL REQUESTED AMOUNT: \$290,775.00

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0791-2011

Drafting Date: 05/16/2011

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND:

This ordinance adds three new definitions, deletes one definition, revises the lighting section of Columbus Zoning Code Chapter 3321, General Site Development Standards, and creates new landscaping and screening regulations in the same chapter.

The purpose of the proposed code changes is to enable commercial developers and neighboring residents to rely on standardized regulations to achieve predictable, consistent, and quality site development. These or similar standards are typical in Commercial Planned Development, Planned Unit Development, and in Limited Overlay rezoning applications. The public purpose of landscaping is to reestablish plant cover over the built environment, reduce topsoil erosion and storm water runoff, mitigate the effects of sun and wind, offset carbon emissions, moderate temperatures, conserve energy resources, and improve aesthetic appeal in neighborhoods.

Staff believes that passage of this code change proposal will actually speed up the development process because items that will be codified are typically negotiated between developers and Staff and/or neighborhood groups during the rezoning or variance process which can be time consuming. The proposal was considered and endorsed by the Columbus Development Commission on May 12, 2011.

FISCAL IMPACT: No funding is required for this legislation.

Title

To supplement and amend Chapter 3303, Definitions, and Chapter 3321, General Site Development Standards, of the Columbus Zoning Code, Title 33, to add and delete definitions, revise the lighting standards, and create new landscaping

and screening requirements; and to make other needed changes in various code sections of Title 33 in order to accommodate the new and updated general site development standards and requirements.

Body

WHEREAS, this ordinance adds three new definitions and deletes one definition in Chapter 3303, Definitions; and revises Columbus Zoning Code Chapter 3321, General Site Development Standards and;

WHEREAS, Section 3321.03 Lighting is revised to apply standards typical in planned or limited districts to commercial, institutional, and manufacturing districts; and

WHEREAS, a new zoning code proposal for new sections in Chapter 3321, General Site Development Standards, will require landscaping the front setbacks in all zoning districts; one tree per new residential lot at a minimum ratio of one tree per ten dwelling units; a minimal visual screening standard for newly zoned non-residential properties abutting residentially zoned lots; and, a basic screening requirement for mechanical equipment in non-residential districts; and

WHEREAS, the purpose of the proposed code change is to enable commercial developers and neighboring residents to rely on standardized regulations to achieve predictable, consistent, and quality site development; and

WHEREAS, these new landscaping and screening standards are widely accepted and are typical in planned zoning districts such as CPD, PUD, and in limited overlay districts; and

WHEREAS, the public purpose of landscaping is to reestablish plant cover over the built environment, reduce topsoil erosion and storm water runoff, mitigate the effects of sun and wind, offset carbon emissions, moderate temperatures, conserve energy resources, and improve aesthetic appeal in neighborhoods; and

WHEREAS, Staff believes that passage of this code change proposal will speed up the development process because items that will be codified are typically negotiated between developers and Staff and/or neighborhood groups during the rezoning or variance process which can be time consuming; and

WHEREAS, this ordinance repeals the prior existing lighting section and vision clearance sections in residential chapters because all vision clearance standards were consolidated in Chapter 3321 under Ordinance No. 1537-2009; and

WHEREAS, the Columbus Development Commission voted to recommend approval of this Zoning Code revision at its public hearing on May 12, 2011; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That Sections 3303.03, 3303.06, and 3303.18 of the Columbus City Codes, 1959, are hereby amended to read as follows:

(See Attachment 1)

SECTION 2. That the Columbus City Codes, 1959, are hereby supplemented by the enactment of new Sections 3321.03, 3321.07, 3321.09, 3321.11, and 3321.13 to read as follows:

(See Attachment 2)

SECTION 3. That the prior existing Sections 3303.03, 3303.06, 3303.18, 3321.03, 3332.30, 3333.27, 3345.135, and 3347.08 of the Columbus City Codes, 1959, are hereby repealed.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

Legislation Number: 0820-2011

Drafting Date: 05/20/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

This legislation authorizes the Director of the Department of Technology and the Director of the Department of Public Utilities (DPU) to renew an existing contract with VESOFT Inc. for software maintenance and support services, in the amount of \$1,850.00, with a coverage period of October 1, 2011 through September 30, 2012. The original agreement, associated with purchase order ED001918, was established July 6, 2000. The agreement was most recently renewed by authority of ordinance 0077-2011, passed February 14, 2011, providing service for six (6) months, ending September 30, 2011.

This contract is associated with a legacy application that supports the generation of electric and water bills (including storm and sewer). When enhancements to the Columbus Utility Billing System (CUBS) are in place, this legacy system will be retired.

In the last contract renewal (0077-2011) only six (6) months of support was acquired, anticipating full functioning of the Columbus Utility Billing System (CUBS) allowing the legacy system to be retired. Since that time, the Department of Public Utilities has initiated an audit of the CUBS systems to ensure that all revenue is being captured. The legacy system is needed in order to produce comparison reports to assist with the CUBS audit. In addition, the legacy system will need to be utilized for reference, as part of a new project to evaluate reports from CUBS. The legacy system is critical for this effort to ensure that all the proper reports are created. In order to ensure sufficient time to retire the old system, an additional one (1) year of support is requested in this contract renewal. Once the project is completed, a plan will be put into place to retire the legacy system.

It has been determined that VESOFT Inc. is the only provider of software maintenance and support for its software products licensed to the city. Therefore, this contract renewal is being established with the sole source provisions of the Columbus City Codes, Section 329.07.

FISCAL IMPACT

In 2009 and 2010 the Department of Technology, on behalf of the Department of Public Utilities, expended \$1,850.00 each year respectively for software maintenance and support services from VESOFT Inc. Earlier this year, 2011 \$925.00 was legislated for the same service for a six (6) month term. This contract renewal for software maintenance and support services will extend support for an additional (one) 1 year term in the amount of \$1,850.00. The funds are budgeted and available in the 2011 Department of Technology, Internal Services Fund.

CONTRACT COMPLIANCE: 95-3788729 Expires: 01/03/2013

Title

To authorize the Director of the Department of Technology and the Director of Public Utilities to renew an existing contract with VESOFT Inc. for software maintenance and support services; in accordance with the sole source provisions of the Columbus City Codes; and to authorize the expenditure of \$1,850.00 from the Department of Technology, Internal Services Fund. (\$1,850.00)

Body

WHEREAS, this legislation authorizes the Director of the Department of Technology and the Director of Public Utilities to renew an existing software maintenance and support services contract with VESOFT Inc. to support the generation of electric and water bills for a one (1) year term period, October 1, 2011 through September 30, 2012, in the amount of \$1,850.00, and

WHEREAS, this contract renewal is in accordance with the sole source provisions of the Columbus City Codes, Section

329.07; and

WHEREAS, it is necessary to renew an existing software maintenance and support services contract with VESOFT Inc. to support the daily operation activities, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1: That the Director of the Department of Technology and the Director of the Department of Public Utilities be and is hereby authorized to renew an existing software maintenance and support services contract to support the generation of electric and water bills with VESOFT Inc. for an additional one (1) year term, October 1, 2011 through September 30, 2012, in the amount of \$1,850.00.

SECTION 2: That the expenditure of \$1,850.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Div.: 47-01|**Fund:** 514|**Sub-fund:** 550|**OCA Code:** 514550|**Obj. Level 1:** 03|**Obj. Level 3:** 3369 |**Amount:** \$112.85
Div.: 47-01|**Fund:** 514|**Sub-fund:** 600|**OCA Code:** 514600|**Obj. Level 1:** 03|**Obj. Level 3:** 3369 |**Amount:** \$717.80
Div.: 47-01|**Fund:** 514|**Sub-fund:** 650|**OCA Code:** 514650|**Obj. Level 1:** 03|**Obj. Level 3:** 3369 |**Amount:** \$804.75
Div.: 47-01|**Fund:** 514|**Sub-fund:** 675|**OCA Code:** 514675|**Obj. Level 1:** 03|**Obj. Level 3:** 3369 |**Amount:** \$214.60

SECTION 3: That the City Auditor is authorized to make any changes to revise the funding source for any contract or contracts modifications associated with this ordinance.

SECTION 4: That this contract is being established in accordance with the sole source provisions of the Columbus City Codes, Section 329.07.

SECTION 5: That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0864-2011

Drafting Date: 05/27/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This legislation authorizes the Director of Finance and Management to establish a blanket purchase order for the Division of Sewerage and Drainage, Jackson Pike Wastewater Treatment Plant to obtain U.S. Filter/Envirex Parts in accordance with an established Universal Term Contract.

U.S. Filter/Envirex Parts are used by the Jackson Pike and Southerly Wastewater Treatment Plants for maintenance, repair and rehabilitation of various processes throughout the plant including skimming, digesters and settling basins.

The Purchasing Office established a Universal Term Contract (FL004410) which expires on December 31, 2011, for the option to obtain U.S. Filter/Envirex Parts. Items required will be purchased utilizing this contract.

SUPPLIER: Siemens Industry, Inc. (13-2762488) Expires 4-7-13

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

FISCAL IMPACT: \$100,000.00 is budgeted and needed for this purchase.

\$95,723.00 has been spent in 2011
\$0.00 was spent in 2010
\$293,734.00 was spent in 2009

Title

To authorize the Director of Finance and Management to establish a Blanket Purchase Order for the purchase of U.S. Filter/Envirex Parts from an established Universal Term Contract with Siemens Industry, Inc., for the Division of Sewerage and Drainage; and to authorize the expenditure of \$100,000.00 from the Sewerage System Operating Fund. (\$100,000.00)

Body

WHEREAS, the Purchasing Office established a Universal Term Contract, FL004410, for the purchase of U.S. Filter/Envirex Parts for the Division of Sewerage and Drainage, and

WHEREAS, U.S. Filter/Envirex Parts are used by the Jackson Pike and Southerly Wastewater Treatment Plants for maintenance, repair and rehabilitation of various processes throughout the plant including skimming, digesters and settling basins, and

WHEREAS, a blanket purchase order will be issued in accordance with the terms, conditions and specifications of contract number FL004410 on file in the Purchasing Office; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Finance and Management be and is hereby authorized to establish a blanket purchase order for the purchase of U.S. Filter/Envirex Parts with Siemens Industry, Inc. for the Division of Sewerage and Drainage, in accordance with specifications of FL004410, on file in the Purchasing Office.

Section 2. That the expenditure of \$100,000.00 or so much thereof as may be need, be and the same is hereby authorized from the Sewerage System Operating Fund, Fund No. 650, as follows:

Jackson Pike Wastewater Treatment Plant

OCA: 605030
Object Level 1: 02
Object Level 3; 2245
Amount: \$100,000.00

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0873-2011

Drafting Date: 05/31/2011

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to enter into an engineering services agreement with Chester Engineers, in the amount of \$404,599.33 for professional engineering services for the Upper Scioto West Air Quality Improvements Project for the Division of Sewerage and Drainage.

This project will design a replacement for the existing Air Quality Control Facilities on the Upper Scioto West Interceptor Sewer located at shafts 2 and 11. The new facilities will be more compartmentalized enabling the Division of Sewerage and Drainage to maintain both air quality control facilities more efficiently and effectively. There is only one phase planned for the project which shall be for a period of 18 months.

Economic and Environmental Impact:

This project is being completed largely in part due to community input and the number of odor complaints in the area, which has risen over the last few years. By evaluating the existing bio-filters and constructing the necessary changes to address their deficiencies, the City will be improving the environment of the neighborhoods in and around the bio-filters while fostering a better working relationship with the surrounding community.

Procurement Information: The Division sent a Request for Proposals (RFP) on the City of Columbus's Vendor Services website and in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. The Division of Sewerage and Drainage opened three requests for proposals on February 18, 2011.

<u>Name</u>	<u>C.C. No.</u>	<u>Exp. Date</u>	<u>Status</u>	<u>City and State</u>
Chester Engineers	20-2401674	06/04/11	MBE	Columbus, Ohio
DLZ Corp.	31-1268980	02/22/13	MAJ	Columbus, Ohio
Black & Veatch	43-1833073	10/30/11	MAJ	Columbus, Ohio

B. Contract Compliance No.: 20-2401674| MBE | Expires 06/04/11

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract to the Auditor of State unresolved findings for recovery search.

C. Emergency Designation: Emergency designation is not requested.

B. Fiscal Impact: This ordinance authorizes the Director of Public Utilities to expend 404,599.33 from the Sanitary Sewer Build America Bond Fund (B.A.B.s), Fund 668, and to amend the 2011 Capital Improvements Budget for this expenditure.

Title

To authorize the Director of Public Utilities to enter into an engineering agreement with Chester Engineers for the Upper Scioto West Air Quality Improvements Project; and to authorize the transfer within and expenditure of \$404,599.33 from the Sanitary Sewer Build America Bond Fund; and to amend the 2011 Capital Improvements Budget. (\$404,599.33)

Body

WHEREAS, the Division of Sewerage and Drainage received three Request for Proposals on February 18, 2011 for the Upper Scioto West Air Quality Improvements Project, where upon Chester Engineers was selected; and

WHEREAS, the Division of Sewerage and Drainage engineering personnel have determined that it is necessary to enter into an engineering agreement Chester Engineers for the design a replacement for the existing Air Quality Control Facilities on the Upper Scioto West Interceptor Sewer located at shafts 2 and 11; and

WHEREAS, it is necessary to authorize the expenditure funds from the Sanitary Sewer Build America Bond Fund (B.A.B.s), Fund 668 in the amount of \$404,599.33 for purposes of providing sufficient funding for the aforementioned project; and

WHEREAS, it is necessary to authorize an amendment to the 2011 Capital Improvement Budget for the purpose of

creating and providing sufficient budget authority for the aforementioned expenditure; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to enter into an engineering agreement with Chester Engineers for the Upper Scioto West Air Quality Improvements project, for the preservation of the public health, peace, property, safety, and welfare; **Now, Therefore:**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be, and hereby is, authorized to enter into an engineering agreement with Chester Engineers, located at 88 East Broad Street, Suite1980, Columbus, Ohio 43215, for engineering services for the Upper Scioto West Air Quality Improvements project on file in the office of the Division of Sewerage and Drainage.

Section 2. That the City Auditor is hereby authorized and directed to appropriate the following funds:

Division: Sanitary Sewerage and Drainage
Fund Name: Sanitary Sewer Build America Bond Fund
Fund No.: 668
Dept./Div. No.: 60-05
OL3: 6676

<u>Project No.</u>	<u>Project Name</u>		<u>OCA</u>	<u>Amount</u>
668999-100000	Unallocated Balance	668999		\$404,599.33

Section 3. That the City Auditor is hereby authorized to transfer of \$404,599.33 within the Department of Public Utilities, Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary Sewer Build America Bonds Fund, Fund No. 668, Object Level Three 6676, as follows:

From:

Project No. | Project Name | OCA Code | Change
668999-100000 | Unallocated Balance | 668999 | -\$404,599.33

To:

Project No. | Project Name | OCA Code | Change
650495-100001 | Upper Scioto West Air Quality Improvements | 668495 | +\$404,599.33

Section 4. That the Director of Public Utilities be and hereby is authorized to expend a total of \$404,599.33 from the Sewerage and Drainage Sanitary Sewer Build America Bonds Fund into the Upper Scioto West Air Quality Improvements project | Fund 668 | Div. 60-05 | 650495-100001 | 668495 | Object Level Three 6676.

Section 5. That the 2011 Capital Improvements Budget Ordinance No. 0266-2011 is hereby amended as follows, to provide sufficient budget authority for the Capital Improvement Projects listed herein:

Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | (Change)
668999-100000 | Unallocated Balance | \$297,618 | \$408,249 | (+\$110,631) Created matching Authority
668999-100000 | Unallocated Balance | \$408,249 | \$3,649 | (-\$404,600)
650495-100001 | Upper Scioto West Air Quality Improvements | \$0 | \$404,600 | (-\$404,600)

Section 6. That the said engineering company, Chester Engineers, Inc., shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

Section 7. That the City Auditor is hereby authorized to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer

shall be made from a project by monies from more than one source.

Section 8. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

Section 10. That the said firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

Section 11. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0877-2011

Drafting Date: 06/01/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation **BACKGROUND:** This legislation authorizes the sale of an aluminum boat, motor, and trailer by the City of Columbus Fire Division to the Central Ohio Fire Museum. This equipment is no longer certified for use in fire fighting operations, and is of no further value to the City of Columbus Division of Fire.

While this equipment is no longer certified for fire fighting and is of no further use to the Division of Fire, the Central Ohio Fire Museum has expressed an interest in purchasing this equipment for historical purposes.

Bid Information: N/A

Contract Compliance: N/A

FISCAL IMPACT: This ordinance authorizes the sale of an aluminum boat, motor and trailer to the Central Ohio Fire Museum for the sum of \$1.00.

Title To authorize and direct the Finance and Management Director to sell an aluminum boat, motor, and trailer equipment that is of no further value to the Division of Fire to the Central Ohio Fire Museum for the sum of \$1.00; and to waive the provisions of the City Code relating to the sale of City-owned property. (\$1.00)

Body **WHEREAS,** the Central Ohio Fire Museum has expressed a desire to purchase an aluminum boat, motor, and trailer that is of no further value to the Division of Fire; and

WHEREAS, the Department of Public Safety, Division of Fire has determined that it is in the best interest of the City of Columbus and the citizens of the central Ohio area to allow the purchase of said equipment for the sum of \$1.00 by the Central Ohio Fire Museum; Now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to sell an aluminum boat, motor and trailer that is of no further value to the Division of Fire to the Central Ohio Fire Museum.

SECTION 2. That this Council finds it is in the best interest of the City of Columbus that the provisions of Section 329.30 of the Columbus City Code, relating to the sale of City owned personal property be and they are hereby waived to permit the sale of this equipment to the Central Ohio Fire Museum.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0879-2011

Drafting Date: 06/01/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this legislation is to authorize the Director of Public Utilities to execute a planned modification for a service agreement with AA Programmed Janitorial and Building Maintenance, Inc. to provide Janitorial Services for the Division of Sewerage and Drainage.

These Janitorial Services are utilized by the Division's Jackson Pike Wastewater Treatment Plant, the Southerly Wastewater Treatment Plant, the Compost Facility and the Sewer Maintenance Operation Center. This contract is in effect for one (1) year to and including August 31, 2011. The contract language allows for the Division of Sewerage and Drainage to extend the contract for three (3) additional years on a year to year basis upon mutual agreement and budgeted funds. This is the 3rd year of the contract. The expiration date will be August 31, 2012.

SUPPLIER: AA Programmed Janitorial and Building Maintenance, Inc. (31-1190027) Expires 1-12-13. This company holds MBE status.

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

1. Amount of additional funds: Total amount of additional funds for this contract modification No. 2 is \$168,492.00. Total contract amount including this modification is \$511,176.00.
2. Reason additional funds were not foreseen: The need for additional funds was known at the time of the initial contract, as this is an annual expenditure. This legislation is to encumber the funds budgeted for fiscal year 2011 for the Division of Sewerage and Drainage.
3. Reason other procurement processes not used: Work under this modification is a continuation of services included in the scope of the original bid contract. No lower pricing/more attractive terms and conditions are anticipated at this time.
4. How cost was determined: The cost, terms and conditions are in accordance with the original agreement.

FISCAL IMPACT: \$168,492.00 is budgeted and available for this planned modification.

Original Contract: \$174,192.00

Modification #1: \$168,492.00

Modification #2: \$168,492.00

Title

To authorize the Director of Public Utilities to enter into a planned modification of the Janitorial Services contract with AA Programmed Janitorial and Building Maintenance, Inc., for the Division of Sewerage and Drainage, and to authorize the expenditure of \$168,492.00 from the Sewerage System Operating Fund. (\$168,492.00)

Body

WHEREAS, the Department of Public Utilities has a contract with AA Programmed Janitorial and Building Maintenance, Inc. for Janitorial Services, and

WHEREAS, this contract is in effect for one (1) year to and including August 31, 2011. The contract language allows for the Division of Sewerage and Drainage to extend the contract for three (3) additional years on a year to year basis upon mutual agreement and budgeted funds, and

WHEREAS, this planned modification No. 2 of the contract will provide for the continuation of the services without interruption, and

WHEREAS, the vendor has agreed to modify and extend EL009566 at current prices and conditions and it is in the best interest of the City to exercise this option, and

WHEREAS, the Director of Public Utilities wishes to extend and increase the existing contract for one (1) year with a new expiration date of August 31, 2012; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be and hereby is, authorized to modify and increase Contract No. EL009566 with AA Programmed Janitorial and Building Maintenance, Inc., for Janitorial Services, in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage. Total amount of modification No. 2 is ADD \$168,492.00. Total contract amount including this modification is \$511,176.00.

Section 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes.

Section 3. That the expenditure of \$168,492.00, or so much thereof as may be necessary, be and the same hereby is authorized from the Sewerage System Operating Fund 650, Department 60-05, to pay the cost of the modification to Contract EL009566, as follows.

Jackson Pike Wastewater Treatment Plant

OCA: 605030
Object Level One: 03
Object Level 3: 3396
Amount: \$24,060.00

Southerly Wastewater Treatment Plant

OCA: 605063
Object Level One: 03
Object Level 3: 3396
Amount: \$24,096.00

Fairwood Complex

OCA: 606202
Object Level One: 03
Object Level 3: 3396
Amount: \$78,240.00

SW Compost Facility

OCA: 605899
Object Level One: 03
Object Level 3: 3396
Amount: \$24,060.00

Treatment Engineering

OCA: 605378
Object Level One: 03
Object Level 3: 3396
Amount: \$18,036.00

Total Requested Amount: \$168,492.00

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0892-2011

Drafting Date: 06/02/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

- A. **Background:** This legislation authorizes the Director of Public Utilities to enter into an engineering agreement modification with RW Armstrong for the CSO Regulator Sluice Gate Modifications project. RW Armstrong is to provide design and preparation plans for installing an electric conduit from the Control Building at the Whittier Street Storm Tanks to DSR 83. This request also included bidding support, engineer services (shop drawing review) and record plan preparation.

This project implements recommendations in the city's Wet Weather Management Plan and Combined Sewer Long Term Control Plan - Interim (2010) Plan Update that was approved by the Ohio Environmental Protection Agency (OEPA) on March 7, 2008. The projects main environmental advantage is a reduction in combined sewer and sanitary sewer overflow volumes into the Olentangy and Scioto rivers during an average year of rainfall. A reduction in both frequency and volume of combined sewer overflows is achieved from modifying regulators to capture more wet weather flow for transport and treatment at the Jackson Pike and Southerly wastewater treatment plants.

Economic and Environmental Impact: This project implements recommendations in the city's Wet Weather Management Plan and Combined Sewer Long Term Control Plan - Interim (2010) Plan Update that was approved by the Ohio Environmental Protection Agency (OEPA) on March 7, 2008.

The City coordinated with property owners during design to ensure their site specific concerns would be addressed during construction. Coordination included the following property owners: The Ohio State University, Moody-Nolan, Daimler, US Federal Court House/Home Land Security.

The projects main environmental advantage is a reduction in combined sewer and sanitary sewer overflow volumes into the Olentangy and Scioto rivers during an average year of rainfall. A reduction in both frequency and volume of combined sewer overflows is achieved from modifying regulators to capture more wet weather flow for transport and treatment at the Jackson Pike and Southerly wastewater treatment plants.

The project received a construction loan from the Ohio Water Pollution Control Loan Fund (WPCLF). A requirement of the WPCLF process is to provide both notification and project information to the public. This requirement was met by posting the projects: general description, benefits, location map and index on the City of Columbus, Department of Public Utilities, major projects web site.

The city website for this project is: <http://utilities.columbus.gov/MajorProjects/SluiceGateMod.htm>

B. Amount of additional funds to be expended: \$96,235.11

Original Contract Amount: \$ 664,743.44
Modification 1 \$ 96,235.11
Future Modification \$ 0.00
Total (Orig. + Mod 1, 2, 3) \$ 760,978.55

1.2. Reasons additional goods/services could not be foreseen:

Additional work was needed to complete the required investigations and develop plans compared to the amount originally identified in the negotiated scope of services. Additional coordination was required with the Ohio State University for work to be performed at Frambes, Doe Alley, and Indianola Avenue regulators; hydraulic modeling to evaluate that recommendation did not exceed the Combined Sewer Long Tern Control Plan - Interim (2010) Plan Update overflow volume metrics, extra research on easements and right-of-way to address WPCLF requirements and WPCLF Public Outreach requirements.

1.3. Reason other procurement processes are not used:

This contract modification is for work already done by the Consultant in order to meet the overall project schedule. It also includes future anticipated work needed to complete the contract: assistance during the construction phase of as-built drawings and contract close out.

1.4. How cost of modification was determined:

The cost modification was prepared by R W Armstrong and reviewed by DOSD. The modification included total labor cost (direct labor multiplied by hourly cost multiplier) with a 10% net fee.

C. Contract Compliance No.: 35-1062227 | Exp 09/21/2011 | MAJ

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery search.

D. Emergency Designation: Emergency designation is not requested at this time.

E. Fiscal Impact: This ordinance authorizes the Director of Public Utilities to transfer within and expend \$96,235.11 in funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664 for the CSO Regulator Sluice Gate Modifications engineering project and to amend the 2011 Capital Improvements Budget.

Title

To authorize the Director of Public Utilities to enter into an engineering agreement modification with RW Armstrong for the CSO Regulator Sluice Gate Modifications project; to authorize the transfer within and expend \$96,235.11 from the Sanitary Sewer General Obligation Bond Fund, and to amend the 2011 Capital Improvements Budget for the Division of Sewerage and Drainage. (\$96,235.11).

Body

WHEREAS, the Division of Sewerage and Drainage engineering personnel have determined it necessary to enter into an engineering agreement modification with R.W. Armstrong, to provide for Construction Administration/Inspection Services for the CSO Regulator Sluice Gate Modifications Project; and

WHEREAS, it is necessary to authorize the transfer within and the expenditure of \$96,235.11 in funds from the Sanitary Sewer General Obligation Bond Fund for the purposes of providing sufficient funding for the aforementioned project and expenditure; and

WHEREAS, it is immediately necessary to amend the 2011 Capital Improvements Budget to provide sufficient authority for increasing a capital project account; Now, Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be, and hereby is, authorized to enter into an engineering agreement modification with R.W. Armstrong, 1500 Lake Shore Dr., Columbus, Ohio 43204 for the CSO Regulator Sluice Gate Modifications Project in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage.

Section 2. That the City Auditor is hereby authorized to transfer \$96,235.11 within Sanitary Sewer General Obligation Bond Fund, Fund 664 the Department of Public Utilities Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sanitary Sewer General Obligation Bond Fund, Fund 664, Object Level Three 6676 as follows:

From:

Project No. | Project Name | OCA Code | Change

650100-100000 | Sanitary Sewer Contingency | 650100 | (-\$96,235.11)

To:

Project No. | Project Name | OCA Code | change

650737-100001 | CSO Regulator Sluice Gate Modifications | 664737 | (+\$96,235.11)

Section 3. That the Director of Public Utilities is hereby authorized to expend a total of \$96,235.11 from the Sanitary Sewer General Obligation Bond Fund, Fund 664 into the CSO Regulator Sluice Gate Modifications | Fund 664 | Div. 60-05 | Proj. 650737-100001 | 664737| Object Level Three 6676.

Section 4. That the 2011 Capital Improvements Budget Ordinance No. 0266-2011 is hereby amended as follows, to provide sufficient budget authority for the award of the agreement stated herein.

Project No. | Project Name | Current Authority | Revised Authority | (Change)

650100-100000 | Sanitary Sewer Contingency | 650100 | \$2,000,000 | \$1,903,764 | (-\$96,236)

650737-100001| CSO Regulator Sluice Gate Modifications | \$0 | \$96,236 | (+\$96,236)

Section 5. That the said engineering company, R.W. Armstrong, shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

Section 6. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

Section 7. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

Section 9. That this modification is entered into pursuant to Section 329.16 of the Columbus City Codes, 1959.

Section 10. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0912-2011

Drafting Date: 06/06/2011

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a contract with J. F. Electric, Inc. in the amount not to exceed \$60,000.00 for Emergency Overhead Electric Repairs for the Division of Power and Water.

Bids were advertised through Vendor Services and the City Bulletin and three bids were received and publicly opened by the Director of Public Utilities on May 25, 2011, as follows:

J. F. Electric Inc. - \$30,931.22
Thayer Power & Communication Co. - \$36,348.33
U. S. Utilities - \$37,840.14

These figures are based on the estimated quantities for each item and the unit price submitted by each company. The lowest, responsive, responsible and best bid was submitted by J.F. Electric Inc. Since the contract is on an as-needed basis, it is recommended to award an amount not to exceed \$60,000.00 at this time from the 2011 Electricity Operating Budget with an anticipated modification to increase funding if necessary in 2012, and upon approval of Columbus City Council.

J. F. Electric Inc. contract compliance number is 370913537, expires 03/12/12. This company does not hold FBE or MBE status.

Additional information regarding this bidder, description of work, contract time frame and detailed amounts can be found on the attached Legislation Information Form. A bid tabulation is also attached for your review.

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

FISCAL IMPACT: There is sufficient budget authority in the current 2011 Electricity Operating Budget for this contract. There were no expenditures in 2009 or 2010 for Emergency Overhead Electric Repairs.

Title

To authorize the Director of Public Utilities to enter into a contract with J. F. Electric Inc. for Emergency Overhead Electric Repairs for the Division of Power and Water and to authorize the expenditure not to exceed \$60,000.00 from the Electricity Operating Fund. (\$60,000.00)

Body

WHEREAS, three bids for Emergency Overhead Electric Repairs were received and publicly opened in the offices of the Director of Public Utilities on May 25, 2011; and

WHEREAS, J. F. Electric Inc. submitted the lowest, responsive, responsible and best bid; and

WHEREAS, it is necessary to award and execute a contract and to authorize the expenditure of funds for Emergency Overhead Electric Repairs, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities be and hereby is authorized to award and execute a contract for Emergency Overhead Electric Repairs with the lowest, responsive, responsible and best bidder, J. F. Electric Inc., in the amount not to exceed \$60,000.00.

SECTION 2. That the expenditure of up to \$60,000.00, or so much thereof as may be needed, be and is hereby authorized from the Electricity Operating Fund, Fund No. 550, OCA 606723, Object Level One 03, Object Level Three

3375.

SECTION 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0927-2011

Drafting Date: 06/07/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: The City of Columbus, Ohio holds title to a sewer utility easement, located in the vicinity of Chatterton Road and Falcon Bridge Drive, by virtue of a recorded deed of easement in the Recorder's Office, Franklin County, Ohio. Chatterton Square LLC, an Ohio limited liability company ("Grantor"), has requested that the subject easement be released in exchange for replacement easements previously granted to the City of Columbus. The Division of Sewerage and Drainage has determined that the proposed exchange of easements will not adversely affect the City and therefore should be granted. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to release the aforementioned sewer utility easement in exchange for previously granted replacement easements.

Fiscal Impact: N/A

Emergency Justification: N/A.

Title

To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a certain utility easement, located in the vicinity of Chatterton Road and Falcon Bridge Drive, at the request of Chatterton Square LLC, an Ohio limited liability company, in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

Body

WHEREAS, The City of Columbus, Ohio holds title to an easement, located in the vicinity of Chatterton Road and Falcon Bridge Drive, by virtue of a recorded deed of easement; and,

WHEREAS, Chatterton Square LLC, an Ohio limited liability company ("Grantor"), has requested that the subject easement be released in exchange for replacement easements previously granted to the City of Columbus and recorded as instrument numbers 201105170062866 and 201105170062867; and,

WHEREAS, the Division of Sewerage and Drainage has determined that the release of said easement will not adversely affect the City of Columbus; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Public Utilities be, and hereby is authorized to execute those documents, prepared by the Department of Law, Real Estate Division, necessary to release, to Chatterton Square, LLC, "Grantee", an Ohio limited liability company, its sewer easement rights granted in Instrument № 200009150187293.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0956-2011

Drafting Date: 06/09/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The Director of Public Utilities opened formal bids for Asphalt Paving, Sealing and Repair Services on May 25, 2011. Fifty-six (56) vendors were solicited (5 MBE, 1 FBE) and Two (2) bids (2 Majority) were received. The lowest, responsive and responsible bid was The Shelly Company.

This contract provides the Department of Public Utilities, Division of Sewerage and Drainage the services needed for repairing asphalt pavement, pavement replacement and sealing existing roadways with tar and chip surface for the Division of Sewerage and Drainage Facilities. This contract will be utilized by the Southwesterly Composting Facility. This ordinance would authorize the Director of Public Utilities to enter into a one (1) year contract with The Shelly Company. Contract specifications allow for two (2) one (1) year extensions on a year to year basis and upon mutual agreement, availability of funding and approval by City Council.

SUPPLIER: The Shelly Company (31-1279704) Expires April 15, 2013. They do not have MBE/FBE status.

FISCAL IMPACT: \$175,000.00 is needed for this purchase. There is a need to transfer \$175,000.00 within the Sewerage System Operating Fund to allow for the necessary improvements to proceed. Sufficient appropriation is available within Object Level One 06 for this requested transfer to Object Level One 03. No increase in the total budget appropriation will be needed.

\$0.00 was spent in 2010

\$0.00 was spent in 2009

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

Title

To authorize the Director of Public Utilities to enter into contract with The Shelly Company for Asphalt Paving, Sealing and Repair Services, for the Division of Sewerage and Drainage, and to authorize the transfer and expenditure of \$175,000.00 from the Sewerage System Operating Fund. (\$175,000.00)

Body

WHEREAS, the Director of Public Utilities received bids for Asphalt Paving, Sealing and Repair Services on May 25, 2011, and

WHEREAS, there is a need for Asphalt Paving, Sealing and Repair Services for the Division of Sewerage and Drainage Facilities, and

WHEREAS, this contract will be utilized by the Southwesterly Composting Facility, and

WHEREAS, The Shelly Company was the lowest, responsive, responsible bidder and has the necessary experience to provide said service, and

WHEREAS, the anticipated expenditure necessitates the transfer of funds within the Division of Sewerage and Drainage,

Sewerage System Operating Fund for purposes of providing sufficient funding and spending authority for the aforementioned project expenditures; and

WHEREAS, sufficient appropriation is available within Object Level One 06 to be transferred to Object Level One 03; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer funds within the Sewerage System Operating Fund; and

WHEREAS, it is in the best interest of the City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage to authorize the Director of Public Utilities to enter into contract with The Shelly Company for Asphalt Paving, Sealing and Repair Services in accordance with the terms, conditions and specifications of the contract on file with the Division of Sewerage and Drainage; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be and is hereby authorized to enter into contract with The Shelly Company, as the lowest responsive, responsible and best bidder, for Asphalt Paving, Sealing and Repair Services for the Division of Sewerage and Drainage, in accordance with the terms, conditions and specifications of the contract on file with the Division of Sewerage and Drainage.

Section 2. That the City Auditor is hereby authorized and directed to transfer \$175,000.00 within the Division of Sewerage and Drainage, Dept/Div No. 60-05, Sewerage System Operating Fund, Fund No. 650, as follows:

TRANSFER FROM:

<u>OCA Code</u>	<u>Object Level One</u>	<u>Object Level Three</u>	<u>Amount</u>
604801	06	6624	-\$ 175,000.00

Total Transfer From **-\$ 175,000.00**

TRANSFER TO:

<u>OCA Code</u>	<u>Object Level One</u>	<u>Object Level Three</u>	<u>Amount</u>
604801	03	3374	+\$ 175,000.00

Total Transfer To **+\$ 175,000.00**

Section 3. That the expenditure of \$175,000.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650 as follows:

OCA: 604801
Object Level 1: 03
Object Level 03: 3374

Section 4. That the City Auditor is authorized to establish proper accounting project numbers and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 2, above.

Section 5. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0975-2011

Drafting Date: 06/14/2011

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This Ordinance authorizes the Director of Public Utilities to modify and increase the Professional Construction Management Services agreement with URS Corporation - Ohio, which provides cost effective construction management, field representation, inspection testing, instrumentation/control design, integration and support services, and services for maintenance of operations during construction for various capital improvements projects for the Water Supply/Technical Support group, for the period of 2011 - 2015.

The original legislation, under Ordinance No. 1386-2010, stated that this agreement would be modified over the 2011 - 2015 period. The first contract was executed in December 2010 to allow the Professional Construction Management Team to perform a constructability review of the Upground Reservoir R-2 Project prior to advertisement for bid in December 2010.

Modification No. 1, under Ordinance No. 0134-2011, enabled the Professional Construction Management Team to perform a constructability review of the Upground Reservoir Raw Water Pump Station and Raw Water Line.

Modification No. 2 is to cover Professional Construction Management tasks for the remainder of 2011 and the first half of 2012. Refer to the attached Information file, item number 9, for a description of these projects.

It is anticipated annual contract modifications will be submitted for Council approval in 2012 to cover Professional Construction Management tasks for the next 12 month period, and annually thereafter for the duration of the five (5) year contract period.

1.1 Amount of additional funds to be expended: \$15,750,000.00

Original Contract Amount:	\$ 200,000.00
Modification 1	\$ 1,625,000.00
Modification 2 (current)	<u>\$15,750,000.00</u>
Total (Orig. + Mods. 1-2)	\$17,575,000.00

1.2. Reasons additional goods/services could not be foreseen:

This modification was planned and identified in the original contracting legislation Ord. 1386-2010 and in the first contract modification Ord. 0134-2011.

1.3. Reason other procurement processes are not used:

The original RFP for this project anticipated a multi-year project with annual expenditures. The original authorizing legislation Ord. 1386-2010 and the first contract modification Ord. 0134-2011 identified the planned contract modifications.

1.4. How cost of modification was determined:

Consultant prepared a cost breakdown exhibit including estimated hours and hourly rates for upcoming work. This cost breakdown was reviewed and approved by the Project manager for the City Division of Power and Water. Hourly rates and multipliers were submitted during the Request for Proposal phase of the project, with annual increases included for the contract duration.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against URS Corporation - Ohio.

2. CONTRACT COMPLIANCE INFO: 34-0939859, expires 8/28/11, Majority

3. FISCAL IMPACT: A transfer of funds within the Water Super Build America Bonds Fund will be necessary, as well as an amendment to the 2011 Capital Improvements Budget.

Title

To authorize the Director of Public Utilities to modify and increase the agreement with URS Corporation - Ohio for Professional Construction Management Services; for the Division of Power and Water; to authorize a transfer within the Water Super Build America Bonds Fund; to authorize an expenditure of \$15,750,000.00 within the Water Super Build America Bonds Fund; and to authorize an amendment to the 2011 Capital Improvements Budget. (\$15,750,000.00)

Body

WHEREAS, Contract No. EL011123 was authorized by Ordinance No. 1386-2010, passed October 18, 2010, was executed November 24, 2010, and approved by the City Attorney on November 30, 2010; and

WHEREAS, Modification No. 1, under Purchase Order No. EL011432 authorized by Ordinance No. 0134-2011 passed February 14, 2011, was executed March 10, 2011, and approved by the City Attorney on March 17, 2011; and

WHEREAS, Modification No. 2 is needed in order to provide necessary services for projects in the remainder of 2011 and the first half of 2012; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer and expend funds within the Water Super Build America Bonds Fund; and

WHEREAS, it is necessary to authorize an amendment to the 2011 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Power and Water, to authorize the Director of Public Utilities to modify and increase the agreement with URS Corporation - Ohio, for Professional Construction Management Services, for the preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities is hereby authorized and directed to modify and increase the agreement with URS Corporation - Ohio for Professional Construction Management Services, in the amount of \$15,750,000.00.

SECTION 2. That this contract modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

SECTION 3. That the City Auditor is hereby authorized and directed to appropriate the following funds:

Division: Power and Water
Fund Name: Water Super Build America Bonds Fund
Fund No.: 610
Dept./Div. No.: 60-09
OL3: 6686

<u>Project No.</u>	<u>Project Name</u>	<u>OCA</u>	<u>Amount</u>
610999-100000 (carryover)	Unallocated Balance	610999	\$222,635.63

SECTION 4. That the City Auditor is hereby authorized to transfer \$7,308,000.00 within the Department of Public Utilities, Division of Power and Water, Water Super Build America Bonds Fund, Fund No. 610, Dept./Div. No. 60-09, Object Level Three 6686, as follows:

Fund No. | Project No. | Project Name | OCA Code | Change
610 | 610999-100000 (carryover) | Unallocated Balance | 610999 | -\$222,635.63

610 | 690236-100020 (carryover) | Canyon Dr. W.L. | 623620 | -\$1,378,315.88
 610 | 690411-100000 (carryover) | Watershed Misc. Imp's | 610411 | -\$250,000
 610 | 690421-100000 (carryover) | Watershed Prot. Easements | 610411 | -\$200,000
 610 | 690430-100000 (carryover) | HCWP Treatment Imp's | 610430 | -\$1,740,208
 610 | 690446-100000 (carryover) | Gen'l Eng. Svcs.-Supply | 610446 | -\$500,000
 610 | 690462-100000 (carryover) | E. Corridor Trans. Cng. | 610462 | -\$66,840.49
 610 | 690473-100000 (carryover) | Misc. Booster Sta. Imp's | 610473 | -\$500,000
 610 | 690473-100005 (carryover) | Stand-by Power... | 614735 | -\$100,000
 610 | 690477-100000 (carryover) | Water Storage Tank Pntg. | 610477 | -\$1,000,000
 610 | 690498-100000 (carryover) | HC/DR Coating | 610498 | -\$250,000
 610 | 690504-100000 (carryover) | Cleveland Ave. Booster Sta. | 615041 | -\$500,000
 610 | 690521-100000 (carryover) | Emergency Repair CT | 610521 | -\$600,000

610 | 690331-100002 (carryover) | HCWP Lagoon 3 Sludge Rmvl | 613312 | +\$224,000
 610 | 690359-100001 (carryover) | SWF Expansion-CW 106 (well) | 613591 | +\$467,000
 610 | 690359-100003 (carryover) | SWF Expansion-CW 106 (RWL) | 613593 | +\$383,000
 610 | 690370-100001 (carryover) | Upground Res. Pump Sta. | 613701 | +\$2,657,000
 610 | 690370-100002 (carryover) | Upground Res. RWL | 613702 | +\$1,307,000
 610 | 690428-100001 (carryover) | DRWP Cap. Incr. Design | 614281 | +\$1,052,000
 610 | 690430-100001 (carryover) | HCWP Det. Design | 643001 | +\$918,000
 610 | 690518-100000 (carryover) | Prof. Constr. Mgmt. | 610518 | +\$300,000

*Project No. 690370-100000 (Fund 610) already has a balance of \$9,105,000.

SECTION 5. That the 2011 Capital Improvements Budget is hereby amended as follows:

Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | Change

610 | 610999-100000 (carryover) | Unallocated Balance | \$152,042 | \$222,636 | +70,594 (add authority to match cash)
 610 | 610999-100000 (carryover) | Unallocated Balance | \$222,636 | \$0 | -222,636
 610 | 690236-100020 (carryover) | Canyon Dr. W.L. | \$2,600,000 | \$2,600,001 | +1 (add authority to match cash)
 610 | 690236-100020 (carryover) | Canyon Dr. W.L. | \$2,600,001 | \$1,221,685 | -\$1,378,316
 610 | 690411-100000 (carryover) | Watershed Misc. Imp's | \$250,000 | \$0 | -\$250,000
 610 | 690421-100000 (carryover) | Watershed Prot. Easements | \$200,000 | \$0 | -\$200,000
 610 | 690430-100000 (carryover) | HCWP Treatment Imp's | \$1,740,208 | \$0 | -\$1,740,208
 610 | 690446-100000 (carryover) | Gen'l Eng. Svcs.-Supply | \$500,000 | \$0 | -\$500,000
 610 | 690462-100000 (carryover) | E. Corridor Trans. Cng. | \$1,500,000 | \$1,433,159 | -\$66,841
 610 | 690473-100000 (carryover) | Misc. Booster Sta. Imp's | \$500,000 | \$0 | -\$500,000
 610 | 690473-100005 (carryover) | Stand-by Power... | \$100,000 | \$0 | -\$100,000
 610 | 690477-100000 (carryover) | Water Storage Tank Pntg. | \$1,000,000 | \$0 | -\$1,000,000
 610 | 690498-100000 (carryover) | HC/DR Coating | \$250,000 | \$0 | -\$250,000
 610 | 690504-100000 (carryover) | Cleveland Ave. Booster Sta. | \$500,000 | \$0 | -\$500,000
 610 | 690521-100000 (carryover) | Emergency Repair CT | \$600,000 | \$0 | -\$600,000

610 | 690331-100002 (carryover) | HCWP Lagoon 3 Sludge Rmvl | \$0 | \$224,000 | +\$224,000
 610 | 690359-100001 (carryover) | SWF Expansion-CW 106 (well) | \$0 | \$467,000 | +\$467,000
 610 | 690359-100003 (carryover) | SWF Expansion-CW 106 (RWL) | \$0 | \$383,000 | +\$383,000
 610 | 690370-100001 (carryover) | Upground Res. Pump Sta. | \$0 | \$2,657,000 | +\$2,657,000
 610 | 690370-100002 (carryover) | Upground Res. RWL | \$0 | \$1,307,000 | +\$1,307,000
 610 | 690428-100001 (carryover) | DRWP Cap. Incr. Design | \$75,000 | \$1,127,000 | +\$1,052,000
 610 | 690430-100001 (carryover) | HCWP Det. Design | \$0 | \$918,000 | +\$918,000
 610 | 690518-100000 (carryover) | Prof. Constr. Mgmt. | \$0 | \$300,000 | +\$300,000

SECTION 6. That the expenditure of \$15,750,000 is hereby authorized for the Professional Construction Management

Services Project within the Water Super Build America Bonds Fund, Fund No. 610, Division 60-09, Object Level Three 6686, Project Numbers, OCA Codes, and Amounts listed as follows:

<u>Project No.</u>	<u>Project Name</u>	<u>OCA</u>	<u>Amount</u>
690331-100002 (carryover)	HCWP Lagoon 3 Sludge Rmvl.	613312	\$ 224,000
690359-100001 (carryover)	S. Wellfield Expansion	613591	\$ 467,000
690359-100003 (carryover)	SWF Expansion-CW 106 (RWL)	613593	\$ 383,000
690370-100000 (carryover)	Upground Reservoir (R2)-1st shift	610370	\$ 7,463,000
690370-100000 (carryover)	Upground Reservoir (R2)-2nd shift	610370	\$ 979,000
690370-100001 (carryover)	Upground Res. Pump Station	613701	\$ 2,657,000
690370-100002 (carryover)	Upground Res. RWL	613702	\$ 1,307,000
690428-100001 (carryover)	DRWP Cap. Incr. Design	614281	\$ 1,052,000
690430-100001 (carryover)	HCWP Treatment Imp's	643001	\$ 918,000
690518-100000 (carryover)	Prof. Constr. Mgmt.	610518	<u>\$ 300,000</u>
			\$15,750,000

SECTION 7. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 8. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 9. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 10. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0980-2011

Drafting Date: 06/14/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This legislation authorizes the Director of Finance and Management to establish a blanket purchase order for the Division of Sewerage and Drainage, Jackson Pike Wastewater Treatment Plant to obtain Moyno Pump Parts in accordance with an established Universal Term Contract with Moyno, Inc.

Moyno Pump Parts are used by both the Jackson Pike and Southerly Wastewater Treatment Plant crews for maintenance and repair of L&J frame and 2000 pumps, manufactured by Moyno, Inc., a unit of Robbins and Myers, located at the two (2) wastewater treatment plants. With Project J212, Jackson Pike Wastewater Treatment Plant had a few new Moyno pumps installed and did not receive any spare parts for them. Additional funding over and above what is normally spent is being requested in order to build up the inventory of spare parts for the new pumps as well as maintain the spare parts for the pumps that were already in service. Items required will be obtained in accordance with the existing Universal Term contract (FL004354) which expires on July 31, 2012.

SUPPLIER: Moyno, Inc. (31-1605167) Expires 6/29/13

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

FISCAL IMPACT: \$100,000.00 is budgeted and available for this purchase.

\$48,670.45 was spent in 2010

\$49,791.08 was spent in 2009

Title

To authorize the Director of Finance and Management to establish a Blanket Purchase Order with Moyno, Inc. from an established Universal Term Contract for the purchase of Moyno Pump Parts for the Division of Sewerage and Drainage, and to authorize the expenditure of \$100,000.00 from the Sewerage System Operating Fund. (\$100,000.00)

Body

WHEREAS, the Purchasing Office established a Universal Term Contract, FL004354, for the purchase of Moyno Pump Parts with Moyno Inc., and

WHEREAS, Moyno Pump Parts are used by both the Jackson Pike and Southerly Wastewater Treatment Plant crews for maintenance and repair of L&J frame and 2000 pumps, manufactured by Moyno, Inc., a unit of Robbins and Myers, located at the two (2) wastewater treatment plants, and

WHEREAS, a blanket purchase order will be issued in accordance with the terms, conditions and specifications of contract number FL004354 on file in the Purchasing Office; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Finance and Management be and is hereby authorized to establish a blanket purchase order from an established Universal Term Contract for the purchase of Moyno Pump Parts with Moyno, Inc. for the Division of Sewerage and Drainage, in accordance with specifications on file in the Purchasing Office.

Section 2. That the expenditure of \$100,000.00 or so much thereof as may be necessary, be and is hereby authorized from the Sewerage System Operating Fund, Fund No. 650,

Jackson Pike Wastewater Treatment Plant

OCA: 605030
Object Level 1: 02
Object Level 3: 2245
Amount: \$100,000.00

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0981-2011

Drafting Date: 06/14/2011

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

This ordinance authorizes the Director of Finance and Management to establish a blanket purchase order for the purchase of Laboratory Supplies for use by the Division of Sewerage and Drainage. These supplies are used by the laboratories at the wastewater treatment plants, Pretreatment and Surveillance Laboratory to conduct various tests and samples. The funding from this legislation is for the Surveillance Laboratory. Items required will be obtained in accordance with an established Universal Term Contract, with VWR International, LLC established by the Purchasing Office. Contract

number FL-004596 expires on May 30, 2012.

SUPPLIER: VWR International, LLC (91-1319190) Expires 9-7-12

This company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

FISCAL IMPACT: \$35,000.00 is budgeted and needed for this purchase. With this legislation the Division of Sewerage and Drainage will have certified \$109,500.00 for Fiscal Year 2011.

\$94,175.00 was spent in 2010

\$99,574.89 was spent in 2009

Title

To authorize the Director of Finance and Management to establish a blanket purchase order for Laboratory Supplies from an established Universal Term Contract with VWR International, LLC for the Division of Sewerage and Drainage, and to authorize the expenditure of \$35,000.00 from the Sewerage System Operating Fund. (\$35,000.00)

Body

WHEREAS, the Purchasing Office has established a Universal Term Contract FL004596 for the purchase of Laboratory Supplies which expires May 30, 2012, and

WHEREAS, these supplies are used by the laboratories at the wastewater treatment plants, Pretreatment and Surveillance Laboratory to conduct various tests and samples, and

WHEREAS, the funding from this legislation is for the Surveillance Laboratory; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE City of Columbus:

Section 1. That the Director of Finance and Management be and is hereby authorized to establish a blanket purchase order for Laboratory Supplies from an established Universal Term Contract with VWR International, LLC for use by the Division of Sewerage and Drainage.

Section 2. That the purpose of paying the cost thereof, the expenditure of \$35,000.00 or so much thereof as may be needed, is hereby authorized from the Sewerage System Operating Fund, Fund No. 650, as follows to pay the cost thereof:

OCA: 605105

Object Level 1: 02

Object Level 3: 2203

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Version: 1

Matter Type: Ordinance

Explanation

This legislation authorizes the Director of Finance and Management to establish a blanket purchase order for the Division of Sewerage and Drainage to obtain Rental of Construction Equipment with Operator from an established Universal Term Contract FL004014 with Travco Construction Inc.

This contract is utilized for the rental of large equipment for various projects beyond the scope of the Division's personnel. The SW Sludge Composting Operation section rents the equipment from Travco for concrete cutting, demolition, catch basin repairs, pavement cutting trenching and drainage tile installation. Travco Construction Inc. provides the operator with the equipment.

The Purchasing Office has established a Universal Term Contract for the option to obtain Rental of Construction Equipment with Operator. Items required will be obtained in accordance with this contract. The contract expires on August 31, 2012.

The Division of Sewerage and Drainage has established purchase orders that have exceeded the dollar threshold allowed by Columbus City Code Section 329 relative to Universal Term Contracts.

SUPPLIER: Travco Construction Inc. (71-0948514) Expires 7-2-12

FISCAL IMPACT: \$10,000.00 is budgeted and needed for this purchase. With this legislation the Division of Sewerage and Drainage will have certified \$1,910,000.00 for Fiscal Year 2011

\$1,890,000.00 was spent in 2010

\$2,292,019.00 was spent in 2009

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

Title

To authorize the Director of Finance and Management to establish a Blanket Purchase Order from an established Universal Term Contract for the Rental of Construction Equipment with Operator with Travco Construction Inc., for the Division of Sewerage and Drainage, and to authorize the expenditure of \$10,000.00 from the Sewerage System Operating Fund. (\$10,000.00)

Body

WHEREAS, the Purchasing Office has established a Universal Term Contract FL004014 for the option to obtain Rental of Construction Equipment with Operator, with Travco Construction Inc. which expires on August 31, 2012; and

WHEREAS, this contract is utilized for the rental of large equipment for various projects beyond the scope of the Division's personnel. The SW Sludge Composting Operation section rents the equipment from Travco for concrete cutting, demolition, catch basin repairs, pavement cutting trenching and drainage tile installation. Travco Construction Inc. provides the operator with the equipment; and

WHEREAS, the Division of Sewerage and Drainage has established purchase orders that have exceeded the dollar threshold allowed by Columbus City Code Section 329 relative to Universal Term Contracts, and

WHEREAS, a blanket purchase order will be established in accordance with the Universal Term Contract on file with the Purchasing Office; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Finance and Management be and is hereby authorized to establish a Blanket Purchase Order with Travco Construction Inc., based on a Universal Term Contract for the Division of Sewerage and Drainage.

Section 2. That the expenditure of \$10,000.00 or so much thereof as may be needed, be and the same hereby is authorized from Fund 650 as follows:

OCA: 605899
Object Level 1: 03
Object Level 03: 3349

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0992-2011

Drafting Date: 06/15/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND:

- A. Need.** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Trumbull Corporation in connection with the OSIS Augmentation & Relief Sewer (OARS) Project Phase 2; to authorize the appropriation and expenditure of \$76,919,700.00 from the Ohio EPA Water Pollution Control Loan Fund (WPCLF); and to amend the 2011 Capital Improvements Budget for the Division of Sewerage and Drainage.

The project consists of the construction of access shafts, hydraulic drop structures, relief structures, overflow connector sewers, a pump station, the pump electrical building, a river outfall structure, and flow diversion structures as shown on the detailed drawings and as specified in the Project Manual and contract specifications. The facilities will be located at four (4) construction sites namely the Jackson Pike site north of the existing JPWWTP, Shaft 3 site at the west end of Moler Street, Shaft 4 site at the north end of WSST and the Shaft 5 site on Short Street.

The CONTRACTOR shall complete the following activities of Work by the Milestone dates indicated.

<u>Milestone</u>	<u>Activity</u>
1	Access to Shaft 5 shall not occur prior to January 1, 2012
2	The OARS Diversion Structure shall be available no later than July 15, 2013 and the construction of the Pump Electrical Building and the tie in of the 96" CSG shall not initiate until July 15, 2013
3	Initiate Site Electrical and complete closure of 144" CSG no sooner than October 20, 2013
4	Initiate Electrical Conduit for OSS no sooner than July 1, 2014
5	Complete Pump Electrical Building by July 15, 2014, not including Operational Demonstration
6	Shaft 6 access will not be available until June 1, 2014 or Substantial Completion of Shaft 6 by the Phase 1 Contractor.
7	All site work that is exterior of structures and all underground construction at the Jackson Pike

WWTP shall be completed by September 13, 2014

- 8 Initiate Operation Demonstration no later than November 1, 2014
- 9 Substantial Completion - December 31, 2014
- 10 Final Completion - June 1, 2015

B. Procurement Information: The Division advertised for competitive bid proposals on the City of Columbus's Vendor Services website and in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. The Division of Sewerage and Drainage opened the responding bids on May 4, 2011 from the following companies:

<u>Name</u>	<u>C.C. No.</u>	<u>City/State</u>	<u>MAJ/MBE/FBE</u>
Trumbull Corporation	25-1021993	Pittsburgh, PA	MAJ
Renda Southerland JV	74-2151660	Fort Worth, TX	MAJ
	74-1472142		MAJ
Walsh Ric-Man JV	27-0887958	Chicago, IL	MAJ
	38-1943960		MAJ
Kenny Obayashi JV	26-2579073	North Brook, IL	MAJ
Barnard Construction	81-0384712	Bozeman, MT	MAJ
Kitwit Infrastructure	47-0640263	Omaha, NE.	MAJ

These bids were reviewed and ranked utilizing the Bid Tab and Quality Factor Form evaluation process. After careful consideration, the committee recommended that Trumbull Corporation be selected to provide the construction services for the OSIS Augmentation & Relief Sewer (OARS) Project Phase 2 for which the Director of Public Utilities has concurred.

The Engineer's construction cost estimate was: \$90,000,000.00

Original Contract (Phase 1)	\$264,506,000.00
Phase 2	\$ 76,919,700.00
Estimated Total	\$341,425,700.00

The Award is recommended to the lowest Responsive, Responsible, and Best Bidder.

- C. Contract Compliance No.:** 25-1021993 | Expires: 04/01/2013 | MAJ
This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery search
- D. Emergency Designation:** Emergency designation is requested in order to comply with the consent order and meet the construction contract schedule requirements of the Ohio EPA.

2. **FISCAL IMPACT:**

This ordinance authorizes the appropriation and transfer of \$76,919,700.00 from the Sewer System Reserve Fund, Fund 654, to the Ohio Water Pollution Control Loan Fund, Fund 666, to fund this expenditure. This transaction is a temporary measure that is required until such time as the Department is able to execute a WPCLF loan agreement with the Ohio EPA and the Ohio Water Development Authority (OWDA) and reimburse the Sewer System Reserve Fund. This ordinance amends the 2011 Capital Improvements Budget for the Division of Sewerage and Drainage.

To authorize the Director of Public Utilities to enter into a construction contract with the Trumbull Corporation, in connection with the OSIS Augmentation & Relief Sewer (OARS) Project Phase 2; to authorize the appropriation, transfer, and expenditure of \$76,919,700.00 from the Sewer System Reserve Fund to the Ohio EPA Water Pollution Control Fund ; to amend the 2011 Capital Improvements Budget for the Division of Sewerage and Drainage; and declare an emergency. (\$76,919,700.00)

Body

WHEREAS, six competitive bids for construction of the OSIS Augmentation & Relief Sewer (OARS) Project Phase 2, were received and opened on May 4, 2011 in the offices of the Director of Public Utilities; and

WHEREAS, the Division of Sewerage and Drainage engineering personnel have determined it necessary to enter into a construction contract with Trumbull Corporation, in order to provide for construction of OSIS Augmentation & Relief Sewer (OARS) Project Phase 2; and

WHEREAS, the Ohio Water Development Authority (OWDA) board meeting will be held on July 28, 2011 to review the City of Columbus's WPCLF project number CS390274-0147 for the amount of \$76,919,700.00 to provide financing for the above listed project with eligible costs including the construction contract and contingency; and

WHEREAS, it is immediately necessary to both appropriate funds from the Sewer System Reserve Fund and authorize the transfer of said funds into the Water Pollution Loan Fund, in order to temporarily fund this expenditure and provide the requisite budget authority for the said project, until such time as the City is able to execute a WPCLF loan agreement for the above stated purpose and reimburse the Sewer System Reserve Fund; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the construction of the Project described in this Ordinance (collectively, the "Project"); and

WHEREAS, it is immediately necessary to amend the 2011 Capital Improvements Budget to provide sufficient authority for increasing a capital project account; and

WHEREAS, due to a consent order and the required construction contract schedule and requirements of the Ohio EPA an emergency exist in the usual daily operations of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary for this Council to authorize the Director of Public Utilities to enter into a construction contract with Trumbull Corporation for the OSIS Augmentation & Relief Sewer (OARS) Project Phase 2, at the earliest practical date for the immediate preservation of the public health, welfare, peace, property, and safety; **Now, Therefore,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be, and hereby is, authorized to enter into a contract with the Trumbull Corporation, 225 North Shore Drive, Pittsburgh, PA. for the OSIS Augmentation & Relief Sewer (OARS) Project Phase 2 in accordance with the terms and conditions as shown on the contract on file in the office of the Division of Sewerage and Drainage.

Section 2. That from the unappropriated monies in the Sewer System Reserve Fund 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated from any other purpose for the OSIS Augmentation & Relief Sewer (OARS) Project Phase 2, the sum of \$76,919,700.00 is hereby appropriated to the Division of Sewerage and Drainage; Division 60-05 | ObjLv11 10 | ObjLv13 5502 | OCA Code 901654.

Section 3. That the City Auditor is hereby authorized to transfer \$76,919,700.00 from the Sewer System Reserve Fund 654 to the Water Pollution Control Loan Fund, Fund No. 666, into the said fund from any and all sources, into the appropriate accounts as specified in the section below, at such time as deemed necessary by him, and to expend the said funds, or as much as thereof as may be necessary for the OSIS Augmentation & Relief Sewer (OARS) Project Phase 2 as follows:

Division 60-05 | Fund No. 666 | Project No. 650704-100002 | Object Level 6621 | 667042 | \$76,919,700.00

Section 4. That for the purpose of paying the cost of the Ohio Water Development Authority (OWDA) Fund Eligible Items within the aforementioned contract, the following expenditure, or as much thereof as may be needed, is hereby authorized as follows: Fund No. 666, Dept/Div. No. 60-05, Project: 650704-100002 | 667042 | Object Level One 10 | Object Level Three 6630 | Amount \$76,919,700.00.

Section 5. That the 2011 Capital Improvements Budget is hereby amended as follows:

Fund No. | Project No. | Project Name | Current Authority | Revised Authority | Change

666 | 650704-100002 | OSIS Augmentation & Relief Sewer (OARS) Project Phase 2 | \$0 | \$76,919,700.00 | \$76,919,700.00

666 | 650704-100001 | OSIS Augment Sewer, Henry St.- JPWWTP | \$90,000,000 | \$0 | (\$90,000,000)

Section 6. That upon obtaining other funds for the purpose of funding the sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sewer System Reserve Fund the amount transferred under the above section, and said funds are hereby deemed appropriated for such purpose.

Section 7. That said construction company, Trumbull Corporation, shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

Section 8. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

Section 9. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 10. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

Section 11. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure which shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0995-2011

Drafting Date: 06/16/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This legislation authorizes the Director of Finance and Management to establish a blanket purchase order for the Division of Sewerage and Drainage Southerly Wastewater Treatment Plant to obtain Andritz D7LL Centrifuge Parts & Services in accordance with an established Universal Term Contract with Andritz Separation, Inc.

Andritz D7LL Centrifuge Parts & Services are used by the Southerly Wastewater Treatment Plant. The equipment is used to dewater sludge in the sewerage collection and processing system. Additional funding over and above what is normally spent is being requested in order to build up the inventory of spare parts. Items required will be obtained in accordance with the existing Universal Term Contract (FL004613) which expires on May 31, 2012.

SUPPLIER: Andritz Separation, Inc. (59-3773483) Expires 5/19/12

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

FISCAL IMPACT: \$75,000.00 is budgeted and available for this purchase.

\$13,178.00 was spent in 2010

\$ -0- was spent in 2009

Title

To authorize the Director of Finance and Management to establish a Blanket Purchase Order with Andritz Separation, Inc. from an established Universal Term Contract for the purchase of Andritz D7LL Centrifuge Parts & Services for the Division of Sewerage and Drainage, and to authorize the expenditure of \$75,000.00 from the Sewerage System Operating Fund. (\$75,000.00)

Body

WHEREAS, the Purchasing Office established a Universal Term Contract, FL004613, for the purchase of Andritz D7LL Centrifuge Parts & Services with Andritz Separation, Inc., and

WHEREAS, Andritz D7LL Centrifuge Parts & Services are used by the Southerly Wastewater Treatment Plant. The equipment is used to dewater sludge in the sewerage collection and processing system, and

WHEREAS, a blanket purchase order will be issued in accordance with the terms, conditions and specifications of contract number FL004613 on file in the Purchasing Office; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Finance and Management be and is hereby authorized to establish a blanket purchase order from an established Universal Term Contract for the purchase of Andritz D7LL Centrifuge Parts & Services with Andritz Separation Inc., for the Division of Sewerage and Drainage, in accordance with specifications on file in the Purchasing Office.

Section 2. That the expenditure of \$75,000.00 or so much thereof as may be necessary, be and is hereby authorized from the Sewerage System Operating Fund, Fund No. 650,

Southerly Wastewater Treatment Plant

OCA: 605063

Object Level 1: 02

Object Level 3: 2245

Amount: \$75,000.00

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1003-2011

Drafting Date: 06/16/2011

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation1. BACKGROUND

504 South Front Street LP is constructing a permanent awning at 503 South Front Street. As designed the awning will be over the sidewalk along the west side of South Front Street and will encroach into the existing South Front Street right-of-way. The law offices of Crabbe, Brown & James LLP has submitted, on behalf of the owner, a request asking that the City grant 504 South Front Street LP a 0.011 acre aerial encroachment easement into South Front Street that will allow for installation of the proposed awning. Per current Division of Planning and Operations practice, comments were solicited from interested parties, including City departments before it was determined that the City would not be adversely affected by the granting of the requested aerial encroachment easement. A value of \$500.00 was established for the easement.

2. FISCAL IMPACT

The City will receive a total of \$500.00, to be deposited in Fund 748, Project 537650, for granting the requested aerial encroachment easement.

TitleTo authorize the Director of the Department of Public Service to execute those documents necessary to allow the City to grant the aerial encroachment easement to 504 South Front Street LP which will allow the installation of the proposed awning located at 503 South Front Street.

Body**WHEREAS**, 504 South Front Street LP is constructing a permanent awning at 503 South Front Street; and

WHEREAS, As designed the awning will be over the sidewalk along the west side of South Front Street and will encroach into the existing South Front Street right-of-way; and

WHEREAS, the City of Columbus, Department of Public Service, Division of Planning and Operations, recently received a request from the law offices of Crabbe, Brown & James LLP has submitted, on behalf of the owner, a request asking that the City grant 504 South Front Street LP a 0.011 acre aerial encroachment easement into South Front Street that will allow for installation of the proposed awning; and

WHEREAS, per current Division of Planning and Operations practice, comments were solicited from interested parties, including City departments before it was determined that the City would not be adversely affected upon the granting of the requested aerial encroachment easement; and

WHEREAS, A value of \$500.00 was established for the easement; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of the Department of Public Service be and is hereby authorized to execute those documents necessary to grant the following described aerial encroachment easement to 504 South Front Street LP; to-wit:

**ENCHROACHMENT EASEMENT
0.011 ACRE
BETWEEN 11.5' AND 18.5' ELEVATION**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 27, Township 5, Range 22, Refugee Lands, being across the right-of-way of Front Street (82.5') (all references refer to the records of the Recorder's Office, Franklin County, Ohio), being described as follows:

Beginning, for reference, at a southeasterly corner of Lot 3 of that subdivision entitled "The L. Hoster Brewing Company's Subdivision" of record in Plat Book 5, Page 362 as conveyed to 503 South Front Street LP by deed of record in Official Record 27075G03, the intersection of the northerly right-of-way line of Liberty Street (50'), and the westerly right-of-way line of said Front Street;

thence North 00° 00' 00" East, with the westerly right-of-way line of said Front Street, a distance of 97.64 feet to the TRUE POINT OF BEGINNING;

thence North 00° 00' 00" East, continuing with the westerly right-of-way line of said Front Street, a distance of

46.06 feet to a point;
thence across the right-of-way of said Front Street, the following courses and distances:
South 87° 05' 31" East, a distance of 10.00 feet to a point;
South 00° 00' 00" West, a distance of 46.06 feet to a point; and
North 87° 05' 31" West, a distance of 10.00 feet to the TRUE POINT OF BEGINNING, and containing 0.011 acre of land, more or less.

The easement area herein is between an elevation of 11.5' above the existing sidewalk grade to 18.5' above the existing sidewalk grade. Existing sidewalk grade is that grade which exists per the latest date of the attached drawing;

EVANS, MECHWART, HAMBLETON, & TILTON, INC.
Edward J. Miller
Registered Surveyor No. 8250

SECTION 2. That a total \$500.00 to be received by the City as consideration for the granting of the requested aerial encroachment easement shall be deposited in Fund 748, Project 537650.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1013-2011

Drafting Date: 06/20/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Storts Excavation, Inc., in the amount of \$623,975.00; for the Fire Hydrant Replacements - 2011 Project, Division of Power and Water Contract Number 1177.

This project consists of replacing damaged fire hydrants throughout the City on an "as needed" basis. This project is needed to maximize the fire protection capabilities of the water distribution system by minimizing the number of fire hydrants out of service at any one time. Includes all associated costs to replace the infrastructure.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened seven bids on June 15, 2011. Bids were received from: Storts Excavation, Inc. - \$623,975.00; Darby Creek Excavating, Inc. - \$649,368.34; Conie Construction Co. - \$691,212.50; Danbert Inc. - \$720,026.23; Downing Construction Co. - \$757,262.00; John Eramo & Sons, Inc. - \$827,640.00; and Columbus Asphalt Paving Co. - \$976,497.50.

The lowest and best bid was from Storts Excavation, Inc. in the amount of \$623,975.00. Their Contract Compliance Number is 31-1464608 (expires 10/22/11, Majority). Additional information regarding each bidder, description of work, contract time frame and detailed amounts can be found on the attached Information form.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Storts Excavation, Inc.

3. FISCAL IMPACT This legislation includes a transfer of funds within the Water Build America Bonds Fund and an amendment to the 2011 Capital Improvements Budget.

Title

To authorize the Director of Public Utilities to execute a construction contract with Storts Excavation, Inc. for the Fire Hydrant Replacements - 2011 Project; to authorize a transfer and expenditure of \$623,975.00 within the Water Build

America Bonds Fund; and to amend the 2011 Capital Improvements Budget. (\$623,975.00)

Body

WHEREAS, seven bids for the Fire Hydrant Replacements - 2011 Project were received and publicly opened in the offices of the Director of Public Utilities on June 15, 2011; and

WHEREAS, the lowest and best bid was from Storts Excavation, Inc. in the amount of \$623,975.00; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract for the Fire Hydrant Replacements - 2011 Project; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer funds within the Water Build America Bonds Fund; and

WHEREAS, it is necessary to authorize an amendment to the 2011 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

WHEREAS, it has become necessary in the usual daily operation of the Division of Power and Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract with Storts Excavation, Inc. for the Fire Hydrant Replacements - 2011 Project, for the preservation of the public health, peace, property and safety; now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities be and hereby is authorized to award and execute a construction contract for the Fire Hydrant Replacements - 2011 Project with the lowest and best bidder, Storts Excavation, Inc., 1167 McCarley Dr. W., Columbus, Ohio 43228; in the amount of \$623,975.00; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water.

SECTION 2. That the City Auditor is hereby authorized to transfer \$623,975.00 within the Division of Power and Water, Dept/Div. No. 60-09, Water Build America Bonds Fund, Fund No. 609, Object Level One 06, Object Level Three 6629, as follows:

Fund No. | Project No. | Project Name | OCA Code | change

609 | 690370-100000 (carryover) | Upground Reservoir | 609370 | -\$623,975

609 | 690236-100033 (carryover) | Fire Hydrant Repl. | 623633 | +\$623,975

SECTION 3. That the 2011 Capital Improvements Budget is hereby amended as follows:

Fund No. | Project No. | Project Name | Current Authority | Revised Authority | change

609 | 690370-100000 (carryover) | Upground Reservoir | \$89,714,044 | \$89,090,069 | -\$623,975

609 | 690236-100033 (carryover) | Fire Hydrant Repl. | \$0 | \$623,975 | +\$623,975

SECTION 4. That the expenditure of \$623,975.00 is hereby authorized for the Fire Hydrant Replacements - 2011 Project within the Water Build America Bonds Fund, Fund No. 609, Division 60-09, Project No. 690236-100033 (carryover), Object Level Three 6629, OCA Code 623633.

SECTION 5. That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Power and Water.

SECTION 6. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except

that no transfer shall be made from a project account by monies from more than one source.

SECTION 7. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 9. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1017-2011

Drafting Date: 06/20/2011

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

Council Variance Application: CV11-004

APPLICANT: Dean W. Fried Trust c/o Donald T. Plank, Atty; Plank Law Firm; 145 East Rich Street, 3rd Floor; Columbus, Ohio 43201.

PROPOSED USE: To allow nine dwelling units in an existing building with reduced parking standards.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant seeks a variance to allow nine dwelling units in the C-4, Commercial District, with reduced parking. The C-4, Commercial District does not permit dwellings on the ground floor, while the applicant built three dwelling units on the ground floor. The applicant also requests a parking variance from 14 spaces to 12 spaces and a maneuvering variance. Staff supports the proposed variance. The three dwellings on the ground floor will have no adverse effect on area which is characterized by a mix of commercial and residential uses. The ground floor dwellings could be converted back to commercial use. Staff finds the parking and maneuvering variances to be negligible and supports the variance to not provide a tree in the parking lot since the parking lot existed before this requirement and there is no space to plant a tree. As written in this ordinance, should the site be redeveloped, the applicant will need to comply with the parking maneuvering and landscaping codes.

Title

To grant a variance from the provisions of Sections 3356.03, C-4 Permitted uses; 3312.21(A), Landscaping and Screening; 3312.25 Maneuvering area; and 3312.49 Minimum numbers of parking spaces required, of the Columbus City codes, for the property located at **2555 INDIANOLA AVENUE (43202)**, to conform nine dwelling units in an existing building with reduced parking standards. (CV11-004)

Body

WHEREAS, by application No. CV11-004, the owner of property at **2555 INDIANOLA AVENUE (43202)**, is requesting a Council Variance to permit ~~six~~ **nine** dwellings in the C-4, Commercial District; and

WHEREAS, Section 3356.03, C-4, Permitted uses, does not allow dwelling units on the ground floor, while the applicant proposes to permit three (3) dwelling units on the ground floor and six (6) dwelling units over the previously mentioned ground floor dwelling units; and

WHEREAS, Section 3312.21(A), Landscaping and Screening; requires the interior of any parking lot containing ten (10) or more parking spaces to provide one deciduous tree per ten spaces, while the applicant wishes to provide no such trees

because parking lot already existed before this requirement and there is no area to plant such trees; and

WHEREAS, Section 3312.25 Maneuvering area, requires each parking space to have 20 feet of maneuvering area for 90 degree parking spaces, while the existing parking lot utilizes stacked parking and the public alley has a 16 foot right-of-way, resulting in an 18 foot maneuvering area for the row of parking next to the public alley; and

WHEREAS, Section 3312.49 Minimum numbers of parking spaces required, requires 1.5 parking space per dwelling unit for a total of fourteen (14) parking spaces, while the applicant proposes twelve (12) **existing** parking spaces, **except if an ADA parking space(s) is required, then the total number of required parking spaces shall be reduced to the number of ADA and regular parking spaces that can be provided on-site**; and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the three dwellings on the ground floor will have no adverse effect on area. The area is characterized by a mix of commercial and residential uses. The ground floor dwellings could be converted back to commercial use. Staff finds the parking and maneuvering variances to be negligible and supports the variance to not provide a tree in the parking lot since the parking lot existed before this requirement and there is no space to plant a tree; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **2555 INDIANOLA AVENUE (43202)**, in using said property as desired; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance from the provisions of Sections 3356.03, C-4 Permitted uses, Section 3312.21(A), Landscaping and Screening, 3312.25 Maneuvering area and 3312.49 Minimum numbers of parking spaces required; of the Columbus City Codes for the property located at **2555 INDIANOLA AVENUE (43202)**, insofar as said sections prohibit dwellings on the ground floor in the C-4, Commercial District, with dwellings over the ground floor dwellings instead of commercial uses and reduced maneuvering in the existing parking lot and with twelve (12) parking spaces instead of fourteen (14) parking spaces that would have been required, and without any trees in the existing parking lot said property being more particularly described as follows;

Legal Description
2555 Indianola Avenue, Columbus, OH 43202
CV11-004

Situated in the City of Columbus, in the County of Franklin, and in the State of Ohio:

Being Lot Numbers Three Hundred Thirty-three (333) and Three Hundred Thirty Four (334) of George Williams Amended Subdivision of NORTHWOOD HEIGHTS, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, pages 121 and 270, Recorder's Office, Franklin County, Ohio

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is developed with no more than nine (9) dwelling units including 3 dwelling units on the first floor total and/or those uses

permitted in the C-4, Commercial District.

SECTION 3. That this ordinance is conditioned upon twelve (12) parking spaces being provided on-site except if an ADA parking space(s) is required, then the total number of required parking spaces shall be reduced to the number of ADA and regular parking spaces that can be provided.

SECTION 4. That the variances to 3312.21(A), Landscaping and Screening; 3312.25 Maneuvering area; and 3312.49 Minimum numbers of parking spaces required apply only while the existing building remains.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1020-2011

Drafting Date: 06/21/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background

The Ohio Department of Aging awarded State grants in connection with the Alzheimer's Respite and Senior Volunteer Programs to the Central Ohio Area Agency on Aging of the Recreation and Parks Department.

This legislation will authorize the Director of Recreation and Parks to enter into sixteen (16) contracts for the continued operation of these programs in Central Ohio for the period July 1, 2011 through June 30, 2012.

Emergency action is requested for continuation of services to older adults beyond July 1, 2011. Grant awards were issued late due to the status of the State budget for SFY's 2011-2012.

Fiscal Impact

\$375,000.00 is required from the Recreation and Parks Grant Fund to enter into said contracts.

TitleTo authorize and direct the Director of Recreation and Parks to enter into sixteen (16) contracts for the provision of services to older adults in Central Ohio in connection with the Alzheimer's Respite and Senior Volunteer Programs administered by the Central Ohio Area Agency on Aging, to authorize the expenditure of \$375,000.00 from the Recreation and Parks Grant Fund, and to declare an emergency. (\$375,000.00)

BodyWHEREAS, the Ohio Department of Aging has awarded state grant funds to the Central Ohio Area Agency on Aging of the Recreation and Parks Department; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said so there is no interruption of services to older adults; now, therefore for the immediate preservation of public health, peace, prosperity, and safety; **now therefore,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into sixteen (16) contracts for the provision of services to older adults in Central Ohio for the period July 1, 2011 through June 30, 2012 as follows:

Agency Name

Active Day of Columbus (Franklin County)

Alzheimer's Association of Central Ohio (Area-wide)

Carol Strawn Center (Licking)

Catholic Social Services (Franklin County)

Community Action of Fayette County (Fayette County)

HandsOn of Central Ohio (Franklin County)

Heritage Day Health Centers (Delaware and Franklin Counties)

Interim Health Care (Fayette, Madison and Union Counties)
Interim Health of Lancaster (Fairfield County)
Licking County Aging Program (Licking County)
Madison County Senior Center (Madison County)
Pickaway County Commission on Aging (Pickaway County)
Salvation Army (Fairfield County)
Senior Independence (Franklin County)
Washington's Intergenerational Adult Day Care (Franklin County)
Westminster Thurber Community (Franklin County)

Section 2. That the expenditure of \$375,000.00, or so much thereof as may be necessary, be and is hereby authorized from Recreation and Parks Grant Fund No. 286, Department No. 51, Object Level 3-3337, to pay the cost thereof as follows:

Grant: Alzheimer's Respite, **Project:** 518047, **OCA NO.:** 514372, **Amount:** \$250,000.00

Grant: Senior Volunteer, **Project:** 518025, **OCA NO.:** 512822, **Amount:** \$25,000.00

Grant: Senior Block Grant, **Project:** 518315, **OCA NO.:** 514539, **Amount:** \$100,000.00

TOTAL: \$375,000.00

Section 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this legislation.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1026-2011

Drafting Date: 06/21/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to enter into an engineering agreement with the DLZ Ohio, Inc. in the amount of \$116,243.95 for the 2010 Annual Lining Contract (work to be performed in 2011) Project for the Division of Sewerage and Drainage.

DLZ will provide construction inspection and material testing services for CIP 650404-100035 - 2010 Annual Lining Contract. The work to be inspected under CIP 650404-100035 consists of the rehabilitation of existing sewers utilizing the Cured-in-Place Pipe (CIPP) process, manhole rehabilitation, and such other work as may be necessary to complete the contract in accordance with the plans and specifications.

Work to be completed by this contract consists of raising manhole frames or reconstructing manholes to grade, sewer point repairs, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. DLZ will provide Construction Administration/Inspection Services for CIP 650745-100002. The detailed scope of work includes inspection services during construction as defined under Schedule 1B in Request for Proposals for Professional Engineering Services - Construction Administration Services 2011-2013. Work is to be completed within 365 calendar days after the effective date of the Notice to Proceed.

Note: The name of this project is the 2010 Annual Lining Contract. The work will be performed in calendar year 2011.

Procurement Information: The Division advertised for Request for Proposals (RFP's) on the City of Columbus's Vendor Services website and in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. The Division of Sewerage and Drainage received five (5) proposals on November 12, 2010. The bid order for the

following companies was as follows:

<u>NAME</u>	<u>CC No.</u>	<u>Exp Date</u>	<u>City / State</u>	<u>Status</u>
Prime	31-1373357	11/30/12	Columbus, OH	MBE
Stantec	11-2167170	12/17/11	Columbus, OH	MAJ
DLZ	31-1268980	03/10/11	Columbus, OH	ASN
HR Gray	31-1050479	12/01/11	Columbus, OH	MAJ
ms Consultants	34-6546916	05/27/12	Columbus, OH	MAJ

These bids were reviewed and ranked utilizing the Bid Evaluation Criteria process. The top 3 firms were selected for 3 year contract durations (2011-2013) and DLZ Ohio, Inc. was as one of the three bidders selected to provide the construction services for the 2010 General Construction Contract Project.

This company is not debarred or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery search.

2. CONTRACT COMPLIANCE INFO: DLZ Ohio, Inc. | 13-3032158 | 02/22/2013 | ASN

This company is not debarred or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery search.

3. EMERGENCY DESIGNATION: Emergency designation is requested at this time. An expedited contract is required to provide needed inspection and testing services.

4. FISCAL IMPACT:

This ordinance authorizes the transfer within of \$116,243.95 from the Sanitary Sewer General Obligation Bond Fund, Fund 664 and to amend the 2011 Capital Improvements Budget.

TitleTo authorize the Director of Public Utilities to enter into an engineering agreement with DLZ Ohio, Inc. in the amount of \$116,243.95 for the needed inspection and testing services of the 2010 Annual Lining Contract Project; to authorize the transfer within and expenditure of funds from Sanitary Sewer General Obligation Bond Fund, to amend the 2011 Capital Improvements Budget, and to declare an emergency. (\$116,243.95)

Body

WHEREAS, five (5) proposals for the inspection and testing services for the 2010 Annual Lining Contract Project were received on November 10, 2010, whereupon it was determined that DLZ Ohio, Inc., was selected as one of the top three bidders; and

WHEREAS, it is necessary to provide construction inspection and material testing services that consists of the rehabilitation of existing sewers utilizing the Cured-in-Place Pipe (CIPP) process, manhole rehabilitation, and such other work as may be necessary to complete the contract in accordance with the plans and specifications; and

WHEREAS, it is necessary to authorize the transfer within of funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664 for purposes of providing sufficient funding for the sanitary expenditure; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Sanitary Sewer General Obligation Bond Fund; and

WHEREAS, the aggregate principal amount which the City will issue to finance this phase of the project is presently expected not to exceed \$116,243.95; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities, Division of Sewerage and Drainage, to into an engineering agreement with DLZ Ohio, Inc. for the construction inspection and material testing services of the 2010

Annual Lining Contract Project, to ensure the continued operation of vital Sanitary infrastructure for the City; and for the preservation of the public health and safety at the earliest practical date; **Now, Therefore:**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities is hereby authorized to execute a construction contract with DLZ Ohio, Inc., 6121 Huntley Road, Columbus, Ohio 43229 for the construction inspection and material testing services of the 2010 Annual Lining Contract Project for the Division of Sewerage and Drainage.

Section 2. That the City Auditor is hereby authorized to transfer \$116,243.95 within the Department of Public Utilities Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary Sewer General Obligation Bond Fund, Fund 664, Object Level Three 6676, as follows:

From:

Project No. | Project Name | OCA Code | Change

650014-100000 | Sanitary Sewer Construction | 664140 | \$116,243.95

To:

Project No. | Project Name | OCA Code | Change

650404-100035 | 2010 Annual Lining Contract | 640435 | \$116,243.95

Section 3. That the Director of Public Utilities be and hereby is authorized to expend a total of \$116,243.95 from the Sanitary Sewer General Obligation Bond Fund, Fund 664 | Div. 60-05 | Proj. 650404-100035 OCA | Object Level Three 6676.

Section 4. That the 2011 Capital Improvements Budget is hereby amended as follows:

Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | Change

650014-100000 | Sanitary Sewer Construction | \$1,500,000 | 1,383,756 | (-\$116,244)

650404-100035 | 2010 Annual Lining Contract | 640435 | \$0 | \$116,244 | (+\$116,244)

Section 5. That the said firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

Section 6. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

Section 7. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

Section 9. That for the reasons stated in the preamble hereto, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Drafting Date: 06/22/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This Ordinance authorizes the Director of Public Utilities to modify and increase the professional engineering services agreement with CH2M Hill, Inc. for the Parsons Avenue Water Plant (PAWP) Surface Water Treatment Upgrade Project, Division of Power and Water Contract No. 1095.

The overall project entails professional consulting/engineering services to provide full-service assistance to the City to evaluate options and design an upgrade to Parsons Avenue Water Plant (PAWP) to reliably treat a 50 MGD combination of ground water, ground water under the direct influence of surface water (GWUDI), and surface water.

A significant portion of the services required to prepare the Preliminary Design Report have been completed under an agreement with CH2M Hill, Inc. The proposed modification will make revisions to the work completed to date and finalize the Preliminary Design Report. Detailed Design documents will be prepared under a planned future contract modification. Engineering Services During Construction will also be performed under a planned future contract modification.

1. Amount of additional funds to be expended: \$275,000.00

Original Contract Amount:	\$1,740,400.00
Modification #1 (current)	<u>\$ 275,000.00</u>
Amount of original contract and Mod #1:	\$2,015,400.00

2. Reasons additional goods/services could not be foreseen:

This current modification is required due to changed priorities by the City due to budgetary constraints. The City is now looking at a phased approach to the planned improvements at PAWP. These changes will necessitate revisions to the Preliminary Design Report. This modification will fund the completion of the Preliminary Design Report. Ordinance No. 1073-2007 also indicated future modifications would be needed for Detailed Design and Construction Administration services (future), as mentioned above.

3. Reason other procurement processes are not used:

CH2M Hill, Inc. is very familiar with the details of the project and has performed a multitude of tests and prepared a series of reports and documentation detailing their findings and recommendations. The process of selecting and contracting with a new consultant team, and having them start with data and reports prepared by another consultant, would further delay the project and the design of major upgrades that will help the plant provide reliable service and preparedness for future regulatory changes or updates.

4. How cost of modification was determined:

CH2M Hill, Inc. prepared an estimate of cost for the remaining scope of work based on a series of meetings and defined task list. City Project management staff reviewed and approved this cost proposal.

Contract Compliance Information: 59-0918189, expires 2/22/13, Majority

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against CH2M Hill, Inc.

FISCAL IMPACT: This legislation includes a transfer of funds within the Water Super Build America Bonds Fund and an amendment to the 2011 Capital Improvements Budget.

Title

To authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with CH2M Hill, Inc. for the Parsons Avenue Water Plant Surface Water Treatment Upgrade Project; to authorize a transfer and expenditure of \$275,000.00 within the Water Super Build America Bonds Fund; and to authorize an amendment to the

2011 Capital Improvements Budget. (\$275,000.00)

Body

WHEREAS, Contract No. EL007318 was authorized by Ordinance No. 1073-2007 passed July 23, 2007, was executed on September 11, 2007, and was approved by the City Attorney on September 19, 2007; and

WHEREAS, Modification No. 1 is needed to make revisions to the work completed to date and finalize the Preliminary Design Report;

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer and expend funds within the Water Super Build America Bonds Fund; and

WHEREAS, it is necessary to authorize an amendment to the 2011 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Power and Water, to authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with CH2M Hill, Inc. for the Parsons Avenue Water Plant (PAWP) Surface Water Treatment Upgrade Project, for the preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities is hereby authorized and directed to modify and increase the professional engineering services contract with CH2M Hill, Inc. for the Parsons Avenue Water Plant (PAWP) Surface Water Treatment Upgrade Project, for the Division of Power and Water, in the amount of \$275,000.00.

SECTION 2. That this contract modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

SECTION 3. That the City Auditor is hereby authorized to transfer \$275,000.00 within the Department of Public Utilities, Division of Power and Water, Water Build America Bonds Fund, Fund No. 610, Dept./Div. No. 60-09, Object Level Three 6686, as follows:

Fund No. | Project No. | Project Name | OCA Code | Change

610 | 690462-100000 (carryover) | E. Corridor Trans. Main Clngr. | 610462 | -\$275,000

610 | 690488-100000 (carryover) | PAWP Surface Water Trmt. | 610488 | +\$275,000

SECTION 4. That the 2011 Capital Improvements Budget is hereby amended as follows:

Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | Change

610 | 690462-100000 (carryover) | E. Corridor Trans. Main Clngr. | \$1,433,159 | \$1,158,159 | -\$275,000

610 | 690488-100000 (carryover) | PAWP Surface Water Trmt. | \$0 | \$275,000 | +\$275,000

SECTION 5. That the expenditure of \$275,000.00 is hereby authorized for the Parsons Avenue Water Plant (PAWP) Surface Water Treatment Upgrade Project within the Water Super Build America Bonds Fund, Fund No. 610, Division 60-09, Project No. 690488-100000 (carryover), Object Level Three 6686, OCA Code 610488.

SECTION 6. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 7. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 9. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1037-2011

Drafting Date: 06/22/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Council Variance Application: CV11-006

APPLICANT: Scott Henningsen; c/o Julia Steigerwald, Agent; 6862 Lee Road; Westerville, Ohio 43081.

PROPOSED USE: Ground-floor residential use.

FIFTH BY NORTHWEST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant requests a Council variance to remove a condition imposed by the Fifth by Northwest Area Commission as part of Council Variance CV08-042 (ORD#0324-2009, passed April 6, 2009) that stated that only the owner of the commercial space in the building could reside in the ground floor residential unit allowing the ground floor residential unit to be used by someone other than the owner of the commercial space. Staff supports this variance since it will have no impact on the site or surroundings. The remainder of the variances are the same variances that were approved previously with CV08-042.

Title

To grant a Variance from the provisions of Sections 3356.03, C-4 Permitted Uses; 3312.25, Maneuvering; 3312.29, Parking space; and 3312.49, Minimum number of parking spaces required, of the Columbus City codes; for the property located at **1733 WEST THIRD AVENUE (43212)**, to permit a dwelling on the ground floor with reduced parking requirements in the C-4, Commercial District (Council Variance # CV11-006).

Body

WHEREAS, by application No. CV11-006, the owner of property at **1733 WEST THIRD AVENUE (43212)**, is requesting a Council Variance to permit a ground floor dwelling with reduced parking requirements in the C-4, Commercial District; and

WHEREAS, Section 3356.03, C-4 Permitted Uses, prohibits dwellings on the ground floor, while the applicant proposes to have a ground floor dwelling in conjunction with commercial space; and

WHEREAS, Section 3312.25, Maneuvering, requires every parking space to have sufficient access and maneuvering area which may include an aisle, circulation area or improved alley, while the applicant proposes to allow maneuvering over and through other parking spaces; and

WHEREAS, Section 3312.29, Parking space, requires that a parking space shall be a rectangular area of not less than nine (9) feet by eighteen (18) feet with no stacking permitted, while the applicant proposes two stacked parking spaces behind two code-compliant parking spaces; and

WHEREAS, Section 3312.49, Minimum number of parking spaces required, requires four parking spaces for the photography studio and two parking spaces for the dwelling unit, or six (6) total spaces, while the applicant proposes four

(4) on-site parking spaces, and has the permission to use the Columbus Italian Club parking lot to the west of the site for additional parking spaces; and

WHEREAS, the Fifth by Northwest Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the applicant requests a Council variance to remove a condition imposed by the Fifth by Northwest Area Commission as part of Council Variance CV08-042 that stated that only the owner of the commercial space in the building could reside in the ground floor residential unit allowing the ground floor residential unit to be used by someone other than the owner of the commercial space. Staff supports this variance since it will have no impact on the site or surroundings. The remainder of the variances are the same variances that were approved previously with CV08-042; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **1733 WEST THIRD AVENUE (43212)**, in using said property as desired; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance from the provisions of Sections 3356.03, C-4 Permitted Uses; 3312.25, Maneuvering; 3312.29, Parking space; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes is hereby granted for the property located at **1733 WEST THIRD AVENUE (43212)**, insofar as said sections prohibit a ground floor dwelling with a parking lot with two (2) stacked parking spaces, and a parking space reduction from six (6) required spaces to four (4) spaces; said property being more particularly described as follows:

1733 WEST THIRD AVENUE (43212), being 0.14± acres located on the south side of West Third Avenue, 114± feet east of Westwood Avenue, and being more particularly described as follows:

Situated in the County of Franklin, in the State of Ohio and City of Columbus:

Being Lot Number Three Hundred Seventy (370) of Frank S. Wagenhals, et. al. Amended Subdivision of Lots Nos. 94 to 252, inc., 319 to 421 inc., to John R. Tilton's Gladdington Heights Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, pages 412-413, Records of Plats, Recorder's Office, Franklin County, Ohio.

PARCEL NUMBER: 010-63276

ADDRESS: 1733 West Third Ave., Columbus, OH 43212

PRIOR INSTRUMENT REFERENCE: 23649H05 - Recorder's Office, Franklin County, Ohio.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a ground floor dwelling in conjunction with the business established on this property, or those uses permitted in the C-4, Commercial District.

SECTION 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1038-2011

Drafting Date: 06/22/2011

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

Rezoning Application Z11-006

APPLICANT: Nationwide Children's Hospital; c/o Jill Tangeman, Atty.; 52 East Gay Street, P.O. Box 1008; Columbus, Ohio 43216.

PROPOSED USE: Adding .64 acres at the southwest corner of Livingston and Heyl Avenues to the existing CPD Zoning.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on May 12, 2011.

LIVINGSTON AVENUE AREA COMMISSION RECOMMENDATION: Approval

CITY DEPARTMENTS' RECOMMENDATION: Approval. The proposed modification to the CPD Plan and Text would allow for orderly expansion of the hospital and associated facilities and is consistent with the development and zoning patterns of the area. The rest of the changes are to update the text and eliminate limitations that are no longer needed due to updates in the Zoning Code.

Title

To rezone **700 CHILDRENS DRIVE (43205)**, being 53.28± acres located west of Parsons Avenue and north of Kennedy Drive and generally extending from the southeast corner of Parsons Avenue and Mooberry Street, east to the southwest corner of Mooberry Street and the first alley east of and parallel with Eighteenth Street, south to the northwest corner of the first alley east of and parallel with Eighteenth Street and Livingston Avenue, south to the southeast corner of Livingston Avenue and Heyl Avenue, west to the southeast corner of Jackson Street and Putnam Street, west to the southwest corner of Jackson Street and Parsons Avenue, and north to the northwest corner of Parsons Avenue and Denton Alley, north and west to the southwest corner of Livingston and Parsons Avenues, north to the northwest corner of Parsons Avenue and Mooberry Street, **From:** AR-1, Apartment Residential and CPD, Commercial Planned Development Districts, **To:** CPD, Commercial Planned Development District **and to declare an emergency.** (Rezoning # Z11-006)

Body

WHEREAS, application #Z11-006 is on file with the Department of Building and Zoning Services requesting rezoning of 53.28± acres from the AR-1, Apartment Residential and CPD, Commercial Planned Development Districts to the CPD, Commercial Planned Development District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Livingston Avenue Commission recommends approval of said zoning change; and

WHEREAS, the Healthy Places program reviews rezoning applications for active living features. The following recommendations were made by Healthy Places but not addressed by the applicant: 1) that Safe pedestrian means

(sidewalk, multi-use path) from public sidewalks and bus stops to buildings be installed, 2) that signage or textured sidewalks at points where the cars cross the sidewalk to parking lots or driveways to alert drivers of pedestrian traffic be installed, and 3) that sidewalks be a minimum of 8-12 feet wide in walkable urban commercial environments; and

WHEREAS, the City Departments recommend approval because the proposed modification to the CPD Plan and Text would allow for orderly expansion of the hospital and associated facilities and is consistent with the development and zoning patterns of the area. The rest of the changes are to update the text and eliminate limitations that are no longer needed due to updates in the Zoning Code; and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

700 CHILDRENS DRIVE (43205), being 53.28± acres located west of Parsons Avenue and north of Kennedy Drive and generally extending from the southeast corner of Parsons Avenue and Mooberry Street, east to the southwest corner of Mooberry Street and the first alley east of and parallel with Eighteenth Street, south to the northwest corner of the first alley east of and parallel with Eighteenth Street and Livingston Avenue, south to the southeast corner of Livingston Avenue and Heyl Avenue, west to the southeast corner of Jackson Street and Putnam Street, west to the southwest corner of Jackson Street and Parsons Avenue, and north to the northwest corner of Parsons Avenue and Denton Alley, north and west to the southwest corner of Livingston and Parsons Avenues, north to the northwest corner of Parsons Avenue and Mooberry Street, and being more particularly described as follows:

SUBAREA A

DESCRIPTION OF SUBAREA A,

A 27.228 ACRE TRACT BOUNDED BY LIVINGSTON AVENUE, PARSONS AVENUE, MOOBERRY STREET, SOUTH EIGHTEENTH STREET, AND LIVINGSTON PARK, COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, and being all or portions of the following tracts of land:

All of Parcels A, B, C, D, E, 6, 7, 8, 9, 10A, 10B, 10C, 11, 12C, 12D, 2B, 3, 5, 5A, and portion of Parcels 4, 2A, and 1 in Children's Hospital Urban Renewal Area "A", as shown of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio,

All of Reserve "A", all of Lot Nos. 86, 87, 88, 89, 107, 108, 109, 110, 118, 119, 120, 121, 122, 123, 132, 133, 134, 135, and 136 and portions of Lots Nos. 116, 117, and 131 in Livingston Park Addition, as shown of record in Plat Book 4, Pages 300 and 301, Recorder's Office, Franklin County, Ohio,

All of Lot Nos. 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, and 16 in John Stone's Subdivision, as shown of record in Plat Book 3, Page 236, Recorder's Office, Franklin County, Ohio,

All of a 6,057 square feet tract of land remaining as a portion of South Monroe Avenue and conveyed to The Children's Hospital by deed of record in Official Record 10846, Page B 02, Recorder's Office, Franklin County, Ohio,

Portions of Raymond Street, South Monroe Avenue, Stone Avenue, South Seventeenth Street, Pedestrian Mall and alleys vacated by Ordinances 31564, 470-47, 582-48, 1179-52, 290-59, 54-68, 614-73, 352-80, 1785-83, 1903-83, and 160-84,

Clerk's Office, City of Columbus, Ohio and portions of Parcels 2A, 4, and 12 of said Children's Hospital Urban Renewal Plat "A" and referenced in Instrument Numbers 200308270271668 and 200308270271677, Recorder's Office, Franklin County, Ohio,

All of Children's Drive West, Children's Drive Relocated, and part of Ann Street conveyed to Children's Hospital in Instrument Number 200712310221603,

And being more particularly described as follows:

Beginning at the point of tangency for a curve connecting the north line of Livingston Ave with the east line of Ann St, thence along a line separating Livingston Avenue with said Plat A, North $63^{\circ}45'18''$ West, a distance of 98.89 feet to a point of curvature of a curve to the left connecting the north line of Livingston Avenue with the west line of said Ann Street;

Thence crossing through said Parcel 3, Parcel 2B, and Parcel 5A along the north right of way line of Livingston Ave, North $69^{\circ}17'17''$ West a distance of 715.98 feet to a point on the east line of said Parcel 5A and the west line of said Parcel 3;

Thence crossing through said Parcel 5A along a line connecting the north right of way line of Livingston Ave with the east right of way line of Parsons Ave, North $40^{\circ}31'30''$ West a distance of 15.64 feet to a point on the east right of way line of Parsons Ave;

Thence crossing through said Parcel 5A along the said east right of way line, North $01^{\circ}24'21''$ West a distance of 8.76 feet;

Thence crossing said Parcel 5A and said Parcel 5 along the east right of way line of Parsons Avenue, North $03^{\circ}12'51''$ East a distance of 624.81 feet to a point on the north line of said Parcel 5A and the south line of said Parcel 5;

Thence North $46^{\circ}50'44''$ East along a line connecting the east line of Parsons Ave with the south line of Mooberry Street and along the northwest line of said Parcel 5 a distance of 23.07 feet to the corner of said Parcel and in the south line of Mooberry Street;

Thence North $82^{\circ}59'44''$ East along the south line of Mooberry Street and along a north line of said Parcel 5 a distance of 84.14 feet to an angle point in the south line of Mooberry Street and at a corner of said Parcel 5;

Thence North $80^{\circ}52'24''$ East along the south line of Mooberry Street and along a north line of said Parcel 5 a distance of 20.47 feet to an angle point in the south line of Mooberry Street and at a corner of said Parcel 5;

Thence North $83^{\circ}32'42''$ East along the south line of Mooberry Street and along a north line of said Parcel 5 a distance of 103.74 feet to a point of curvature;

Thence easterly along the curved south line of Mooberry Street, along the curved north line of said Parcel 5 and with a curve to the right having a radius of 2,266.83 feet, a delta of $7^{\circ}47'10''$, an arc length of 308.05 feet, and a chord bearing North $87^{\circ}26'19''$ East a distance of 307.81 feet to a point;

Thence South $88^{\circ}38'43''$ East along the south line of Mooberry Street, along the north line of said Parcel 6, along the north line of said 6,057 square feet tract, along the north line of said Lot No. 107 a distance of 664.26 feet to a point in the west line of vacated South Seventeenth Street and at the northeast corner of said Lot No. 107;

Thence South $75^{\circ}09'05''$ East along the south line of Mooberry Street, crossing vacated South Seventeenth Street crossing said Lot No.'s 116, 117, 130, and 131 and crossing a vacated alley (20 feet wide) a distance of 400.88 feet to a point on the west line of South Eighteenth Street;

Thence South $2^{\circ}49'02''$ West along the west line of South Eighteenth Street, along a portion of the east line of said Lot No. 131, along the east lines of said Lots Nos. 132,133,134,135, and 136, along the east line of said Reserve "A", along the

east end of vacated Stone Avenue, along the east line of said Parcel E, and along the east end of Children's Drive, a distance of 603.80 feet to a point on the south line of Children's Drive;

Thence along said south line, North $86^{\circ}40'52''$ West, a distance of 699.15 feet to a point on a curve to the left;

Thence along said curve through said Parcel 1 and with a curve to the left having a radius of 188.50 feet, a delta of $17^{\circ}26'21''$, an arc length of 57.37 feet, and a chord bearing South $66^{\circ}44'44''$ West a distance of 57.15 feet to a point;

Thence continuing through said Parcel 1 and through the former Ann Street, along a curve to the left having a radius of 113.50 feet, a delta of $60^{\circ}21'36''$, an arc length 119.57 feet, and a chord bearing South $27^{\circ}48'38''$ West a distance of 114.12 feet to a point of curvature of a curve to the left;

Thence continuing through the former Ann Street along said curve having a radius of 411.50 feet, a delta of $22^{\circ}43'48''$, and arc length of 163.25 feet, and a chord bearing South $08^{\circ}59'41''$ West a distance of 162.18 feet to a point;

Thence continuing through the former Ann Street South $69^{\circ}22'58''$ East a distance of 0.33 feet to a point on the east line of the former Ann Street and the West line of Parcel 1;

Thence along said easterly and westerly lines, South $20^{\circ}46'05''$ West, a distance of 6.12 feet to a point on a curve to the left connecting the east line of the former Ann Street with the north line of said Livingston Avenue;

Thence along said curve to the left and the curved southwest line of said Parcel 1, said curve having a radius of 20.00 feet, a delta of $89^{\circ}17'46''$, an arc length of 31.17 feet, and a chord distance of 28.11 feet bearing South $24^{\circ}29'08''$ East to the TRUE POINT OF BEGINNING and containing 27.228 acres more or less.

The above description was prepared by Korda/Nemeth Engineering, Inc. under the direction and supervision of Nathan W. Anderson, Ohio Registered Surveyor No. 8322.

The basis of bearings of this description is based on the north right of way line of Livingston Avenue being, North $69^{\circ}17'17''$ West as determined by monumentation found in the field and as shown in Children's Hospital Renewal Area Plat "A" as recorded in Plat Book 43 Page 17.

SUBAREA B

DESCRIPTION OF SUBAREA B, A 13.130 ACRE TRACT BOUNDED BY EAST LIVINGSTON AVENUE, PARSONS AVENUE, AFRICENTRIC HIGH SCHOOL AND I-70, COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, and being all of the following tracts of land: All of Parcels 1, 2, 3, 4, 5, 6, 7, and 8 (Parcel 8 being the entire portion of Kennedy Drive - 50 feet wide) of the Children's Hospital Urban Renewal Area Plat B-3 of Parcel 3-B as shown of record in Plat Book 42 Page 134, Recorder's Office, Franklin County, Ohio, and being more particular described as follows:

Beginning at the northeast corner of said Parcel 4 also being at the intersection of the south line of Interstate 70 with the west line of Parsons Ave (60 feet wide);

Thence along the west line of Parsons Ave and the east lines of Parcels 4, 8, 1, and 3 (east line of Parcel 8 being the easterly terminus line of Kennedy Drive with the west line of Parsons Ave), South $03^{\circ}12'51''$ West a distance of 723.95 feet to a point of curvature of a curve connecting the west line of Parsons Ave with the north line of Livingston Ave (66 feet wide);

Thence along said connecting curve, also being a curved southeast line of said Parcel 3, to the right, data of which is: radius = 25.00 feet, subdelta = $90^{\circ}09'29''$, a chord distance of 35.40 feet bearing South $48^{\circ}17'36''$ West to the point of tangency at the southwest end of said connecting curve on the north line of Livingston Ave and the south line of said

Parcel 3;

Thence along the north line of Livingston Ave and the south lines of said Parcels 3, 8, and 7 (south line of Parcel 8 being the southerly terminus of Kennedy Drive with the north line of Livingston Ave), North 86°37'40" West a distance of 781.76 feet to a point on the southwest corner of Parcel 7 and on the southeast corner of Parcel 3-A of the Children's Hospital Urban Renewal Area Plat B-3 of Parcels 3-A and 3-C as shown of record in Plat Book 43 Page 16, Recorder's Office, Franklin County, Ohio;

Thence along the west line of said Parcels 7 and 6 and the east line of Parcel 3-A, North 03°54'00" East a distance of 667.88 feet to the northwest corner of said Parcel 6, the northeast corner of said Parcel 3-A, and on the south line of Interstate 70;

Thence along the north line of Parcel 6 and the south line of Interstate 70, North 81°29'30" East a distance of 31.00 feet to an angle point;

Thence continuing along the north line of Parcel 6 and the south line of Interstate 70, North 87°00'25" East a distance of 390.29 feet to an angle point;

Thence continuing along the north line of Parcel 6 and the south line of Interstate 70, North 88°16'00" East a distance of 55.39 feet to angle point;

Thence continuing along the north line of Parcel 6 and the south line of Interstate 70, and along the north line of Parcels 5 and 4, North 88°42'00" East a distance of 326.32 feet to the point of beginning and containing 13.130 acres more or less. This zoning description was prepared by Nathan W. Anderson, Ohio Surveyor No. 8322, Korda Nemeth Engineering, Columbus, Ohio, from record information on file in the Recorder's Office, Franklin County, Ohio. A boundary survey of this consolidated area may yield minor variations in boundary data. Basis of bearings is the north line of Livingston Ave, being North 86°37'40" West as shown of record in Plat Book 42, Page 134, Recorder's Office, Franklin County, Ohio.

SUBAREA C

DESCRIPTION OF REZONING AREA C-1 ON
EAST LIVINGSTON AVENUE WEST OF HEYL AVENUE
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being 33.00 feet off of the entire west side of Lot Number Five (5) in Amended Plat of Theo. H. Butler's Subdivision, as shown of record in Plat Book 4, Pages 242 and 243, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point in the south line of East Livingston Avenue (63 feet wide), at the northwest corner of said Lot No. 5 and at the northeast corner of Lot Number Four (4) in said Amended Plat of Theo. H. Butler's Subdivision;

thence S 62° 39' 17" E along the south line of East Livingston Avenue and along a portion of the north line of said Lot No. 5 a distance of 33.00 feet to a point;

thence S 27° 03' 42" W crossing said Lot No. 5 and parallel with and 33.00 feet easterly by perpendicular measurement from the west line of said Lot No. 5 and from the east line of said Lot No. 4 a distance of 150.00 feet to a point in the north line of Denton Alley (20 feet wide) and in the south line of said Lot No. 5;

thence N 62° 39' 17" W along the north line of Denton Alley and along a portion of the south line of said Lot No. 5 a distance of 33.00 feet to a point at the southwest corner of said Lot No. 5 and at the southeast corner of said Lot No. 4;

thence N 27° 03' 42" E along the west line of said Lot No. 5 and along the east line of said Lot No. 4 a distance of 150.00 feet to the place of beginning;

containing 4,950 square feet (= 0.114 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County,

Ohio.

DESCRIPTION OF REZONING AREA C-2 ON
EAST LIVINGSTON AVENUE EAST OF SOUTH EIGHTEENTH STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Two (2) and Three (3) and a portion of Lot Number One (1) in Amended Plat of Theo. H. Butler's Subdivision, as shown of record in Plat Book 4, Pages 242 and 243, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the south line of East Livingston Avenue (66 feet wide) with the west line of May Alley (20 feet wide) and at the northeast corner of said Lot No. 3;

thence S 27° 03' 42" W along the west line of May Alley and along the east line of said Lot No. 3 a distance of 150.00 feet to a point at the intersection of the west line of May Alley with the north line of Denton Alley (20 feet wide) and at the southeast corner of said Lot No. 3;

thence N 62° 39' 17" W along the north line of Denton Alley, and along the south lines of said Lots Nos. 3 and 2 a distance of 100.00 feet to a point at the southwest corner of said Lot No. 2, at the southeast corner of said Lot No. 1 and at the southeast corner of a 0.047 acre tract of land conveyed out of said Lot No. 1 to Florence E. and Cheryl L. Byrd by deed of record in Instrument 199710140118514, Recorder's Office, Franklin County, Ohio;

thence N 27° 03' 42" E along a portion of the west line of said Lot No. 2, along a portion of the east line of said Lot No. 1 and along the east line of said 0.047 acre tract a distance of 36.04 feet to a point at the northeast corner of said 0.047 acre tract;

thence N 62° 39' 17" W crossing said Lot No. 1, along the north line of said 0.047 acre tract and parallel with the south line of East Livingston Avenue a distance of 64.48 feet to a point in the east line of South Eighteenth Street (40 feet wide), in the west line of said Lot No. 1 and at the northwest corner of said 0.047 acre tract;

thence N 3° 12' 02" E along the east line of South Eighteenth Street and along a portion of the west line of said Lot No. 1 a distance of 26.26 feet to a point at the southwest corner of a 0.096 acre tract of land conveyed out of said Lot No. 1 as Parcel III to Glen A. Robbins by deeds of record in Official Record 32823, Pages F 10 and F 12, Recorder's Office, Franklin County, Ohio;

thence S 62° 39' 17" E crossing a portion of said Lot No. 1, along the south line of said 0.096 acre tract and parallel with the south line of East Livingston Avenue a distance of 26.94 feet to a point at the southeast corner of said 0.096 acre tract;

thence N 26° 48' 33" E crossing a portion of said Lot No. 1 and along the east line of said 0.096 acre tract a distance of 90.00 feet to a point in the south line of East Livingston Avenue and in the north line of said Lot No. 1;

thence S 62° 39' 17" E along the south line of East Livingston Avenue, along a portion of the north line of said Lot No. 1 and along the north lines of said Lots Nos. 2 and 3 a distance of 148.56 feet to the place of beginning; containing 21,025 square feet (0.483 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA C-3 AT

S.E. CORNER OF EAST LIVINGSTON AVENUE & HOPE ALLEY
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lot Number Twenty-Nine (29) in Swaynes Addition, as shown of record in Plat Book 2, Page 35, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the south line of East Livingston Avenue (66 feet wide) with the east line of Hope Alley (20 feet wide) and at the northwest corner of said Lot No. 29;

thence S 69° 17' 17" E along the south line of East Livingston Avenue and along the north line of said Lot No. 29 a distance of 40.00 feet to a point at the northeast corner of said Lot No. 29 and at the northwest corner of Lot Number Thirty (30) in said Swaynes Addition;

thence S 20° 42' 43" W along the east line of said Lot No. 29 and along the west line of said Lot No. 30 a distance of 150.00 feet to a point in the north line of Denton Alley (20 feet wide), at the southeast corner of said Lot No. 29 and at the southwest corner of said Lot No. 30;

thence N 69° 17' 17" W along the north line of Denton Alley and along the south line of said Lot No. 29 a distance of 40.00 feet to a point at the intersection of the north line of Denton Alley with the east line of Hope Alley and at the southwest corner of said Lot No. 29;

thence N 20° 42' 43" E along the east line of Hope Alley and along the west line of said Lot No. 29 a distance of 150.00 feet to the place of beginning;

containing 6,000 square feet (0.138 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA C-4 AT
S.E. CORNER OF EAST LIVINGSTON AVENUE & SOUTH SEVENTEENTH STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Twenty-Five (25), Twenty-Six (26), Twenty-Seven (27) and Twenty-Eight (28) in Swaynes Addition, as shown of record in Plat Book 2, Page 35, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the south line of East Livingston Avenue (66 feet wide) with the east line of South Seventeenth Street (40 feet wide) and at the northwest corner of said Lot No. 25;

thence S 69° 17' 17" E along the south line of East Livingston Avenue and along the north lines of said Lots Nos. 25, 26, 27 and 28 a distance of 147.60 feet to a point at the intersection of the south line of East Livingston Avenue with the west line of Hope Alley (20 feet wide) and at the northeast corner of said Lot No. 28;

thence S 20° 42' 43" W along the west line of Hope Alley and along the east line of said Lot No. 28 a distance of 150.00 feet to a point at the intersection of the west line of Hope Alley with the north line of Denton Alley (20 feet wide) and at the southeast corner of said Lot No. 28;

thence N 69° 17' 17" W along the north line of Denton Alley and along the south lines of said Lots Nos. 28, 27, 26 and 25 a distance of 147.60 feet to a point at the intersection of the north line of Denton Alley with the east line of South Seventeenth Street and at the southwest corner of said Lot No. 25;

thence N 20° 42' 43" E along the east line of South Seventeenth Street and along the west line of said Lot No. 25 a distance of 150.00 feet to the place of beginning;

containing 22,140 square feet (0.508 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA C-5 AT
S.W. CORNER OF EAST LIVINGSTON AVENUE & SOUTH SEVENTEENTH STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Twenty-One (21), Twenty-Two (22), Twenty-Three (23) and Twenty-Four (24) in Swaynes Addition, as shown of record in Plat Book 2, Page 35, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the south line of East Livingston Avenue (66 feet wide) with the west line of South Seventeenth Street (40 feet wide) and at the northeast corner of said Lot No. 24;

thence S 20° 42' 43" W along the west line of South Seventeenth Street and along the east line of said Lot No. 24 a distance of 150.00 feet to a point at the intersection of the west line of South Seventeenth Street with the north line of Denton Alley (20 feet wide) and at the southeast corner of said Lot No. 24;

thence N 69° 17' 17" W along the north line of Denton Alley and along the south lines of said Lots Nos. 24, 23, 22 and 21 a distance of 147.60 feet to a point at the intersection of the north line of Denton Alley with the east line of Putnam Alley (20 feet wide) and at the southwest corner of said Lot No. 21;

thence N 20° 42' 43" E along the east line of Putnam Alley and along the west line of said Lot No. 21 a distance of 150.00 feet to a point at the intersection of the east line of Putnam Alley with the south line of East Livingston Avenue and at the northwest corner of said Lot No. 21;

thence S 69° 17' 17" E along the south line of East Livingston Avenue and along the north lines of said Lots Nos. 21,22,23 and 24 a distance of 147.60 feet to the place of beginning;

containing 22,140 square feet (= 0.508 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA C-6 AT
S.E. CORNER OF EAST LIVINGSTON AVENUE & ANN STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Seventeen (17), Eighteen (18) and Nineteen (19) in Swaynes Addition, as shown of record in Plat Book 2, Page 35, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the south line of East Livingston Avenue (66 feet wide) with the east line of Ann Street (40 feet wide) and at the northwest corner of said Lot No. 17;

thence S 69° 17' 17" E along the south side of East Livingston Avenue and along the north lines of said Lots Nos. 17, 18 and 19 a distance of 111.00 feet to a point at the northeast corner of said Lot No. 19 and at the northwest corner of Lot Number Twenty (20) in said Swaynes Addition;

thence S 20° 42' 43" W along the east line of said Lot No. 19 and along the west line of said Lot No. 20 a distance of 150.00 feet to a point in the north line of Denton Alley (20 feet wide), at the southeast corner of said Lot No. 19 and at the southwest corner of said Lot No. 20;

thence N 69° 17' 17" W along the north line of Denton Alley and along the south lines of said Lots Nos. 19, 18 and 17 a distance of 111.00 feet to a pint at the intersection of the north line of Denton Alley with the east line of Ann Street and at the southwest corner of said Lot No. 17;

thence N 20° 42' 43" E along the east line of Ann Street and along the west line of said Lot No. 17 a distance of 150.00 feet to the place of beginning;

containing 16,650 square feet (= 0.382 acre) of land more orless.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J Bull, Inc. Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis obearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban

Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

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par EXCEPTING THEREFROM THE FOLLOWINGSCRIBED TRIANGLE AT THE S.E. CORNER OF LIVINGSTON AVENUE AND ANN STREET: Situatedn the State of Ohio, Countof Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being part of Lot 17 of the subdivision plat entitled Swaynes Addition of record in Plat Book 2, Page 35; being that tract of land as conveyed to Children's Hospital by deed of record in Official Record 14938J13 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the centerline intersection of Ann Street (40 feet) with Livingston Avenue (66 feet);

thence South 20° 59' 35" West, with the centerline of Ann Street, a distance of 33.00 feet to a point;

thence South 68° 59' 18" East, across the right-of-way of Ann Street, a distance of 20.00 feet to an iron pin set at a northwesterly corner of said Lot 17, being the TRUE POINT OF BEGINNING;

thence South 68° 59' 18" East, with the southerly right-of-way line of Livingston Avenue, a distance of 6.73 feet to an iron pin set;

thence South 66° 18' 45" West, across said Lot 17, a distance of 9.46 feet to an iron pin set in the easterly right-of-way line of Ann Street;

thence North 20° 59' 35" East, a distance of 6.66 feet to the TRUE POINT OF BEGINNING and containing 0.001

acre of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic jug placed in the top bearing the initials EMHT INC.

The bearings herein are based on the Ohio State Plane Coordinate System, South Zone, per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments Frank 43 and Frank 143, having a bearing of South 87° 56' 16" East, established by the Franklin County Engineering Department.

DESCRIPTION OF REZONING AREA C-7 AT
S.E. CORNER OF EAST LIVINGSTON AVENUE & WAGER STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Nine (9), through Sixteen (16), inclusive, in Swaynes Addition, as shown of record in Plat Book 2, Page 35, Recorder's Office, Franklin County, Ohio, together with Drake Alley (20 feet wide) between said Lots Nos. 12 and 13, as said alley was vacated by City Ordinance No. 1463-96, passed June 25, 1996, all bounded and described as follows:

Beginning at a point at the intersection of the south line of East Livingston Avenue (66 feet wide) with the east line of Wager Street (40 feet wide) and at the northwest corner of said Lot No. 9;

thence S 69° 17' 17" E along the south line of East Livingston Avenue, along the north lines of said Lots Nos. 9, 10, 11 and 12, along the north end of vacated Drake Alley and along the north lines of said Lots Nos. 13, 14, 15 and 16 a distance of 316.00 feet to a point at the intersection of the south line of East Livingston Avenue with the west line of Ann Street (40 feet wide) and at the northeast corner of said Lot No. 16;

thence S 20° 42' 43" W along the west line of Ann Street and along the east line of said Lot No. 16 a distance of 150.00 feet to a point at the intersection of the west line of Ann Street with the north line of Denton Alley (20 feet wide) and at the southeast corner of said Lot No. 16;

thence N 69° 17' 17" W along the north line of Denton Alley along the south lines of said Lots Nos. 16, 15, 14 and 13, along the south end of vacated Drake Alley and along the south lines of said Lots Nos. 12, 11, 10 and 9 a distance of 316.00 feet to a point at the intersection of the north line of Denton Alley with the east line of Wager Street and at the southeast corner of said Lot No. 9;

thence N 20° 42' 43" E along the east line of Wager Street and along the west line of said Lot No. 9 a distance of 150.00 feet to the place of beginning;

containing 47,400 square feet (= 1.088 acres) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED STRIP ALONG THE WEST SIDE OF ANN STREET
EXTENDING SOUTH FROM LIVINGSTON AVENUE:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being a part of Lot 16 of the subdivision plat entitled Swaynes Addition of record in Plat Book 2, Page 35; being that tract of land as conveyed to Children's Hospital by deed of record in Official Record 14938J09 (all references

are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the centerline intersection of Ann Street (40 feet) with Livingston Avenue (66 feet);

thence South 20° 59' 35" West, with the centerline of Ann Street, a distance of 33.00 feet to a point;

thence North 69° 00' 25" West, across the right-of-way of Ann Street, a distance of 20.00 feet to an iron pin set in the northeasterly corner of said Lot 16, being the TRUE POINT OF BEGINNING;

thence South 20° 59' 35" West, with the westerly right-of-way line of Ann Street, a distance of 35.52 feet to an iron pin set;

thence across said Lot 16, the following courses and distances;

North 71° 46' 48" West, a distance of 1.33 feet to an iron pin set;

North 18° 15' 58" East, a distance of 35.62 feet to an iron pin set in the southerly right-of-way line of Livingston Avenue;

thence South 69° 00' 25" East, with said southerly right-of-way line, a distance of 3.02 feet to the TRUE POINT OF BEGINNING and containing 0.002 acre of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings herein are based on the Ohio State Plane Coordinate System, South Zone, per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments Frank 43 and Frank 143, having a bearing of South 87° 56' 16" East, established by the Franklin County Engineering Department.

AND FURTHER EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRIANGLE AT THE S.E. CORNER OF LIVINGSTON AVENUE AND WAGER STREET:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being a strip of land on, over, and across that tract conveyed to Children's Hospital by deed of record in Official Record 10583D19, being Lot 9 of that subdivision plat entitled Swaynes Addition of record in Plat Book 2, Page 35 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly bounded and described as follows:

Beginning at an iron pin set at the intersection of the easterly right-of-way line of Wager Street (40') with the southerly right-of-way line of Livingston Avenue (66'), being the northwesterly corner of said Lot 9;

thence South 68° 59' 18" East, with said southerly right-of-way line, being the northerly line of said Lot 9, a distance of 9.03 feet to a pin set;

thence South 78° 11' 17" West, across said Lot 9, a distance of 10.75 feet to an iron pin set on the easterly right-of-way line of said Wager Street, being the westerly line of said Lot 9;

thence North 20° 59' 35" East, with said easterly right-of-way line, being said westerly line, a distance of 5.83 feet to the TRUE POINT OF BEGINNING, containing 0.001 acre of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long

with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings herein are based on North 00° 00' 00" East for the centerline of Parsons Avenue as shown in the plat of "Swaynes Addition", a subdivision of record in Plat Book 2, page 35.

DESCRIPTION OF REZONING AREA C-8 ALONG WEST SIDE OF WAGER STREET BETWEEN LIVINGSTON AVENUE AND JACKSON STREET COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Tract One

S.W. CORNER OF WAGER STREET AND LIVINGSTON AVENUE

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Five (5), Six (6), Seven (7) and Eight (8) in Swaynes Addition, as shown of record in Plat Book 2, Page 35, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the south line of East Livingston Avenue (66 feet wide) with the west line of Wager Street (40 feet wide) and at the northeast corner of said Lot No. 8;

thence S 20° 42' 43" W along the west line of Wager Street and along the east line of said Lot No. 8 a distance of 150.00 feet to a point at the intersection of the west line of Wager Street with the north line of Denton Alley (20 feet wide) and at the southeast corner of said Lot No. 8;

thence N 69° 17' 17" W along the north line of Denton Alley and along the south lines of said Lots Nos. 8, 7, 6 and 5 a distance of 147.50 feet to a point at the intersection of the north line of Denton Alley with the east line of Lisle Alley (20 feet wide) and at the southwest corner of said Lot No. 5;

thence N 20° 42' 43" E along the east line of Lisle Alley and along the west line of said Lot No. 5 a distance of 150.00 feet to a point at the intersection of the east line of Lisle Alley with the south line of East Livingston Avenue and at the northwest corner of said Lot No. 5;

thence S 69° 17' 17" E along the south line of East Livingston Avenue and along the north lines of said Lots Nos. 5, 6, 7 and 8 a distance of 147.50 feet to the place of beginning;

containing 22,125 square feet (= 0.508 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

Tract Two

N.W. CORNER OF WAGER STREET AND JACKSON STREET

Situated in the County of Franklin, State of Ohio, City of Columbus: Being Lot Nos. 97, 98, 99 and 100 of Swayne's Addition as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 35, Franklin County Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the north line of Jackson Street (South Lane) (40 feet wide) with the west line of Wager Street (40 feet wide) and at the southwest corner of said Lot No. 36;

thence N 3° 18' 07" E along the west line of Wager Street and along the east lines of said Lot Nos. 97, 98, 99 and 100 a distance of 175.30 feet to a point at the intersection of the west line of Wager Street with south line of Denton Alley (20 feet wide) and at the northeast corner of said Lot No. 100;

thence N 69° 17' 17" W along the south line of Denton Alley and along the north line of said Lot No. 100 a distance of 146.80 feet to a point at the intersection of the south line of Denton Alley and the east line of Lisle Alley (20 feet wide) and at the northwest corner of said Lot No. 100;

thence S 3° 18' 07" W along the east line of Lisle Alley and along the west lines of said Lot Nos. 100, 99, 98 and 97 a distance of 218.11 feet to a point at the intersection of the east line of Lisle Alley with the north line of Jackson Street, at the southwest corner of said Lot No. 97;

thence S 86° 28' 30" E along the north line of Jackson Street and along the south line of said Lot No. 97 a distance of 140.00 feet to the place of beginning;

containing 27,538.7 square feet (0.632 acre) of land more or less.

Tract Three

DENTON ALLEY BETWEEN WAGER STREET AND LISLE ALLEY

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 22, Township 5, Range 22, Refugee Lands, being part of Denton Alley, as dedicated in "Swaynes Addition", a subdivision of record in Plat Book 2, Page 35, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at an iron pin set at the intersection of the southerly right-of-way line of said Denton Alley and the easterly right-of-way of Lisle Alley, as dedicated in said "Swaynes Addition", being the northwest corner of Lot 100 of said "Swaynes Addition", and being the northeast corner of the section of said Lisle Alley vacated in Instrument Number 200305050130673;

Thence North 05° 04' 23" East, a distance of 20.70 feet, across said Denton Alley, to an iron pin set at the intersection of the northerly right-of-way line thereof and said easterly right-of-way line;

Thence South 72° 37' 07" East, a distance of 146.86 feet, with said northerly right-of-way line, to an iron pin set at the intersection of said northerly right-of-way line and the westerly right-of-way line of Wager Street, as dedicated in said "Swaynes Addition";

Thence South 04° 52' 41" West, a distance of 20.71 feet, across said Denton Alley, to an iron pin set at the intersection of the southerly right-of-way line thereof and said westerly right-of-way line;

Thence North 72° 37' 07" West, a distance of 146.93 feet, with said southerly right-of-way line, to the POINT OF BEGINNING, containing 0.068 acre of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings herein are based on North 00° 00' 00" East for the centerline of Parsons Avenue as shown in the plat of "Swaynes Addition", a subdivision of record in Plat Book 2, Page 35.

EXCEPTING, HOWEVER, FROM SAID TRACTS ONE, TWO AND THREE THE FOLLOWING DESCRIBED STRIP ALONG THE WEST SIDE OF WAGER STREET EXTENDING SOUTH FROM LIVINGSTON AVENUE.

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being a part of Lot 8 and Lot 100 of the subdivision plat entitled Swaynes Addition of record in Plat Book 2, Page 35; being those tracts of land as conveyed to Children's Hospital by deed of record in Official Record 15365B13 and Instrument Number 200304010093785 and part of vacated Denton Alley as conveyed to Children's Hospital by deed of record in Instrument Number 200607210143574 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the centerline intersection of Wager Street (40 feet) with Livingston Avenue (66 feet);

thence South 20° 59' 35" West, with the centerline of Wager Street, a distance of 33.01 feet to a point;

thence North 68° 59' 18" West, across the right-of-way of Wager Street, a distance of 20.00 feet to an iron pin set at the northeasterly corner of said Lot 8, being the TRUE POINT OF BEGINNING;

thence with the westerly right-of-way line of Wager Street, the following courses and distances:

South 20° 59' 35" West, a distance of 150.15 feet to an iron pin set;

South 09° 03' 24" West, a distance of 20.45 feet to an iron pin set; and

South 03° 44' 34" West, a distance of 8.54 feet to an iron pin set;

thence across said Lot 100, Lot 8 and Vacated Denton Alley, the following courses and distances:

North 86° 15' 26" West, a distance of 13.00 feet to an iron pin set;

North 03° 44' 34" East, a distance of 14.66 feet to an iron pin set;

North 20° 59' 35" East, a distance of 168.17 feet to an iron pin set in the southerly right-of-way line of Livingston Avenue;

thence South 68° 59' 18" East, with said southerly right-of-way line, a distance of 10.00 feet to the TRUE POINT OF BEGINNING and containing 0.043 acre of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings herein are based on the Ohio State Plane Coordinate System, South Zone, per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments Frank 43 and Frank 143, having a bearing of South 87° 56' 16" East, established by the Franklin County Engineering Department.

DESCRIPTION OF REZONING AREA C-9 AT
N.E. CORNER OF WAGER STREET & JACKSON STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers One Hundred One (101), One Hundred Two (102) and One Hundred Three (103) in Swaynes Addition, as shown of record in Plat Book 2, Page 35, Recorder's Office, Franklin County, Ohio, all of Lot Number One (1) and portions of Lots Numbers Two (2) and Three (3) in Wagner & McComb's Subdivision, as shown of record in Plat Book 4, Page 206, Recorder's Office, Franklin County, Ohio, together with Drake Alley (20 feet wide) west of said Lot No. 1, as said alley was vacated by City Ordinance No. 938-54, passed June 28, 1954, all bounded and described as follows:

Beginning at a point at the intersection of the east line of Wager Street (40 feet wide) with the north line of Jackson Street (40 feet wide) and at the southwest corner of said Lot No. 103;

thence N 3° 18' 07" E along the east line of Wager Street and along the west lines of said Lots Nos. 103, 102 and 101 a distance of 163.45 feet to a point at the intersection of the east line of Wager Street with the south line of Denton Alley (20 feet wide) and at the northwest corner of said Lot No. 101;

thence S 69° 17' 17" E along the south line of Denton Alley, along the north line of said Lot No. 101, along the north end of vacated Drake Alley and along the north line of said Lot No. 1 a distance of 199.28 feet to a point at the northeast corner of said Lot No. 1, at the northwest corner of said Lot No. 2 and at the northwest corner of a 160 square foot tract of land conveyed out of said Lot No. 2 as Parcel 34 to Columbia Gas of Ohio, Inc. by deed of record in Deed Book 2542, Page 578, Recorder's Office, Franklin County, Ohio;

thence S 3° 18' 07" W along a portion of the east line of said Lot No. 1, along a portion of the west line of said Lot No. 2 and along the west line of said 160 square foot tract a distance of 12.00 feet to a point at the southwest corner of said 160 square foot tract;

thence S 69° 17' 17" E crossing a portion of said Lot No. 2, parallel with the south line of Denton Alley and along the south line of said 160 square foot tract a distance of 14.00 feet to a point at the southeast corner of said 160 square foot tract;

thence N 3° 18' 07" E crossing a portion of said Lot No. 2 parallel with the west line of said Lot No. 2, parallel with the east line of said Lot No. 1 and along the east line of said 160 square foot tract a distance of 12.00 feet to a point in the south line of Denton Alley, in the north line of said Lot No. 2 and at the northeast corner of said 160 square foot tract;

thence S 69° 17' 17" E along the south line of Denton Alley, along a portion of the north line of said Lot No. 2 and along a portion of the north line of said Lot No. 3 a distance of 52.02 feet to a point at the northwest corner of a 253.9 square foot

tract of land conveyed out of said Lot No. 3 to Golden and Inez Gannon by deed of record in Official Record 8199, Page J 13, Recorder's Office, Franklin County, Ohio;

thence S 3° 18' 07" W crossing said Lot No. 3, along the west line of said 253.9 square foot tract and parallel with and 3.00 feet westerly by perpendicular measurement from the east line of said Lot No. 3 and from the west line of Lot Number Four (4) in said Wagner & McComb's Subdivision a distance of 85.05 feet to a point in the north line of Jackson Street, in the south line of said Lot No. 3 and at the southwest corner of said 253.9 square foot tract;

thence N 86° 28' 30" W along the north line of Jackson Street, along a portion of the south line of said Lot No. 3, along the south lines of said Lots Nos. 2 and 1, along the south end of vacated Drake Alley and along the south line of said Lot No. 103 a distance of 253.15 feet to the place of beginning;

containing 31,294 square feet (= 0.718 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED STRIP ALONG THE EAST SIDE OF WAGER STREET EXTENDING NORTH FROM JACKSON STREET:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being a part of Lots 102 and 103 of the subdivision plat entitled Swaynes Addition of record in Plat Book 2, Page 35; being that tract of land as conveyed to Children's Hospital by deed of record in Official Record 08792F13 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the centerline intersection of Wager Street (40 feet) with Jackson Street (40 feet);
thence South 86° 07' 18" East, with the centerline of Jackson Street, a distance of 20.00 feet to a point;
thence North 03° 44' 34" East, across the right-of-way of Jackson Street, a distance of 20.00 feet to an iron pin in the southwesterly corner of said Lot 103, being the TRUE POINT OF BEGINNING;

thence North 03° 44' 34" East, with the easterly right-of-way line of Wager Street, a distance of 46.16 feet to an iron pin set;

thence across said Lots 102 and 103, the following courses and distances:

South 86° 15' 26" East, a distance of 1.00 feet to an iron pin set;
South 03° 44' 34" West, a distance of 12.15 feet to an iron pin set;
South 01° 38' 09" East, a distance of 31.01 feet to an iron pin set;
South 50° 01' 45" East, a distance of 5.34 feet to an iron pin set in the northerly right-of-way line of Jackson Street;

thence North 86° 07' 18" West, with said northerly right-of-way line, a distance of 8.22 feet to the TRUE POINT OF BEGINNING and containing 0.002 acre of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings herein are based on the Ohio State Plan Coordinator System, South Zone, per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments Frank 43 and Frank 143, having a bearing of South 87° 56' 16" East, established by the Franklin County Engineering Department.

DESCRIPTION OF REZONING AREA C-10 AT
N.E. CORNER OF ANN STREET & JACKSON STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lot Number One Hundred Sixty-Six (166) in Swaynes Addition, as shown of record in Plat Book 2, Page 35, and being all of Tracts 4 and 5 conveyed to The Children's Hospital by deed of record in Official Record 14938, Page J 09 and all of the remaining east part of said Lot

No. 166 conveyed to Children's Hospital by deed of record in Instrument No. 200306110174878, all references to Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the east line of Ann Street (40 feet wide) with the north line of Jackson Street (40 feet wide), at the southwest corner of said Lot No. 166 and at the southwest corner of said Tract 5;

thence N 3° 18' 07" E along the east line of Ann Street, along the west line of said Lot No. 166 and along the west lines of said Tracts 5 and 4 a distance of 55.38 feet to a point at the intersection of the east line of Ann Street with the south line of Denton Alley (20 feet wide), at the northwest corner of said Lot No. 166 and at the northwest corner of said Tract 4;

thence S 69° 17' 17" E along the south line of Denton Alley, along the north line of said Lot No. 166, along the north line of said Tract 4 and along the north line of the remaining east part of said Lot No. 166 a distance of 146.80 feet to a point at the northeast corner of said Lot No. 166, at the intersection of the south line of Denton Alley with the west line of Putnam Alley (20 feet wide) and at the northeast corner of said east tract;

thence S 3° 18' 07" W along the east line said Lot No. 166, along the west line of Putnam Alley and along the east line of said east tract a distance of 12.00 feet to southeast corner of said east tract, at the southeast corner of said Lot No. 166 and at the intersection of the north line of Jackson Street with the west line of Putnam Alley;

thence N 86° 28' 30" W along the north line of Jackson Street, along the south line of said east tract, along the south line of said Lot No. 166 and along the south line of said Tract 5 a distance of 140.08 feet to the place of beginning;

containing 4,719 square feet (= 0.108 acre) of land more or less.

The above description was prepared by Jay R. Miller, Ohio Surveyor No. 8061, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in June, 2006, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA C-11 AT
S.W. CORNER OF EIGHTEENTH STREET & LIVINGSTON AVENUE
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the County of Franklin in the State of Ohio and in the City of Columbus: Being Lot Nos. Thirty (30) and Thirty-One (31) in Noah H. and Sarah A. Swaynes Addition, to the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book Number 2, Page 35, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the south line of Livingston Avenue (66 feet wide) with the west line of South Eighteenth Street (40 feet wide) and at the northeast corner of said Lot No. 31;

thence S 3° 18' 07" W along the west line of South Eighteenth Street and along the east line of said Lot No. 31 a distance of 157.00 feet to a point at the intersection of the west line of South Eighteenth Street with north line of Denton Alley (20 feet wide) and at the southeast corner of said Lot No. 31;

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thence N 69° 17' 17" W along the north line of Denton Alley and along the south lines of said Lot Nos. 31 and 30 a distance of 113.00 feet to a point at the southwest corner of said Lot No. 30 and at the southeast corner of Lot No. 29 in said Swaynes Addition;

thence N 20° 42' 43" E along the west line of said Lot No. 30 and along the east line of said Lot No. 29 a distance of 150.00 feet to a point in the south line of Livingston Avenue, at the northwest corner of said Lot No. 30 and at the northeast corner of said Lot No. 29;

thence S 69° 17' 17" E along the south line of Livingston Avenue and along the north lines of said Lot Nos. 30 and 31 a distance of 64.50 feet to the place of beginning;

containing 13,312.5 square feet (0.30 acre) of land more or less.

DESCRIPTION OF REZONING AREA C-12 AT N.E. CORNER
OF JACKSON STREET (SOUTH LANE) AND PARSONS AVENUE
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the County of Franklin, State of Ohio, City of Columbus: Being Lot Nos. 32, 33, 34, 35 and 36 of Swayne's Addition as the same are numbered and delineated in the recorded plat thereof, of record in lat Book 2, page 35, Franklin County Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the north line of Jackson Street (South Lane) (40 feet wide) with the east line of Parsons Avenue (60 feet wide) and at the southwest corner of said Lot No. 36;

thence N 3° 18' 07" E along the east line of Parsons Avenue and along the west lines of said Lot Nos. 36, 35, 34, 33 and 32 a distance of 269.00 feet to a point at the intersection of the east line of Parsons Avenue with south line of Denton Alley (20 feet wide) and at the northwest corner of said Lot No. 32;

thence S 69° 1' 17" E along the south line of Denton Alley and along the north line of said Lot No. 32 a distance of 146.80 feet to a point at the intersection of the south line of Denton Alley and the west line of Lisle Alley (20 feet wide) and at the northeast corner of said Lot No. 32;

thence S 3° 18' 07" W along the west line of Lisle Alley and along the east lines of said Lot Nos. 32, 33, 34, 35 and 36 a distance of 225.40 feet to a point at the intersection of the west line of Lisle Alley with the north line of Jackson Street, at the southeast corner of said Lot No. 36;
thence N 86° 28' 30" W along the north line of Jackson Street and along the south line of said Lot No. 36 a distance of 140.00 feet to the place of beginning;

containing 34,608 square feet (0.794 acre) of land more or less.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED STRIP ALONG THE EAST SIDE OF PARSONS AVENUE BETWEEN JACKSON STREET AND DENTON ALLEY:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 22, Township 5, Range 22, Refugee Lands and being part of Lots 32 through 36 of Swayne's Addition as recorded in Plat Book 2 Page 35 and as conveyed to Children's Hospital and recorded in Instrument No. 200304010093785, all references being recorded in the Franklin County Ohio Recorder's Office, and being more particularly described as follows:

Beginning at a ¾" iron pipe found at the northwest corner of Lot 32 of said Swayne's Addition at the intersection of the south line of Denton Alley (20') with the east line of Parsons Avenue (width varies), thence along the south line of said Alley and the north line of said Lot 32, South 69°13'11" East, a distance of 11.53 feet to an iron pin set;

Thence crossing through Lots 32, 33, 34, 35, and 36, along the proposed right of way line (being parallel to 41.00 feet east of the centerline of Parsons Avenue), South 03°17'27" West, a distance of 265.56 feet to an iron pin set on the north line of Jackson Street (40') and on the south line of said Lot 36;

Thence along said north and south lines, North 86°32'40" West, a distance of 11.00 feet to an iron pin set at the intersection of the east line of Parsons Avenue with the north line of Jackson Street on the southwest corner of said Lot 36;

Thence along said east line and the west line of said Lots 32 through 36, North 03°17'27" East, a distance of 269.00 feet to the point of beginning and containing 0.067 acres, more or less.

Subject, however, to a perpetual, exclusive easement hereby reserved by Grantor for itself, its successors and assigns as the owners of the fee simple title to the real property described on Exhibit B attached hereto, made a part hereof and incorporated herein by reference for the construction, installation, maintenance, repair, replacement and use of caissons, foundations and footers below the surface of a five (5) foot wide strip of the above-described 0.067 acres, said strip being located adjacent to and immediately west of the entire east property line of said 0.067 acres and being shown as the

cross-hatched area on Exhibit A attached hereto, made a part hereof and incorporated herein by reference, said easement being hereby reserved for the benefit of the real property described on said Exhibit B.

The above description was prepared by Korda/Nemeth Engineering, Inc. from field and record observations under the direction and supervision of Nathan W. Anderson, Ohio Registered Surveyor No. 8322.

The basis of bearings of this description is based on Livingston Avenue being, North 69°17'17" West as determined by monumentation found in the field and as shown in Children's Hospital Urban Renewal Area Plat A as recorded in Plat Book 43 Page 17.

Monuments referred to as iron pins set will be 5/8 diameter x 30 inches long capped iron bars inscribed "KNE 8322".

DESCRIPTION OF REZONING AREA C-13 AT DENTON ALLEY BETWEEN ANN STREET AND PUTNAM
ALLEY
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 22, Township 5, Range 22, Refugee Lands, being part of Denton Alley (20 feet wide), as dedicated in "Swayne's Addition", a subdivision of record in Plat Book 2 Page 35, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at an iron pin set at the intersection of the southerly right-of-way line of said Denton Alley with the westerly right-of-way line of Putnam Alley (20 feet wide), as dedicated in said "Swayne's Addition";

Thence North 68° 59' 18" West, a distance of 146.61 feet, with said southerly right-of-way line, to an iron pin set at the intersection of said southerly right-of-way line and the easterly right-of-way line of Ann Street (40 feet wide), as dedicated in said "Swayne's Addition";

Thence North 03° 48' 01" East, a distance of 20.94 feet, across said Denton Alley, to an iron pin set at the intersection of the northerly right-of-way line thereof and said easterly right-of-way line;

Thence South 68° 59' 18" East, a distance of 147.92 feet, with said northerly right-of-way line, to an iron pin set at the intersection of said northerly and westerly right-of-way lines;

Thence South 07° 17' 16" West, a distance of 20.59 feet, across said Denton Alley, to the POINT OF BEGINNING, containing 0.068 acre, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16)inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments Frank 43 and Frank 143, having a bearing of South 87° 57' 16" East, established by the Franklin County Engineering Department, using Global Positioning System Procedures and equipment.

DESCRIPTION OF REZONING AREA C-14 TAX PARCEL NUMBER 010-266057 (LISLE ALLEY), COLUMBUS,
OHIO, TO BE REZONED BY
NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Half Section 30, Section 22, Township 5, Range 22, Refugee Lands and being part of Lisle Alley as delineated on the plat for "SWAYNE'S ADDITION", a subdivision plat of record in Plat Book 2, Page 35 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the point of intersection of the westerly right-of-way line of said Lisle Alley and the northerly

right-of-way line of Jackson Street (Court Street);

Thence North 20° 42' 43" East, a distance of 225.38 feet, with said westerly right-of-way line of Lisle Alley, to a point in the southerly right-of-way line of Denton Alley;

Thence South 72° 37' 07" East, a distance of 20.96 feet, with said southerly right-of-way line of Denton Alley, to a point in the easterly right-of-way line of said Lisle Alley;

Thence South 20° 42' 43" West, a distance of 219.12 feet, with said easterly right-of-way line of Lisle Alley, to a point in said northerly right-of-way line of Jackson Street;

Thence North 90° 00' 00" West, a distance of 20.00 feet, with said northerly right-of-way line of Jackson Street, to the POINT OF BEGINNING. Containing 0.10 acres (4445.1 S.F.), more or less.

This description was prepared from record information only and should not be considered a boundary survey for transfer.

DESCRIPTION OF REZONING AREA C-15 TAX PARCEL NUMBER 010-266058 (DENTON ALLEY), COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Half Section 30, Section 22, Township 5, Range 22, Refugee Lands and being part of Denton Alley as delineated on the plat for "SWAYNE'S ADDITION", a subdivision plat of record in Plat Book 2, Page 35 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the point of intersection of the southerly right-of-way line of said Denton Alley and the easterly right-of-way line of Wager Street;

Thence North 20° 42' 43" East, a distance of 20.96 feet, with said easterly right-of-way line of Wager Street, to a point in the northerly right-of-way line of said Denton Alley;

Thence South 72° 37' 07" East, a distance of 314.35 feet, with said northerly right-of-way line of Denton Alley, to a point in the westerly right-of-way line of Ann Street;

Thence South 20° 42' 43" West, a distance of 20.96 feet, with said westerly right-of-way line of Ann Street, to a point in said southerly right-of-way line of Denton Alley;

Thence North 72° 37' 07" West, a distance of 314.35 feet, with said southerly right-of-way line of Denton Alley, to the POINT OF BEGINNING. Containing 0.14 acres (6287.1 S.F.), more or less.

This description was prepared from record information only and should not be considered a boundary survey for transfer.

DESCRIPTION OF REZONING AREA C-16
TAX PARCEL NUMBER 010-266059 (HOPE ALLEY), COLUMBUS, OHIO,
TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Half Section 30, Section 22, Township 5, Range 22, Refugee Lands and being part of Hope Alley as delineated on the plat for "SWAYNE'S ADDITION", a subdivision plat of record in Plat Book 2, Page 35 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the point of intersection of the northerly right-of-way line of Denton Alley and the westerly right-of-way line of said Hope Alley;

Thence North 17° 22' 53" East, a distance of 150.00 feet, with said westerly right-of-way line of Hope Alley, to a point in the southerly right-of-way line of Livingston Avenue;

Thence South 72° 37' 07" East, a distance of 20.00 feet, with said southerly right-of-way line of Livingston Avenue, to a point in the easterly right-of-way line of said Hope Alley;

Thence South 17° 22' 53" West, a distance of 150.00 feet, with said easterly right-of-way line of Hope Alley, to a point in said northerly right-of-way line of Denton Alley;

Thence North 72° 37' 07" West, a distance of 20.00 feet, with said northerly right-of-way line of Denton Alley, to the POINT OF BEGINNING. Containing 0.07 acres (3000.0 S.F.), more or less.

This description was prepared from record information only and should not be considered a boundary survey for transfer.

DESCRIPTION OF REZONING AREA C-17
TAX PARCEL NUMBER 010-019880 (705 E. LIVINGSTON AVENUE),
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Half Section 30, Section 22, Township 5, Range 22, Refugee Lands and being all of Lot No. 20 as delineated on the plat for "SWAYNE'S ADDITION", a subdivision plat of record in Plat Book 2, Page 35 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the point of intersection of the northerly right-of-way line of Denton Alley and the westerly right-of-way line of Putnam Alley, said point being the southeasterly corner of said Lot No. 20;

Thence North 72° 37' 07" West, a distance of 36.10 feet, with said northerly right-of-way line of Denton Alley and southerly line of said Lot No. 20, to a point at the southwesterly corner of said Lot No. 20;

Thence North 17° 22' 53" East, a distance of 150.00 feet, with the westerly line of said Lot No. 20, to a point in the southerly right-of-way line of Livingston Avenue at the northwesterly corner of said Lot No. 20;

Thence South 72° 37' 07" East, a distance of 36.10 feet, with said southerly right-of-way line of Livingston Avenue and northerly line of said Lot No. 20, to a point in the westerly right-of-way line of said Putnam Alley at the northeasterly corner of said Lot No. 20;

Thence South 17° 22' 53" West, a distance of 150.00 feet, with said westerly right-of-way line of Putnam Alley and easterly line of said Lot No. 20, to the POINT OF BEGINNING. Containing 0.12 acres (5415.0 S.F.), more or less.

This description was prepared from record information only and should not be considered a boundary survey for transfer.

DESCRIPTION OF REZONING AREA C-18 TAX PARCEL NUMBER 010-055004 (694 S. EIGHTEENTH STREET),
COLUMBUS, OHIO, TO BE REZONED BY
NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Half Section 30, Section 22, Township 5, Range 22, Refugee Lands and being part of Lot No. 1 as delineated on the plat for "THEO. H. BUTLER'S SUBDIVISION", a subdivision plat of record in Plat Book 4, Page 242 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the point of intersection of the northerly right-of-way line of Denton Alley and the easterly right-of-way line of Eighteenth Avenue (Butler Avenue), the southwesterly corner of said Lot No. 1;

Thence North 03° 12' 12" East, a distance of 39.41 feet, with said easterly right-of-way line of Eighteenth Avenue and westerly line of said Lot No. 1, to a point;

Thence South 66° 08' 19" East, a distance of 64.59 feet, across said Lot No. 1, to a point in the easterly line of said Lot No. 1;

Thence South 23° 51' 41" West, a distance of 36.04 feet, with said easterly line of Lot No. 1, to a point in said northerly right-of-way line of Denton Alley at the southeasterly corner of said Lot No. 1;

Thence North 66° 08' 19" West, a distance of 48.65 feet, with said northerly right-of-way line of Denton Alley and southerly line of said Lot No. 1, to the POINT OF BEGINNING. Containing 0.05 acres (2040.6 S.F.), more or less.

This description was prepared from record information only and should not be considered a boundary survey for transfer.

DESCRIPTION OF REZONING AREA C-19 PUTNAM ALLEY BETWEEN EAST LIVINGSTON AVENUE AND DENTON ALLEY, COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 22, Township 5, Range 22, Refugee Lands, being part of Putnam Alley (20 feet wide), as dedicated in "Swayne's Addition", a subdivision of record in Plat Book 2, Page 35, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at an iron pin set at the intersection of the westerly right-of-way line of said Putnam Alley with the southerly right-of-way line of Livingston Avenue (66 feet wide), as dedicated in said "Swayne's Addition";

Thence South 68° 59' 18" East, a distance of 20.00 feet, across said Putnam Alley, to an iron pin set at the intersection of the easterly right-of-way line thereof and said southerly right-of-way line;

Thence South 20° 59' 35" West, a distance of 150.00 feet, with said easterly right-of-way line, to an iron pin set at the intersection of said easterly right-of-way line and the northerly right-of-way line of Denton Alley (20 feet wide), as dedicated in said "Swayne's Addition";

Thence North 68° 59' 18" West, a distance of 20.00 feet, across said Putnam Alley, to an iron pin set at the intersection of said northerly and westerly right-of-way lines;

Thence North 20° 59' 35" East, a distance of 150.00 feet, with said westerly right-of-way line, to the POINT OF BEGINNING, containing 0.069 acre, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plan Coordinate System, South Zone, as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments Frank 43 and Frank 143, having a bearing of South 87° 56' 16" East, established by the Franklin County Engineering Department, using Global Positioning System Procedures and equipment.

DESCRIPTION OF REZONING AREA C-20 AT S.W. CORNER OF LIVINGSTON AVENUE AND LISLE ALLEY,
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus:

Being Lot Number Four (4) in Swayne's Addition as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 2, Page 35, Recorder's Office, Franklin County, Ohio.

Beginning at the intersection of the southerly right of way line of Livingston Avenue (width varies) and the westerly right of way line of Lisle Alley (20') and being the northeast corner of said lot, thence along west line of said Alley, South $20^{\circ} 36' 53''$ West a distance of 149.80 feet to the southeast corner of said lot and on the northerly right of way line of Denton Alley;

Thence along said northerly right of way line, North $69^{\circ} 13' 11''$ West a distance 40.26 feet to the southwest corner of said lot;

Thence North $20^{\circ} 36' 53''$ East along the west line of said lot, a distance of 149.76 feet to the northwest corner of said lot and on the south right of way line of Livingston Avenue;

Thence along said southerly right of way line, South $69^{\circ} 17' 17''$ East a distance of 40.26 feet to the point of beginning containing 0.138 acres, more or less.

The above description was prepared by Nathan W. Anderson, Ohio Surveyor No. 8322 of Korda Nemeth Engineering, Inc., Columbus, Ohio, from an actual field survey completed in 2007. Basis of bearings is a north line of East Livingston Avenue, being North $69^{\circ} 17' 17''$ West, as shown Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA C-21 AT S.E. CORNER OF LIVINGSTON AVENUE AND FIRST ALLEY
EAST OF SOUTH EIGHTEENTH STREET (797-799 LIVINGSTON AVENUE), COLUMBUS, OHIO, TO BE
REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus, and bounded and described as follows:

Being Lot Number Four (4) of Theo H. Butler's Amended Subdivision Plat Book 1, Page 297.

Beginning at the northwest corner of said Lot 4 at the intersection of the south line of Livingston Ave with the east line of the first alley east of Eighteenth Street, thence along said south line South $62^{\circ} 59' 42''$ East a distance of 50.00 feet to the northeast corner of said lot;

Thence along the east line of said lot South $27^{\circ} 08' 54''$ West distance of 150.00 feet to the north line of South Alley;

Thence along the north line of said South Alley, North $62^{\circ} 59' 42''$ West a distance of 50.00 feet to the southwest corner of said lot also being in the easterly right of way line of Logan Alley;

Thence along said easterly right of way line, North $27^{\circ} 08' 54''$ East a distance of 150.00 feet to the point of beginning containing 0.172 acres, more or less.

The above description was prepared by Nathan W. Anderson, Ohio Surveyor No. 8322, of Korda Nemeth Engineering, Inc., Columbus, Ohio, from record information and not an actual field survey. Basis of bearings is the south line of East Livingston Avenue, being North $62^{\circ} 59' 42''$ West.

DESCRIPTION OF REZONING AREA C-22 AT S.E. CORNER OF SOUTH EIGHTEENTH STREET AND

LIVINGSTON AVENUE (769-775 LIVINGSTON AVENUE), COLUMBUS, OHIO TO BE REZONED BY
NATIONWIDE CHILDREN'S HOSPITAL

Situated in the County of Franklin in the State of Ohio and in the City of Columbus:

Beginning in the south right-of-way of East Livingston Avenue and the east right-of-way of South Eighteenth Avenue:

Thence along the south right-of-way of East Livingston Avenue S 62° 39' 17" E a distance of 66.44 feet;

Thence S 26° 48' 33" W a distance of 90.00 feet;

Thence N 62° 39' 17" W a distance of 26.94 feet to the east right-of-way of South Eighteenth Street;

Thence N 3° 12' 02" E a distance of 99.00 feet to point of beginning, containing 0.11 acres, more or less.

The above description was prepared from record information and not an actual field survey. Basis of bearings is the south line of East Livingston Avenue, being South 62° 39' 17" East.

SUBAREA D

DESCRIPTION OF REZONING AREA D-1 AT
N.E. CORNER OF SOUTH EIGHTEENTH STREET & STONE AVENUE
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Fifteen (15) through Twenty-Four (24), inclusive, in Graessle's Subdivision, as shown of record in Plat Book 4, Page 48, Recorder's Office, Franklin County, Ohio, together with the alley (20 feet wide) between said Lots Nos. 16 and 17, as said alley was vacated by City Ordinance No. 1993-82, passed October 25, 1982, all bounded and described as follows:

Beginning at a point at the intersection of the east line of South Eighteenth Street (60 feet wide) with an angle point in the south limited access right-of-way line of Interstate Route 70 and at the northwest corner of said Lot No. 15;

thence S 87° 13' 07" E along a south limited access right-of-way line of Interstate Route 70 and along the north line of said Lot No. 15 a distance of 175.61 feet to a point at the intersection of the south limited access right-of-way line of Interstate Route 70 with the west line of an alley (30 feet wide) and at the northeast corner of said Lot No. 15;

thence S 2° 33' 20" W along the west line of said alley, along the east lines of said Lots Nos. 15 and 16, along the east end of said vacated alley and along the east lines of said Lots Nos. 17, 18, 19, 20, 21, 22, 23 and 24 a distance of 334.16 feet to a point at the intersection of the west line of said alley with the north line of Stone Avenue (45 feet wide) and at the southeast corner of said Lot No. 24;

thence N 86° 40' 53" W along the north line of Stone Avenue and along the south line of said Lot No. 24 a distance of 176.94 feet to a point at the intersection of the north line of Stone Avenue with the east line of South Eighteenth Street and at the southwest corner of said Lot No. 24;

thence N 2° 46' 53" E along the east line of South Eighteenth Street, along the west lines of said Lots Nos. 24, 23, 22, 21, 20, 19, 18 and 17, along the west end of said vacated alley and along the west lines of said Lots Nos. 16 and 15 a distance of 332.50 feet to the place of beginning;

containing 58,755 square feet (= 1.349 acres) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from

an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA D-2 AT
N.E. CORNER OF SOUTH EIGHTEENTH STREET & NEWTON STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being Lots Numbers One Hundred Seventy (170) through One Hundred Seventy-Eight (178), inclusive, in J.W. Andrews Park Addition, as shown of record in Plat Book 5, Pages 20 and 21, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the east line of South Eighteenth Street (60 feet wide) with the south line of Stone Avenue (45 feet wide) and at the northwest corner of said Lot No. 170;

thence S 86° 40' 53" E along the south line of Stone Avenue and along the north line of said Lot No. 170 a distance of 172.00 feet to a point at the intersection of the south line of Stone Avenue with the west line of an alley (30 feet wide) and at the northeast corner of said Lot No. 170;

thence S 2° 39' 22" W along the west line of said alley and along the east lines of said Lots Nos. 170, 171, 172, 173, 174, 175, 176, 177 and 178 a distance of 315.00 feet to a point at the intersection of the west line of said alley with the north line of Newton Street (50 feet wide) and at the southeast corner of said Lot No. 178;

thence N 86° 41' 04" W along the north line of Newton Street and along the south line of said Lot No. 178 a distance of 172.95 feet to a point at the intersection of the north line of Newton Street with the east line of South Eighteenth Street and at the southwest corner of said Lot No. 178;

thence N 2° 49' 43" E along the east line of South Eighteenth Street and along the west lines of said Lots Nos. 178, 177, 176, 175, 174, 173, 172, 171 and 170 a distance of 315.00 feet to the place of beginning; containing 54,327 square feet (= 1.247 acres) of land more or less.

The above description was prepared by Ted L. Robinson,

Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

break3

DESCRIPTION OF REZONING AREA D-3 AT
N.E. CORNER OF SOUTH EIGHTEENTH STREET & EAST LIVINGSTON AVENUE
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers One Hundred Forty-Four (144) through One Hundred Forty-Eight (148), inclusive, and all of Lots Numbers One Hundred Seventy-Nine (179) through One Hundred Eighty-Seven (187), inclusive, in J.W. Andrews Park Addition, as shown of record in Plat Book 5, Pages 20 and 21, Recorder's Office, Franklin County, Ohio, together with a 0.080 acre tract of land formerly known as Will Alley (20 feet wide) south of said Lot No. 187, as said alley was conveyed by City Ordinance No. 1075-89 to Children's Hospital by deed of record in Official Record 14089, Page D 09, Recorder's Office, Franklin County, Ohio, all bounded and described as follows:

Beginning at a point at the intersection of the east line of South Eighteenth Street (60 feet wide) with the north line of East Livingston Avenue (63 feet wide) and at the southwest corner of said Lot No. 148;

thence N 2° 49' 43" E along the east line of South Eighteenth Street, along the west line of said Lot No. 148, along the west

end of said 0.080 acre tract and along the west lines of said Lots Nos. 187, 186, 185, 184, 183, 182, 181, 180 and 179 a distance of 452.00 feet to a point at the intersection of the east line of South Eighteenth Street with the south line of Newton Street (50 feet wide) and at the northwest corner of said Lot No. 179;

thence S 86° 41' 04" E along the south line of Newton Street and along the north line of said Lot No. 179 a distance of 173.09 feet to a point at the intersection of the south line of Newton Street with the west line of an alley (30 feet wide) and at the northeast corner of said Lot No. 179;

thence S 2° 38' 53" W along the west line of said alley, along the east lines of said Lots Nos. 179, 180, 181, 182, 183, 184, 185, 186 and 187, along the east end of said 0.080 acre tract and along an east line of said Lot No. 144 a distance of 430.01 feet to a point at the intersection of the west line of said alley with the south line of Will Alley (20 feet wide) and at a corner of said Lot No. 144;

thence S 86° 41' 04" E along the south line of Will Alley and along a north line of said Lot No. 144 a distance of 14.68 feet to a point at a northeast corner of said Lot No. 144 and at the northwest corner of Lot Number One Hundred Forty-Three (143) in said J.W. Andrews Park Addition;

thence S 2° 38' 53" W along an east line of said Lot No. 144 and along the west line of said Lot No. 143 a distance of 106.80 feet to a point in the north line of East Livingston Avenue, at the southeast corner of said Lot No. 144 and at the southwest corner of said Lot No. 143;

thence N 62° 39' 17" W along the north line of East Livingston Avenue and along the south lines of said Lots Nos. 144, 145, 146, 147 and 148 a distance of 208.22 feet to the place of beginning;

containing 86,900 square feet (= 1.995 acres) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

To Rezone From: CPD, Commercial Planned Development Districts,

To: CPD, Commercial Planned Development District.

DESCRIPTION OF THREE PARCELS NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus. Being part of Lot 5 and all of Lot 6 of Theodore H. Butler's Amended SUBDIVISION of George W. Heyl's Outlots Nos. 1, 2, 3, 7, 9 and 11 Addition to the City of Columbus, made by Francis Collins, Master Commissioner, in the case of Alfred Thomas versus Lewis Heyl, et al, Franklin County Court of Common Pleas, recorded in Plat Book 1, Page 277, said AMENDED SUBDIVISION recorded in Plat Book 4, Pages 242 and 243. Also being all of the following parcels conveyed to Nationwide Children's Hospital: Parcel 1 and Parcel 2 of Instrument Number 200911130163584, and that parcel recorded in Instrument Number 201006240079176, being more particularly described as follows:

Commencing at an iron pipe set at the northeast corner of Lot 6 of Theodore H. Butler's Amended Subdivision, being at the intersection of the southerly right-of-way line of Livingston Avenue and the westerly right-of-way line of Heyl Avenue, also being the northeast corner of Parcel 1 of Instrument 200911130163584 conveyed to Nationwide Children's Hospital;

Thence South 27° 24' 51" West along the westerly right-of-way line of Heyl Avenue for a distance of 150.00 feet to an iron pipe set at the intersection of the north right-of-way line of Denton Alley (originally platted as South Alley, 20' R/W), being the southeast corner of the above referenced Nationwide Children's Hospital parcel of record in 201006240079176;

Thence North 62° 32' 34" West along the said northerly right-of-way line for a distance of 67.00 feet to an iron pipe set at the southwesterly corner of the above referenced Parcel 2 of Instrument Number 200911130163584, the southeast corner

of that parcel conveyed to The Children's Hospital, Official Record 35034 A20, now in the name of Nationwide Children's Hospital by Affidavit on Facts Relating to Title, Instrument Number 201104150050251, being on the southerly line of the above referenced Lot 5;

Thence North 27° 24' 51" East crossing Lot 5 and along the common line of said parcels for a total distance of 150.00 feet to an iron pipe set on the northerly line of Lot 5, the southerly right-of-way line of Livingston Avenue;

Thence South 62° 32' 34" East along the southerly right-of-line of Livingston Avenue for a distance of 150.00 feet to THE POINT OF BEGINNING.

Containing 0.231 acre, more or less. Together with and subject to covenants, easements, and restrictions of record.

Parcel No. 010-018860-00, (0.045 Ac.) also known as 813 E. Livingston Avenue.

Parcel No. 010-017426-00, (0.069 Ac.) also known as 719-721 Heyl Avenue.

Parcel No. 010-043071-00, (0.117 Ac.) also known as 807-809 E. Livingston Avenue.

All iron pipes set are 3/4" inside diameter iron pipe being 30 inches in length with a 1" yellow plastic cap inscribed "Sands Decker".

Bearings are based on the centerline of Livingston Avenue as South 62° 32' 34" East as shown on Sheet 400 of 408 of the City of Columbus, Ohio, Department of Public Service Transportation Division plans of FRA-Parsons/Livingston Improvements, PID #86311, Part 1 - Roadway, 2637 DR. E.

To Rezone From: AR-1, Apartment Residential and CPD, Commercial Planned Development Districts,

To: CPD, Commercial Planned Development District.

SECTION 2. That Height Districts of Thirty-five (35) feet, Sixty (6) feet, One Hundred Ten (110) feet and Two Hundred (200) feet are hereby established on respective subareas in the CPD, Commercial Planned Development District on this property per the plan titled, "**NCH CAMPUS ZONING**," signed by Jill Tangeman, Attorney for the Applicant, and dated May 18, 2011.

SECTION 3. That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "**NCH CAMPUS ZONING**" and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," all signed by Jill Tangeman, Attorney for the Applicant, dated May 18, 2011, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: Commercial Planned Development District

PROPERTY ADDRESS: 700 Children's Drive, Columbus, Ohio 43205

OWNERS: Nationwide Children's Hospital (fka The Children's Hospital), Nationwide Children's Hospital Foundation (fka The Children's Hospital Foundation), Research Institute at Nationwide Children's Hospital (fka Children's Research Institute and Children's Hospital Research Foundation), Childhood League, Inc., CHACC Office Condo Partnership, Mary C. Hart, KT Partners, PEDO-URO Realty Ltd, and Children's Orthopedic Medical Center, L.L.C.

APPLICANT: Nationwide Children's Hospital

DATE OF TEXT: May 18, 2011

APPLICATION NUMBER:

I. **INTRODUCTION:** The property consists of four subareas which, together, contain a total of approximately 53.28 acres (the "Subject Property"). Subarea A consists of approximately 27.228 acres within the area bounded by Livingston Avenue, Parsons Avenue, Mooberry Street, South Eighteenth Street and Livingston Park. Subarea B consists of

approximately 13.130 acres within the area bounded by Parsons Avenue, Livingston Avenue, Africentric High School and I-70. Subarea C consists of approximately 7.752 acres contained in various parcels located south of Livingston Avenue between Heyl Avenue and Parsons Avenue. Subarea D consists of a total of approximately 4.591 acres contained in various parcels located within the area bounded by Livingston Avenue, South Eighteenth Street, Mooberry Street and the north-south alley between South Eighteenth Street and Carpenter Street. The site plan entitled "NCH CAMPUS ZONING," signed by Jill S. Tangeman and dated May 18, 2011, is incorporated into this zoning for the purposes of schematically showing the Subareas, the parking and building setbacks and the height districts.

All of the Subject Property, except approximately 0.636 acres of Subarea C, was rezoned to the Commercial Planned Development District in Case No. Z08-037 (Ordinance No. 1828-2008). This Application makes only adds .636 +/- acres to Subarea C along Livingston Avenue. All other substantive terms and conditions of the zoning established by Case No. Z08-037 remain unchanged.

The requested zoning classification is consistent with the pending update to the Near Southside Plan.

The subject real property falls within the jurisdiction of the Columbus Southside Area Commission.

II. SECTION 3361.03(d) REPORT:

A. Natural environment: The Subject Property is essentially flat and contains no wetlands or streams. The only vegetation is street trees and landscaping which have been provided in connection with the existing development of the property. Storm water drainage for all of the property is provided by existing City storm sewers.

B. Existing land uses: The Subject Property is developed with a number of buildings and parking facilities used as Nationwide Children's Hospital, related medical research facilities and related medical offices and facilities. Subarea C also contains older houses which may be removed and redeveloped with uses permitted by this Text. Subarea B is developing with higher density, medium-to-high rise buildings as permitted by this Text. The Subject Property also contains a building used by Childhood League.

C. Transportation and circulation facilities: The Subject Property is located at an exit from I-70, which is located immediately north of the Subject Property across Mooberry Street. Livingston Avenue, an arterial street, runs through the Subject Property in an east-west direction. Parsons Avenue, another arterial street, runs north-south through the Subject Property. Various other local streets and alleys run through or adjacent to the Subject Property. All of the streets have sidewalks. Both Livingston Avenue and Parsons Avenue are on bus lines having bus stops at or near the Subject Property.

D. Visual form of the environment: Subarea A is now developed with a very high density, high rise urban complex, including a hospital, a heliport, a medical research facility, related doctors' offices, a medical education facility, large parking garages and surface parking. It is anticipated that that development pattern will continue in Subarea A and that the surface parking in Subarea A will, over time, be redeveloped with a high density, medium-to-high rise development similar to that now located in Subarea A. Subarea B is developing as described in II.B above. It is anticipated that Subarea B will be redeveloped with higher density, higher rise facilities related to the hospital and research uses in Subarea A, along with retail commercial uses. Subarea C is developed with surface parking facilities, the Center for Child and Family Advocacy, the Ronald McDonald House, a parking garage, parking lots and a few older houses. Subarea D is developed with surface parking facilities and low rise, low density development of facilities related to the hospital/medical uses located in Subarea A, including the Childhood League facility. It is anticipated that, over time, Subareas C and D will be redeveloped with high density, medium rise facilities related to the hospital/medical uses located in Subarea A and parking.

E. View and visibility: Visibility at intersections is good for the urban environment in which the Subject Property is located and is compatible with the speed limits on the various streets in and surrounding the Subject Property. Visibility at intersections of driveways with public streets does not in all instances currently include, and is not in all instances anticipated to include, the 10 foot clear vision triangle. This Text permits the omission of the clear vision triangle at future driveways onto less traveled streets within or adjacent to the Subject Property, but only with the approval of the Department of Public Service, Division of Planning and Operations.

F. Proposed development: It is anticipated that the Subject Property will be developed and redeveloped with a combination of the following: a hospital and related facilities; facilities for medical- and health-related uses; facilities oriented toward providing uses for the convenience or comfort of the staff and clientele of the foregoing uses; other office uses; and, in Subarea B, retail commercial facilities. Because the Subject Property is in a fully-developed urban location public infrastructure improvements are in place although some street and utility improvements will be needed in connection with the full development and redevelopment of the Subject Property. Many street and utility improvements have been made, and others are planned.

G. Behavior patterns: The principal use of the Subject Property is a hospital and related support uses. The Subject Property also includes a medical research facility, a medical office building, an outpatient surgery center and a medical education facility. The hospital operates 24-hours a day seven days a week, although the more intensive activity is during the daytime. The other activities operate primarily during normal business hours. Approximately 85% of the staff utilizes private vehicles for transportation to and from the Subject Property, while approximately 15% utilize public transportation. Most of the patients utilize private vehicles for transportation to and from the Subject Property, and it is assumed that some small percentage utilize public transportation.

H. Emissions: Light emitted from the Subject Property is currently and will be directed down by virtue of cut-off (downlighting) fixtures, except that some pedestrian lighting, accent lighting and lighting for signs is not cut-off lighting. It is anticipated that the types and levels of light emissions from Subarea A will continue to be similar to the current light emissions existing in Subarea A. The types and levels of light emissions in Subarea B will be consistent with the light emissions existing in Subarea A. It is anticipated that, over time, the types and levels of light emissions in Subarea C and D will be consistent with the uses of high density, medium rise facilities related to the medical/hospital uses located in Subarea A. The principal sound emissions will be: the sound of motor vehicles being operated by both employees and visitors to the Subject Property; the sound of HVAC equipment; and the intermittent sounds of emergency helicopters and emergency vehicles. Types and levels of sound emissions from the Subject Property are anticipated to continue to be consistent with the current sound emissions existing on the Subject Property. There currently is, and it is anticipated that there will be, negligible dust (except such dust as is typically generated by demolition and construction projects in which all dust control measures required by law are employed) and odor emissions from the Subject Property.

III. **PERMITTED USES:**

A. All uses permitted by Columbus City Codes Sections 3349.03, 3353.03, hotels, parking lots and garages and all other uses listed in the Columbus City Codes as being permitted in the I or C-2 zoning district.

B. To the extent not otherwise permitted in III.A above, all uses permitted by Columbus City Codes Sections 3351.03, 3355.03 and 3356.03 and all other uses listed in the Columbus City Codes as being permitted in the C-1, C-3 or C-4 zoning district, subject to the following:

1. The uses otherwise permitted in this sentence shall not be permitted in Subarea D;
2. A "Ronald McDonald House" or similar facility for housing families of hospital patients shall be permitted in Subarea C; and
3. Each use permitted by this sentence must be a medical- or health-related use or a use oriented primarily toward providing for the convenience or comfort of the staff or clientele of the uses permitted by III.A above, except that the limitation in this item 3 shall not apply to Subarea B.

C. Uses listed in the Columbus City Codes as special or conditional uses in I, C-1, C-2, C-3 or C-4 zoning district are special or conditional uses for the Subject Property, except the special or conditional uses in C-1, C-3 and C-4 zoning district are not special or conditional uses for Subarea D.

D. Each use which is accessory to a principle use, building or structure may be located off of the parcel(s) on which such principle use, building or structure is located.

E. Billboards are prohibited.

IV. **DEVELOPMENT STANDARDS:**

A. **Development Standards for Subarea A.**

1. Density, Height, Lot and/or Setback commitments.

a. The height district shall be two hundred (200) foot height district, and the height of each part of each building may be increased above two hundred (200) feet by the distance in feet from that part to the public Street right of way line closest to that part.

b. The building setback shall be zero (0) feet along Mooberry Street, South Eighteenth Street and Parsons Avenue and ten (10) feet along Livingston Avenue.

c. The parking and maneuvering setback shall be zero (0) feet along Mooberry Street and South Eighteenth Street, ten (10) feet along Livingston Avenue and three (3) feet along Parsons Avenue.

d. No setbacks from side or rear lot lines shall be required, and buildings and other structures shall be permitted to cross parcel boundaries, except that buildings shall be set back a minimum of fifty-five(55) feet from Livingston Park.

2. Access, Loading, Parking and/or other Traffic related commitments.

a. All existing curb cuts being used for vehicular access to any part of the Subject Property on the date of this Text shall be permitted to remain, except that, promptly after the use of any such curb cut for such access is hereafter abandoned, that curb cut shall be removed. All new curb cuts shall be designed to the specifications of the Department of Public Service, Division of Planning and Operations.

b. The required number of loading spaces for each type of use shall be determined by aggregating all of the uses of that type located on the Subject Property.

c. The required number of loading spaces for any use may be located off of the parcel(s) on which that use is located so long as such loading spaces are located on the Subject Property.

d. Maneuvering for loading spaces shall be permitted in the right-of-way of Mooberry Street.

e. Subject to the approval of the Department of Public Service, Division of Planning and Operations, which may be conditioned on providing alternative means of vision, the clear vision triangles provided for in Section 3321.05, Columbus City Codes, are eliminated.

f. The required minimum size of up to thirty percent (30%) of the required off-street parking spaces shall be eight (8) feet by sixteen (16) feet.

g. Subject to the approval of the Department of Public Service, Division of Planning and Operations, the required widths of drive aisles in parking structures may be reduced to widths less than those provided for in Section 3312.13 , Columbus City Codes.

h. The number of off-street parking spaces required for each use referred to in IV.E below will be determined in accordance with IV.E below. The determination of parking spaces available to satisfy off-street parking requirements is subject to the provisions of IV.E below.

i. Subject to the approval of the Department of Public ServicePublic Service, Division of Planning and Operations, the required minimum width of one way driveways shall be ten (10) feet.

j. Any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster may be

located on two or more parcels (that is, part on one parcel and part on one or more other parcels) within the Subject Property. Access to and maneuvering for any parking space, loading space or dumpster, including any aisle providing such access or maneuvering, may be located on one or more parcels within the Subject Property which are not the parcel(s) on which that parking space, loading space or dumpster is located. The intent of this item j is to permit all of the parcels constituting the Subject Property be treated as a single parcel for the purpose of arranging parking spaces, loading spaces and access to and maneuvering for parking spaces, loading spaces and dumpsters.

3. Buffering, Landscaping, Open Space and/or Screening commitments.

- a. No internal parking lot landscaping shall be required.
- b. Each loading space shall be screened only if it is located within two hundred (200) feet of a Street (each public right-of-way 35 feet or more in width) and is not substantially screened from that Street by buildings, landscape materials or a change in grade. If such screening is required for a loading space, then it shall be provided to a minimum of seven (7) feet in height and shall be designed to interrupt vision into such loading space from each Street located within two hundred (200) feet of that loading space.

4. Building design and/or Interior-Exterior treatment commitments. N/A

5. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

- a. Light poles shall be no higher than forty (40) feet.
- b. Each dumpster shall be screened only if it is located within 200 feet of a Street and is not substantially screened from that Street by buildings, landscape materials or a change in grade.

6. Graphics and Signage commitments.

- a. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

7. Variances. The foregoing development standards for Subarea A effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any variances effected by the foregoing development standards shall not invalidate those standards:

- a. Variance from Section 3361.04A to reduce the minimum front, side and rear yard requirements from twenty-five (25) feet to zero (0) feet, except that the variance for above-ground buildings shall be from twenty-five (25) feet to ten (10) feet along Livingston Avenue.
- b. Variance from Section 3312.47 and 3312.49 to permit the calculation of the number of required loading spaces to be based on the total number of square feet of space on the Subject Property used for each type of use.
- c. Variance from Section 3312.51 to permit the required number of loading spaces for any use to be located off of the parcel(s) on which that use is located.
- d. Variance from Section 3312.15 to permit maneuvering for loading spaces in the right-of-way of Mooberry Street.
- e. Variance from Section 3321.05 to eliminate all required clear vision triangles, subject to the approval of the Department of Public ServicePublic Service, Division of Planning and Operations.
- f. Variance from Section 3312.29 to reduce the required minimum size of up to thirty percent (30%) of the required off-street parking spaces from nine (9) feet by eighteen (18) feet to eight (8) feet by sixteen (16) feet.
- g. Variance from Section 3312.13 to reduce the required widths of drive aisles in parking structures to widths less than

those provided in Section 3312.13 , subject to the approval of the Department of Public ServicePublic Service, Division of Planning and Operations.

h. Variance from Section 3312.47 and 3312.49 to permit the required number of off-street parking spaces to be the number determined in accordance with IV.E below and to permit the required off-street parking for each use to be located off of the parcel on which that use is located, subject to the provisions of IV.E.4 below.

i. Variance from Section 3312.13 c to reduce the required minimum width of one way driveways serving a parking lot from twenty (20) feet to ten (10) feet.

j. Variance from Sections 3312.03, 3312.09, 3312.51 and 3321.01 to permit any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster to be located on two or more parcels and to permit access to and maneuvering for each parking space, loading space or dumpster to be located on one or more parcels which are not the parcel(s) on which that parking space, loading space or dumpster is located.

k. Variance from Section 3312.21 to eliminate the requirement for any interior parking lot landscaping.

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1. Variance from Section 3321.01 to eliminate the requirement that a dumpster be screened from view on all sides for each dumpster which is located more than two hundred (200) feet from a Street and for each other dumpster that is substantially screened from all Streets by buildings, landscape materials or a change in grade.

B. Development Standards for Subarea B.

1. Density, Height, Lot and/or Setback commitments.

a. The height district shall be two hundred (200) foot height district, subject to the limitation that, except as provided in the next-following sentence, the maximum heights for all buildings shall be one hundred fifty (150) feet. The height of each part of each building may be increased above one hundred fifty (150) feet by the distance in feet from that part to the public Street right of way line closest to that part.

b. The building setback shall be zero (0) feet along all Streets, except Livingston Avenue along which the building setback shall be ten (10) feet.

c. The parking and maneuvering setback shall be zero (0) feet along all Streets except Parsons Avenue and Livingston Avenue. The parking and maneuvering setback along Parsons Avenue shall be three (3) feet, and the parking and maneuvering setback along Livingston Avenue shall be ten (10) feet, provided that parking and maneuvering within parking garages may be located at the building setback.

d. No setbacks from side or rear lot lines shall be required, and buildings and other structures shall be permitted to cross parcel boundaries.

2. Access, Loading, Parking and/or other Traffic related commitments.

a. All new curb cuts shall be designed to the specifications of the Department of Public ServicePublic Service, Division of Planning and Operations.

b. The required number of loading spaces for each type of use shall be determined by aggregating all of the uses of that type located on the Subject Property.

c. The required number of loading spaces for any use may be located off of the parcel(s) on which that use is located so long as such loading spaces are located on the Subject Property.

d. The text of this item is omitted, but the item letter is maintained to preserve cross-reference continuity.

e. The required minimum size of up to thirty percent (30%) of the required off-street parking spaces shall be eight (8) feet by sixteen (16) feet.

f. Subject to the approval of the Department of Public Service, Division of Planning and Operations, the required widths of drive aisles in parking structures may be reduced to widths less than those provided for in Section3321.05 , Columbus City Codes.

g. The number of off-street parking spaces required for each use referred to in IV.E below will be determined in accordance with IV.E below. The determination of parking spaces available to satisfy off-street parking requirements is subject to the provisions of IV.E below.

h. Subject to the approval of the Department of Public Service, Division of Planning and Operations, the required minimum width of one way driveways shall be ten (10) feet.

i. Any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading

space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster may be located on two or more parcels (that is, part on one parcel and part on one or more other parcels) within the Subject Property. Access to and maneuvering for any parking space, loading space or dumpster, including any aisle providing such access or maneuvering, may be located on one or more parcels within the Subject Property which are not the parcel(s) on which that parking space, loading space or dumpster is located. The intent of this item i is to permit all of the parcels constituting the Subject Property be treated as a single parcel for the purpose of arranging parking spaces, loading spaces and access to and maneuvering for parking spaces, loading spaces and dumpsters.

j. No parking structure designed to provide parking for uses on any part of the Subject Property east of Parsons Avenue will be located west of Parsons Avenue unless a pedestrian crosswalk, controlled intersection or other improvement for the passage of pedestrians across Parsons Avenue is approved by the Department of Public Service, Division of Planning and Operations and installed.

3. Buffering, Landscaping, Open Space and/or Screening commitments.

a. No internal parking lot landscaping shall be required.

b. Each loading space shall be screened only if it is located within two hundred (200) feet of a Street and is not substantially screened from that Street by buildings, landscape materials or a change in grade. If such screening is required for a loading space, then it shall be provided to a minimum of seven (7) feet in height and shall be designed to interrupt vision into such loading space from each Street located within two hundred (200) feet of that loading space.

4. Building design and/or Interior-Exterior treatment commitments. N/A

5. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

a. Light poles shall be no higher than forty (40) feet.

b. Each dumpster shall be screened only if it is located within 200 feet of a Street and is not substantially screened from that Street by buildings, landscape materials or a change in grade.

6. Graphics and Signage commitments.

a. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

7. Variances. The foregoing development standards for Subarea B effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any variances effected by the foregoing development standards shall not invalidate those standards:

a. Variance from Section 3361.04A to reduce the minimum front, side and rear yard requirements from twenty-five (25) feet to zero (0) feet along all Streets except as follows: (i) any yard parallel and adjacent to Livingston Avenue shall be reduced from twenty-five (25) feet to ten (10) feet; and (ii) all surface parking and maneuvering areas shall be set back a minimum of three (3) feet from Parsons Avenue.

b. Variance from Section 3312.47 and 3312.49 to permit the calculation of the number of required loading spaces to be based on the total number of square feet of space on the Subject Property used for each type of use.

c. Variance from Section 3312.51 to permit the required number of loading spaces for any use to be located off of the parcel(s) on which that use is located.

d. The text of this item is omitted, but the item letter is maintained to preserve cross-reference continuity.

- e. Variance from Section 3312.29 to reduce the required minimum size of up to thirty percent (30%) of the required off-street parking spaces from nine (9) feet by eighteen (18) feet to eight (8) feet by sixteen (16) feet.
- f. Variance from Section 3312.13 to reduce the required widths of drive aisles in parking structures to widths less than those provided in Section 3312.13 , subject to the approval of the Department of Public Service, Division of Planning and Operations.
- g. Variance from Section 3312.47 and 3312.49 to permit the required number of off-street parking spaces to be the number determined in accordance with IV.E below and to permit the required off-street parking for each use to be located off of the parcel on which that use is located, subject to the provisions of IV.E.4 below.
- h. Variance from Section 3312.13 to reduce the required minimum width of one way driveways serving a parking lot from twenty (20) feet to ten (10) feet.
- i. Variance from Sections 3312.03, 3312.09, 3312.51 and 3321.01 to permit any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster to be located on two or more parcels and to permit access to and maneuvering for each parking space, loading space or dumpster to be located on one or more parcels which are not the parcel(s) on which that parking space, loading space or dumpster is located.
- j. Variance from Section 3312.21 to eliminate the requirement for any interior parking lot landscaping.
- 1. Variance from Section 3321.01 to eliminate the requirement that a dumpster be screened from view on all sides for each dumpster which is located more than two hundred (200) feet from a Street and for each other dumpster that is substantially screened from all Streets by buildings, landscape materials or a change in grade.

C. Development Standards for Subarea C.

- 1. Density, Height, Lot and/or Setback commitments.
 - a. Building height
 - i. The height district for that portion of Subarea C located east of Wager Street shall be the sixty (60) foot height district, except for Subarea C-23, in which all buildings shall be limited to forty five (45) feet.
 - ii. The height district for that portion of Subarea C located west of Wager Street shall be the one hundred ten (110) foot height district, subject to the limitations that (y) for all buildings in that portion of Subarea C except parking garages, the maximum height (measured as provided in Section 3303.08) shall be sixty-eight (68) feet, and (z) for parking garages in that portion of Subarea C, the maximum height (measured to the top of any wall or screening structure for the exposed top deck) shall be sixty-eight (68) feet, except as follows:
 - aa. The height to the top of the roof of stairwell enclosures for a parking garage may be seventy-eight (78) feet;
 - bb. In the fifty-five (55) feet immediately south of the right of way line of Livingston Avenue, the height to the top of the roof of any enclosed area for a parking garage may be one hundred (100) feet, and architectural ornamentation may extend up to a maximum height of one hundred ten (110) feet;
 - cc. The height of each part of each parking garage may be increased above sixty-eight (68) feet by the distance in feet from that part to the maximum building setback from the public Street right of way line closest to that part;
 - dd. Along the Denton Alley and Lisle Alley facades of each parking structure, architectural ornamentation may extend up to a height of eighty-two (82) feet; and
 - ee. The maximum height for any part of a building in Rezoning Area C-20 shall be eighty-two (82) feet.
 - b. From Parsons Avenue, the minimum building, parking and maneuvering setbacks shall be zero (0) feet and the

maximum building, parking and maneuvering setbacks shall be fifteen (15) feet, except that within thirty-five (35) feet of Jackson Street the maximum building, parking and maneuvering setbacks shall be thirty (30) feet.

c. From that part of Jackson Street which is west of Wager Street, the minimum building, parking and maneuvering setback shall be ten (10) feet and the maximum building, parking and maneuvering setback shall be fifteen (15) feet, except that within thirty (30) feet of Parsons Avenue the maximum building, parking and maneuvering setback shall be thirty-five (35) feet.

d. From the west side of Wager Street, the minimum building, parking and maneuvering setback shall be zero (0) feet and the maximum building, parking and maneuvering setback shall be sixteen (16) feet.

e. From that part of the Livingston Avenue which is west of Wager Street, the minimum building, parking and maneuvering setback shall be twenty-five (25) feet and the maximum building, parking and maneuvering setback shall be thirty-five (35) feet, and those setbacks shall be measured from the Livingston Avenue right of way line existing on the date of this Text.

f. From all Streets and parts of Streets, other than Livingston Avenue west of Wager Street, Parsons Avenue, Jackson Street west of Wager Street and the west side of Wager Street, the minimum building setback shall be ten (10) feet.

g. The parking and maneuvering setback shall be ten (10) feet along Livingston Avenue east of Wager Street and three (3) feet along all Streets and parts of Streets other than Livingston Avenue, Parsons Avenue, Jackson Street west of Wager Street and the west side of Wager Street, provided that parking and maneuvering within parking garages may be located at the building setback.

h. No setbacks from side or rear lot lines shall be required, and buildings and other structures shall be permitted to cross parcel boundaries. No setbacks along Denton Alley east of Eighteenth Street shall be required.

2. Access, Loading, Parking and/or other Traffic related commitments.

a. All existing curb cuts being used for vehicular access to any part of the Subject Property on the date of this Text shall be permitted to remain, except that, promptly after the use of any such curb cut for such access is hereafter abandoned, that curb cut shall be removed. All new curb cuts shall be designed to the specifications of the Department of Public Service, Division of Planning and Operations.

b. The required number of loading spaces for each type of use shall be determined by aggregating all of the uses of that type located on the Subject Property.

c. The required number of loading spaces for any use may be located off of the parcel(s) on which that use is located so long as such loading spaces are located on the Subject Property.

d. Maneuvering for loading spaces shall be permitted in South Seventeenth Street, 18th Street and Heyl Avenue.

e. Subject to the approval of the Department of Public Service, Division of Planning and Operations, which may be conditioned on providing alternative means of vision, the clear vision triangles provided for in Section 3321.05 , Columbus City Codes, are eliminated.

f. The required minimum size of up to thirty percent (30%) of the required off-street parking spaces shall be eight (8) feet by sixteen (16) feet.

g. Subject to the approval of the Department of Public Service, Division of Planning and Operations, the required widths of drive aisles in parking structures may be reduced to widths less than those provided for in Section 3312.13 , Columbus City Codes.

h. The number of off-street parking spaces required for each use referred to in IV.E below will be determined in

accordance with IV.E below. The determination of parking spaces available to satisfy off-street parking requirements is subject to the provisions of IV.E below.

- i. Subject to the approval of the Department of Public Service, Division of Planning and Operations, the required minimum width of one way driveways shall be ten (10) feet.
- j. Any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster may be located on two or more parcels (that is, part on one parcel and part on one or more other parcels) within the Subject Property. Access to and maneuvering for any parking space, loading space or dumpster, including any aisle providing such access or maneuvering, may be located on one or more parcels within the Subject Property which are not the parcel(s) on which that parking space, loading space or dumpster is located. The intent of this item j is to permit all of the parcels constituting the Subject Property be treated as a single parcel for the purpose of arranging parking spaces, loading spaces and access to and maneuvering for parking spaces, loading spaces and dumpsters.

3. Buffering, Landscaping, Open Space and/or Screening commitments.

- a. Internal parking lot landscaping for each parking lot may be located at the perimeter of that parking lot, except that internal parking lot landscaping for any parking lot located on Rezoning Area C-12 or C-13 of the Subject Property shall be installed as required by Section 3312.21 , Columbus City Codes. No internal parking lot landscaping shall be required for parking located in or on any parking structure.
- b. Each loading space shall be screened to a minimum of seven (7) feet in height, with such screening being so designed as to interrupt vision into such loading space from adjacent Streets and adjacent private properties which are not part of the Subject Property.

4. Building design and/or Interior-Exterior treatment commitments. N/A

5. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

- a. Light poles shall be no higher than twenty-two (22) feet. For light poles which are ground mounted, that height shall be measured from the surrounding grade. For light poles which are mounted on a parking garage, that height shall be measured from the level of the floor to be lighted by the lights.

6. Graphics and Signage commitments.

- a. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

7. Miscellaneous commitments. The provisions of the Parsons Avenue Urban Commercial Overlay shall apply to the portion of Subarea C located west of Wager Street, except to the extent that conflicting provisions are set forth above in IV.C and except as follows:

- a. For any parking garage, no main entrance door shall be required along the Parsons Avenue frontage.
- b. Along Parsons Avenue, Jackson Street and Wager Street, except the portion of Wager Street that is within fifty-five (55) feet of Livingston Avenue, that part of a parking garage which is more than twenty (20) feet above grade shall not be required to comply with Section 3372.611B, and a parking garage shall not be required to comply with Section 3372.611B along Livingston Avenue or that part of Wager Street located within fifty-five (55) feet of Livingston Avenue.
- c. For any parking garage, compliance with Sections 3372.611C and D shall not be required.

d. To the extent that a parking garage falls within the definition of parking lot, a parking garage shall not be required to comply with Section 3372.611I, but the parking spaces within the parking garage shall be screened, except at vehicle entrances and exits, from all abutting public Streets (aa) on the first level to the full height of the vehicles by one or a combination of a solid wall or an ornamental metal grill providing at least sixty (60) percent capacity when viewed head-on and (bb) on each other level by one or a combination of the following to a height of not less than forty-two (42) inches above floor level: solid wall; ornamental metal grill providing at least sixty (60) percent capacity when viewed head-on; louvered panel providing sixty (60) percent opacity when viewed head-on; and metal mesh panel providing at least sixty (60) percent opacity when viewed head-on.

8. Variances. The foregoing development standards for Subarea C effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any variances effected by the foregoing development standards shall not invalidate those standards:

a. Variance from Section 3361.04B to increase the height district for that portion of Subarea C located west of Wager Street from thirty-five (35) feet to one hundred ten (110) feet, subject to the height limitations in IV.C.1.a.ii above.

b. Variance from Section 3372.609 to increase the maximum building setback from Parsons Avenue from ten (10) feet to fifteen (15) feet, except within thirty-five (35) feet of Jackson Street where the maximum building setback shall be increased from ten (10) feet to thirty (30) feet, and to reduce the minimum parking and maneuvering setback from Parsons Avenue from five (5) feet to zero (0) feet.

c. Variance from Section 3372.609 to increase the maximum building setback from ten (10) feet to fifteen (15) feet along that part of Jackson Street which is west of Wager Street, except within thirty (30) feet of Parsons Avenue where the maximum building setback shall be increased from ten (10) feet to thirty-five (35) feet.

d. Variance from Section 3372.609 to increase the maximum building setback from ten (10) feet to sixteen (16) feet along the west side of Wager Street, and to reduce the minimum parking and maneuvering setback from Wager Street from five (5) feet to zero (0) feet.

e. Variance from Section 3372.609 to increase the maximum building setback from ten (10) feet to thirty-five (35) feet along Livingston Avenue west of Wager Street, and to measure all setbacks from Livingston Avenue from the right of way line of Livingston Avenue existing as of the date of this Text.

f. Variance from Section 3361.04A to reduce the minimum front yard requirements from twenty-five (25) feet to ten (10) feet for that part of Subarea C extending east from the east side of Wager Street except as follows: (i) surface parking and maneuvering areas may extend up to seven (7) feet into the required front yards parallel and adjacent to all Streets except Livingston Avenue; and (ii) the minimum requirement for any front yard parallel and adjacent to a public right of way which is not a Street is reduced from twenty-five (25) feet to zero (0) feet.

g. Variance from Section 3361.04A to reduce the minimum side and rear yard requirements from twenty-five (25) feet to zero (0) feet, except that the minimum requirement for any such side or rear yard which is parallel and adjacent to a Street shall only be reduced to the extent provided for front yards in IV.C.8.g above and shall not be reduced in any way which would reduce the minimum setbacks provided for in IV.C.1.b, c, d and e above.

h. Variance from Section 3312.47 and 3312.49 to permit the calculation of the number of required loading spaces to be based on the total number of square feet of space on the Subject Property used for each type of use.

i. Variance from 3312.51 to permit the required number of loading spaces for any use to be located off of the parcel(s) on which that use is located.

j. Variance from Section 3312.15 to permit maneuvering for loading spaces in South Seventeenth Street, 18th Street and Heyl Avenue.

k. Variance from Section 3321.05 to eliminate all required clear vision triangles, subject to the approval of the

Department of Public Service, Division of Planning and Operations.

- l. Variance from Section 3312.29 to reduce the required minimum size of up to thirty percent (30%) of the required off-street parking spaces from nine (9) feet by eighteen (18) feet to eight (8) feet by sixteen (16) feet.
- m. Variance from Section 3312.13 to reduce the required widths of drive aisles in parking structures to widths less than those provided in Section 3312.13 , subject to the approval of the Department of Public Service, Division of Planning and Operations.
- n. Variance from Section 3312.47 and 3312.49 to permit the required number of off-street parking spaces to be the number determined in accordance with IV.E below and to permit the required off-street parking for each use to be located off of the parcel on which that use is located, subject to the provisions of IV.E.4 below.
- o. Variance from Section 3312.13 to reduce the required minimum width of one way driveways serving a parking lot from twenty (20) feet to ten (10) feet.
- p. Variance from Sections 3312.03, 3312.09, 3312.51 and 3321.01 to permit any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster to be located on two or more parcels and to permit access to and maneuvering for each parking space, loading space or dumpster to be located on one or more parcels which are not the parcel(s) on which that parking space, loading space or dumpster is located.
- q. Variance from Section 3312.21 to permit internal parking lot landscaping for each parking lot to be located at the perimeter of that parking lot, except for any parking lot located in Rezoning Area C-12 or C-13 of the Subject Property.
- r. Variance from 3372.611A to eliminate the required main entrance door along the Parsons Avenue frontage for any parking garage.
- s. Variance from 3372.611B to eliminate the requirement that any portion of a parking garage building frontage more than twenty (20) feet above grade along Parsons Avenue, the west side of Wager Street and Jackson Street west of Wager Street, except the portion of Wager Street that is within fifty-five (55) feet of Livingston Avenue, be required to include vertical piers or other vertical visual elements otherwise required by that Section, and to eliminate the requirement that any part of a parking garage building frontage along Livingston Avenue or that part of the west side of Wager Street located within fifty-five (55) feet of Livingston Avenue be required to include vertical piers or other vertical visual elements otherwise required by that Section.
- t. Variance from Sections 3372.611C and D to eliminate the requirement that any parking garage located west of Wager Street include the windows otherwise required by those Sections.
- u. Variance from Section 3371.611I to eliminate the requirement that any parking garage located west of Wager Street include screening otherwise required by that Section, subject to the requirement that any such parking garage must include the screening required by IV.C.7.b.iv above.

D. Development Standards for Subarea D.

1. Density, Height, Lot and/or Setback commitments.

break5

a. The thirty-five (35) foot height district shall apply, subject to the limitation set forth in the next-following sentence. Any portion of any building or structure which is more than thirty-five (35) feet in height pursuant to Section 3309.142, Columbus City Codes, or any successor provision, must be located a distance from the right-of-way line of the Alley (as hereinafter defined) equal to the number of feet (and any fraction thereof) by which the height of that portion exceeds thirty-five (35) feet. "Alley" means the north-south alley between South Eighteenth Street and Carpenter Street.

b. The building setback shall be zero (0) feet along all Streets, except Livingston Avenue along which the building setback shall be ten (10) feet.

c. The parking and maneuvering setback shall be zero (0) feet along all Streets, except Livingston Avenue along which that setback shall be ten (10) feet, provided that parking and maneuvering within parking garages may be located at the building setback.

d. No setbacks from side or rear lot lines shall be required, and buildings and other structures shall be permitted to cross parcel boundaries.

2. Access, Loading, Parking and/or other Traffic related commitments.

a. All existing curb cuts being used for vehicular access to any part of the Subject Property on the date of this Text shall be permitted to remain, except that, promptly after the use of any such curb cut for such access is hereafter abandoned, that curb cut shall be removed. All new curb cuts shall be designed to the specifications of the Department of Public Service, Division of Planning and Operations.

b. The required number of loading spaces for each type of use shall be determined by aggregating all of the uses of that type located on the Subject Property.

c. The required number of loading spaces for any use may be located off of the parcel(s) on which such use is located so long as such loading spaces are located on the Subject Property.

d. Maneuvering for loading spaces shall be permitted in the rights-of-way of Stone Avenue and Newton Avenue.

e. Subject to the approval of the Department of Public Service, Division of Planning and Operations, which may be conditioned on providing alternative means of vision, the clear vision triangles provided for in Section 3321.05, Columbus City Codes, are eliminated.

f. The required minimum size of up to thirty percent (30%) of the required off-street parking spaces shall be eight (8) feet by sixteen (16) feet.

g. Subject to the approval of the Department of Public Service, Division of Planning and Operations, the required widths of drive aisles in parking structures may be reduced to widths less than those provided for in Section 3312.13, Columbus City Codes.

h. The number of off-street parking spaces required for each use referred to in IV.E below will be determined in accordance with IV.E below. The determination of parking spaces available to satisfy off-street parking requirements is subject to the provisions of IV.E below.

i. Subject to the approval of the Department of Public Service, Division of Planning and Operations, the required minimum width of one way driveways shall be ten (10) feet.

j. Any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster may be located on two or more parcels (that is, part on one parcel and part on one or more other parcels) within the Subject Property. Access to and maneuvering for any parking space, loading space or dumpster, including any aisle providing such

access or maneuvering, may be located on one or more parcels within the Subject Property which are not the parcel(s) on which that parking space, loading space or dumpster is located. The intent of this item j is to permit all of the parcels constituting the Subject Property be treated as a single parcel for the purpose of arranging parking spaces, loading spaces and access to and maneuvering for parking spaces, loading spaces and dumpsters.

3. Buffering, Landscaping, Open Space and/or Screening commitments.

a. Internal parking lot landscaping for each parking lot may be located at the perimeter of that parking lot. No internal parking lot landscaping shall be required for parking located in or on any parking structure.

b. Each loading space shall be screened to a minimum of seven (7) feet in height, with such screening being so designed as to interrupt vision into such loading space from adjacent Streets and adjacent private properties which are not part of the Subject Property.

4. Building design and/or Interior-Exterior treatment commitments. N/A

5. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

a. Light poles shall be no higher than twenty-two (22) feet.

6. Graphics and Signage commitments.

a. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

7. Miscellaneous commitments. Except as otherwise provided in this IV.D., development on each parcel in Subarea D shall comply with all applicable provisions of the Columbus City Codes governing that parcel.

8. Variances. The foregoing development standards for Subarea D effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any variances effected by the foregoing development standards shall not invalidate those standards:

a. Variance from Section 3361.04A to reduce the minimum front, side and rear yard requirements from twenty-five feet to zero (0) feet except that the minimum requirements for any front, side or rear yards parallel and adjacent to Livingston Avenue are reduced from twenty-five (25) feet to ten (10) feet.

b. Variance from Section 3312.47 and 3312.49 to permit the calculation of the number of required loading spaces to be based on the total number of square feet of space on the Subject Property used for each type of use.

c. Variance from Section 3312.51 to permit the required number of loading spaces for any use to be located off of the parcel(s) on which that use is located.

d. Variance from Section 3312.15 to permit maneuvering for loading spaces in the rights-of-way of Stone Avenue and Newton Avenue.

e. Variance from Section 3321.05 to eliminate all required clear vision triangles, subject to the approval of the Department of Public Service, Division of Planning and Operations.

f. Variance from Section 3312.29 to reduce the required minimum size of up to thirty percent (30%) of the required off-street parking spaces from nine (9) feet by eighteen (18) feet to eight (8) feet by sixteen (16) feet.

g. Variance from Section 3312.13 to reduce the required widths of drive aisles in parking structures to widths less than those provided in Section 3342.06, subject to the approval of the Department of Public Service, Division of Planning and Operations.

h. Variance from Section 3312.47 and 3312.49 to permit the required number of off-street parking spaces to be the

number determined in accordance with IV.E below and to permit the required off-street parking for each use to be located off of the parcel on which that use is located, subject to the provisions of IV.E.4 below.

i. Variance from Section 3312.13 to reduce the required minimum width of one way driveways serving a parking lot from twenty (20) feet to ten (10) feet.

j. Variance from Sections 3312.03, 3312.09, 3312.51 and 3321.01 to permit any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster to be located on two or more parcels and to permit access to and maneuvering for each parking space, loading space or dumpster to be located on one or more parcels which are not parcel(s) on which that parking space, loading space or dumpster is located.

k. Variance from Section 3312.21 to permit internal parking lot landscaping for each parking lot to be located at the perimeter of that parking lot.

E. **Parking Requirements.**

1. To the extent that the following uses are located on the Subject Property, the following shall be the parking requirements for those uses:

a. Hospital - 2.5 parking spaces per licensed hospital bed for which the hospital is then licensed. For the purpose of this calculation, "hospital" shall include all uses and space typically included in a large, urban, in-patient hospital providing some services to outpatients in facilities regularly utilized for in-patients, including, without limitation, in-patient rooms, hospital pharmacy, clinical laboratory, physical therapy, radiology, in-patient surgery suites, respiratory therapy department, emergency department, G.I. laboratory, MRI unit, CT unit, dialysis unit, water supply, sleeping quarters for interns and residents, records department, chapel, gift shop, cafeteria, medical reference library, administrative offices, morgue, environmental services department, storage, maintenance shops and fueling station.

b. Outpatient/Day Surgery Clinic - one (1) parking space for each two hundred fifty (250) square feet of grss floor area.

c. Research Facility - one and three-quarters (1.75) parking spacs for each one thousand (1,000) square feet of gross floor area.

d. Meeting/Conference Facility - one (1) parkin space for each fifty (50) square feet of gross floor area of meeting room area. Zero (0) parking spaces shall be required for lobby area, corridors, restrooms and other space ancillary to those meeting rooms.

e. Sleeping quarters (including, but not limited to, houses and apartments) which are not part of a hospital (as described in IV.E.1.a above) or part of a facility described in IV.E.1.f below, - one (1) parking space for every three (3) beds provided in such sleeping quarters.

f. Living quarters for use of families of patients - zero (0) parking spaces shall be required.

g. General mechanical rooms and facilities used for the generation of steam, hot water or chilled water or for electrical substation or transformer - zero (0) parking spaces shall be required.

h. Corridors and atria utilized as connections between buildings - zero (0) parking spaces shall be required.

i. Vacated space, regardless of the use for which the same shall have been constructed - zero (0) parking spaces shall be required.

2. For the purpose of determining satisfaction of the off-street parking requirements for the Subject Property, each Qualifying Space (as hereinafter defined) shall be deemed to be located on the Subject Property. Anything in the immediately preceding sentence or IV.E.4 below to the contrary notwithstanding, each Qualifying Space shall be counted toward the off-street parking requirements for only those uses specified by Nationwide Children's Hospital. As used

herein: (a) "Qualifying Street" means (i) Mooberry Street between Parsons Avenue and South Eighteenth Street, and (ii) South Eighteenth Street between Mooberry Street and Livingston Avenue; (b) "Qualifying Areas" means those portions of the curb lanes of Qualifying Streets in which parking is permitted including, without limitation, designated loading zones and metered parking areas; and (c) "Qualifying Space" means each parking space located in Qualifying Area. For the purpose of determining the number of parking spaces in the Qualifying Areas: (A) in each Qualifying Area in which the parking spaces are designated by striping, parking meters or otherwise, the number of parking spaces will be the number of parking spaces so designated; (B) in each Qualifying Area consisting of a designated loading zone in which parking spaces are not designated, the number of parking spaces will be one (1) parking space for each twenty-five (25) feet of length of that loading zone; and (C) in each other Qualifying Area, the number of parking spaces will be one (1) parking space for each twenty-three (23) feet of length of that Qualifying Area.

3. For the purpose of determining the number of parking spaces available on the Subject Property during the construction of any improvement on any portion of the Subject Property, the number of parking spaces located on that portion immediately before the commencement of construction of that improvement shall not be deemed to have been removed from that portion of the Subject Property until completion of that improvement.

4. Subject to the limitation set forth in the next-following sentence, off-street parking spaces required for any use may be located off of the parcel(s) on which that use is located so long as such parking spaces are located on the Subject Property. Parking spaces required for any use may be located on a parcel or parcels not owned by the owner of the parcel(s) on which that use is located only if the owner(s) or lessee(s) of the parcel(s) on which such parking spaces are located consent(s) thereto.

5. Subject to the limitation set forth in the next-following sentence, at any time that Fulton Street Property (defined in IV.E.6 below) includes a provision substantially the same as IV.E.6 below with the Fulton Street Property and the Subject Property reversed, off-street parking spaces required for any use on the Subject Property may be located on the Fulton Street Property.

6. Off-street parking spaces located on the Subject Property shall be used solely for the uses located on the Subject Property and for the uses located on the real property that is, from time to time, subject to Ordinance No. 0986-2007 and any amendments to or replacements of that Ordinance (the "Fulton Street Property"). As a part of any zoning clearance for development (other than parking) on the Subject Property, the property owner shall establish that both of the following will be satisfied: (a) the number of off-street parking spaces required by this text for all of the uses on the Subject Property and (b) the number of off-street parking spaces required by Ordinance No. 0986-2007, as then amended or replaced, for the Fulton Street Property.

V. **ADDITIONAL PROPERTY/AMENDMENTS:**

A. **Addition of Property.** From time to time, one or more properties may be added to any Subarea or Subareas (although each property may be added to only one Subarea), with the effect described below, by rezoning only that additional property, regardless of whether that additional property is contiguous to the Subarea to which it is added and regardless of whether each property included in such a rezoning is contiguous to any other property included in the same application, provided that each rezoning of such additional property complies with the requirements of the next sentence. Any such rezoning must be to the CPD, Commercial Planned Development District, and must include a commercial planned development text (an "Addition Text") which (1) refers to this Text by case number, (2) states the Subarea to which each property so rezoned is added, (3) states that each property so rezoned is subject to the provisions of this Text affecting that Subarea in the same manner and to the same extent as if that property had been part of that Subarea and the Subject Property at the time of this rezoning, and (4) sets forth the permitted uses in and development standards for each Subarea to which property so rezoned is added. Any rezoning of additional property which satisfies the requirements of the preceding sentence shall be effective to make each additional property so rezoned part of the applicable Subarea and the Subject Property for all purposes of this Text, both those affecting that Subarea and those affecting other Subareas.

B. **Amendment of Subarea Provisions.** The provisions of this Text relating to one or more, but not all, of the Subareas may be amended, with the effect described below, by rezoning only that Subarea or those Subareas, provided that that rezoning complies with the requirements of the next sentence. Any such rezoning must be to the CPD, Commercial Planned Development District, and must include a commercial planned development text (an "Amending Text") which (1)

refers to this Text, (2) sets forth the permitted uses in and development standards for the Subarea or Subareas for which such amendments are made, as such permitted uses or development standards are thereby amended, and (3) states that the applicable Subarea(s) remain part of the Subject Property under and for the purposes of this Text, as amended by that Amending Text, and are subject to the provisions of this Text affecting that Subarea, as amended by that Amending Text. Any such rezoning of one or more Subareas shall be effective to make the Subarea(s) so rezoned subject to this Text, as amended by the applicable Amending Text, without removing such Subarea(s) from the Subject Property under and for the purposes of this Text, as amended by that Amending Text, or in any way affecting the other provisions of this Text.

SECTION 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.~~

Legislation Number: 1041-2011

Drafting Date: 06/23/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this legislation is to enable the Director of the Department of Public Utilities to enter into a contract to acquire professional services to provide Employee Mentoring Program Design and Services with Rama Consulting Group.

The contract will augment city-wide training opportunities and enhance the employee experience through the development and implementation of a department-wide mentoring program. The desired Employee Mentoring Program (EMP) will employ the most effective, "best practices", approach to peer-to-peer, as well as group, mentoring that extends learning opportunities, facilitates diverse leadership development; engages cross-functional relationships; and fosters a culture of diversity and collaboration which improves employee satisfaction, growth and retention.

The Director of Public Utilities received RFP's on April 29, 2011 and two (2) firms submitted proposals. Three (3) city employees served on the evaluation committee and after review of all the proposals and criteria, the committee recommended the award of the contract to be made to Rama Consulting Group. **See tabulation of results of the evaluation attached.**

Services under this agreement are to be provided over a period of three years. Funds for the project shall be reviewed and approved each year of the three year contract by City Council and the Mayor, and Auditor's certification of funds. Notwithstanding any provision in this Agreement to the contrary, the maximum obligation of the City for services described in this agreement for the period commencing on September 1, 2011 through August 31, 2012 ("Phase 1") is limited to the amount of two hundred thousand dollars \$200,000.00, unless all the following occur: this Agreement is modified in writing; City Council enacts an ordinance approving the new amount; the Mayor has authorized the additional amount; and the Auditor has certified the additional funds. The City is not obligated to spend the maximum obligation authorized under this Agreement. Phase 2 costs under this agreement for the period from September 1, 2012 through August 31, 2013 are estimated at two hundred thousand dollars (\$200,000.00). Phase 3 costs for the period from September 1, 2013 through August 31, 2014 are estimated at two hundred thousand dollars (\$200,000.00).

The City may, at any time during the performance of the services under this Agreement, propose a modification of the Contract by a properly authorized written instrument. With the approval of City Council and execution of such modification by both parties hereto, it shall be fully incorporated into this Contract and shall govern all subsequent performance under the Contract.

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

SUPPLIER: Rama Consulting Group (20-4647970) Expires 4-29-13

FISCAL IMPACT: \$200,000.00 is needed for this service.

Title

To authorize the Director of Public Utilities to enter into contract with Rama Consulting Group for Employee Mentoring Program Design and Services for the Department of Public Utilities, to authorize the expenditure of \$12,200.00 from the Electricity Operating Fund, \$77,600.00 from the Water Operating Fund, \$87,000.00 from the Sewer System Operating Fund and \$23,200.00 from the Stormwater Operating Fund (\$200,000.00)

Body

WHEREAS, the Department of Public Utilities desires to augment city-wide training opportunities and enhance the employee experience through the development and implementation of a department-wide mentoring program. The desired Employee Mentoring Program (EMP) will employ the most effective, "best practices", approach to peer-to-peer, as well as group, mentoring that extends learning opportunities, facilitates diverse leadership development; engages cross-functional relationships; and fosters a culture of diversity and collaboration which improves employee satisfaction, growth and retention, and

WHEREAS, the Director of Public Utilities received Requests for Proposals bids on April 29, 2011 and two (2) firms submitted proposals for evaluation, and

WHEREAS, a committee of three (3) City employees conducted evaluations and scoring for each firm, **see tabulation attached**, and

WHEREAS, the committee selected the best offer that fits the needs of the Employee Mentoring Program Design and Services, Rama Consulting Group, and

WHEREAS, services under this agreement are to be provided over a period of three years with funds being reviewed and approved each year of the three year contract by City Council and the Mayor, and Auditor's certification of funds, and

WHEREAS, the City may, at any time during the performance of the services under this Agreement, propose a modification of the Contract by a properly authorized written instrument. With the approval of City Council and execution of such modification by both parties hereto, it shall be fully incorporated into this Contract and shall govern all subsequent performance under the Contract, Now, Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be and is hereby authorized to enter into contract with Rama Consulting Group for Employee Mentoring Program Design and Services

Section 2. That the expenditure of \$200,000.00 or so much thereof as may be needed, be and the same hereby is authorized as follows:

Fund No. 550-Electricity
OCA 600700
Object Level 1: 03
Object Level 03: 3336
Amount: \$12,200.00

Fund No. 600-Water
OCA 601849
Object Level 1: 03
Object Level 03: 3336
Amount: \$77,600.00

Fund No. 650-Sewers
OCA 605006
Object Level 1: 03
Object Level 03: 3336
Amount: \$87,000.00

Fund No. 675-Stormwater
OCA 675002
Object Level 1: 03
Object Level 03: 3336
Amount: \$23,200.00

TOTAL: \$200,000.00

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1043-2011

Drafting Date: 06/23/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This legislation authorizes the Director of Public Utilities to enter into an agreement with the Mid-Ohio Regional Planning Commission (MORPC) for the purposes of providing funding and continued support for the Central Ohio Green Pact for Fiscal Year 2011. MORPC receives funding from various sources including the City of Columbus, State of Ohio, counties and townships to provide legislative representation, training and educational forums, consulting services, and regional networking opportunities.

City funding, along with a \$200,000.00 grant from the Ohio Water Development Authority will be used for program funding. Additional matching funds have been obtained from the United States Geological Service and Del-Co Water Company, Inc. There is a growing scientific consensus that climate change may have a serious effect on the hydrologic cycle, including both long-term trends of excess precipitation and drought and the frequency and severity of short-term extreme runoff events. The project will be conducted in a manner to produce results that are useful to the City in planning for how it will meet changes in the hydrologic cycle related to climate change. The American Water Works Association, of which the City is a member, adopted a policy statement supporting "the development of more refined global climate models and tools to better understand and address these impacts at a water utility-relevant scale." The support covers the period of the execution of the agreement between the City of Columbus and MORPC until September 30, 2012.

SUPPLIER: Mid-Ohio Regional Planning Commission (31-1009675) Non-Profit

FISCAL IMPACT: \$100,000.00 is needed and budgeted for this support.

Title

To authorize the Director of Public Utilities to enter into an agreement with the Mid-Ohio Regional Planning Commission (MORPC) for the purposes of providing funding and support for the Central Ohio Green Pact for Fiscal Year 2011, and to authorize the expenditure of \$50,000.00 from the Sewerage System Operating Fund, and \$50,000.00 from the Water Operating Fund. (\$100,000.00)

Body

WHEREAS, the City is a signatory to the Mid-Ohio Regional Planning Commission's (MORPC) Central Ohio Green Pact, which provides in part that "the science supporting climate change caused by human activities is well established," and

WHEREAS, there is growing scientific consensus that climate change may have a serious effect on the hydrologic cycle, including both long-term trends of excess precipitation and drought and the frequency and severity of short-term extreme runoff events, and

WHEREAS, in 2010 the American Water Works Association, of which the City is a member, adopted a policy statement supporting "the development of more refined global climate models and tools to better understand and address these impacts at a water utility-relevant scale", and

WHEREAS, the Mid-Ohio Regional Planning Commission (MORPC) has organized a project to develop a refined climate model and tools to better understand and address said impacts at a scale relevant to the operations of the Columbus Department of Public Utilities, and

WHEREAS, the Mid-Ohio Regional Planning Commission (MORPC) has obtained an initial grant of \$200,000.00 from the Ohio Water Development Authority to conduct the first phase of this project, consisting of Tasks One through Five described on pages 8 and 9 of the document included in Exhibit A attached hereto and entitled "DEVELOPMENT OF A WATERSHED MODEL OF THE UPPER SCIOTO RIVER BASIN FOR ASSESSING POTENTIAL CLIMATE-CHANGE EFFECTS IN THE CENTRAL OHIO REGION," which grant requires the Mid-Ohio Regional Planning Commission (MORPC) to obtain an equal amount in matching funds, and

WHEREAS, the Mid-Ohio Regional Planning Commission (MORPC) has obtained commitments of additional matching funds from other sources, including the United States Geological Service and Del-Co Water Company, Inc., and

WHEREAS, the City would like to support Mid-Ohio Regional Planning Commission's (MORPC) project and participate in the steering committee that will advise the project to assure that the project will be conducted in a manner to produce results that are useful to the City in planning for how it will meet changes in the hydrologic cycle related to climate change; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be and hereby is authorized to enter into a support agreement with the Mid-Ohio Regional Planning Commission (MORPC) for the purpose of providing funding for the Central Ohio Green Pact for the Fiscal Year 2011.

Section 2. That the expenditure of \$100,000.00 or as much thereof as may be needed, be and the same is hereby authorized as follows:

FUND: 650
OCA: 605006
Object Level One: 03
Object Level Three: 3337
Amount: \$50,000.00

FUND: 600
OCA: 601849
Object Level One: 03
Object Level Three: 3337
Amount: \$50,000.00

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance shall take effect and be in force from and after the earliest date allowed by law.

Drafting Date: 06/23/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Rezoning Application Z08-035

APPLICANT: Integrity Cycles; c/o David L. Hodge and Jeffrey L. Brown, Attys.; Smith and Hale LLC; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Motorcycle sales, service and training.

FAR SOUTH COLUMBUS AREA COMMISSION: Approval.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0-1) on November 13, 2008.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 5.8± acre site includes several buildings on property zoned in the L-M, Limited Manufacturing District, and undeveloped property zoned in the R-2, Residential District. The existing L-M district allows only retail, wholesale and storage of utility supplies. The applicant requests the CPD, Commercial Planned Development District to allow a motorcycle sales, service and training facility. The site is located within the boundaries of the *Scioto Southland Area Plan* (2007), which recommends commercial uses for this location. The proposed CPD would permit most C-4, Commercial District uses and includes development standards for setbacks, lighting, and landscaping. The proposal includes variances for existing conditions to conform existing building setbacks and to eliminate interior parking lot landscaping, and also allows a reduction of 188 required parking spaces. The parking variance is supported because the applicant is providing 30 motorcycle spaces and 26 un-striped spaces adjacent to the pavilion, which raises the total of available spaces to 127. The paved training area can also be utilized for additional parking if needed, and the majority of the proposed variance is related to the pavilion and patio, which are charged at a ratio of 1 space per 30 square feet as assembly space and are not going to be used for assembly on a daily basis. The request is consistent with the land use recommendations of the *Scioto Southland Area Plan*, and with development in the area.

Title

To rezone **156 DERING AVENUE (43207)**, being 5.8± acres located at the northwest corner of Dering Avenue and South Fifth Street, **From:** L-M, Limited Manufacturing and R-2, Residential Districts, **To:** CPD, Commercial Planned Development District (Rezoning # Z08-035).

Body

WHEREAS, application #Z08-035 is on file with the Department of Building and Zoning Services requesting rezoning of 5.8± acres from the L-M, Limited Manufacturing and R-2, Residential Districts to CPD, Commercial Planned Development District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Far South Columbus Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested CPD, Commercial Planned Development District is consistent with the land use recommendations of the *Scioto Southland Area Plan*, and with development in the area, now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

156 DERING AVENUE (43207), being 5.8± acres located at the northwest corner of Dering Avenue and South Fifth Street, and being more particularly described as follows:

Being situated in the State of Ohio, County of Franklin, and City of Columbus, a part of Lot 5 of Nathaniel J. Marion's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, record in Plat Book 1, Page 331, Franklin County Recorder's Office, and being all of the 1.686 Acre tract (Deed Book 970, Page 132), all of a 2.00 Acre tract (Deed Book 890, Page 161), all of a 1.41 Acre tract (Deed Book 656, Page 172), all of a 1.00 Acre tract (Deed Book 359, Page 569), and a 7,500 square feet parcel (deed Volume 970, Page 137), being more particularly bounded as follows;

Beginning at a spike set on the south line of said Lot 5, spike bears South 85 degrees 30 minutes West, 15.0 feet from the southeast corner of said Lot 5;

Thence from said point of beginning, and along the south line of said Lot 5, South 85 degrees 30 minutes West, 457.49 feet to a spike representing the southwest corner of said Lot 5, and the southeast corner of the Johnson Enterprises 1.861 Acre tract, Parcel #2 (Deed Book 3670, Page 236);

Thence, North 4 degrees 51 minutes 46 seconds West, along the westerly line of said Lot 5 and along the easterly line of said 1.861 Acre tract, and the easterly line of the Johnson Enterprises 0.569 Acre, Tract #1, (Official Record Volume 5836 G-10), passing an iron pin on line at 15.0 feet and passing an iron pin on line at 523.15 feet, a total distance of 548.15 feet to a spike set at the northwest corner of said Lot 5;

Thence, North 85 degrees 25 minutes 02 seconds East, along the center of Fornoff Lane, and along the north line of said Lot 5, 472.44 feet to a spike set in the northeast corner of said Lot 5, said spike being the intersection of the centerline of Fornoff Lane and the northerly prolongation of the west line of South Fifth Street (25 feet wide) as said Lane and Street are delineated upon the Malinda and Charles Obetz Subdivision of record in Plat Book 5, Page 424, said Recorder's office;

Thence, along the west line (25.0 feet in width) of South Fifth Street and the east line of said Lot 5, South 5 degrees 54 minutes 42 seconds East, 349.00 feet to an iron pin set at the southeast corner of said 2.0 Acre tract;

Thence, across said Lot 5 and along the southerly line of said 2.0 Acre tract, South 85 degrees 30 minutes West 16.00 feet to an iron pin at the northeasterly corner of said 1.0 Acre tract;

Thence, South 5 degrees 54 minutes 42 seconds East, along a line drawn parallel to, and 15 feet measured at right angles, from the west line of said Lot 5 and along the easterly line of said 1.0 Acre tract, 200.00 feet to the true point of beginning CONTAINNG 5.943 ACRES.

Excepting Therefrom:

Beginning at a spike set on the south line of said Lot 5, which spike bears South 85 degrees 30 minutes West, 15.0 feet from the southeast corner of said Lot 5;

Thence, from said point of beginning, and along the south line of said Lot 5, South 85 degrees 30 minutes West, 467.49 feet to a spike representing the southwest corner of said Lot 5 and the southeast corner of the Johnson Enterprises 1.861 Acre tract, Parcel #2 (Deed Book 3670, Page 236);

Thence, North 4 degrees 51 minutes 46 seconds West, along the westerly line of said Lot 5 and along the easterly line of said 1.861 Acre tract, 15.000 feet to a found iron pin;

Thence, North 85 degrees 30 minutes East, along a line parallel with and 15 feet northerly of the south line of said Lot 5, 467.21 feet to a set iron pipe;

Thence, South 5 degrees 54 minutes 42 seconds East, 15.00 feet to the place of beginning containing 0.161 ACRES.

The descriptions were prepared from a survey of the premises in July, 1987. Basis of bearing is Dering Avenue used as

South 85 degrees 30 minutes West per prior deeds. Set iron pipes are 30" x 1" O.D. with an orange plastic plug inscribed "P.S. 6579". Albert J. Myers, Registered Surveyor #6579.

Commonly known as: 156 Dering Avenue, Columbus, OH 43207

To Rezone From: L-M, Limited Manufacturing and R-2, Residential Districts,

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

SECTION 3. That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said change on the said original zoning map and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "INTEGRITY CYCLES," and text titled, "COMMERCIAL PLANNED DEVELOPMENT TEXT," both signed by Frank Ferri, Applicant, and dated June 22, 2011, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development

EXISTING DISTRICT: L-M, R-2

ACRES: 5.8+/- acres

PROPERTY ADDRESS: 156 Dering Avenue

OWNER: Frank Ferri

APPLICANT: Frank Ferri

DATE OF TEXT: 6/22/11

APPLICATION NUMBER: Z08-035

1. INTRODUCTION: The applicant owns the property on the west side of Fifth Street between Fornoff road and Dering Avenue. His current business is located along the southern portion of the site fronting onto Dering Avenue. The applicant wants to expand its business up Fornoff Road and use the whole site.

2. PERMITTED USES: Permitted uses shall include those uses permitted in Chapter 3356 of Columbus City Code (C-4, Commercial). The following uses shall be prohibited:

- Billboard
- Bowling alley
- Cabaret
- Check Cashing facility or store
- Commercial radio transmitting or television station and appurtenances including cellular towers
- Dance hall
- Electric substation
- Funeral parlor
- Motor bus terminal
- Motion picture theater
- Night club
- Off premises graphics (unless approved as part of a graphics plan)
- Pawn shop
- Poolroom
- Testing or experimental laboratory
- Trade school

3. DEVELOPMENT STANDARDS: Unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in Chapter 3356 of Columbus City Code (C-4, Commercial District).

A. Density, Lot, and/or Setback Commitments.

1. Building setback from Dering Avenue, Fifth Street and Fornoff Road shall be a minimum of 25 feet except for the two existing buildings which setbacks are shown on the site plan.
2. Parking setback from Dering Avenue, Fifth Street and Fornoff Road shall be 15 feet.

B. Access, Loading, Parking, and/or Other Traffic Related Commitments.

1. The zoning code has different parking requirements for automobile sales, display and service but does not list any parking ratios for a motorcycle business. Since an automobile and motorcycle dealership function along similar lines the applicant has used the automobile parking ratios for this site.

C. Buffering, Landscaping, Open Space and/or Screening Commitments.

1. Street trees shall be provided along Dering Avenue and Fifth Street at the rate of one (1) tree for every thirty (30) lineal feet of street frontage as shown on the submitted site plan. The balance of Fifth Street and Fornoff Road shall be landscaped in accordance with the submitted site plan.
2. One (1) tree shall be planted for every ten (10) parking spaces. Trees shall be planted in islands or medians.
3. Headlight screening in the form of landscaping (30 inch minimum at installation) shall be installed along Dering Avenue adjacent to any parking areas.
4. All landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced with like materials within six months or the next available planting season, whichever occurs first. The size of the new material shall equal the size of the original material when it was installed.
5. The minimum size of all trees at installation shall be two and one half (2 1/2) inch in caliper for deciduous trees, five (5) feet in height for evergreen trees, and one and one half (1 1/2) inches in caliper for ornamental trees. Tree caliper shall be measured six (6) inches from the ground.
6. The developer shall comply with the parkland dedication ordinance by donating \$400/acre to the City's Recreation and Parks Department for the portion of the site which is currently zoned R-2.

D. Building design and Interior-Exterior treatment commitments.

1. Mechanical equipment or other utility hardware on the roof of a building or on the ground shall be screened to the height of the equipment by walls, building extension, fencing and/or landscaping.
2. Building materials shall consist of brick, decorative masonry product, wood, metal and glass individually or in any combination thereof.

E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. All external outdoor lighting including any wall packs shall be cut-off fixtures (down lighting) and shall be designed and placed to prevent spillage of light off the site and to prevent glare visible from the property lines.
2. Except for decorative lighting, all other light poles shall be metal and such light poles shall be of the same color. Light poles in the parking lots and in the training area shall not exceed fourteen (14) feet in height.

3. Wiring within a development shall be underground.

F. Graphics and/or Signage Commitments.

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4 Commercial District and any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration. The free standing sign(s) shall be monument style sign with a maximum height of eight (8) feet.

G. Miscellaneous Commitments.

1. The subject site shall be developed in accordance with the site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his/her designee upon submission of the appropriate data regarding the proposed adjustment.

2. The paved area north of the pavilion is designed for motorcycle training but may also be used for events in association with the existing businesses on the site. In addition this area may be used for overflow parking. The 26 possible parking spaces adjacent to the training area may not be used all the time as parking spaces due to the need for a buffer around the training area when the training area is being used. No striping/markings, wheel stops or interior tree plantings shall be required for use of the training area and for the possible 26 parking spaces adjacent to the training area.

3. CPD Criteria

a. Natural Environment: The site is located on the west side of Fifth Street between Dering Avenue and Fornoff Road. The site is developed with two buildings and parking along Dering Avenue. The balance of the site is undeveloped.

b. Existing Land Use: Motorcycle sales and service

c. Transportation and Circulation: Access to the site shall be Dering Road.

d. Visual form of the Environment: The location of buildings and landscaping have been designed to buffer the adjacent properties.

e. View and Visibility: In the development of the subject site and in the location of buildings and access points, consideration has been given to the visibility and safety of the motorists and pedestrian.

f. Proposed Development: Commercial.

g. Behavior Patterns: The expansion of the applicant's business will allow him to expand his customer base and better use his existing customers.

4. Variance: Section 3312.49 (Minimum number of parking spaces required) of the Columbus City Code:

a. inside display/service/inventory/parts/retail areas: 1 parking space / 250 sq.ft. Variance from 124 to 71.

b. service bay: 2 parking spaces / bay. Variance from 16 to 0.

c. outdoor display areas: 1 parking space/5,000 sq.ft. Variance from 2 to 0.

d. paved training area: no required parking.

e. pavilion, patio area: 1 parking space/30 sq.ft. Variance from 117 to 0.

f. Since the proposed use is a motorcycle facility there is an additional 30 motorcycle parking spaces provided on the site as well as 26 possible parking spaces adjacent to the training area which will be available as needed and the training area maybe used for parking as needed.

5. Variance: Section 3312.21 (Landscaping and screening), 3312.39 (Striping and marking) and 3312.45 (wheel stop device) of the Columbus City Code, the training area and the adjacent paved area to the south may be used for parking on an as needed basis without striping, interior tree planting or wheel stop devices.

6. Variance: Section 3356.11 (District setback lines) of the Columbus City Code: Reduce the building setback from Fifth Street from 25 to 16 feet and from Dering Avenue from 25 feet to 19 feet.

7. Variance: 3312.21 (Landscaping and screening) of the Columbus City Code: Developer shall comply with the tree planting requirement of one tree per 10 parking spaces but not with the required minimum soil area of 145 sq. ft.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1047-2011

Drafting Date: 06/23/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

In 2008, pursuant to Ordinance 0652-2008 the City of Columbus accepted the plat titled Huntington Park. This plat dedicated those parts of the Nationwide Boulevard, Neil Avenue, Huntington Park Lane and Brodbelt Lane, shown on the plat and not previously dedicated, to the public use. This plat also vacated 0.028 acres of Nationwide Boulevard and 0.001 acres of Brodbelt Lane as public right-of-way.

During construction of the Huntington Park ballpark facility it was determined a small portion of the facility foundation encroaches into a part of Nationwide Boulevard that was dedicated to public use in the Huntington Park plat. The following legislation authorizes the Director of the Department of Public Service to execute that document needed to grant an encroachment easement for this small portion of the facility foundation.

2. FISCAL IMPACT

N/A

TitleTo authorize the Director of the Department of Public Service to execute the document that is needed to grant an easement for a portion of the Huntington Park baseball facility foundation that encroaches into Nationwide Boulevard.

Body**WHEREAS**, during construction of the Huntington Park ballpark facility it was determined a small portion of the facility foundation encroaches into the public right-of-way of Nationwide Boulevard; and

WHEREAS, the Board of Commissioners of Franklin County, Ohio, requested the City of Columbus grant an easement for this foundation encroachment; and

WHEREAS, after investigation Department of Public Service staff has determined there are no objections to the granting of an easement for this foundation encroachment; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of the Department of Public Service be and is hereby authorized to execute that document needed to grant the following described encroachment easement to the Board of Commissioners of Franklin County, Ohio; to-wit:

FOUNDATION ENCROACHMENT EASEMENT

0.017 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Half Section 9, Township 5, Range 22, Refugee Lands, being across that 1.373 and 1.914 acre tracts as conveyed to Board of Commissioners of Franklin County, Ohio by deeds of record in Instrument Number 200602270036894 and Instrument Number 200602280037668, respectively (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at a southeasterly corner of said 1.373 acre tract, the northerly right-of-way line of Nationwide Boulevard (60' width);

Thence South 82° 20' 46" West, with said northerly right-of-way line, a distance of 25.37 feet to a point;

Thence North 07° 39' 14" West, across said 1.373 acre tract, a distance of 3.51 feet to the TRUE POINT OF BEGINNING;

Thence South 81° 30' 52" West, across said 1.373 and 1.914 acre tracts, a distance of 216.18 feet to a point;

Thence North 08° 29' 08" West, across said 1.914 acre tract, a distance of 3.50 feet to a point in the proposed northerly right-of-way line of said Nationwide Boulevard;

Thence North 81° 30' 52" East, with the proposed northerly right-of-way line, a distance of 216.18 feet to a point;

Thence South 08° 29' 08" East, across said 1.373 acre tract, a distance of 3.50 feet to the TRUE POINT OF BEGINNING, and containing 0.017 acre of land, more or less.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.
Edward J. Miller
Registered Surveyor No. 8250

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1056-2011

Drafting Date: 06/24/2011

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

Council Variance Application: CV11-014

APPLICANT: Thomas R. Perrault, c/o Brad Fry, Agent; 6329 Perimeter Loop Road; Dublin, OH 43017.

PROPOSED USE: Two-unit dwelling.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This request will conform an existing two-unit dwelling in the SR, Suburban Residential District. A variance for the dwelling's non-conforming rear yard is included in the request. A Council variance is necessary because a two-unit dwelling is not a permitted use in the SR, Suburban Residential District, and a hardship exists because the non-conforming nature of the site precludes financing options. When the original building permit was issued in 1967, it was noted that the lot was zoned R-2F, Residential District in error. Staff has discovered that this same error also occurred for the two-unit dwelling immediately to the south (6093-6095 Northgap Drive) which is not part of this variance request. The two-unit dwelling has been long established on this lot, and is consistent with existing development in the surrounding residential neighborhood. Approval of this request will not add a new or incompatible use to the area. Zoning Staff believes that it would be appropriate to rezone this site and the property to the immediate south to the R-2F, Residential District, and is considering the pursuit of a City-sponsored rezoning.

Title

To grant a Variance from the provisions of Sections 3332.029, SR, Suburban Residential District; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **1187-1189 NEWBURY DRIVE (43229)**, to conform an existing

two-unit dwelling with reduced development standards in the SR, Suburban Residential District **and to declare an emergency** (Council Variance # CV11-014).

Body

WHEREAS, by application No. CV11-014, the owner of property at **1187-1189 NEWBURY DRIVE (43229)**, is requesting a Council Variance to conform an existing two-unit dwelling with a reduced rear yard in the SR, Suburban Residential District; and

WHEREAS, Section 3332.029, SR, Suburban District, prohibits two-unit dwellings, while the applicant proposes to maintain an existing two-unit dwelling; and

WHEREAS, Section 3332.27, Rear yard, requires a rear yard totaling no less than twenty-five percent (25%) of the total lot area, while the applicant proposes to maintain a rear yard of approximately sixteen percent (16%); and

WHEREAS, the City Departments recommend approval because this request will not add a new or incompatible use to the area. This request will conform an existing two-unit dwelling in the SR, Suburban Residential District When the original building permit was issued in 1967, it was noted that the lot was zoned R-2F, Residential District in error. The two-unit dwelling has been long established on this lot, and is consistent with existing development in the surrounding residential neighborhood; and

WHEREAS, Zoning Staff believes that it would be appropriate to rezone this site and the property to the immediate south to the R-2F, Residential District, and is considering the pursuit of a City-sponsored rezoning; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **1187-1189 NEWBURY DRIVE (43229)**, in using said property as desired; and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance from the provisions of Sections 3332.029, SR, Suburban Residential District; and 3332.27, Rear yard, of the Columbus City Codes, is hereby granted for the property located at **1187-1189 NEWBURY DRIVE (43229)**, insofar as said sections prohibit a two-unit dwelling with a rear yard totaling approximately sixteen percent (16%); said property being more particularly described as follows:

1187-1189 NEWBURY DRIVE (43229), being 0.19± acres located at the southwest corner of Newbury Drive and Northgap Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being Lot Number Nine Hundred Ninety-Five (995) in Devonshire No. 7, as same as numbered and delineated upon the recorded plat thereof; of record in Plat Book 38, Pages 44 and 45, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-144111

Known as: 1187-1189 Newbury Drive, Columbus, Ohio 43229

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a two-unit dwelling, or those uses permitted in the SR, Suburban Residential District.

SECTION 3. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**

Legislation Number: 1058-2011

Drafting Date: 06/24/2011

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

Rezoning Application Z11-012

APPLICANT: Arledge Construction; c/o Michael T. Shannon, Atty; Crabbe, Brown & James LLP; 500 South Front Street, Suite 1200; Columbus, OH 43215.

PROPOSED USE: Contractor's Storage Yard.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on June 9, 2011.

FAR SOUTH COLUMBUS AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The Applicant is proposing to rezone the site to LM to permit the site to be used for the relocation of a commercial construction company and allow office warehousing and indoor and outdoor storage of commercial vehicles and materials in conjunction with that use. The request will allow a contractor's storage yard to occupy some existing buildings as well as allowing for the possibility of additional less objectionable manufacturing uses. Commercial uses are allowed now and would still be allowed. The proposal is consistent with the land use recommendations of the *The South Alum Creek Plan (2003)*, and with the zoning and development patterns of the area.

Title

To rezone **2400 PERFORMANCE WAY (43207)**, being 4.6± acres located north side of Performance Way, 665± feet west of Alum Creek Drive, From: C-4, Commercial District, To: L-M, Limited Manufacturing District **and to declare an emergency.** (Rezoning # Z11-012).

Body

WHEREAS, application #Z11-012 is on file with the Building and Zoning Services Department requesting rezoning of 4.6± acres from C-4, Commercial District, to L-M, Limited Manufacturing District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the Applicant is proposing to rezone the site to LM to permit the site to be used for the relocation of a commercial construction company and allow office warehousing and indoor and outdoor storage of commercial vehicles and materials in conjunction with that use. The request will allow a contractor's storage yard to occupy some existing buildings as well as allowing for the possibility

of additional less objectionable manufacturing uses. Commercial uses are allowed now and would still be allowed. The proposal is consistent with the land use recommendations of the *The South Alum Creek Plan (2003)*, and with the zoning and development patterns of the area, now, and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

2400 PERFORMANCE WAY (43207), being 4.6± acres located north side of Performance Way, 665± feet west of Alum Creek Drive, and being more particularly described as follows:

Description of Record
4.578 Acres

Situate in the state of Ohio, county of Franklin, city of Columbus, being part of Half Section 36 and 37, Section 25, Township 5N, Range 22W, Refugee Lands and being part of parcel Nos 1 and 3 conveyed to Marl Carl Buchsieb and Jonathon A. Tarbox, Trustees, by deed of record in O.R. 15765 E09, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a railroad spike found in the original centerline of Refugee Road, being the south line of said Section 25, at a common corner of said Half Sections 36 and 37.

Thence S. 89 degrees 23' 39" W, a distance of 159.81 feet along said centerline of Refugee Road and the southerly line of said Half Section 37 to an iron pin set in the southerly limited access right-of-way line of State Route 104 as established by a deed to the City of Columbus of record in O.R. 978 E13 and delineated upon the State of Ohio right-of-way plans FRA-104-10.57;

Thence the following seven (7) courses and distances along said southerly limited access right-of-way line for State Route 104;

- 1) Thence N 69 degrees 08' 22" E, a distance of 87.36 feet to an iron pin; said iron pin being further referenced as 115.00 right of centerline station 225+ 88.09 for said State Route 104;
- 2) Thence N 63 degrees 24' 18" E, a distance of 312.07 feet to an iron pin;
- 3) Thence N 71 degrees 44' 25" E, a distance of 381.24 feet to an iron pin;
- 4) Thence N 84 degrees 39' 20" E, a distance of 236.99 feet to an iron pin;
- 5) Thence S 77 degrees 19' 12" E, a distance of 101.40 feet to an iron pin;
- 6) Thence S 58 degrees 56' 52" E, a distance of 148.72 feet to an iron pin, said iron pin being further referenced as 360.00 right of centerline Station 237 + 75 for State Route 104;
- 7) Thence S 09 degrees 48' 35" E, a distance of 162.53 feet to an iron pin in the northerly limited access right-of-way line of Refugee Road (being 40.00 feet northerly of, as measured by right angles, said original centerline of Refugee Road)

Thence S 89 degrees 22' 33" W, a distance of 150.00 feet along said northerly limited access right-of-way line of Refugee road to the terminus point of said limited access right-of-way line;

Thence continuing S 89 degrees 22' 33" W, a distance of 903.09 feet along the existing northerly right-of-way line of Refugee road to the terminus point of said limited access right-of-way line;

Thence S 00 degrees 09' -5" E, a distance of 40.00 feet along said common line of Half Sections 36 and 37 to the point of beginning of the herein-described tract, containing 4.578 acres, more or less.

To Rezone From: C-4, Commercial District

To: L-M, Limited Manufacturing District

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-M, Limited Manufacturing District on this property.

SECTION 3. That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map and shall register a copy of the approved L-M, Limited Manufacturing District and Application among the records of the Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said text titled, "**LM, LIMITED MANUFACTURING DEVELOPMENT TEXT**," signed by Michael T. Shannon, Attorney for the Applicant, dated June 22, 2011, and reading as follows:

**LM, Limited Manufacturing Development Text
Rezoning Application**

**To Rezone: 2400-2460 Performance Parkway, 43207 (4.6 acres)
from C-4 to LM, Limited Manufacturing District**

Existing District: C-4

Proposed District: LM

Property Address: 2400-2460 Performance Parkway

**Owner: P & P Investment Company
2323 Performance Parkway, Columbus, Ohio 43207**

**Applicant: Arledge Construction Co
c/o CRABBE, BROWN & JAMES, LLP., Michael T. Shannon, Esq.
and John P. Kennedy, Esq., 500 S. Front Street, Ste. 1200, Columbus, Ohio 43215
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Date of Text: June 22, 2011

Application No: Z11-012

INTRODUCTION: The subject Site consists of approximately 4.6 acres situated directly South of State Route 104, and South of the exit ramp from S.R. 104, to Alum Creek Drive. The site, currently zoned unrestricted C-4, consists of two (2) separate 6,000 sq. ft. buildings and one (1) 14,000 sq. ft. building most all of which are vacant. The Applicant is proposing to rezone the site to LM to permit the site to be used for the relocation of a commercial construction company and allow office warehousing and indoor and outdoor storage of commercial vehicles and materials in conjunction with that use. The site is bounded on the Southwest by two (2) parcels zoned LM (Manufacturing) and on the South by five (5) residential parcels comprising a cemetery. To the North and Northwest across State Route 104 are four (4) parcels all of which are zoned M, Manufacturing.

The site is located within the Far South Columbus Area Commission boundaries and also falls within the boundaries of the

South Alum Creek Neighborhood Plan.

1. PERMITTED USES:

All uses of the Columbus City Code Section 3363.01-Section 3363.08 (M, Manufacturing District) except uses as prohibited in Section 2 (Prohibited Uses) below. Additionally, all types of offices; residence(s) for a night watchman, commercial radio transmitting and appurtenances thereto; rooftop telecommunication installation and all accessory uses related to any permitted principal use shall be permitted.

2. PROHIBITED USES:

Adult entertainment, inclusive of bookstore, adult motion picture theater, adult only entertainment facility, cabarets and night clubs, manufacturing, compounding, processing assembling, packaging or treatment of goods, materials and products involving operations which are obnoxious or offensive by reason of odor, smoke, gas fumes, vibration, fly ash, or other solid particulate matter, noise, glare, heat, sewage waste, or obnoxious conditions.

3. DEVELOPMENT STANDARDS:

A. Access, Loading, Parking And Other Traffic Related Commitments:

1. Any and all traffic related commitments shall be designated and located to the specifications of the City of Columbus Division of Planning and Operations.
2. Curb cuts shall be approved by the City of Columbus Division of Planning and Operations.

C. Dumpster, Lighting, Outdoor Display Areas And Other Environmental Commitments:

1. Any new external outdoor lighting shall be cutoff down-style fixtures (down lighting), except there may be accent lighting up lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.
2. Service area lighting shall be contained within the service yard boundaries and enclosure walls-
3. Building illumination and architectural lighting shall be indirect in character. Architectural lighting should be articulate and provide lighting for the particular building design as well as provide the required functional lighting for safety and clarity of pedestrian movement.
4. There shall be no outdoor public address system, outdoor call system, or other outdoor audible system permitted in this area, except that a paging system shall be allowed for the purpose of paging employees only.
5. Outdoor storage areas within 100 ft. of residentially zoned property shall be screened by fencing and landscaping.

D. Graphics And Signage Commitments:

1. All signage shall conform to Chapters 3375 through 3383 of the Columbus City Code, as they apply to the M, Manufacturing District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

SECTION 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.~~

Legislation Number: 1059-2011

Drafting Date: 06/24/2011

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Need: This ordinance is to authorize the Executive Director of the Civil Service Commission to enter into a contract with the Association for Psychotherapy for psychological screening of public safety recruits for upcoming classes at the Police

Academy and the Fire Academy.

Bid Information: The City of Columbus Civil Service Commission published a Request for Proposals (RFP) for these services and accepted proposals through May 19, 2011. Four proposals were submitted, and an evaluation committee reviewed these proposals in accordance with the criteria set forth in the RFP which included quality and feasibility of proposals, cost, competence, ability, past performance and timeliness of reporting results. Although two of the proposals proposed lower initial costs, these firms are located in Minnesota and Georgia and their proposals relied heavily on City personnel to administer the psychological tests. Because at least one additional employee would be needed along with increased costs for hardware and software for testing and video interviews, adopting either proposal would cause the City to incur higher costs, along with being more difficult to schedule candidates with psychologists travelling from another state. One additional local company was ranked fourth due to proposing the highest costs. The selected firm is local, consists of highly qualified psychologists, and offers flexible scheduling. This company will handle all test administration and conduct in-person interviews at no extra cost. Therefore, the Commission seeks to award the contract to the Association for Psychotherapy.

Emergency Designation: Emergency legislation is requested in order to establish the contract prior to the expiration of the current contract on July 29, 2011, and to enable both the Divisions of Police and Fire to schedule candidates in preparation for upcoming Police and Fire Academy classes.

Contract Compliance Number: 311441549, expires 9/15/2011.

FISCAL IMPACT: Funding for this service was budgeted in the Civil Service Commission's general fund budget.

Title

To authorize and direct the Executive Director of the Civil Service Commission to enter into a contract with the Association for Psychotherapy, Inc. for the psychological screening of public safety recruits, and to authorize the expenditure of \$55,650.00 from the General Fund; and to declare an emergency (\$55,650.00).

Body

WHEREAS, in 2011, the City of Columbus Civil Service Commission accepted proposals from qualified companies for psychological services; and

WHEREAS, the Civil Service Commission recommends awarding the new contract to the Association for Psychotherapy, Inc.; and

WHEREAS an emergency exists in the usual daily operation of the Civil Service Commission, in that the current contract will expire on July 29, 2011, and it is immediately necessary to begin scheduling public safety candidates in preparation for upcoming Police and Fire Academy classes, thereby preserving the public peace, property, health, safety and welfare; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Executive Director of the Civil Service Commission be and is hereby authorized to enter into an agreement with Association for Psychotherapy, Inc. for the purpose of administering psychological screenings to public safety recruits for the Department of Public Safety's entry-level sworn positions.

SECTION 2. That the expenditure of \$55,650.00 or so much thereof as may be needed, be and the same is hereby authorized as follows:

DIV	FUND	OBJ	LEV (1)	OBJ	LEV (3)	OCA	NO
27-01	010	03	3336	270108			

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1065-2011

Drafting Date: 06/27/2011

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

This legislation is necessary to address after-hour use of parks with ponds and situations where individuals are harvesting fish by nets and buckets for commercial purposes in park ponds. With reports of this happening at several ponds in the Recreation & Parks system, leading to depleted fish stock and an unbalanced ecosystem, many residents have become upset. Police had been contacted; however there is no specific code precluding net or bucket fishing and without this code change, even parks with ponds are never really closed to fishing. This legislation will ensure that fishing can still be done early in the morning and late at night in reservoirs, creeks and rivers, but that parks with smaller bodies of water, like ponds, will be closed except upon written approval by the director.

Fiscal Impact: NONE

Title

To amend Chapter 919 of the Columbus City Codes, 1959, to limit offshore and shorebound fishing and associated trailering activities between the hours of 11:00pm and 7:00am to reservoirs, creeks, and rivers, clarify that written permission by the director is necessary before engaging in sales activities associated with the parks, and to prohibit the use of nets, buckets, or methods other than pole fishing to harvest fish from ponds.

Body

WHEREAS, fishing is a relaxing recreational sport enjoyed by many Columbus park users, especially children and seniors; and

WHEREAS, the Recreation and Parks Department has constructed ponds in the parks for the aesthetics of the park landscape and the opportunity for recreational fishing close to home; and

WHEREAS, these ponds are located in parks throughout the City of Columbus; and

WHEREAS, fishing from these ponds before 7:00am and after 11:00pm, outside of normal park hours, creates a disturbance and safety concern; and

WHEREAS, harvesting fish by nets and buckets rapidly depletes the stock of fish in the ponds, robbing numbers of people from the enjoyment of fishing, as well removing fish in large volumes without regard to species can create negative impact to the pond; and

WHEREAS, The Recreation and Parks Department and the Recreation and Parks Commission support this code change in order to protect the natural resources in a park and the experience of the park user ; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That section 919.05 of the Columbus City Codes, 1959, is hereby amended to read as follows:

919.05 - Restrictions

(A) Parks shall be open daily between the hours of 7:00 a.m. to 11:00 p.m. with the following exceptions:

- (1) Upon written approval by the director.
- (2) Camping pursuant to Section 919.12_
- (3) Offshore and shorebound fishing and associated trailering activities at reservoirs, creeks, and rivers.

(B) The director or any law enforcement officer may close or restrict to public use and evacuate a park, facility or area when necessitated by reason of and in the interest of the public health, safety, welfare, maintenance or any other reasons deemed necessary for public interest.

Section 2. That section 919.07 of the Columbus City Codes, 1959, is hereby amended to read as follows:

919.07 - Commercial Activities

- a. No person shall engage in or solicit business within any park without written permission from the director.
- b. The department; **and** nonprofit corporations, ~~and/or other groups~~ specifically established to enhance the programs and facilities of the department may engage in sales only with the written permission from the Ddirector.

Section 3. That section 919.14 of the Columbus City Codes, 1959, is hereby amended to read as follows:

919.14 - Fishing

No person shall:

- a. Engage in fishing in violation of Ohio R.C. Chapter 1533
- b. Bowfish except on Hoover Reservoir north of the second bridge upstream from the dam.
- c. Use nets, buckets, or methods other than pole fishing to harvest fish from ponds which are solely contained within Park boundaries, except Antrim Lake.

Section 4. That prior existing sections 919.05, 919.07, and ~~919.15~~ **919.14** of the Columbus City Codes, 1959, are hereby repealed.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

Legislation Number: 1089-2011

Drafting Date: 06/28/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

This legislation authorizes the Director of Public Service to execute a contract modification with Burgess and Niple, Inc., for design of the Rich Street Bridge over the Scioto River in the amount of \$100,000.00.

This purpose of this contract was to design the replacement of the existing Town Street bridge on a new alignment that connects Rich Street on the east side of the Scioto River to Town Street on the west side of the Scioto River. Other components of the project include the redesign of West Bank Park between Town Street and Rich Street, including Washington Blvd., and Second Street from Rich Street to Mound Street.

As part of this project approximately 0.25 miles of new bikeway will be added which will allow for a continuous bike path at the rivers edge along the west side of the river. Approximately 0.75 miles of sidewalk will be retained in compliance with the walkability and pedestrian quality of service in the downtown area. Also, 30 curb ramps will be added or retained. This project connects to the Scioto Mile project, and supports downtown festival activities, Bicentennial park, and COSI. Bioretention planters will also be installed along with street trees, and West Bank Park will be rebuilt.

This modification will be used to provide ongoing construction related services for the Rich Street Bridge project through construction finalization.

The amount of money set up in modification #4 was originally intended to carry the consultant through the construction phase. Since the beginning of construction several changes occurred that required the consultant to perform services above the original fee. These changes included attending partnering meetings required by ODOT, design of additional LED lighting for the bridge, preparing as-built drawings at the end of construction and making changes to a bridge roadway east of the new bridge.

Burgess and Niple is the engineer of record and needs to be available to continue to answer any request for information from the contractor, or address plan clarifications, and to prepare the as-built drawings.

A fee proposal was used to determine the amount of this modification. Burgess and Niple was selected in April, 2001 in accordance with Chapter 329 for professional service contracts.

The amount of the original contract was \$2,125,727.00 (City Auditor's Contract No. EA029459, authorized by Ordinance No. 0563-01)

Modification No. 1 in the amount of \$153,000.00 (City Auditor's Contract No. EA029459-003, authorized by Ordinance No. 1337-02). This modification was to include plans for the West Riverbank.

Modification No. 2, in the amount of \$875,788.00 (City Auditor's Contract No. EL004644, authorized by Ordinance No. 1265-2004. This modification was for preparation of right-of-way plans to the Ohio Department of Transportation specifications, Scioto West Bank Park construction contract documents, 404/401 and FEMA permit for West Bank Park, East Bank Park construction contract documents and a Historic American Engineering Record (HAER) document.

Modification No. 3, in the amount of \$3,613,000.00 (City Auditor's Contract No. EL005560, authorized by Ordinance No. 0675-2005. This modification was for the change in alignment to connect Rich Street on the east side and Town Street on the west side of the Scioto River.

Modification No. 4 in the amount of \$1,100,000.00 (City Auditor's Contract No. EL009196, authorized by ordinance No. 0083-2009). This modification was to include Second Street/Scioto Mile as a part of the bridge project and to increase the environmental document due to the addition of Second Street.

This is contract modification number 5 in the amount of \$100,000.00.

The total of all Modifications, including this modification: \$5,841,788.00

The total contract amount including all modifications: \$7,967,515.00

2. CONTRACT COMPLIANCE

Burgess and Niple's Contract Compliance number is 31-0885550 and expires 11/26/2012.

3. EMERGENCY DESIGNATION

Emergency action is requested to ensure sufficient funding is available for this professional services contract through the end of the construction of this project.

4. FISCAL IMPACT

Funds in the amount of \$100,000.00 are budgeted within the 2011 Capital Improvement budget for this design contract modification. This expense can be accommodated by appropriating and transferring funds needed in the amount of \$100,000.00 from the Special Income Tax Fund. Bonds have yet to be sold for the whole project, necessitating a certification of \$100,000.00 against the Special Income Tax Fund. Upon sale of bonds, this will be reimbursed.

TitleTo authorize the Director of Public Service to modify and increase a professional engineering services contract with Burgess and Niple, Inc.; to authorize and direct the City Auditor to appropriate and transfer \$100,000.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$100,000.00 within the Streets and Highways G.O. Bonds Fund; to authorize the transfer of funds between the Streets and Highways G.O. Bonds Fund and the Fed-State Highway Engineering Fund; to authorize the expenditure of \$100,000.00 from the Fed-State Highway Engineering Fund; and to declare an emergency (\$100,000.00).

Body **WHEREAS**, the Department of Public Service currently maintains a Professional Services Contract with Burgess and Niple for the Design of the Rich Street Bridge; and

WHEREAS, This contract in the amount of \$2,125,727.00, City Auditor's Contract No. EA029459-002 and -004 was authorized by Ordinance No. 0563-01, passed April 2, 2001, executed April 13, 2001 and approved by the City Attorney on April 18, 2001; and

WHEREAS, Ordinance No. 1337-02 authorized contract modification No. 1, identified as City Auditor's Contract No. EA029459-003, in the amount of \$153,000.00; and

WHEREAS, Ordinance No. 1265-2004 authorized contract modification No. 2, identified as City Auditor's Contract No. EL004644, in the amount of \$875,788.00; and

WHEREAS, Ordinance No. 0675-2005 authorized contract modification No. 3, identified as City Auditor's Contract No. EL005560, in the amount of \$3,613,000.00; and

WHEREAS, Ordinance No. 0083-2009 authorized contract modification No. 4, identified as City Auditor's Contract No. EL009196, in the amount of \$1,100,000.00; and

WHEREAS, the Director of Public Service has identified the need to modify and increase this professional service contract in the amount of \$100,000.00 to to provide ongoing construction related services for the Rich Street Bridge project through construction finalization; and

WHEREAS, a satisfactory proposal has been submitted by Burgess and Niple Inc.; and

WHEREAS, it is necessary to transfer funds from the Special Income Tax Fund for this project; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

WHEREAS, this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the city will issue to finance this project is presently expected not to exceed \$100,000.00; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project").

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, in that the contract should be modified and increased immediately so that the work may proceed without delay, thereby preserving the public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Service be, and hereby is authorized to modify City Auditor's Contract No. EA029459 with Burgess & Niple, Inc., 5085 Reed Road, Columbus, Ohio 43220, for purposes of providing professional engineering services in connection with the Rich Street Bridge Project, in accordance with the terms and conditions as shown in the contract modification agreement on file in the Office of Support Services.

SECTION 2. The sum of \$100,000.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2011 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

SECTION 3. That the City Auditor is hereby authorized to transfer said funds to the Streets and Highways G.O. Bonds Fund, No. 704, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

SECTION 4. That \$100,000.00 is hereby appropriated within Fund 704, the Streets and Highways G.O. Bonds Fund, Dept-Div. 59-12, Division of Design and Construction, as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
704 / 530301-100004 / Bridge Rehabilitation - Rich Street Bridge / 10-5501 / 740104 / \$100,000.00

SECTION 5. That the monies appropriated in the foregoing Section 4 shall be paid upon order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 6. That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3 above.

SECTION 7. That the City Auditor is authorized to establish proper accounting project numbers, and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 3, above.

SECTION 8. That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$100,000.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

SECTION 9. All funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

SECTION 10. That the transfer of monies between the Streets and Highways G.O. Bonds Fund and the Fed-State Highway Engineering Fund be authorized as follows

From

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
704 / 530301-100004 / Bridge Rehabilitation - Rich Street Bridge / 10-5501 / 740104 / \$100,000.00

To

Fund / Grant# / Grant / Grant Name / OL01-03 / OCA Code / Amount
765 / 565186 / Rich Street Bridge / 80-0886 / 591291 / / \$100,000.00

SECTION 11. The sum of \$100,000.00 be and is hereby appropriated from the unappropriated balance of the Fed-State Highway Eng. Fund, Fund 765, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2011 to the Division of Design and Construction, Dept. 59-12, grant 565186, O.L. 01-03 Codes 06-6682, OCA Code 591291.

SECTION 12. That for the purpose of paying the cost thereof, the sum of \$100,000.00 or so much thereof as may be needed, is hereby authorized to be expended from Fund 765, the Fed-State Highway Engineering Fund, Dept-Div. 59-12, OCA code 591291, O.L. 01-03 Codes 06-6682, and grant 565186.

SECTION 13. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 14. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the mayor, or ten days after passage if the mayor neither approves nor vetoes the same.

Legislation Number: 1093-2011

Drafting Date: 06/29/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation Background:

Ordinance #1828-2010 authorized the Recreation and Parks Department to apply for and accept a grant for the replacement of the Harrison House roof. The Ohio Department of Development will award up to \$36,100.00 as part of the American Reinvestment Recovery Act (ARRA) Grant Brownfield Revolving Loan Fund program. The grant is for the monitoring, oversight and removal of the asbestos roof at the Harrison House. The Harrison House is listed on both the Register of Historic Properties (1985) as well as the National Register of Historic Places (1972). The City of Columbus' share is partnered with the current lessees of the Harrison House -- Holy Family Church and the Franklinton Historical Society. The match will be to replant the landscape of the property, and replace the roof with asphalt shingles approved by the City of Columbus Historical Office. The Harrison House is located at 570 W. Broad Street, Columbus, Ohio, 43215.

Bids were received by the Recreation and Parks Department on June 23, 2011 for the Harrison House Roof Project as follows:

	<u>Status</u>	<u>Base Bid Amount</u>
Wingler Construction	MAJ	\$38,800
Quality Masonry	MAJ	\$45,050

Project work consists of:

Removal of asbestos roof tiles and installation of dimensional shingles, painting, tuck pointing and other such work as may be necessary to complete the contract in accordance with the plans and specifications.

The roof removal portion of this project will be funded by the AARA Grant Brownfield Revolving Loan Fund.

Principal Parties:

Wingler Construction, Inc.
Don Wingler (Contact)
771 South Hamilton Road
Columbus, OH 43213
614-235-5000 (Phone)
311069301 1/11/2012
30+ (Columbus Employees)

TitleTo accept grant funds and authorize the appropriation of \$36,100.00 from the unappropriated balance of the Recreation and Parks Grant Fund, To authorize and direct the Director of Recreation and Parks to enter into contract with Wingler Construction, Inc. for the Harrison House Roof Project; to authorize the expenditure of \$38,800.00 and a contingency of \$1,200.00 for a total of \$40,000.00 from the Voted Recreation and Parks Bond Fund and ARRA Grant; and to declare an emergency. (\$40,000.00)

Body

WHEREAS, bids were received by the Recreation and Parks Department on June 23, 2011 for the Harrison House Roof Project and the contract will be awarded to Wingler Construction, Inc. on the basis of lowest and best responsive and responsible bidder; and

WHEREAS, the Recreation and Parks Department received a grant from the Ohio Department of Development as part of the ARRA Brownfield Revolving Loan Fund program that will provide partial funding for this project; and

WHEREAS, it is necessary to accept and appropriate said funds; now, therefore

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to repair a severely deteriorating roof on a historically significant structure for the preservation of public health, peace, property and safety; **NOW, THEREFORE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Wingler Construction, Inc. for the Harrison House Roof Project.

SECTION 2. That from the unappropriated monies in the Recreation and Parks Grant Fund No. 286, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2011, the sum of \$36,100.00 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

<u>Grant Title</u>	<u>Grant No.</u>	<u>Code</u>	<u>OCA Level 3</u>	<u>Object</u>		<u>Federal</u>
				<u>Amount</u>	<u>CFDA #</u>	
Harrison House Roof Improvements	-----	-----		6620	\$36,100.00	-----

SECTION 3. That the expenditure of \$40,000.00, or so much thereof as may be necessary, be and is hereby authorized for expenditure as follows, to pay the cost thereof:

Recreation and parks Voted Bond Fund 746
\$3,900.00 from existing auditor's certificate # AC031644

Recreation and Parks Grant Fund No. 286
\$36,100.00, Grant # -----, OCA# - - - - -, Object Level 3# 6620

SECTION 4. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1094-2011

Drafting Date: 06/29/2011

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

The City of Columbus, Ohio ("City") is owner of certain real property located in the vicinity of Redwood Road and Boxwood Drive (east of I-71) commonly known as Woodward Park. Ohio River Pipe Line LLC ("ORPL"), a Delaware limited liability company, who is the successor in interest to Sinclair Refining Company, holds title to several easements by virtue of recorded general right of way easements in Woodward Park. ORPL will release Woodward Park from the general right of way easements in exchange for a specified perpetual non-exclusive replacement easement. After investigation by the Recreation and Parks Department, it has been determined that the granting of the replacement easement in exchange for the release of all other existing general right of way easements over the park property is in the best interest of the City. This ordinance authorizes the Director of the Department of Recreation and Parks to execute a Quitclaim Deed of Easement to ORPL in exchange for their release of all other right of way easements in Woodward Park and the payment of \$38,000.00.

Fiscal Impact: The Recreation and Parks Department has determined a value of \$38,000.00 as consideration for the perpetual non-exclusive replacement easement.

Emergency Justification: An emergency exists in that it is necessary to authorize the Director of the Recreation and Parks Department to immediately execute those instruments, prepared and approved by the Real Estate Division, Department of Law, necessary to grant a specific perpetual non-exclusive replacement easement to ORPL, as a condition of ORPL agreeing to release of all general right of way easements in Woodward Park and the payment of \$38,000.00, thereby preserving the public health, peace, property, safety, and welfare.

Title

To authorize the Director of the Department of Recreation and Parks to execute a Quitclaim Deed of Easement necessary to grant Ohio River Pipe Line LLC, a Delaware limited liability company, a replacement easement, through the City's Woodward Park property in exchange for their release of all other existing right of way easements in the park and the payment of \$38,000.00 and to declare an emergency.

Body WHEREAS, the City of Columbus, Ohio ("City") is owner of certain real property located in the vicinity of Redwood Road and Boxwood Drive (east of I-71) commonly known as Woodward Park; and

WHEREAS, Ohio River Pipe Line LLC ("ORPL"), successor in interest to Sinclair Refining Company, holds title to several easements by virtue of recorded general right of way easements, D.B. 1211, Pg. 427, D.B. 1208, Pg. 274 and Volume 1064, Page 355, Franklin County Recorder's Office, Ohio; and

WHEREAS, ORPL has agreed to release Woodward Park from its general right of way easements in exchange for a specific perpetual non-exclusive replacement easement; and

WHEREAS, after investigation by the Recreation and Parks Department, it has been determined that the granting of the replacement easement in exchange for the release of the general right of way easements is in the best interest of the City; and

WHEREAS, the Recreation and Parks Department, has determined a value of \$38,000.00, as consideration from ORPL for the specific perpetual non-exclusive replacement easement, is to be granted; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the Director of the Recreation and Parks Department to immediately execute those instruments, prepared and approved by the Real Estate Division, Department of Law, necessary to grant a specific perpetual non-exclusive replacement easement to ORPL, in exchange for their release of all general right of way easements in Woodward Park., thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Recreation and Parks Department be and hereby is authorized, in exchange for the release of existing general right of way easements, to execute those documents as prepared by the Department of Law, Real Estate Division necessary to grant a perpetual non-exclusive Quit Claim Deed of Easement to Ohio River Pipe Line LLC ("ORPL"), a Delaware limited liability company, in, under, across, over and through the following described real property:

0.509 ACRE EASEMENT

Situated in the City of Columbus, County of Franklin, State of Ohio; also being a part of Quarter Township 4, Township 2, Range 18, United States Military Lands; also being a portion of a 1.159 acre tract as conveyed to The City of Columbus as described in Deed Book 2876 Page 638 and a portion of those lands as conveyed to The City of Columbus as described in Deed Book 2006 Page 489; being more particularly described as follows:

Beginning at a 1" iron pipe found at the southeasterly corner of said lands of The City of Columbus as described in Deed Book 2006 Page 489, said point also being the southwesterly corner of a 22 7/8 acre tract as conveyed to The City of Columbus, Ohio as described in Deed Book 2272 Page 652, Tract No. 1, said point also being the northwesterly corner of Lot No. 204 of Woodward Park as recorded in Plat Book 34 Page 25, said point also being the northeasterly corner of Lot No. 1 of Woodward Park Northwest as recorded in Plat Book 35 Page 104, said point also being the **TRUE POINT OF BEGINNING**, and from said beginning point running thence,

Along a portion of the southerly line of said lands of The City of Columbus as described in Deed Book 2006 Page 489, also being along the northerly lines of Lot No. 1 and Lot No. 3 of said Woodward Park Northwest, *North 86°57' 10" West, for a distance of three hundred thirty-three and fifty-seven one-hundredths feet (333.57')* to a 1" iron pipe found, said point being the northwesterly corner of said Lot No. 3, said point also being the northeasterly corner of said 1.159 acre tract; thence,

Along a portion of the easterly line of said 1.159 acre tract, also being along a portion of the westerly line of said Lot No. 3, *South 03° 02' 49" West, for a distance of sixteen and twenty-six one-hundredths feet (16.26')* to a point; thence,

Along a line through said 1.159 acre tract, *North 83° 10' 23" West, for a distance of thirty-six and ninety-six one-hundredths feet (36.96')* to a point; thence,

Along a line through said 1.159 acre tract, *North 86° 49' 39" West, for a distance of two hundred fifty-seven and sixty-three one-hundredths feet (257.63')* to a point along the easterly right-of-way line of Interstate No. 71; thence,

Along the easterly right-of-way line of Interstate No. 71 following a curve to the left, said curve being non-tangent to the previous course, said curve having a *radius of 3,949.72', an arc length of 52.12', a central angle of 00° 45' 22", and a chord that bears North 19° 34' 35" East for a distance of 52.12'* to a point; thence,

Along a line through said lands of The City of Columbus as described in Deed Book 2006 Page 489, said line being parallel and 50.00' distant to the fourth-described course, *South 86° 49' 39" East, for a distance of two hundred forty-four and fifty-one one-hundredths feet (244.51')* to a point; thence,

Along a line through said lands of The City of Columbus as described in Deed Book 2006 Page 489, *South 83° 10' 23" East, for a distance of thirty-five and twenty-five one-hundredths feet (35.25')* to a point; thence,

Along a line through said lands of The City of Columbus as described in Deed Book 2006 Page 489, North 03° 02' 49" East, for a distance of five and one one-hundredths feet (5.01') to a point; thence,

Along a line through said lands of The City of Columbus as described in Deed Book 2006 Page 489, South 83° 10' 23" East, for a distance of sixty and seventy-six one-hundredths feet (60.76') to a point; thence,

Along a line through said lands of The City of Columbus as described in Deed Book 2006 Page 489, South 77° 32' 14" East, for a distance of one hundred nine and sixteen one-hundredths feet (109.16') to a point; thence,

Along a line through said lands of The City of Columbus as described in Deed Book 2006 Page 489, said line being parallel and 17.00' distant to the first-described course, South 86° 57' 10" East, for a distance of one hundred sixty-five and seventeen one-hundredths feet (165.17') to a point, said point being along the easterly line of said lands of The City of Columbus as described in Deed Book 2006 Page 489, said point also being along the westerly line of said 22 7/8 acre tract; thence,

Along a portion of the easterly line of said lands of The City of Columbus as described in Deed Book 2006 Page 489, also being along a portion of the westerly line of said 22 7/8 acre tract, South 02° 45' 49" West, for a distance of seventeen and zero one-hundredths feet (17.00') to the point of beginning, containing 0.509 acres of land, more or less, as determined by Michael L. Keller, Professional Surveyor, Ohio License No. 7978, based on a survey performed by Kleingers & Associates in March, 2007 and May, 2011.

Basis of Bearings for the above-described courses is the north line of Woodward Park Northwest subdivision being South 86° 57' 10" East as recorded in Plat Book 35 Page 104.

Michael L. Keller Professional Surveyor, Ohio License No. 7978

Section 2. That the Thirty Eight Thousand Dollars (\$38,000.00), to be received by the City as consideration for the easement rights to be granted, shall deposited into the Recreation and Parks Fund #223; Dept./Div.51-01; Sub-Fund #025 for the aforesaid purpose is hereby authorized.

Section 3. That for the reasons state in the preamble hereto, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1095-2011

Drafting Date: 06/29/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: The Department of Development is proposing to enter into a Job Creation Tax Credit Agreement of sixty percent (60%) for six (6) years and a Jobs Growth Incentive Agreement with Manta Media, Inc., equal to twenty-five percent (25%) of the amount of new income tax withheld on employees for a term of 5 years, in consideration of Manta Media, Inc. proposed investment of \$1million and the creation of 130 new permanent full-time jobs.

Manta Media, Inc ("Manta"), a privately held company, was launched in September of 2005 and currently has its operations located in Columbus, Ohio. Manta is an online destination for small businesses to promote their companies and connect with other professionals. Today, Manta has 27 million visitors per month, with 2 thousand small business owners joining every day. As a result, Manta has achieved great success in operating its site and garnering attention worldwide. Manta's site is now ranked as a Top 5 Business Information Site.

Manta is now in the position for unprecedented growth opportunities. Based on their current success and projected growth, Manta is preparing to expand its operations. Manta not only needs to grow to meet its rising demands, but also to implement plans to enhance its site to capitalize on the growing demand for social media.

Manta Media, Inc. is requesting a Job Creation Tax Credit and a Jobs Growth Incentive.

Fiscal Impact: No funding is required for this legislation.

Title

To authorize the Director of the Department of Development to enter into a Job Creation Tax Credit Agreement of sixty percent (60%) for six (6) years and a Jobs Growth Incentive Agreement with Manta Media, Inc., to pay annually an amount equal to twenty-five percent (25%) of the personal income tax withheld on new employees for a term of 5 years, in consideration of a proposed investment of \$1 million and the creation of 130 permanent full-time jobs.

Body

WHEREAS, pursuant to Ohio Revised Code Section 122.17, the State of Ohio is authorized to establish the Tax Credit Authority and to execute agreements with taxpayers of the State of Ohio for the purpose of granting these tax payers job creation tax credits against their corporate franchise tax or income tax, which tax credits are provided to create new jobs in the State of Ohio; and

WHEREAS, pursuant to Section 718.05 of the Ohio Revised Code ("the City Act") a municipal corporation is authorized to grant local income tax credits to taxpayers who have received tax credits from the State; and

WHEREAS, the Ohio Department of Development approved a Jobs Creation Tax Credit on June 27, 2011 for Manta Media, Inc.; and

WHEREAS, the City desires to increase employment opportunities and encourage the creation of new jobs in the City in order to improve the overall economic climate of the City and its citizens; and

WHEREAS, the Department of Development has received a completed application for a Job Creation Tax Credit and a Jobs Growth Incentive from Manta Media, Inc.; and

WHEREAS, Manta Media, Inc. is proposing to invest \$1 million to accommodate expansion; and

WHEREAS, Manta Media, Inc. will retain 63 full-time jobs and create 130 new positions with an approximate annual payroll of \$11.6 million; and

WHEREAS, the City of Columbus desires to facilitate Manta Media, Inc.'s future growth at the project site; and

WHEREAS, Manta Media, Inc. has indicated that a Job Creation Tax Credit and a Jobs Growth Incentive is crucial to its decision to locate the aforementioned expansion and retention in Columbus; and **NOW THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized to enter into a Job Creation Tax Credit Agreement of sixty percent (60%) for six (6) years and a Jobs Growth Incentive Agreement with Manta Media, Inc. to pay annually an amount equal to twenty-five percent (25%) of the personal income tax withheld on new employees for a term of 5 years, in consideration of Manta Media, Inc.'s proposed investment of \$1 million and the creation of 130 full-time permanent positions, and the retention of 63 full-time permanent positions.

Section 2. Each year of the term of the agreement with Manta Media, Inc., the obligation to pay the incentive is expressly contingent upon the passage of an ordinance appropriating and authorizing the expenditure of monies sufficient to make such payment and the certification of the City Auditor pursuant to Section 159 of the Columbus City Charter.

Section 3. That the City of Columbus Job Creation Tax Credit Agreement and Jobs Growth Incentive Agreement is signed by Manta Media, Inc. within 90 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1096-2011

Drafting Date: 06/29/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Department of Development is proposing to enter into a Columbus Downtown Office Incentive with Turner Construction Company (Turner Construction).

Turner Construction Company was founded by Henry Turner in 1902 and quickly earned a reputation for teamwork, integrity and commitment. The company has been serving Central Ohio since 1964 and is one of the leading general builders in Columbus. Turner Construction provides building services to developers, government agencies, institutions and businesses in the areas of: preconstruction consulting, program management, project management, design-build, general construction, and building maintenance.

Turner Construction is proposing to relocate its Central Ohio office from Worthington to the Columbus Downtown Business District. The company will enter into a seven (7) year lease agreement on vacant warehouse/office space consisting of approximately 20,000 square feet located at 262 Hanover Street. The company will invest approximately \$1,250,000 toward improvements and fixtures to adapt the unused warehouse into new office space. The project will involve the relocation of 36 full-time permanent positions, which will be new to Columbus.

FISCAL IMPACT: No funding is required for this legislation.

Title

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Agreement with Turner Construction Company as provided in Columbus City Council Resolution Number 0088X-2007, adopted June 4, 2007.

Body

WHEREAS, the City desires to increase employment opportunities and encourage establishment of new jobs in the City in order to improve the overall economic climate of the City and its citizens; and

WHEREAS, Resolution Number 0088X-2007, adopted June 4, 2007, authorized the Department of Development to establish the Columbus Downtown Office Incentive program as amended; and

WHEREAS, the Department of Development has received a completed application for the Columbus Downtown Office

Incentive program from Turner Construction Company; and

WHEREAS, Turner Construction Company is proposing to relocate its Central Ohio office into the Downtown Business District by entering into a ten (10) year lease agreement and relocating 36 full-time permanent positions to 262 Hanover Street, Columbus, Ohio, with an estimated annual payroll of \$3,750,000 generating an estimated City of Columbus income tax revenue of \$468,750 annually; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. Columbus City Council authorizes the Director of Development to enter into a Columbus Downtown Office Incentive Agreement pursuant to Columbus City Council Resolution Number 0088X-2007, for an annual cash payment equal to fifty percent (50%) of the amount of City withholding tax on new employees for a term of five (5) years for the relocation of 36 full-time permanent positions to 262 Hanover Street, Columbus, Ohio.

Section 2. As provided in the program guidelines, leasing of the project site qualifies Turner Construction Company for a five (5) year incentive term. The term beginning in calendar year 2012, with the incentive payment made in the second quarter of the following year based on actual City of Columbus income tax withholding paid by the new positions for the preceding year.

Section 3. Each year of the term of the agreement with Turner Construction Company that a payment is due, the City's obligation to pay the incentive is expressly contingent upon the passing of an ordinance appropriating and authorizing the expenditure of monies sufficient to make such payment and the certification of the City Auditor pursuant to Section 159 of the Columbus City Charter.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1117-2011

Drafting Date: 06/30/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

AN011-002

BACKGROUND: This ordinance approves the acceptance of certain territory (AN11-002) by the City. The Ohio Revised Code stipulates that the once an annexation has been approved, it must be accepted by the receiving municipality within 120 days (but not sooner than 60 days) of receipt by the City Clerk of the approval notice from the county. Should City Council not take such action, the annexation will not take place. This petition was filed with Franklin County on March 22, 2011. City Council approved a service ordinance addressing the site on April 4, 2011. Franklin County approved the annexation on April 26, 2011 and the City Clerk received notice on May 4, 2011.

FISCAL IMPACT: The provision of municipal services does represent cost to the City; although the annexation of land has the potential to create revenue to the city.

Title

To accept the application AN11-002 of William H. & Rebecca J. Campbell for the annexation of certain territory containing .93 ± acres in Sharon Township.

Body

WHEREAS, a petition for the annexation of certain territory in Sharon Township was duly filed on behalf of William H. & Rebecca J. Campbell on March 22, 2011; and

WHEREAS, said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated April 26, 2011; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on May 4, 2011; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the proposed annexation as applied for in the petition of William H. & Rebecca J. Campbell being the owners of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio on March 22, 2011 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated April 26, 2011 be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Sharon, being all of Lot Number One (1) of Briarbank No. 2, conveyed to William H. and Rebecca J. Campbell as shown of record in Instrument Number 199809210238482, Recorder's Office, Franklin County, Ohio, said lot being numbered and delineated upon the recorded plat thereof, of record in Plat Book 34, Page 96, said Recorder's Office, and part of Linworth Road, being more particularly described as follows:

Beginning at the northeast corner of said Lot 1 and the northwest corner of Lot 2 of said Briarbank No. 2, in an existing City of Columbus Corporation line, as established by Ordinance 625.03, of record in Instrument Number 200306060170328, said Recorder's Office, and in the south line of Lot 14 of The Reserve At Linworth, as same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 103, Page 83, said Recorder's Office;

Thence, Southerly, along the east line of said Lot 1 and the west line of said Lot 2, approximately 121 feet to the southeast corner of said Lot 1, southwest corner of said Lot 2 and in the northerly right-of-way line of Briarbank Drive;

Thence, Westerly, along the south line of said Lot 1 and said right-of-way, approximately 147 feet to a point of curvature;

Thence, Northwesterly, along said line and the arc of a curve to the right, said curve having a radius of 30.00 feet, approximately 42 feet to a point of tangency in the easterly right-of-way of Linworth Road;

Thence, Southerly, approximately 113 feet to a point of curvature in said right-of-way in the west line of Lot 13 of said Briarbank No. 2;

Thence, Southerly, along the west line of said Lot 13 and said right-of-way, approximately 76 feet the southwest corner of said Lot 13, northwest corner of Lot 12 of said Briarbank No. 2, and in an existing City of Columbus Corporation line, as established by Ordinance 310-97, of record in Instrument Number 199710310131760, said Recorder's Office,

Thence, Westerly, across said Linworth Road and along said Corporation line, approximately 60 feet to the intersection of said line with the westerly right-of-way of said Linworth Road, in the east line of Lot 77 of Linworth Village Section One, as same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 82, Page 45, said Recorder's Office, and in an existing City of Columbus Corporation line, as established by Ordinance 577-93, of record in Official Records Volume 27947 G-20, said Recorder's Office;

Thence, Northerly, along said right-of-way and corporation line, and east line of said Lot 77, approximately 108 feet to an angle point in said line;

Thence, Northerly, continuing along said right-of-way and corporation line, and the east line of Lot 1 and 2 of said Linworth Village Section One, approximately 195 feet;

Thence, Easterly, across said Linworth Road, along the north line of said Lot 1, south line of said The Reserve At Linworth and along said existing corporation line (Ordinance #625-03), approximately 230 feet to the place of beginning CONTAINING APPROXIMATELY 0.93 ACRES.

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1118-2011

Drafting Date: 06/30/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

AN011-003

BACKGROUND: This ordinance approves the acceptance of certain territory (AN11-003) by the City. The Ohio Revised Code stipulates that the once an annexation has been approved, it must be accepted by the receiving municipality within 120 days (but not sooner than 60 days) of receipt by the City Clerk of the approval notice from the county. Should City Council not take such action, the annexation will not take place. This petition was filed with Franklin County on March 22, 2011. City Council approved a service ordinance addressing the site on April 4, 2011. Franklin County approved the annexation on April 26, 2011 and the City Clerk received notice on May 4, 2011. The subject parcel is located within the boundaries of the 2006 Big Darby Accord Watershed Master Plan. However, because this is an existing single-family for which annexation is being requested due to septic failure, the provisions of the 2009 Darby Accord Revenue Program will not be applied at this time; the switch from a failing septic system to centralized utilities will benefit the environment and is in the spirit of the Big Darby Accord.

FISCAL IMPACT: The provision of municipal services does represent cost to the City; although the annexation of land has the potential to create revenue to the City.

Title

To accept the application (AN11-003) of David R. & Diana L. Clarey for the annexation of certain territory containing .717 ± acres in Prairie Township.

Body

WHEREAS, a petition for the annexation of certain territory in Prairie Township was duly filed by David R. & Diana L. Clarey on March 22, 2011; and

WHEREAS, said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated April 26, 2011; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on May 4, 2011; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; **now, therefore,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the proposed annexation as applied for in the petition of David R. & Diana L. Clarey being the owners of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio on March 22, 2011 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated April 26, 2011 be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Prairie and being a 0.717 acre tract of land in Virginia Military Survey 6636 (Auditors tax parcel 241-000886) conveyed to David R. and Diana L. Clarey as recorded in the Records Official Record 12345 A 01;

Beginning at the intersection of the northerly Right of Way line of Feder Road with the Southeast corner of said Clarey Tract and the Southwest corner of the property parcel #560-237837 owned by Eva Jane Douglass 6174 Feder Road as established by Ordinance #2463-96 recorded in Official Record 33782 E-17 and being an existing City of Columbus Corporation Line as established by ORD 0148-2007 and recorded in Instrument #200703140044622 and by Ordinance 2463-96 and recorded in Official Record 33782 E17;

Thence in a Westerly direction along the North Right of Way of Feder Road (AKA County Road 22) being an 80 foot Right of Way; along the Southerly line of said Clarey Tract and along said existing City of Columbus Corporation Line (ORD 0148-2007) North 86° 48' 31" West a distance of approximately 125.00 feet to the southwest corner of said Clarey tract, being the southeasterly corner of a 0.717 acre tract as conveyed to Douglas A. Bolin (Tax parcel #241-000885, 6620 Feder Rd.); (see plans for Franklin County Project: Feder Road, Section "A", County Road 22, Right of Way plan sheet 3 of 5);

Thence in a Northerly direction along a line North 4° 10' 16" East a distance of approximately 250.00 feet along the common line between said Bolin and Clarey Tracts, to the Northwest corner of said Clarey Tract, being the Northwest corner of said Bolin Tract, and being in the Southerly line of Lot 179 of Wexford Green Subdivision Sec 2 Part 1 as recorded in PB 79, Page 25;

Thence in an Easterly direction along a line South 86° 48' 31" East a distance of approximately 125 feet along the Northerly line of said Clarey Tract, along the Southerly line of Lot 179 and Lot 179 of Wexford Green Subdivision Sec 3 Part 2 as recorded in PB 80, Page 10, also along an existing City of Columbus Corporation Line as established by Ordinance 116-92 and Recorded in Official Record 19898 C02;

Then in a Southerly direction along a line South 4° 10' 16" West a distance of approximately 250 feet along the Easterly line of said Clarey Tract, along the Westerly line of said Douglass Tract, and also along said existing City of Columbus Corporation Line (Ordinance 2463-96), to the true place of beginning, containing approximately 0.717 acres, more or less.

The above description was prepared by David R. Clarey in November of 2010 from the best available county records. This information was not derived from an actual field survey. The above description is not valid for the transfer of real property, and is not to be utilized in place of a boundary survey as described by the Ohio Administrative Code in Chapter 4733-37.

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1119-2011

Drafting Date: 06/30/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Rezoning Application Z11-005

APPLICANT: Winham Investments LLC c/o David Perry; David Perry Co. Inc; 145 East Rich Street, 3rd Floor; Columbus, OH 43201.

PROPOSED USE: Commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on May 12, 2011.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant is applying for a rezoning from the L-C-4 Limited Commercial and R, Rural Districts to allow commercial development. The applicant requests setback variances along Hamilton Road and Winchester Pike and variances to allow decreased parking standards due to potential lot splits. The L-C-4 text includes use and access limitations, landscaping, and screening provisions. The proposed CPD, Commercial Planned Development District is compatible and consistent with the zoning pattern and development in the area. The Division of Planning and Operations supports the requested setback variances. Staff supports the variances to standards caused by the possible splitting of the property and views this as a technicality because in effect the standards being varied will still be met.

Title

To rezone **4514 WINCHESTER PIKE (43232)**, being 2.6± acres located at the northwest corner of Hamilton Road and Winchester Pike, **From:** L-C-4, Limited Commercial and R, Rural Districts, **To:** CPD, Commercial Planned Development District. (Rezoning # Z11-005)

WHEREAS, application #Z11-005 is on file with the Department of Building and Zoning Services requesting rezoning of 2.6± acres from the L-C-4, Limited Commercial and R, Rural Districts to the CPD, Commercial Planned Development District; and

WHEREAS, the Healthy Places program reviews rezoning applications for active living features. The following recommendations were made by Healthy Places but not addressed by the applicant: 1) that new sidewalks be installed along Hamilton Road and Winchester Pike, 2) that sidewalks for safe pedestrian circulation internally within the site be installed, 3) that all new sidewalks installed be a minimum of 8 feet wide, and 4) that pedestrian crosswalks (either ladder stripping or texturized pavement) and pedestrian signage be installed at across all curb cuts rendered in the site plan; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval the proposed CPD, Commercial Planned Development District is compatible and consistent with the zoning pattern and development in the area. The L-C-4 text includes use and access limitations, landscaping, and screening provisions. The Division of Planning and Operations supports the requested setback variances. Staff supports the variances to standards caused by the possible splitting of the property and views this as a technicality while in effect the standards being varied will still be met; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

4514 WINCHESTER PIKE (43232), being 2.6± acres located at the northwest corner of Hamilton Road and Winchester Pike, and being more particularly described as follows:

Legal Description
4514 Winchester Pike
2.627 +/- Acres

Situated in the City of Columbus, County of Franklin and State of Ohio:
And known as being in Section 9, Township 11, Range 21 Congress Lands and being a part of a 9.283 acre tract conveyed to Merrill F. Schulz as recorded in Deed Book 3540, Page 856, Recorder's Office, Franklin County, Ohio, Bounded and described as follows:

Commencing at an iron bar monument found at the intersection of the centerline of Hamilton Road, also known as State Route 317, so called and the North line of Section 9.

Thence South 07 deg. 52' 30" West along the centerline of Hamilton Road, a distance of 343.99 feet to a point, said point being the true point of beginning;

Thence continuing South 07 deg. 52' 30" West along the centerline of Hamilton Road, a distance of 360.24 feet to a point on the Easterly prolongation of the original centerline of State Route 33, so called;

Thence North 53 deg. 10' 00" West, along the original centerline of State Route 33 and its Easterly prolongation, passing a ½ inch galvanized steel pipe set at 224.98 feet, an overall distance of 289.18 feet to a ½ inch galvanized steel pipe set at a point of curvature on the Northerly right of way of Winchester Pike, so called;

Thence traversing a curve to the left along the Northerly right of way of Winchester Pike, said curve having a central angle of 04 deg. 34' 06", a radius of 652.46 feet, a chord bearing of North 55 deg. 30' 13" West, and a chord length of 52.01 feet to a point on the East line of a 0.532 acre tract as conveyed to Norman B. and Carmen D. Conley in Microfiche 07114J10, from said point an iron pipe can be found 0.11 feet South and 0.17 feet West;

Thence North 07 deg. 54' 40" East along said line of land conveyed to Conley, a distance of 197.50 feet to a point on the

Southerly line of a 0.687 acre tract as conveyed to Merrill F. and Angeline S. Schulz in Instrument No. 198206240071752, said line also being the North line of a 1.912 acre tract as conveyed to Schulz by Deed Book 3803, Page 242, from said point an iron pipe can be found 0.15 feet South and 0.04 feet West;

Thence South 82 deg. 00' 50" East along said line as conveyed to Schulz, passing a ½ inch galvanized steel pipe set at 214.40 feet, an overall distance of 299.40 feet to the true point of beginning;

Containing 83,190.14 square feet or 1.910 acres of land, of which 32,132.93 square feet or 0.738 acres lie within the public road right of way.

Bearings used herein are based on an assumed meridian and are for the express purpose of showing angular measurement. All ½ inch galvanized steel pipe set are marked with a cap bearing company name and P.S. 7476.

PID 010-221380

Parcel 2:

Situated in the City of Columbus, County of Franklin and State of Ohio:

And known as being in Section 9, Township 11, Range 21 Congress Lands and being a part of a 9.283 acre tract conveyed to Merrill F. Schulz and Angeline Schulz, as recorded in Deed Book 3540, Page 856, Recorder's Office, Franklin County, Ohio, Bounded and described as follows:

Commencing at an iron bar monument found at the intersection of the centerline of Hamilton Road, also known as State Route 317, so called and the North line of Section 9.

Thence South 07 deg. 52' 30" West along the centerline of Hamilton Road, a distance of 243.99 feet to a point, said point also being the true point of beginning;

Thence continuing South 07 deg. 52' 30" West along said line, a distance of 100.00 feet to a point on the North line of a 1.912 acre tract conveyed to Merrill F. Schulz and Angeline A Schulz in Deed Book 3803, Page 242, said line also being the South line of a 0.687 Acre tract as conveyed to Schulz in Instrument No. 198206240071752;

Thence North 82 deg. 00' 50" West along said line as conveyed to Schulz, passing a 1/2 inch galvanized steel pipe set at a distance of 85.00 feet, an overall distance of 299.40 feet to a point on the East line of a 0.532 acre tract conveyed to Norman B. Conley and Carmen D. Conley as recorded in Microfiche 07114J10;

Thence North 07 deg. 54' 40" East along said line as conveyed to Conley passing the Northeast corner of a parcel of land as conveyed to Conley, said corner also being the Southeast corner of a 0.556 acre tract as conveyed to Rebo Inc in Instrument No. 199910150260809, at a distance of 53.34 feet, an overall distance of 100.00 feet to a point on the south line of a 1.347 acre Tract conveyed to Merrill F. Schulz and Angeline A. Schulz in Instrument No. 200012290262274;

Thence South 82 deg. 00' 50" East along said line as conveyed to Schulz, passing a 1/2 inch galvanized steel pipe set at 214.34 feet, an overall distance of 299.34 feet to the true point of beginning;

Containing 29,936.82 square feet or 0.687 acres of land, of which 8,500.99 square feet or 0.195 acres lie within the public right of way.

Bearings used herein are based on an assumed meridian and are for the express purpose of showing angular measurement. All ½ inch galvanized steel pipe set are marked with a cap bearing company name and P.S. 7476.

PID 010-261381

Parcel 3:

Situated in the City of Columbus, County of Franklin and State of Ohio:

And known as being in Section 9, Township 11, Range 21 Congress Lands and being a part of a 9.283 acre tract conveyed to Merrill F. Schulz and Angeline Schulz, as recorded in Deed Book 3540, Page 856, Recorder's Office, Franklin County, Ohio, Bounded and described as follows:

Commencing at an iron bar monument found at the intersection of the centerline of Hamilton Road, also known as State Route 317, so called and the North line of Section 9.

Thence South 07 deg. 52' 30" West along the centerline of Hamilton Road, a distance of 44.64 feet to a point, said point also being the true point of beginning;

Thence continuing South 07 deg. 52' 30" West along said line, a distance of 199.35 feet to a point of the North line of a 0.687 acre tract conveyed to Merrill F. Schulz and Angeline A. Schulz in Instrument No. 198206240071752, said line also being the South line of a 1.437 acre tract as conveyed to Merrill F. Schulz and Angeline A. Schulz in Instrument No. 200012290262274;

Thence North 82 deg. 00' 50" West along said line as conveyed to Schulz, passing a 1/2 inch galvanized steel pipe set at 85.00 feet, an overall distance of 299.34 feet to a point on the East line of 0.556 acre tract as conveyed to RebcO, Inc. in Instrument No. 199910150260809, from said point an iron pipe can be found 0.03 feet East and 0.23 feet South;

Thence North 07 deg. 54' 40" East along said line as conveyed to RebcO, Inc. a distance of 193.65 feet to a point on the South line of a 2.268 acre tract conveyed to Merrill F. Schulz and Angeline A. Schulz in Instrument No. 200012290262274, from said point an iron pipe can be found 0.05 feet West;

Thence South 83 deg. 06' 20" East along said line as conveyed to Schulz, passing a 1/2 inch galvanized steel pipe set at a distance of 214.24 feet, an overall distance of 299.26 feet from the true point of beginning.

Containing 58,808.32 square feet or 1.350 acres, of which 16, 878.02 square feet or 0.387 Acres lie within the public road right of way.

Bearings used herein are based on an assumed meridian and are for the express purpose of showing angular measurement. All 1/2 inch galvanized steel pipe set are marked with a cap bearing company name and P.S. 7476.

PID 010-261382

To Rezone From: L-C-4, Limited Commercial and R, Rural Districts,

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

SECTION 3. That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plans being titled, " **CPD PLAN - 4514 WINCHESTER PIKE**" and text titled, "**COMMERCIAL PLANNED DEVELOPMENT 4514 WINCHESTER PIKE, COLUMBUS OH 43232,**" all signed by David Perry, Agent for the Applicant, all dated June 27, 2011, and the text reading as follows:

**CPD, Commercial Planned Development
4514 Winchester Pike**

Columbus, OH 43232

PROPOSED DISTRICT: CPD, Commercial Planned Development
EXISTING DISTRICT: L-C-4, Limited Commercial District (Z91-074) and
R, Rural District
ACRES: 2.627 +/- acres
PROPERTY ADDRESS: 4514 Winchester Pike, Columbus, OH 43232
OWNER(S): Winham Investments LLC c/o Dave Perry, David
Perry Co., Inc., 145 East Rich Street, 3rd Flr.,
Columbus, OH 43215 and Donald Plank,
Plank Law Firm, 145 East Rich Street, 3rd Flr.
Columbus, OH 43215
APPLICANT: Winham Investments LLC c/o Dave Perry, David
Perry Co., Inc., 145 East Rich Street, 3rd Flr.,
Columbus, OH 43215 and
DATE OF TEXT: June 27, 2011
APPLICATION NUMBER: Z11-005

INTRODUCTION: The site for rezoning is located in the northwest quadrant of the intersection of Winchester Pike and South Hamilton Road. The site has frontage on both Hamilton Road and Winchester Pike. The south parcel (010-221380) is zoned L-C-4, Limited Commercial (Z91-074). The other two (2) parcels are zoned R, Rural. The west property line of the site is also the City of Columbus Corporation line. All property to the west is in Madison Township and is zoned CS, Community Service. The CS District is comparable to C-4. The north property line of the site is also the City of Columbus Corporation line. The property to the north of the site is developed with a single family dwelling and is zoned R, Rural (Franklin County Zoning Resolution). Both Hamilton Road (4-2D) and Winchester Pike (4-2) are arterial right of ways on the Columbus Thoroughfare Plan. Commercial development is appropriate for the site and location. The site plan ("Plan"), titled "CPD Plan - 4514 Winchester Pike", dated June 27, 2011, is referenced in Section I., Miscellaneous commitments.

1. PERMITTED USES: Permitted uses shall be all uses of Section 3356.03, C-4 Permitted Uses, except Billboards, Bars, Cabarets, Night Clubs, Bowling Centers, Drive-in Motion Picture Theater, Dance halls or dance instruction larger than 3,000 sq. ft. gross floor area, Garage and Tire Repair Shop (but not intended to exclude retail oil change, muffler sales and installation and tire sales and installation or similar retail automotive related uses), Motion Picture Theater, Skating Rink and Off-Premise Graphics, except as Off-Premise Graphic(s) may be approved by application for Special Permit to the Columbus Graphics Commission.

2. DEVELOPMENT STANDARDS: Unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in Chapter 3356 of Columbus City Code (C-4, Commercial District), Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards.

A. Density, Lot and/or Setback Commitments.

- 1.The building setback from both Hamilton Road and Winchester Pike shall be a minimum of forty (40) feet.
2. The parking setback from both Hamilton Road and Winchester Pike shall be a minimum of ten (10) feet.
3. There shall be a minimum ten (10) foot building and parking setback along the north property line of the site, where adjacent to the abutting Madison Township parcel to the north, as long as the north property line of the 2.627 acre site abuts residentially zoned or used property

B. Access, Loading, Parking, and/or Other Traffic Related Commitments.

1. There shall be a total of three (3) vehicular access points to the site, as follows: a) One (1) full-turning access on South

Hamilton Road aligned with Wingate Drive. A northbound left turn lane shall be constructed for this access point; b) one (1) right-in/right-out access on South Hamilton Road, located approximately as depicted on the Plan, and 3) one (1) full-turning access point on Winchester Pike. An access study titled "Traffic Impact Study", dated April 13, 2011, prepared by J. Gallagher Group, delineating vehicular access to the site, has been approved by the City of Columbus.

2. Internal pedestrian walkways in the parking lot shall be delineated by pavement striping.

C. Buffering, Landscaping, Open Space and/or Screening Commitments.

1. Street trees shall be provided along South Hamilton Road and Winchester Pike at the rate of one (1) tree for every thirty (30) lineal feet of street frontage.

2. The north ten (10) foot buffer setback shall contain the existing evergreen material, or, if existing plant material along the north property line is removed, a six (6) foot tall opaque fence or wall shall be erected along the north property line, where not in conflict with clear vision requirements, and evergreen plant material shall be planted three (3) feet on center in the buffer strip.

3. All landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced with like materials within six months or the next available planting season, whichever occurs first. The size of the new material shall equal the size of the original material when it was installed.

4. The minimum size of all trees at installation shall be two (2) inch in caliper for deciduous trees, five (5) feet in height for evergreen trees, and one and one half (1 ½) inches in caliper for ornamental trees. Tree caliper shall be measured six (6) inches from the ground.

5. Parkland Dedication Ordinance fees of \$400/acre for the acreage of the site that is presently zoned R, Rural (1.455 +/- acres) shall be paid in conjunction with the Site Plan Compliance Review process.

6. Opaque screening, six (6) feet tall, shall be provided along the south 170 feet of the west property line, starting 30 feet from the Winchester Pike property line. The opaque screen may be a fence, wall, change in grade and/or combination of same. The six (6) foot height of the opaque screen shall be measured from the established grade at the east property line of 4490 Winchester Pike (Franklin County Auditors Parcel 180-004726).

7. No chain link fence or chain link fence with slats shall be used on the property.

8. All fences shall be maintained in good condition, including repair and cleaning as needed.

D. Building Interior-Exterior Commitments.

1. Mechanical equipment or other utility hardware on the roof of a building shall be screened to the height of the equipment, so the equipment isn't visible from the property lines of the site.

2. Primary building materials shall consist of brick, including face brick, stone, stucco, EIFS, cast concrete and/or textured block or comparable materials. Primary building material colors shall be earth tones, which shall include, for example, but not be limited to: white, beige, tan, brown, and blue. Non-earth tone accent colors are permitted.

3. Primary building materials shall be used on the west elevation of any building adjacent to the east parcel line 4490 Winchester Pike (Franklin County Auditors Parcel 180-004726).

E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.

1. New wiring within the site shall be underground unless above ground wiring is required by the applicable utility company.

2. Refuse service shall be provided by private hauler.
3. Parking lot lighting shall not exceed eighteen (18) feet in height.

F. Graphics and/or Signage Commitments.

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code, as it applies to the C-4 Commercial District. Any variance to the Graphics Code or request for Special Permit for Off-Premise Graphic(s) shall be submitted to the Columbus Graphics Commission for consideration.

G. Other CPD Requirements.

1. Natural Environment: The natural environment of the site is flat. The site has some small abandoned buildings that will be removed when the site is developed.
2. Existing Land Use: The site has some small abandoned buildings that will be removed when the site is developed.
3. Circulation: Access to and from the site will be via full turning movement curbcuts on South Hamilton Road (1) and Winchester Pike (1) and one (1) right-in/right-out curbcut on South Hamilton Road
4. Visual Form of the Environment: The site is located at the intersection of two arterial right of ways. Other commercial uses are located at the intersection and along both roads. Property in Madison Township to the west of the site is zoned commercial.
5. Visibility: The site is located on both South Hamilton Road and Winchester Pike. There is good visibility of the site from both streets.
6. Proposed Development: Rezoning to CPD for commercial development.
7. Behavior Patterns: Vehicular access will be from both South Hamilton Road and Winchester Pike.
8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sound and dust. There will be no objectionable emissions.

H. Modification of Code Standards.

1. Section 3356.11, C-4 District Setback Lines, which Section requires a 60 foot and 50 foot building setback line on Hamilton Road and Winchester Pike, based on Columbus Thoroughfare Plan designations as 4-2D and 4-2 arterial right of ways, respectively, while existing right of way for both Hamilton Road and Winchester Pike exceeds the 120 foot and 100 foot Thoroughfare Plan designations, while applicant proposes 40 foot building setback lines along both streets.

2. The site may be split for the purpose of having separate parcels for financing and multiple retail store pads. The overall 2.627 acre site and uses shall comply with applicable code required parking, parking stall dimensions, parking and loading space maneuvering area, and required aisle dimensions, but lot splits shall be permitted that establish internal property lines without regard to the number of parking spaces on each resulting parcel, or the dimensions of parking, loading or stacking spaces, maneuvering area and/or aisle widths as long as total dimensional requirements are met, including across internal property lines. Easement(s) shall be provided for vehicle and pedestrian circulation throughout the 2.627 acre parcel and easements shall be provided where applicable for any parking, stacking or loading space, aisle, maneuvering area or by-pass lane that functions across property lines. The following code variances are provided:

- a. 3312.09, Aisle, to permit a property line to divide a parking lot aisle(s), while the total width of the parking lot aisle shall comply with minimum aisle width.
- b. 3312.25, Maneuvering, to permit parking spaces to have maneuvering area divided by a parcel line and/or tax

district line and to maneuver across a parcel line and/or tax district line, while total code required maneuvering area shall comply.

c. 3312.29, Parking Space, to permit a parcel line and/or tax district line to divide parking spaces, while the total parking space shall comply with required dimensions.

I. Miscellaneous Commitments.

1. Development of the site shall be in accordance with the site plan titled "CPD Plan - 4514 Winchester Pike", dated June 27, 2011 and signed by David B. Perry, Agent for Applicant and Property Owner, and Donald Plank, Attorney for Applicant and Property Owner. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to any of the drawings shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1122-2011

Drafting Date: 06/30/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The City of Columbus, Department of Public Service, Division of Mobility Options, is engaged in the Bikeway Development - SR 161 Bikeway Connector/Sawmill Road - Linworth Road. The purpose of this project is to construct a shared-use-path on one side of S.R. 161 (Dublin-Granville Rd), between Sawmill Road and Linworth Road. This facility will provide improved access for bicycles and pedestrians along the entire corridor.

Successful completion of this project requires that the City acquire fee simple title and lesser interests in and to various properties along the project corridor as additional rights-of-way. It is necessary to authorize the City Attorney's Office, Real Estate Division, to contract for professional services, to negotiate with property owners and to expend those funds necessary to acquire the additional rights-of-way needed to complete this project.

2. FISCAL IMPACT

Right-of-way acquisition costs for this project, including professional services, staff costs and land costs have been estimated to be \$100,000.00. This funding is budgeted within the 2011 CIB. This expense can be accommodated by appropriating and transferring funds needed in the amount of \$100,000.00 from the Special Income Tax Fund. Bonds have yet to be sold for the whole project, necessitating a certification of \$100,000.00 against the Special Income Tax Fund. Upon sale of bonds, this will be reimbursed.

3. EMERGENCY DESIGNATION

Emergency action is requested to allow the City Attorneys' Office, Real Estate Division to begin acquisition of the rights-of-way needed for this project immediately or as soon as needed rights of way have been detailed on the design plans and so that utilities can be relocated and construction of the improvements can proceed a currently scheduled. TitleTo authorize the City Attorneys' Office, Real Estate Division to contract for professional services relative to the acquisition of fee simple title and lesser interests in and to property needed for the Bikeway Development - SR 161 Bikeway Connector/Sawmill Road - Linworth Road Project; to authorize the City Attorney's Office, Real Estate Division to negotiate with property owners to acquire the additional rights-of-way necessary to complete this project; to authorize and direct the City Auditor to appropriate and transfer \$100,000.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate and to authorize the expenditure of \$100,000.00

from the Streets and Highways G.O. Bonds Fund for acquisition related expenses including professional service and land costs; and to declare an emergency. (\$100,000.00)

Body **WHEREAS**, the City of Columbus, Department of Public Service, Division of Mobility Options, is engaged in the Bikeway Development - SR 161 Bikeway Connector/Sawmill Road - Linworth Road Project; and

WHEREAS, the purpose of this project is to construct a shared-use-path beside S.R. 161 between Sawmill Road and Linworth Road; and

WHEREAS, the project includes full depth installation of asphalt pavement and base, the installation of upgraded pedestrian / bicycle roadway crossings and ADA compliant ramps; and

WHEREAS, successful completion of this project requires that the City acquire fee simple title and lesser interests in and to various properties located along the project corridor as additional rights-of-way; and

WHEREAS, right-of-way acquisition costs for this project, including professional services, staff costs and land costs have been estimated to be \$100,000.00; and

WHEREAS, it is necessary to transfer funds from the Special Income Tax Fund to this project; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

WHEREAS, this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the city will issue to finance this project is presently expected not to exceed \$100,000.00; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project"); and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Mobility Options, in that it is necessary to authorize the City Attorney's Office, Real Estate Division, to contract for professional services, to negotiate with property owners to acquire the additional rights-of-way needed to complete this project and to authorize the expenditure of the funds needed to pay for the right-of-way acquisition expenses associated with this project for the preservation of the public health, peace, property, safety and welfare; now, therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City Attorneys' Office, Real Estate Division be and is hereby authorized to expend \$100,000.00, or so much thereof as may be necessary from the the Streets and Highways Voted Capital Fund as follows: Project 540002-100005, Bikeway Development - SR 161 Bikeway Connector/Sawmill Road - Linworth Road, Department/Division 59-10, O.L. 01-03 Codes - 06-6601, OCA Code 740205, to pay those costs relative to the acquisition of the additional rights-of-way required for this project.

SECTION 2. That the City Attorney be, and hereby is, authorized to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the Bikeway Development - SR 161 Bikeway Connector/Sawmill Road - Linworth Road Project.

SECTION 3. The sum of \$100,000.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2011 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

SECTION 4. That the City Auditor is hereby authorized to transfer said funds to the Streets and Highways G.O. Bonds

Fund, No. 704, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

SECTION 5. That \$100,000.00 is hereby appropriated within Fund 704, the Streets and Highways G.O. Bonds Fund, Dept-Div. 59-10, Division of Mobility Options as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
704 / 540002-100005 / Bikeway Development - SR 161 Bikeway Connector/Sawmill Road - Linworth Road / 06-6601 / 740205 / \$100,000.00

SECTION 6. That the monies appropriated in the foregoing Section 5 shall be paid upon order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 7. That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 4 above.

SECTION 8. That the City Auditor is authorized to establish proper accounting project numbers, and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 4, above.

SECTION 9. That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$100,000.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

SECTION 10. All funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

SECTION 11. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modifications associated with this ordinance.

SECTION 12. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1128-2011

Drafting Date: 07/01/2011

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with PK Builders, LLC for the renovation of the roof for Fire Station No. 23, 4451 East Livingston Avenue. This renovation is necessary as the current roof has exceeded its life expectancy and is in a state

of disrepair.

Formal bids were solicited and four companies submitted bids on June 23, 2011 as follows (1 *MBE, FBE):

PK Builders, LLC	\$51,500.00
*Smith Roofing. Ltd.	\$75,400.00
General Maintenance and Engineering	\$83,993.00
Wingler Construction	\$88,483.00

The Office of Construction Management recommends the bid award be made to the most responsive and responsible bidder, PK Builders, Inc.

Emergency action is requested so that the contractor will be able to complete this project during good weather.

PK Builders, LLC Contract Compliance No. 04-3817107; expiration date June 27, 2013.

Fiscal Impact: This legislation authorizes an expenditure of \$51,500.00 from the Department of Public Safety's Gov'l B.A.B.'s (Build America Bonds) Fund.

Title

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with PK Builders, LLC for the renovation of the roof for Fire Station No. 23; to authorize the expenditure of \$51,500.00 from the Department of Public Safety's Gov'l B.A.B.'s (Build America Bonds) Fund; and to declare an emergency. (\$51,500.00)

Body

WHEREAS, it is necessary to renovate the roof at Fire Station No. 23, 4451 East Livingston Avenue; and

WHEREAS, formal bids were solicited and four companies responded; and

WHEREAS, PK Builders, LLC. was the most responsive, responsible and best bidder to complete the renovation; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to enter into a contract with PK Builder, LLC for the renovation of the roof at Fire Station No. 23, 4451 East Livingston Avenue, so that the contractor will be able to complete this project during good weather, thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance and Management Director is hereby authorized to enter into a contract on behalf of the Office of Construction Management with PK Builders, LLC for the renovation of the roof for Fire Station No. 23, 4451 East Livingston Avenue.

SECTION 2. That the expenditure of \$51,500.00, or so much as may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 30-04

Fund: 746

Project: 340103-100000

OCA: 710103

Object Level 1: 06

Object Level 3: 6620

Amount: \$51,500.00

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is

hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1131-2011

Drafting Date: 07/01/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation This ordinance is necessary for the City of Columbus to comply with Ohio Public Employees Retirement System (OPERS) requirements regarding Recognition of Pick-Up of Employee Contributions, to aid in the proper recognition of employer "pick-up" (or pre-tax) contributions.

Title To comply with OPERS requirements regarding Recognition of Pick-up of Contributions, for employees covered by CMAGE/CWA Local 4502 collective bargaining agreement; and to declare an emergency.

Body WHEREAS, the employees covered by the CMAGE/CWA Local 4502 collective bargaining agreement are contributing members of OPERS; and

WHEREAS, the City of Columbus has previously adopted a pick-up of eight percent (8%) fringe benefit and two percent (2%) salary reduction contributions for full-time employees covered by CMAGE/CWA Local 4502 and who are contributing members of OPERS; and

WHEREAS, the City of Columbus has previously adopted a pick-up of six percent (6%) fringe benefit contributions for part-time employees covered by CMAGE/CWA Local 4502 and who are contributing members of OPERS; and

WHEREAS, OPERS has requirements for reporting changes to pick-up contribution plans; and

WHEREAS, the City of Columbus wishes to change its prior ordinance in order to continue the pick-up under the OPERS requirements; and

WHEREAS, passage of this ordinance reaffirms Columbus City Council acceptance of the pick-up changes as identified in Section 17.2 of the collective bargaining contract between the City of Columbus and CMAGE/CWA Local 4502; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to comply with OPERS requirements regarding Recognition of Pick-up of Contributions, to aid in the proper recognition of employer "pick-up" (or pre-tax) contributions thereby preserving the public health, peace, property, safety and welfare;

now, therefore:

BE IT ORDAINED BY THE OF THE CITY OF COLUMBUS:

SECTION 1. That effective November 27, 2011, 7.0% of the statutorily required employee contributions to OPERS shall be picked-up and paid as a fringe benefit by the City of Columbus for each person within the classes identified in Section 2 herein. That effective November 25, 2012, 6.0% of the statutorily required employee contributions to OPERS shall be picked-up and paid as a fringe benefit by the City of Columbus for each person within the classes identified in Section 2 herein. That effective November 24,

2013, 5.0% of the statutorily required employee contributions to OPERS shall be picked-up and paid as a fringe benefit by the City of Columbus for each person within the classes identified in Section 2 herein. This "pick-up" by the City of Columbus shall be designated as public employee contributions and shall be in lieu of contributions to OPERS by each person within the classes identified in Section 2 herein. No person subject to this "pick-up" shall have the option of choosing to receive the statutorily required contribution to OPERS directly instead of having it "picked-up" by the City of Columbus or of being excluded from the "pick-up". The City of Columbus, shall, in reporting and making remittances to OPERS, report that the public employees contribution for each person subject to this "pick-up" has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer-paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan.

SECTION 2. The "pick-up" by the City of Columbus provided in Section 1 of this ordinance shall apply to all persons who are full-time active employees of the City of Columbus, covered by the CMAGE/CWA Local 4502 collective bargaining agreement, and were hired before July 24, 2011 and who are contributing members of OPERS.

SECTION 3. Under the fringe-benefit method of employer pick-up, salary is not modified; however, the employer will pay the employees' statutorily required contribution to OPERS. For all City of Columbus employees identified in Section 2 herein, all remaining balances of statutorily required employee contributions, 3% effective November 27, 2011, 4% effective November 25, 2012 and 5% effective November 24, 2013, will be administered under the salary reduction method. Additionally, for all full-time employees of the City of Columbus covered by the CMAGE/CWA Local 4502 collective bargaining agreement and who are hired on or after July 24, 2011, all statutorily required employee contributions will be administered under the salary reduction method.

SECTION 4. That effective November 24, 2013, 5.0% of the statutorily required employee contributions to OPERS shall be picked-up and paid as a fringe benefit by the City of Columbus for each person within the classes identified in Section 5 herein. This "pick-up" by the City of Columbus shall be designated as public employee contributions and shall be in lieu of contributions to OPERS by each person within the classes identified in Section 5 herein. No person subject to this "pick-up" shall have the option of choosing to receive the statutorily required contribution to OPERS directly instead of having it "picked-up" by the City of Columbus or of being excluded from the "pick-up". The City of Columbus, shall, in reporting and making remittances to OPERS, report that the public employees contribution for each person subject to this "pick-up" has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer-paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan.

SECTION 5. The "pick-up" by the City of Columbus provided in Section 4 of this ordinance shall apply to all persons who are part-time active employees of the City of Columbus, covered by the CMAGE/CWA Local 4502 collective bargaining agreement and who are contributing members of OPERS.

SECTION 6. The City of Columbus Auditor is hereby authorized and directed to implement the provisions of this ordinance to change a portion of the "pick-up" of the statutorily required contributions to OPERS for those persons reflected in Sections 2 and 5 herein so as to enable them to have a portion of their employee contributions paid by the employer.

SECTION 7. Passage of this ordinance reaffirms Columbus City Council acceptance of the pick-up changes as identified in Section 17.2 of the collective bargaining contract between the City of Columbus and CMAGE/CWA Local 4502.

SECTION 8. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately upon

passage.

Legislation Number: 1134-2011

Drafting Date: 07/05/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND:

This legislation authorizes the Director of Public Service to enter into a contract for the Bridge Rehabilitation-Arcadia Avenue Over Glen Echo Ravine project for the Division of Design and Construction.

Work on this project consists of the reconstruction and rehabilitation of the Arcadia Avenue Bridge over Glen Echo Ravine. The project will include replacement of the approach slabs, expansion joints, bearing and backwall rehabilitation. The project will also include a microsilica concrete overlay, wing wall rehabilitation, beam rehabilitation, painting of structural steel, and minor asphalt milling and resurfacing of the ends of the approach slabs. (Ohio Department of Transportation Project Name and PID - FRA-Front St Bridge-PID 86113).

The estimated Notice to Proceed date is August 4, 2011. The project was let by the Office of Support Services through vendor services. 4 bids were received on June 30, 2011 (4 majority) and tabulated on July 1, 2011 as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Righter Company, Inc.	\$449,562.30	Columbus, OH	Majority
Eagle Bridge Co.	\$459,917.70	Sidney, OH	Majority
Complete General Construction	\$499,714.60	Columbus, OH	Majority
Shelly and Sands	\$500,008.85	Columbus, OH	Majority

Award is to be made to Righter Company, Inc., as the lowest, best, most responsive and most responsible bidder.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Righter Company, Inc.

2. CONTRACT COMPLIANCE

Righter Company, Inc's contract compliance number is 310889208 and expires 2/22/13.

3. FISCAL IMPACT

The City share of this project is budgeted within the 2011 Capital Improvement Budget. This project is partially funded by the Ohio Department of Transportation (ODOT). ODOT will be responsible for 80% of eligible construction and inspection costs up to a maximum of \$375,000.00 in the form of a reimbursement grant and the City will provide the remaining funds.

Bids on this project were higher than expected and the amount budgeted within this project was \$100,000.00 for the City's share. This will result in this legislation only funding part of the funding needed for construction administration and inspection. The remaining funding for construction administration and inspection will require a C.I.B amendment and is expected to be legislated in September.

4. EMERGENCY DESIGNATION

Emergency action is requested in order to provide for necessary bridge rehabilitation work at the earliest possible time to ensure the safety of the travelling public.

TitleTo authorize the Director of Public Service to enter into contract with Righter Company, Inc. for the Bridge Rehabilitation - Arcadia Avenue Over Glen Echo Ravine project; to provide for the payment of inspection services in

connection with the project; to authorize and direct the City Auditor to appropriate and transfer \$100,000.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$100,000.00 within the Streets and Highways G.O. Bonds Fund; to authorize the transfer of funds to the Fed-State Highway Engineering Fund; to appropriate and authorize the expenditure of \$475,000.00 from the Fed-State Highway Engineering Fund; and to declare an emergency. (\$475,000.00)

Body **WHEREAS**, the City of Columbus Department of Public Service is engaged in the Bridge Rehabilitation - Arcadia Avenue Over Glen Echo Ravine project; and

WHEREAS, work on this project consists of the reconstruction and rehabilitation of the Arcadia Avenue Bridge over Glen Echo Ravine. The project will include replacement of the approach slabs, expansion joints, bearing and backwall rehabilitation. The project will also include a microsilica concrete overlay, wing wall rehabilitation, beam rehabilitation, painting of structural steel, and minor asphalt milling and resurfacing of the ends of the approach slabs; and

WHEREAS, bids were received on June 30, 2011 and tabulated on July 1, 2011 and a satisfactory bid has been received; and

WHEREAS, it is necessary to enter into contract with Righter Company, Inc; and

WHEREAS, it is necessary to provide for construction inspection; and

WHEREAS, it is necessary to amend the 2011 Capital Improvement Budget; and

WHEREAS, it is necessary to transfer funds from the Special Income Tax Fund to this project; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

WHEREAS, this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the city will issue to finance this project is presently expected not to exceed \$100,000.00; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project").

WHEREAS, an emergency exists in the usual daily operation of the Division of Design and Construction in that this project should proceed immediately for the rehabilitation of this bridge to ensure the safety of the travelling public, thereby preserving the public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Service be and is hereby authorized to enter into contract with Righter Company, Inc, 2424 Harrison Road, Columbus, Ohio, 43204, for the construction of the Bridge Rehabilitation - Arcadia Avenue Over Glen Echo Ravine project in the amount of \$449,562.30 or so much thereof as may be needed, for the Division of Design and Construction in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to pay for the necessary inspection costs associated with the project up to a maximum of \$25,437.70.

SECTION 2. The sum of \$100,000.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2011 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

SECTION 3. That the City Auditor is hereby authorized to transfer said funds to the Streets and Highways G.O. Bonds

Fund, No. 704, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

SECTION 4. That \$100,000.00 is hereby appropriated within Fund 704, the Streets and Highways G.O. Bonds Fund, Dept-Div. 59-12, Division of Design and Construction as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
704 / 530301-160062 / Bridge Rehabilitation - Arcadia Avenue Over Glen Echo Ravine / 10-5501 / 743162 / \$100,000.00

SECTION 5. That the monies appropriated in the foregoing Section 4 shall be paid upon order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 6. That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3 above.

SECTION 7. That the City Auditor is authorized to establish proper accounting project numbers and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 3, above.

SECTION 8. That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$100,000.00. (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

SECTION 9. All funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

SECTION 10. That the transfer of Funds between the Streets and Highways G.O. Bonds Fund, Number 704, and the Fed-State Highway Engineering Fund, Number 765, be authorized as follows:

From:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount
704 / 530301-160062 / Bridge Rehabilitation - Arcadia Avenue Over Glen Echo Ravine / 10-5501 / 743162 / \$100,000.00

To:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount
765 / 591186 -100000 / Arcadia Avenue Bridge / 80-0886 / 591186 / \$100,000.00

SECTION 11. That \$475,000.00 is hereby appropriated within Fund 765, the Fed-State Highway Engineering Fund, Dept-Div. 59-12, Division of Design and Construction as follows:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount
765 / 591186-100000 / Arcadia Avenue Bridge / 06-6600 / 591186 / \$475,000.00

SECTION 12. That for the purpose of paying the cost of this contract and inspection, the sum of \$475,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Fed-State Highway Engineering Fund, No. 765 as follows:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

765 / 591186-100000 / Arcadia Avenue Bridge / 06-6621 / 591186 / \$475,000.00

SECTION 13. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 14. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1135-2011

Drafting Date: 07/05/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The Division of Planning and Operations is responsible for conducting roadway improvements and snow and ice removal along the City's roadway system. To accomplish this mission the Division requires six single axle dump trucks and six tandem axle dump trucks. These trucks will replace older trucks beyond their useful service lives and provide for a more reliable fleet to carryout services provided by the Division.

This legislation authorizes the expenditure of \$213,000.00 for the upfitting of components for these dump trucks. Ordinance 0748-2011 Authorized the purchase of components for these trucks. This purchase is consistent with the division's fleet replacement program.

The Purchasing Office is in the process of establishing a universal term contract with HYO Inc., dba Pengwyn Hydraulics, Ordinance 0819-2011 passed June 27, 2011, for the upfitting of dump trucks.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against HYO Inc., dba Pengwyn Hydraulics.

2. CONTRACT COMPLIANCE

HYO Inc., dba Pengwyn Hydraulics' contract compliance number is 34-1503254 and expires 10/31/11.

3. FISCAL IMPACT

The total cost of this purchase is \$213,000.00. This equipment is budgeted within the 2011 Capital Improvement Budget. This expense can be accommodated by appropriating and transferring funds needed in the amount of \$213,000.00 from the Special Income Tax Fund. Bonds have yet to be sold for this expense, necessitating a certification of \$213,000.00 against the Special Income Tax Fund. Upon sale of bonds, this will be reimbursed.

4. EMERGENCY

This legislation is requested to be heard as an emergency to ensure that the six single axle dump trucks and six tandem axle dump trucks are available for immediate use.

TitleTo authorize the Finance and Management Director to establish a purchase order for the upfitting of six single axle dump trucks and six tandem axle dump trucks with HYO Inc., dba Pengwyn Hydraulics, in accordance with the terms and conditions of a pending citywide universal term contract, for the Division of Planning and Operations; to authorize and direct the City Auditor to transfer \$213,000.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$213,000.00 within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of \$213,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$213,000.00)

Body**WHEREAS**, the Division of Planning and Operations is responsible for conducting roadway improvements and

snow and ice removal along the City's roadway system; and

WHEREAS, the Division of Planning and Operations is in need of six single axle dump trucks and six tandem axle dump trucks; and

WHEREAS, ordinance 0748-2011 authorized the purchase of components for these trucks; and

WHEREAS, the Purchasing Office is in the process of establishing a universal term contract for the upfitting of dump trucks; and

WHEREAS, funds are budgeted in the 2011 Capital Improvement Budget for this expense; and

WHEREAS, it is necessary to transfer funds from the Special Income Tax Fund to this project; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

WHEREAS, this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the city will issue to finance this project is presently expected not to exceed \$213,000.00; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended with respect to the project described in this ordinance (the "Project"); and

WHEREAS, this purchase has been approved by the Fleet Management Division and this equipment does not offer environmentally preferred fuel options at this time; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Planning and Operations, in that it is immediately necessary to upfit said six single axle dump trucks and six tandem axle dump trucks to be used for improvements to City Streets for the immediate preservation of the Public health, peace, property, safety, and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Finance and Management is hereby authorized to establish a purchase order in the amount of \$213,000.00 with HYO dba Pengwyn Hydraulics, 2550 West 5th Avenue, Columbus, OH 43204 for the upfitting of six single axle dump trucks and six tandem axle dump trucks in accordance with the terms and conditions of a pending universal term contract.

SECTION 2. The sum of \$213,000.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2011 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

SECTION 3. That the City Auditor is hereby authorized to transfer said funds to the Streets and Highways G.O. Bonds Fund, No. 704, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

SECTION 4. That \$213,000.00 is hereby appropriated within Fund 704, the Streets and Highways G.O. Bonds Fund, Dept-Div. 59-11, Division of Planning and Operations as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
704 / 530020-100000 / Street Equipment / 06-6600 / 591246 / \$213,000.00

SECTION 5. That the monies appropriated in the foregoing Section 4 shall be paid upon order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 6. That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3 above.

SECTION 7. That the City Auditor is authorized to establish proper accounting project numbers and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 3, above.

SECTION 8. That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$213,000.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

SECTION 9. All funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

SECTION 10. That the sum of \$213,000.00 or so much thereof as may be needed is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, Dept./Div. 59-11, OCA Code 591246, O.L. 01-03 Codes 06-6651, Project Number 530020-100000.

SECTION 11. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1136-2011

Drafting Date: 07/05/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into contract with Lake Erie Construction Co. for the Roadway Improvements - Guardrail project.

The Division of Planning and Operations is responsible for maintaining the City's roadway system in a safe manner. Guardrail and fence reconstruction projects are needed to restore accident damage locations, replace deteriorating structures and install new structures. This contract will provide for these services.

This project was bid in compliance with the Columbus City Code and advertised through vendor services. Bids were received on June 30, 2011 and tabulated July 1, 2011, by the Office of Support Services. Two (2 Majority, 0 Minority) bid proposals were received as follows:

Vendor / City,State / Bid Amount / Vendor Status

Lake Erie Construction Company / Norwalk, OH / \$348,555.00 / Majority

M. P. Dory Company / Columbus, OH / \$385,000.00 / Majority

Award of the contract is made to Lake Erie Construction Co. as the lowest responsive, responsible and best bidder. The Notice to Proceed date is estimated to be on or about August 10 or October 5 dependent on when this ordinance is legislated.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Lake Erie Construction Company.

2. CONTRACT COMPLIANCE

Lake Erie Construction Company's contract compliance number is 341262474 and expires on February 10, 2013.

3. FISCAL IMPACT:

The contract amount will be for \$350,000.00 based on the bid documents allowing the City to award a contract for an amount more than the amount bid using the bid prices. Funds for this contract are budgeted within the 2011 Capital Improvement Budget. This expense can be accommodated by appropriating and transferring funds needed in the amount of \$350,000.00 from the Special Income Tax Fund. Bonds have yet to be sold for this expense, necessitating a certification of \$350,000.00 against the Special Income Tax Fund. Upon sale of bonds, this will be reimbursed.

4. EMERGENCY DESIGNATION

Emergency action is requested to allow this work to get underway to eliminate possible safety issues thereby promoting motorist and pedestrian safety.

Title To authorize the Director of Public Service to enter into contract with Lake Erie Construction Company for the Roadway Improvements - Guardrail project for the Division of Planning and Operations; to authorize and direct the City Auditor to transfer \$350,000.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$350,000.00 within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of \$350,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$350,000.00)

Body **WHEREAS**, the Division of Planning and Operations is responsible for maintaining the City's roadway system in a safe manner; and

WHEREAS, guardrail and fence rehabilitation work is needed to restore accident damage, replace deteriorating structures and install new structures; and

WHEREAS, bids were received on June 30, 2011 and tabulated July 1, 2011, by the Office of Support Services for the Roadway Improvements - Guardrail project and a satisfactory low bid was received; and

WHEREAS, funds are budgeted in the 2011 Capital Improvement Budget for this expense, and

WHEREAS, it is necessary to transfer funds from the Special Income Tax Fund to this project; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

WHEREAS, this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the city will issue to finance this project is presently expected not to exceed \$350,000.00; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended with respect to the project described in this ordinance (the "Project").

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Planning and Operations, in that the contract should be awarded so that the work may proceed without delay in order to eliminate existing dangerous conditions thereby promoting motorist and pedestrian safety, thereby preserving the public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Service be and hereby is authorized to enter into contract with Lake Erie Construction Company, 25 South Norwalk Road, Norwalk, Ohio 44857 for the Roadway Improvements - Guardrail project in an amount not to exceed \$350,000.00 in accordance with the applicable specifications and plans on file in the office of the Division of Planning and Operations Administrator, which are hereby approved.

SECTION 2. The sum of \$350,000.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2011 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

SECTION 3. That the City Auditor is hereby authorized to transfer said funds to the Streets and Highways G.O. Bonds Fund, No. 704, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

SECTION 4. That \$350,000.00 is hereby appropriated within Fund 704, the Streets and Highways G.O. Bonds Fund, Dept-Div. 59-11, Division of Planning and Operations as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
704 / 530161-100092 / Roadway Improvements - Guardrail / 06-6600 / 746192 / \$350,000.00

SECTION 5. That the monies appropriated in the foregoing Section 4 shall be paid upon order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 6. That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3 above.

SECTION 7. That the City Auditor is authorized to establish proper accounting project numbers and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 3, above.

SECTION 8. That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$350,000.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

SECTION 9. All funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

SECTION 10. That for the purpose of paying the cost of the contract the sum of \$350,000.00 or so much thereof as may be needed is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, Dept./Div. 59-11, OCA Code 746192, O.L. 01-03 Codes 06-6631, Project Number 530161-100092.

SECTION 11. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 12. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1137-2011

Drafting Date: 07/05/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The purpose of this legislation is to authorize the Director of Public Service to enter into an agreement with Comtech Inc. for EF Johnson radio repairs for the Division of Refuse Collection. This agreement will be in accordance with the Sole Source provision of Columbus City Code Section 329.07 (c). Comtech Inc. is the Authorized Central Ohio EF Johnson Dealer.

The Division of Refuse Collection has mobile radios for communication with Refuse Collection Vehicle Operators. Currently, these radios are being re-banded to switch from analog to digital. Some of these radios are in disrepair and prior to being re-banded need to be repaired so they are in proper working order and RF Decks can be placed on some 43 radios to get the re-banding started.

This legislation authorizes the Director of Public Service to enter into agreement with Comtech through February 29, 2012, a total amount not to exceed of \$12,480.00.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Comtech Inc.

2. CONTRACT COMPLIANCE

Comtech Inc's contract compliance number is 31-0845853; and it expires 7/26/2012.

3. FISCAL IMPACT

The Division of Refuse Collection's total estimated expenditure for the said term of these contracts is \$12,480.00. Funds are budgeted and available for this service in the Division of Refuse Collection's 2011 General Fund budget.

4. EMERGENCY DESIGNATION

Emergency action is requested to allow timely execution of this contract and to ensure an uninterrupted supply of service.

TitleTo authorize the Director of Public Service to enter into a contract for radio repairs with Comtech Inc., in accordance with the sole source provision of the Columbus City Codes; and to authorize the expenditure of \$12,480.00 from the Division of Refuse Collection General Fund; and to declare an emergency. (\$12,480.00)

Body**WHEREAS**, the Division of Refuse Collection has 40 EF Johnson radios that need to be repaired immediately; and

WHEREAS, The EF Johnson radios shall be repaired by an authorized dealer; and

WHEREAS, Comtech Inc. is the Central Ohio Authorized EF Johnson dealer; and

WHEREAS, this ordinance authorizes the Director of Public Service to enter into a contract with Comtech Inc., per the sole source provisions of the Columbus City Code to provide repair services for damaged radios; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Refuse Collection in that it is immediately necessary to enter into a contract for maintenance services to ensure an uninterrupted supply of service, thereby preserving

the public health, peace, property, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Service be and hereby is authorized to enter into contract with Comtech Inc., 1417 Oakland Park, Columbus, OH 43224, for repair of EF Johnson radios for the Division of Refuse Collection.

SECTION 2. That for the purpose of paying for radio repairs for the Division of Refuse Collection, the Director of Public Service be and hereby is authorized to expend \$12,480.00 or so much thereof as may be needed from Fund 010, the General Fund, Department No. 59-02, Division of Refuse Collection, Object Level One Code 03, Object Level Three Code 3375 and OCA Code 593566.

SECTION 3. That this expenditure be made per the sole source provisions of the Columbus City Codes, 1959.

SECTION 4. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 5. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1138-2011

Drafting Date: 07/05/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: One parcel currently held in the Land Bank has been approved for disposition. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of the real property. 2901 East 12th Avenue (010-092480) will be sold to Frederick D. and Elizabeth N. Booker who will renovate the existing structure. The property will be transferred by deed and recorded in the Official Records of the Franklin County Recorder's Office.

FISCAL IMPACT: No funding is required for this legislation. The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance and disposition of such land and such other expenses of the program as the City may apportion to such land from the sale proceeds.

EMERGENCY JUSTIFICATION: Emergency action is requested to expedite the transfer in order to begin renovation before the structure deteriorates any further.

Title

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (2901 East 12th Avenue) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

Body

WHEREAS, the Land Redevelopment Office was authorized to acquire property from the United States Department of Housing and Urban Development through the Good Neighbor Program, by Ordinance 0106-2008, passed January 28, 2008; and

WHEREAS, by Ordinance 2161-93 Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a

foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor or through a conveyance in lieu of foreclosure to foster either return of such land to tax revenue generating status or its devotion to public use; and

WHEREAS, a proposal for the sale of one parcel which has been acquired pursuant to Section 5722.06 for this program meet the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved; and

WHEREAS, the property will be sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.07, competitive bidding is not required; and

WHEREAS, under 5722.07 "fair market value" means the appraised value of the nonproductive land made with reference to any redevelopment and reutilization restrictions that may be imposed by the electing subdivision as a condition of sale or as may otherwise be applicable to such land; and

WHEREAS, in order to complete the transfer of such property to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for the real property; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Land Redevelopment Office in that it is immediately necessary to convey title of said parcel of real estate in order to begin renovation before the structure deteriorates any further, all for the immediate preservation of the public health, peace, property, safety and welfare; and **now therefore**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized to execute any and all necessary agreements and deeds to convey title of the following parcel of real estate to Frederick D. and Elizabeth N. Booker:

PARCEL NUMBER: 010-092480
ADDRESS: 2901 E. 12th Ave., Columbus, Ohio 43219
PRICE: \$5,000 plus a \$38.00 recording fee
USE: Single Family Rental

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being Lot Number Two Hundred Thirty-Six (236) of Cassady-Peake meadows Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 18, Page 56, Recorder's Office, Franklin County, Ohio.

Section 2. That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

Section 3. That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and hereby approves the same.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1139-2011

Drafting Date: 07/05/2011

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background: Authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of thirteen parcels to Columbus Housing Partnership (CHP) or a subsidiary established to hold properties for the Duxberry Landing project. CHP will partner with the Greater Linden Development Corporation to develop 35 new single-family homes within the South Linden neighborhood. As a member of the Neighborhood Stabilization Program 2 (NSP 2) consortium, Columbus Housing Partnership will invest NSP funds from both the NSP 2 Consortium and the State of Ohio. The Land Bank properties were acquired under both the Land Reutilization Program (Tax Foreclosures) and under the NSP. The City will receive \$6,965 for the properties initially acquired under the Land Reutilization Program. The properties will be transferred by deed and recorded in the Official Records of the County Recorder's Office.

Fiscal Impact: No funding is required for this legislation. The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance and disposition of such land and such other expenses of the program as the City may apportion to such land from the sale proceeds.

Emergency Justification: Emergency action is requested to expedite the transfer of the property to allow the developer to meet Neighborhood Stabilization Program expenditure deadlines and close on funding commitments from private lenders and the State of Ohio.

Title

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of thirteen parcels of real property held in the Land Bank pursuant to the Land Reutilization Program and Neighborhood Stabilization Program to Columbus Housing Partnership or a subsidiary established to hold properties for the Duxberry Landing project; and to declare an emergency.

Body

WHEREAS, ordinance 1860-2008 adopted the City's Neighborhood Stabilization Program, authorized the filing of the Neighborhood Stabilization Program application with HUD, and made a substantial amendment to the Consolidated Plan's 2008 Action Plan; and

WHEREAS, ordinances 0234-2009 and 0136-2009 authorized the Director of the Department of Development to acquire properties under the Neighborhood Stabilization Program and the expenditure of funds; and

WHEREAS, by Ordinance 2161-93 Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor or through a conveyance in lieu of foreclosure to foster either return of such land to tax revenue generating status or its devotion to public use; and

WHEREAS, a proposal for the sale of parcels which has been acquired pursuant to Section 5722.03 and 5722.06 for this program meet the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved; and

WHEREAS, parcels of real estate, as required, are being sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.07, competitive bidding is not required; and

WHEREAS, under 5722.07 "fair market value" means the appraised value of the nonproductive land made with reference to such redevelopment and reutilization restrictions as may be imposed by the electing subdivision as a condition of sale or as may be otherwise applicable to such land; and

WHEREAS, in order to complete the transfer of such property to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for such real property; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Land Redevelopment Office in that it is immediately necessary to convey title of said parcels of real estate to allow the developer to meet Neighborhood Stabilization Program expenditure deadlines and close on funding commitments from private lenders and the State of Ohio, all for the immediate preservation of the public health, peace, property, safety and welfare; and now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized to execute any and all necessary agreements and deeds to convey title of the following parcels of real estate to Columbus Housing Partnership or a subsidiary established to acquire properties under the Duxberry Landing Project:

<u>Parcel Number</u>	<u>Address</u>
010-073314	1129 E. 21st Avenue
010-073315	1133-1135 E. 21st Avenue
010-073318	1149 E. 21st Avenue
010-073330	1217-1223 E. 21st Avenue
010-076619	1192 Duxberry
010-079419	1105-1107 E. 23rd Ave
010-079420	1113-1115 E. 23rd Avenue
010-079497	1118 E. 25th Avenue
010-079544	1114-1116 E. 23rd Avenue
010-079561	1268 E. 23rd Ave.
010-085871	1127 E. 21st Avenue
010-093672	1150-1152 E. 23rd Avenue
010-093680	1164-1166 E. 23rd Avenue

Section 2. That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

Section 3. That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and the Neighborhood Stabilization Program, and hereby approves the same.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1140-2011

Drafting Date: 07/05/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

In 2008, the City secured a Covenant Not to Sue (CNS) from Ohio EPA for the former brownfield site on the southern tier of the Whittier Peninsula known as the Whittier Peninsula Grange-Audubon Nature Center. This city-owned site has since been redeveloped as parkland pursuant to a Memorandum of Understanding (MOU) among the City of Columbus, the Columbus and Franklin County Metropolitan Park District (Metro Parks), and Audubon Ohio. The property is leased to Metro Parks, which subleases a portion of the property to Audubon Ohio for operation of its nature center. The City was made responsible for obtaining the CNS per the MOU.

The CNS incorporates an Operation and Maintenance (O&M) Agreement between the City and Ohio EPA. The O&M

Agreement includes an O&M Plan that provides for the performance of remedial activities that will allow the property to achieve the applicable standards. Under the terms of the O&M Agreement, the remediation was to be completed within three years. However, concerns have recently arisen related to the potential impact of remedial activities on several mature trees on the property, and additional soil sampling will be required in order to address these concerns. It is therefore necessary to amend the O&M Agreement to extend the timeline for the remedial activities and to modify the incorporated O&M Plan to address these recent concerns.

This legislation seeks authorization to execute a modification of the O&M Agreement, which will incorporate a modification of the O&M Plan.

Emergency action is necessary in order to maintain progress on this project.

FISCAL IMPACT: None

Title

To authorize the Director of Recreation and Parks to execute a modification of the Operation and Maintenance Agreement for the Whittier Peninsula Grange-Audubon Nature Center site, including a modification of the incorporated Operation and Maintenance Plan, and any other additional documents and instruments that are necessary and incident thereto; and to declare an emergency.

Body

WHEREAS, per a Memorandum of Understanding among the City of Columbus, the Columbus and Franklin County Metropolitan Park District, and Audubon Ohio, the City of Columbus is responsible for the environmental condition of the land it owns on the Whittier Peninsula and for obtaining one or more Covenants Not to Sue (CNS) from the State of Ohio; and

WHEREAS, in 2008 the City secured a CNS from Ohio EPA for the Whittier Peninsula Grange-Audubon Nature Center site; the CNS incorporates an Operation and Maintenance (O&M) Agreement, which includes an O&M Plan, to provide for the performance of remedial activities that will allow the property to achieve the applicable standards; and

WHEREAS, under the terms of the O&M Agreement, the remediation was to be completed within three years, but concerns have recently arisen related to the potential impact of remedial activities on several mature trees on the property, and additional soil sampling will be required in order to address these concerns;

WHEREAS, it is therefore necessary to modify the O&M Agreement to extend the timeline for the remedial activities and to modify the incorporated O&M plan to address these recent concerns; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to execute the necessary documents in order to maintain progress on this project and for the preservation of public health, peace, property and safety; **NOW, therefore**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Recreation and Parks is hereby authorized to execute a modification of the Operation and Maintenance Agreement for the Whittier Peninsula Grange-Audubon Nature Center site, including a modification of the incorporated Operation and Maintenance Plan, and any other additional documents and instruments that are necessary and incident thereto.

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1142-2011

Drafting Date: 07/05/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Roadway Improvements - Emerald Parkway/Tuttle Crossing Blvd - Rings Road Project.

Fiscal Impact: It has been determined that funding for this project will come from the Department of Public Service, Division of Design and Construction, Streets and Highways Improvement Fund.

Emergency Justification: To keep this project on schedule it is essential the City Attorney's Office, Real Estate Division continue their acquisition activities and that they be authorized to expend those funds necessary to complete both the original and the additional acquisitions as soon as possible.

Title

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Roadway Improvements - Emerald Parkway/Tuttle Crossing Blvd - Rings Road Project, to authorize the expenditure of \$633,410.00 from the Department of Public Service, Streets and Highways Improvement Fund; and to declare an emergency. (\$633,410.00).

Body

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Emerald Parkway Roadway Improvement Project; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0067X-2010, on the 17th day of May, 2010, and Resolution No. 039X-2011, on the 4th day of April, 2011, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Division of Design and Construction, in that it is necessary to appropriate such real property interests so that there will be no delay in the aforementioned project, and for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That fee simple title and lesser interests in and to parcels 4E, T and 5E, T listed in Section 5 hereof, as are fully described in Resolution No. 0067X-2010, adopted on the 17th day of May, 2010, said descriptions being incorporated herein, be appropriated for the public purpose of the Roadway Improvements - Emerald Parkway/Tuttle Crossing Blvd - Rings Road Project, #530161-100003, pursuant to the power and authority granted to the City of Columbus by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909.

Section 2. That fee simple title and lesser interests in and to parcels 3WD, E, T; 6WD, E, T1, T2; 7WD, E, T; and 8WD, E, T, listed in Section 5 hereof, as are fully described in Resolution No. 0039X-2011, adopted on the 4th day of April, 2011, said descriptions being incorporated herein, be appropriated for the public purpose of the Roadway Improvements - Emerald Parkway/Tuttle Crossing Blvd - Rings Road Project, #530161-100003, pursuant to the power and authority granted to the City of Columbus by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909.

Section 3. That the Council of the City of Columbus, Ohio, declares that the appropriation of said real property interests is necessary for the stated public purpose, and that the City of Columbus, Ohio, has been unable to agree with the owner(s) as to the just compensation to be paid by the City of Columbus, Ohio.

Section 4. That the Council of the City of Columbus hereby declares its intention to obtain immediate possession of the real property interests described herein.

Section 5. That the Council of the City of Columbus hereby declares the value of said fee simple title and /or lesser interests as follows:

1.	4E, T	Clare Acquisitions LLC	\$80,850.00.
2.	5E, T	Tonya Salle	\$93,000.00
3.	3WD, E, T	Wells Reit_II Lakehurst-Britton LLC	\$149,000.00
4.	6WD, E, T1, T2	Antrim Ventures, LLC	\$59,860.00
5.	7WD, E, T	Meander Hospitality Group. Inc.	\$113,000.00
6.	8WD, E, T	G & I VI Britton Woods LLC	\$137,700.00

Section 6. That the City Attorney be and he hereby is authorized to file complaints for appropriation of real property, in the Franklin County Court of Common Pleas, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

Section 7. That the expenditure of \$633,410.00, or so much thereof as may be necessary is authorized from the Street and Highways Improvement Fund, No. 766, The Build America Bonds Fund, No. 746, and the Northland and Other Acquisitions Fund, No. 735:

Fund / Dept-Div / Project / OCA / O.L. 01-03 Codes / Auditor Certificates / Amount
766 / 59-12 / 530161-100003 / 766161 / 06-6601 / AC031854 / \$300,000.00
735 / 44-01 / 590415-100000 / 440735 / 06-6601 / AC030782 - 001 / \$300,000.00
746 / 59-12 / 530161-100003 / 743161 / 06-6601 / AC030782 - 002 / \$33,410.00

for acquisition costs related to the aforesaid purpose is hereby authorized.

Section 8. That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

Section 9. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

Section 10. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1145-2011

Drafting Date: 07/05/2011

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

The purpose of this legislation is to increase the penalties relative to criminal trespassing as established in Columbus City Codes, 1959. This legislation will amend section 2311.21 by increasing the penalty for those convicted under this section, upon the third or subsequent conviction, by making the offense of criminal trespassing a misdemeanor of the third degree. Additionally, if the person previously has been convicted under this section, upon the ~~fifth~~ **fourth** or subsequent conviction within a one (1) year period, the offense of criminal trespassing is a misdemeanor of the second degree. The intent of this legislation is to increase the penalties for repeat offenders in order to assist property owners in addressing crime occurring on their property. This ordinance makes the necessary changes to this section that will make it conform to the state statute.

Title

To amend existing Section 2311.21 of the Columbus City Codes, 1959, to increase the penalties relative to criminal trespassing.

Body

WHEREAS, the Columbus Division of Police reports an increase in the number of complaints from residents, visitors, and businesses regarding criminal trespassing throughout the City; and

WHEREAS, examples of criminal trespassing include, but are not limited to, knowingly enter or remain on the land or premises of another; knowingly enter or remain on the land or premises of another, the use of which is lawfully restricted to certain persons, purposes, modes, or hours, when the offender knows he is in violation of any such restriction or is reckless in that regard; recklessly enter or remain on the land or premises of another, as to which notice against unauthorized access or presence is given by actual communication to the offender, or in a manner prescribed by law, or by posting in a manner reasonably calculated to come to the attention of potential intruders, or by fencing or other enclosure manifestly designed to restrict access; being on the land or premises of another, negligently fail or refuse to leave upon being notified to do so by the owner or occupant, or the agent or servant of either; and

WHEREAS, Columbus City Council is amending this sections of City Code pursuant to its police power in order to improve the overall quality of life and public safety of Columbus residents and visitors, and to encourage access to neighborhoods and patronage to Columbus businesses; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

Section 1: That Section 2311.21 of the Columbus City Codes, 1959, shall be amended to read as follows:

2311.21 - Criminal trespass.

(A) No person, without privilege to do so, shall do any of the following:

- (1) Knowingly enter or remain on the land or premises of another;

(2) Knowingly enter or remain on the land or premises of another, the use of which is lawfully restricted to certain persons, purposes, modes, or hours, when the offender knows ~~he~~ the offender is in violation of any such restriction or is reckless in that regard;

(3) Recklessly enter or remain on the land or premises of another, as to which notice against unauthorized access or presence is given by actual communication to the offender, or in a manner prescribed by law, or by posting in a manner reasonably calculated to come to the attention of potential intruders, or by fencing or other enclosure manifestly designed to restrict access;

(4) Being on the land or premises of another, negligently fail or refuse to leave upon being notified by signage posted in a conspicuous place or otherwise being notified to do so by the owner or occupant, or the agent or servant of either.

(B) It is no defense to a charge under this section that the land or premises involved was owned, controlled, or in custody of a public agency.

(C) It is no defense to a charge under this section that the offender was authorized to enter or remain on the land or premises involved, when such authorization was secured by deception.

(D) (1) Whoever violates this section is guilty of criminal trespass, a misdemeanor of the fourth degree. If an offender previously has been convicted of two or more violations of criminal trespass under division (A) of this section, a violation of division (A) of this section is a misdemeanor of the third degree; or, if an offender who, within one year of the offense, previously has been convicted of ~~four~~ **three** or more violations of criminal trespass under division (A) of this section, a violation of division (A) of this section is a misdemeanor of the second degree.

Notwithstanding the penalty provided in Section 2301.27 whenever an organization is guilty of violating this section such organization shall be fined not more than two hundred fifty dollars.

(2) If the offense occurred on city owned property, in a school building, on school premises, or within 1000 feet of the boundaries of school premises, or on public library premises, then the court shall impose a mandatory jail term of at least ten consecutive days during which mandatory jail term the defendant shall not be eligible for work release. ~~term of imprisonment of at least ten days, which shall not be suspended, shall be a period of consecutive imprisonment, and during which mandatory minimum term of imprisonment the defendant shall not be eligible for probation, house arrest, or work release.~~

(E) As used in this section, "land or premises" includes any land, building, structure or place belonging to, controlled by, or in custody of another, and any separate enclosure or room, or portion thereof.

Section 2. That existing Section 2311.21 is hereby repealed.

Section 3. Severability Clause. That if any section, sentence, clause, or phrase contained in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, it shall in no way affect the validity of any remaining portions of this ordinance.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law

Legislation Number: 1146-2011

Drafting Date: 07/05/2011

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into a design reimbursement agreement with TechSouth Development Co., LLC for the amount of \$173,351.21.

The Project includes design of a new public road from the intersection of Frebis Avenue and Gilbert Street to the intersection of the Tech South Public Road and Jenkins Avenue (approximately 900 feet). The Tech South Public Road will align with Gilbert Street at Frebis Avenue and with an existing driveway for the Tech South development at Jenkins. The project also includes a new public road (Tech South Public Road) from Jenkins Avenue to Markison Avenue (approximately 630 feet) that will follow the East property line of the Tech South property and 750 feet of new storm sewer along Jenkins Avenue to 18th Avenue. Some demolition of existing parking lots, concrete walls, concrete slabs and other pavement will be required. Minor coordination will be required to relocate some American Electric Power facilities within the limits of the project. Proposed improvements will include new pavement, sidewalk, curb, storm sewer, and street lighting.

The former Techneglas plant closed in 2004 and served as one of Columbus' major industrial employers for many years. The site has remained largely vacant since with approximately 48 acres and over 1 million square feet of re-developable space.

Ordinance 1154-2007 passed by Columbus City Council on July 16, 2007, authorized the Director of of the Department of Development to enter into a partnership agreement with TG707, Inc. to apply for a \$5,000,000.00 Ohio JRS grant for improvements at the former Techneglas site on Columbus' Southside at 707 Jenkins Avenue, for the redevelopment project known as TechCenter South.

Ordinance 0691-2008 passed by Columbus City Council on April 21, 2008, to reflect the City of Columbus as the grant applicant in partnership with the TechCenter South Development Co., LLC; replacing TG707 Inc. as the appropriate legal entity with whom the City would enter into a development agreement.

The Development Agreement for the former Techneglas Facility was executed on May 18, 2008 between City and TechCenter South Development Co., LLC.

An "Amendment of the Development Agreement concerning the former Techneglas facility" was executed on March 24, 2009 by the City and TechCenter South Development Co., LLC . This amendment stated the responsibilities of the City and TechCenter South Development Co, LLC in fulfilling the JRS Grant.

A "Second Amendment of Development Agreement concerning the former Techneglas facility" was executed on June 18, 2009 between the City and TechSouth Development Co. LLC. This amendment changed the name of the developer from TechCenter South Development Co., LLC, a Delaware limited liability company to TechSouth Development Co., LLC, a Delaware limited liability company.

Ordinance 1944-2008, passed by Columbus City Council on December 15, 2008 authorized an agreement between the Director of the Columbus Department of Development and the Ohio Department of Development to accept a \$5,000,000.00 Job Ready Sites (JRS) grant for improvements at the TechCenter South site (formerly known as the Techneglas site) and to authorize any necessary agreements with the site owner, TechCenter South Development Co., LLC (an affiliate of Greystone & Co., Inc.) as the City's principle agent to facilitate site improvements under the said grant for redevelopment of the TechCenter South site.

With the JRS grant, the City, in partnership with the TechCenter South Development Company will renovate the existing space and undertake site improvements to accommodate an anticipated employment potential of over 1,500 jobs.

On March 3, 2010, The Ohio Department of Development agreed to amend the term for completing the TechSouth entrance road, by one year, to December 15, 2012

2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for TechCenter South Development Co., LLC is 26-2247950.

3. FISCAL IMPACT: The maximum amount of the reimbursement provided within the guaranteed maximum cost agreement authorized to be expended by this ordinance is \$173,351.21.

The Department of Public Service will contribute \$173,351.21 for this design reimbursement agreement. This expense is budgeted within the 2011 Capital Improvement Budget. This expense can be accommodated by appropriating and transferring funds needed in the amount of \$173,351.21 from the Special Income Tax Fund. Bonds have yet to be sold for the whole project, necessitating a certification of \$173,351.21 against the Special Income Tax Fund. Upon sale of bonds, this will be reimbursed. These Funds will then be transferred to the Streets and Highways G.O. Bonds Fund, appropriated and authorized to be expended.

4. EMERGENCY DESIGNATION

The Department of Public Service is requesting this ordinance to be considered an emergency measure in order to allow for immediate execution of this agreement which is necessary to facilitate the design of public right-of-way improvements in the area known as the TechCenter South site (formerly known as the Techneglas site).

TitleTo authorize the Director of Public Service to enter into a design reimbursement agreement with TechCenter South Development Co., LLC, for the design of public infrastructure improvements in connection with the Roadway Improvements - Tech Center South project in the amount of \$173,351.21; to authorize and direct the City Auditor to transfer \$173,351.21 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$173,351.21 within the Streets and Highways G.O. Bonds Fund; to authorize the Director of Public Service to expend \$173,351.21 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$173,351.21)

Body**WHEREAS**, the former Techneglas plant closed in 2004 and served as one of Columbus' major industrial employers for many years. The site has remained largely vacant since with approximately 48 acres and over 1 million square feet of re-developable space; and

WHEREAS, ordinance 1154-2007 passed by Columbus City Council on July 16, 2007, authorized the Director of the Department of Development to enter into a partnership agreement with TG707, Inc. to apply for a \$5,000,000.00 Ohio JRS grant for improvements at the former Techneglas site on Columbus' Southside at 707 Jenkins Avenue, for the redevelopment project known as TechCenter South; and

WHEREAS, Ordinance 0691-2008 passed by Columbus City Council on April 21, 2008, reflected the City of Columbus as the grant applicant in partnership with the TechCenter South Development Co, LLC; replacing TG707 Inc. as the appropriate legal entity with whom the City would enter into a development agreement; and

WHEREAS, The Development Agreement for the former Techneglas Facility was executed on May 18, 2008 between the City and TechCenter South Development Co., LLC; and.

WHEREAS, an "Amendment of the Development Agreement concerning the former Techneglas facility" was executed March 24, 2009 by the City and TechCenter South Development Co., LLC. This amendment stated the responsibilities of the City and TechCenter South Development Co, LLC in fulfilling the JRS Grant; and

WHEREAS, a "Second Amendment of Development Agreement concerning the former Techneglas facility" was executed on June 18, 2009 between the City and TechSouth Development Co. LLC. This amendment changed the name of the developer from TechCenter South Development Co., LLC, a Delaware limited liability company to TechSouth Development Co., LLC, a Delaware limited liability company; and.

WHEREAS, ordinance 1944-2008, passed by City Council on December 15, 2008, authorized an agreement between the Director of the Columbus Department of Development and the Ohio Department of Development to accept a \$5,000,000.00 Job Ready Sites (JRS) grant for improvements at the TechCenter South site (formerly known as the Techneglas site) and to authorize any necessary agreements with the site owner, TechCenter South Development Co., LLC (an affiliate of Greystone & Co., Inc.) as the City's principle agent to facilitate site improvements under the said grant for redevelopment of the TechCenter South site; and

WHEREAS, with the JRS grant, the City, in partnership with the TechCenter South Development Company will renovate the existing space and undertake site improvements to accommodate an anticipated employment potential of over 1,500 jobs; and

WHEREAS, On March 3, 2010, The Ohio Department of Development agreed to amend the term for completing the TechSouth entrance road, by one year, to December 15, 2012; and

WHEREAS, this ordinance authorizes the Director of Public Service to enter into a design reimbursement agreement with TechCenter South Development Co., LLC, in the amount of \$173,351.21 for the design of public infrastructure improvements in connection with the Roadway Improvements - Tech Center South project ; and

WHEREAS, it is necessary to transfer funds from the Special Income Tax Fund to this project; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

WHEREAS, this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the city will issue to finance this project is presently expected not to exceed \$173,351.21; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project").

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Division of Design and Construction, in that it is immediately necessary to authorize said guaranteed maximum cost reimbursement agreement and the expenditure of such funds to maintain the project schedule and meet community commitments; thereby immediately preserving the public health, peace property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Service be and hereby is authorized to enter into a design reimbursement agreement with TechSouth Development Co., LLC, 152 W. 57th Street, New York, New York 10019, for design of public infrastructure improvements to be constructed in connection with the Roadway Improvements - TechCenter South project at a cost not to exceed \$173,351.21 and to provide funding for construction inspection in the amount of \$139,895.11.

SECTION 2. The sum of \$173,351.21 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2011 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

SECTION 3. That the City Auditor is hereby authorized to transfer said funds to the Streets and Highways G.O. Bonds Fund, No. 704, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

SECTION 4. That \$173,351.21 is hereby appropriated within Fund 704, the Streets and Highways G.O. Bonds Fund, Dept-Div. 59-12, Division of Design and Construction as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 530161-100073 / Roadway Improvements - Tech Center South / 06-6600 / 530073 / \$173,351.21

SECTION 5. That the monies appropriated in the foregoing Section 4 shall be paid upon order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 6. That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3 above.

SECTION 7. That the City Auditor is authorized to establish proper accounting project numbers and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 3, above.

SECTION 8. That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$173,351.21 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

SECTION 9. All funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

SECTION 10. That the sum of \$173,351.21 is authorized to be expended for this agreement as follows:

Fund / Dept-Div / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount
704 / 530161-100073 / Roadway Improvements - Tech Center South / 06-6682 / 530073 / \$173,351.21

SECTION 11. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 12. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1154-2011

Drafting Date: 07/06/2011

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The Division of Planning and Operations is responsible for traffic control throughout the City to promote vehicular safety and expedite traffic flow. The Purchasing Office has solicited formal competitive bids for the purchase of Longitudinal Channelizers in the process of establishing universal term contracts (UTCs). This commodity is used to separate traffic into lanes.

This ordinance authorizes the expenditure of monies for these longitudinal channelizers per the terms and conditions of this existing universal term contract. The total cost of the commodities needed is \$50,000.00.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Quick Kurb Inc.

2. CONTRACT COMPLIANCE

Quick Kurb, Inc's contract compliance is 593340636 and expires: 2/1/2013

3. FISCAL IMPACT:

Funding for these commodities is budgeted within the 2011 Capital Improvement Budget. This expense can be accommodated by appropriating and transferring funds needed in the amount of \$50,000.00 from the Special Income Tax Fund. Bonds have yet to be sold for this expense, necessitating a certification of \$100,000.00 against the Special Income Tax Fund. Upon sale of bonds, this will be reimbursed.

4. EMERGENCY DESIGNATION

Emergency action is requested to procure the Longitudinal Channelizer commodities as soon as possible to provide sufficient supply to meet the Division's schedules at the earliest possible time for the safety of the travelling public. Title To authorize the Director of Finance and Management to establish purchase orders with Quick Kurb Inc. for the purchase of Longitudinal Channelizers per the terms and conditions of an existing universal term contract for the Division of Planning and Operations; to authorize and direct the City Auditor to transfer \$50,000.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$50,000.00 within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of \$50,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$50,000.00)

Body **WHEREAS**, the Purchasing Office has solicited bids and established universal term contracts for the purchase of Longitudinal Channelizer commodities; and

WHEREAS, the Division of Planning and Operations has a need to procure these items in a timely manner so as not to delay the installation of these items; and

WHEREAS, it is necessary to transfer funds from the Special Income Tax Fund to this project; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

WHEREAS, this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the city will issue to finance this project is presently expected not to exceed \$100,000.00; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Planning and Operations, in that it is immediately necessary to establish purchase orders for this purpose, thereby preserving the public health, peace, property, safety and welfare, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Finance and Management be and hereby is authorized to establish purchase orders for the purchase of Longitudinal Channelizer commodities per the terms and conditions of an existing universal term contract for the Division of Planning and Operations as described below.

Fund/ Project #

704 / 530210-100002 Curb Reconstruction - Qwik Curb Commodity

4. FL004349

Qwick Kurb, Inc.

PO Box 706

Anna Maria, FL 34216

Longitudinal Channelizers - \$50,000.00

Total: \$50,000.00

SECTION 2. The sum of \$50,000.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2011 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

SECTION 3. That the City Auditor is hereby authorized to transfer said funds to the Streets and Highways G.O. Bonds Fund, No. 704, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

SECTION 4. That \$50,000.00 is hereby appropriated within Fund 704, the Streets and Highways G.O. Bonds Fund, Dept-Div. 59-11, Division of Planning and Operations as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
704 / 530210-100002 / Curb Reconstruction - Qwik Curb Commodity / 06-6651 / 742102 / \$50,000.00

SECTION 5. That the monies appropriated in the foregoing Section 4 shall be paid upon order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 6. That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3 above.

SECTION 7. That the City Auditor is authorized to establish proper accounting project numbers and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 3, above.

SECTION 8. That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$50,000.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

SECTION 9. All funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

SECTION 10. That for the purpose of paying the cost of this commodity the sum of \$50,000.00 or so much thereof as may be needed is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, Dept./Div. 59-11

Fund / Project # / Project / O.L. 01-03 Codes / OCA Code / Amount
704 / 530210-100002 / Curb Reconstruction - Qwik Curb Commodity / 06-6651 / 742102 / \$50,000.00

SECTION 11. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 12. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Version: 1

Matter Type: Ordinance

Explanation

Background: One property currently held in the Land Bank has been approved for disposition. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of such real property. 775 Heyl Avenue (010-042313) will be sold to HNHF Realty Collaborative (HNHF) to renovate this existing single-family house. HNHF is a partnership between Nationwide Children's Hospital and Community Development for All People to develop houses as a part of the Healthy Neighborhoods, Healthy Families initiative in the Southern Orchards neighborhood in South Columbus. HNHF will sell the completed structure to homeowners. The property will be transferred by deed and recorded in the Official Records of the County Recorder's Office.

Fiscal Impact: No funding is required for this legislation. The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance and disposition of such land and such other expenses of the program as the City may apportion to such land from the sale proceeds.

Emergency Justification: Emergency action is requested to expedite the transfer of the property to allow the developer to immediately start construction to meet program deadlines.

Title

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (775 Heyl Avenue) held in the Land Bank pursuant to the Land Reutilization Program and Neighborhood Stabilization Program; and to declare an emergency.

Body

Whereas, ordinance 1860-2008 adopted the City's Neighborhood Stabilization Program, authorized the filing of the Neighborhood Stabilization Program application with HUD, and made a substantial amendment to the Consolidated Plan's 2008 Action Plan; and

Whereas, ordinances 0234-2009 and 0136-2009 authorized the Director of the Department of Development to acquire properties under the Neighborhood Stabilization Program and the expenditure of funds; and

Whereas, by Ordinance 2161-93 Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor or through a conveyance in lieu of foreclosure to foster either return of such land to tax revenue generating status or its devotion to public use; and

Whereas, a proposal for the sale of one parcel acquired pursuant to Section 5722.06 for this program, meet the Land Reutilization Program's Disposition Policies and Guiding Principles, and were approved; and

Whereas, in order to complete the transfer of such property to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for such real property; and

Whereas, an emergency exists in the usual daily operation of the Department of Development, Land Redevelopment Office in that it is immediately necessary to convey title of said parcel of real estate to allow the developer to immediately start construction to meet program deadlines, all for the immediate preservation of the public health, peace, property, safety and welfare; and now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized to execute any and all necessary agreements and deeds to convey title of the following parcels of real estate to HNHF Realty Collaborative:

PARCEL NUMBER: 010-042313
ADDRESS: 775 Heyl Ave., Columbus, Ohio 43206
USE: Single-family Residential dwelling

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, AND IN THE CITY OF COLUMBUS:

BEING 24.40 FEET OFF OF THE NORTH SIDE OF LOT NUMBER FORTY-SEVEN (47) AND SIX FEET OFF OF THE SOUTH SIDE OF LOT NUMBER FORTY-SIX (46) OF THEODORE BUTLER'S SUBDIVISION, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 4, PAGE 242, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

Section 2. That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

Section 3. That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and the Neighborhood Stabilization Program, and hereby approves the same.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

City RFPs, RFQs, and Bids

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED DAILY AT:
<http://vendorservices.columbus.gov/e-proc/venSolicitationsAll.asp?link=Open+Solicitations&cboType=B>

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE: Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.35 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

LOCAL CREDIT: For all contracts EXCEPT PROFESSIONAL SERVICE CONTRACTS: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$10,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSALS CALL THE LISTED DIVISION

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - July 27, 2011 3:00 pm

SA004035 - Eastmoor Area Water Line Improvements

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: The City of Columbus Department of Public Utilities, Division of Power and Water is receiving proposals for the Eastmoor Area Water Line Improvements project. The work for which proposals are invited consists of the installation of approximately 12,000 feet of 6 and 8-inch ductile iron water lines and appurtenances and other such work as may be necessary to complete the contract in accordance with the plans (CIP No. 690236-100028, Contract No. 1129) and specifications. All work shall be completed within 240 calendar days from date of the Notice to Proceed.

CLASSIFICATIONS: There is not a Pre-Bid Conference for this bid. Prevailing wage rates apply. A 10% (ten percent) proposal guaranty (proposal bond or certified check) and a 100% (one hundred percent) performance and payment bond are required for this bid. Plans are available to prospective bidders on or after Monday, July 11, 2011. The Bid Date for the project is July 27, 2011 at 3:00 p.m., Bidders must hold current City of Columbus water or combined water/sewer license at the time of bid.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 02, 2011

BID OPENING DATE - July 28, 2011 11:00 am

SA003979 - POLICE/HIGH DENSITY MOVEABLE FILING SYS

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus, Division of Police to establish a one time contract for the purchase of a high density moveable filing storage system for the Records Unit.

1.2 Classification: This request is for installation, purchase, setup of filing system, and maintenance of the complete filing system. The mechanical-assist movable shelving system will be ADA compliant. Ergonomic features, handles for ease of use, mechanical shelving and maximum filing space are the essential requirements of this system.

1.2.1 Specification Questions: Questions regarding this bid were sent by in writing via email to vendorservices@columbus.gov by no later than 11:00 a.m. (local time) on July 8, 2011. Note that the addendum provides the questions and answers. Additionally the bid due date has changed to July 28, 2011 at 11:00 a.m. and the bid specifications and proposal page revised.

1.2.2 Prevailing Wage: Prevailing wage rates shall apply if pricing exceeds \$23,447.00.

If a proposed equal product is bid, the bid packet shall include brochures with specifications and/or product description sheets identifying all materials and products being bid.

Bidders shall submit diagrams/drawings of their proposed filing systems and total amount of filing space that will be provided.

The City of Columbus, Ohio is looking for suppliers who have been in business for five (5) years and sells, services and warrants High Density Moveable Storage System.

Bidders shall state warranty information on proposal page and submit copies of all warranties with this bid. During warranty period state your response time for repairs.

The bidder shall submit a letter of authorization stating that the bidder is an authorized dealer and installer representing the manufacturer listed in their bid and this letter must be on the manufacturer's letterhead stationery signed by an officer of the manufacturer's company. The letter shall state the local authorized dealer/installer, including address and telephone number.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 14, 2011

SA004047 - LAND REDVT-TRASH, DEBRIS, TREE REMVL/DEMO

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

LAND REDEVELOPMENT OFFICE - LAND BANK PROGRAM
TRASH/DEBRIS CLEAN UP, TREE/SHRUB REMOVAL, AND LIGHT DEMO

1. SCOPE AND CLASSIFICATION

1.1 Scope: It is the intent of the City of Columbus, Department of Development, Land Redevelopment Office, to obtain bids to establish one or more contracts for all labor, materials and equipment. The Columbus Land Bank will need trash & debris clean up, tree and shrub removal and light demolition. The Land Bank inventory contains both city owned vacant lots and parcels with structures scattered throughout the City of Columbus. The contract(s) may not be exclusive to one contractor; the City reserves the right to award contracts to multiple contractors and to non-profit organizations under this bid request. Contract term will be based on the availability of funds, but shall, at minimum, last until December 31, 2011. Additional time for this contract(s) is subject to the approval and appropriation of funds.

1.2 Classification: Services shall be performed at sites identified by the Land Redevelopment Office. Tasks performed may include, but are not limited to items such as: initial clean up of the job site and disposing of all debris in appropriate land fill or solid waste authority, removal of fallen trees, small structures, trash and debris (interior and exterior) and tree trimming.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov> <<http://vendorservices.columbus.gov/>>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 21, 2011

SA004029 - Byron Jackson Pump Parts and Service UTC

1.0 SCOPE AND CLASSIFICATION

1.1 Scope: It is the intent of the City of Columbus, Division of Water to solicit bids to provide a Universal Term Contract (blanket type) to supply parts and services to repair/rebuild existing Byron Jackson vertical turbine pumps. The City of Columbus estimates spending \$45,000.00 annually for this contract.

1.2 Classification: The contract resulting from this proposal will provide for the purchase and delivery of replacement parts for Byron Jackson vertical turbine pumps listed herein. The contract will also provide for services to repair/rebuild existing Byron Jackson vertical turbine pumps, and for the testing and rehabilitation of water wells. The repair/rebuild portion may include removal and installation of pumps at City-owned facilities, in addition to providing various machine shop services for repairing parts and assemblies to meet original manufacturer's specifications. The contract will be in effect from the date of execution by the City to and including August 31, 2013.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: June 29, 2011

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA004030 - Gould Pump Parts & Services UTC

1.0 SCOPE AND CLASSIFICATION

1.1 Scope: It is the intent of the City of Columbus, Division of Water to solicit bids to provide a Universal Term Contract (blanket type) to supply parts and services to repair/rebuild existing Goulds submersible pumps,. The City of Columbus estimates to spend \$55,000.00 annually for this contract. The contract will be in effect from the date of execution by the City to and including August 31, 2013.

1.2 Classification: The contract resulting from this proposal will provide for the purchase and delivery of replacement parts Goulds submersible pumps listed herein. The contract will also provide for services to repair/rebuild existing Goulds submersible pumps, and for the testing and rehabilitation of water wells. The repair/rebuild portion may include removal and installation of pumps at City-owned facilities, in addition to providing various machine shop services for repairing parts and assemblies to meet original manufacturer's specifications. Bidders must have a minimum of (5) years experience with the rebuilding and installation of industrial pump equipment.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: June 30, 2011

SA004016 - OCM-PS FOR ENERGY SERVICES COMPANY ESCO

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

REQUEST FOR STATEMENTS OF QUALIFICATION (RFSQ)
FOR PROFESSIONAL ENERGY SERVICES COMPANY (ESCO) SERVICES

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain Request for Statements of Qualifications (RFSQ) to establish a contract for the PROFESSIONAL ENERGY SERVICES COMPANY (ESCO) SERVICES.

1.2 Clarification: The City of Columbus seeks proposals from interested Energy Services Companies to identify and implement capital improvements to reduce energy and related costs at various Division of Police Precincts in the City of Columbus. Contingent upon the outcome, the City may utilize the ESCO on other City owned facilities for energy efficiency related capital improvements. Interested ESCOs shall be accredited through the National Association of Energy Services Companies (NAMESCO), and have previous, verifiable, experience implementing similar projects.

1.3 Deadline for questions is Thursday, July 21, 2011 at 12:00 p.m. Contact Jennifer Henderson with the Office of Construction Management via email (jrhenderson@columbus.gov) or fax (614-645-0254) only.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: June 11, 2011

BID OPENING DATE - July 29, 2011 12:00 pm

SA004043 - Muni Ct - Ignition Interlock Devices

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

I. SCOPE AND CLASSIFICATION

The Franklin County Municipal Court Judges intend to contract with a qualified contractor who can provide Ignition Interlock Services to indigent probationers who are ordered by this court to use such equipment. These services may include installation of equipment, monitoring/downloading of information, reporting information periodically to the probation department, and testifying concerning any reports prepared by the contracting agency.

II. CONTRACT TERM

The initial contract will be for three years, commencing October 1, 2011 and ending on September 30, 2014. Extending the contract after the initial year will be subject to the approval of annual appropriations. Upon the agreement of both parties and subject to the approval of appropriations, the contract may be extended for an additional one year term.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 12, 2011

BID OPENING DATE - August 2, 2011 11:06 am

SA004049 - R&P Site Furnishing Improvements 2011

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 1111 E Broad Street, until 11:00 a.m. on Tuesday, August 2nd, 2011, and publicly opened and read immediately thereafter for:

Site Furnishing Improvements 2011

The work for which proposals are invited consists of ordering and installing site furnishings with concrete foundations.

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders on July 19th at Atlas Blueprint, 374 W. Spring St., Columbus, Ohio 43215, (614) 224-5149, www.atlasblueprint.com upon a non-refundable payment per bid set. Contact Atlas Blueprint for the cost. Payment shall be made payable to Atlas Blueprint.

Questions about the project should be directed to Josh Schenker at 614 ? 645-7665 or jsschenker@columbus.gov.

Proposals must be submitted on the proper forms, P-1 through P-35, contained in the Project Manual/Specifications. The Proposal section in its entirety must be submitted in a sealed envelope marked "Site Furnishing Improvements 2011?"

ORIGINAL PUBLISHING DATE: July 16, 2011

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - August 3, 2011 3:00 pm

SA004031 - Southerly Wastewater Treatment Plant

Capital Improvements Project No. 650352-100004
Southerly Wastewater Treatment Plant
Contract S79 - Headworks Decommissioning

SCOPE: The project consists of decommissioning of the Screen Building, Grit Tanks, and Raw Sewage Pump Building; demolition of the Generator Building ? Southerly; upgrading the Screen Building for use as a Support Facilities Building; improvements to the Administration Building; demolition of the Interconnector Pump Station and associated Generator Building located on London Groveport Rd.; and other miscellaneous work as shown and specified in the Contract Documents.

BID OPENING: Sealed Bids will be received by the Director of Public Utilities of the City of Columbus, Ohio, at its office, 910 Dublin Road, Room 4015, until 3:00 p.m. Local Time on Wednesday, August 3, 2011. They will be publicly opened and read thereafter in the basement Auditorium.

PROCUREMENT OF DOCUMENTS: Copies of the Bidding Document packet may be purchased from Key Companies, 195 East Livingston Avenue, Columbus, Ohio, 43215 or via Plankey at www.plankey.com, and shall be available as of June 30, 2011. No refunds will be made.

CLASSIFICATION: There is a Pre-Bid Conference for this bid. Prevailing wage rates apply. A 10% (ten percent) Proposal Guaranty and a 100% (One hundred percent) Contract Performance and Payment Bond are required for this Bid.

For additional information concerning this Bid, including procedures for obtaining a copy of the Bid Document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: July 01, 2011

SA004033 - Columbus Upground, Raw Water Pipeline

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

COLUMBUS UPGROUND RESERVOIRS, RAW WATER PIPELINE
CONTRACT NO. 1032 ? PART III, PROJECT NO. 690370-100002

SCOPE:

Sealed Bids will be received by the Director of Public Utilities of the City of Columbus, Ohio, at 910 Dublin Road, Room 4015, Columbus, Ohio 43215, until 3:00 p.m. Local Time on August 3, 2011. The bids will be publicly opened and read thereafter in the first floor Auditorium.

The project consists of the installation of a 72-inch raw water pipeline as specified and shown on the Contract Drawings, installation of valve vaults and valves, electrical equipment, instrumentation and control equipment conduit and wiring, non-potable hydrants associated valves and piping, other miscellaneous equipment, and associated restoration and site work. Project also includes reconstruction of existing County and Township roads specified as haul routes, and an overlay of these haul routes at construction completion.

Bid Documents will be available to perspective bidders on or after July 5, 2011

CLASSIFICATION:

A mandatory Pre-Bid Conference will be held at the City of Columbus? Bellpoint Maintenance Facility, 4544 State Route 257 S, Ostrander, Ohio 43061 on Wednesday, July 20, 2011 at 9:30 am. Following the pre-Bid conference, a tour will be given to allow Bidders an opportunity to inspect the project areas and facilities.

In addition, Bidders who are preparing bids as prime contractors are strongly encouraged to participate in a Pre-Bid Vendor Workshop held in the first floor Auditorium at the City of Columbus Utilities Complex, 910 Dublin Road, Columbus, Ohio 43215 on Thursday, July 21, 2011 from 10:00 am to 12:00 pm. The purpose of this vendor workshop is to provide interested subcontractors the opportunity to meet with the prospective prime contractors.

Prevailing wage rates apply to this project. A 10% (ten percent) proposal bond and a 100% (One hundred percent) contract performance and payment bond are required for this bid.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing. From the solicitation listing, click on the box marked ?continue? and open the Bidder?s Guide for this additional information.

OBTAINING CONTRACT DOCUMENTS:

Copies of the Bidding Document Packet will be available to prospective bidders on or after July 5, 2011 at the following location:

Pick Up Location: ms consultants, 2221 Schrock Rd., Columbus, OH 43229
Contact Name: Ken Ricker
Contact Phone Number: (614) 898-7100
Contact Fax Number: (614) 898-7570
Contact E-Mail: kricker@msconsultants.com

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

The Bidding Document Packet may be obtained by placing a deposit in the amount of \$1,000.00 per set and a second non-refundable check for \$200.00 per set payable to ms consultants. Contractors who prefer bidding documents shipped via UPS or FedEx shall provide an account number for payment of shipping charges. Reproduction authorization may be obtained by contacting the City's Project Manager, Troy Branson, P.E., e-mail: TKBranson@columbus.gov, Fax No.: (614) 645-6165.

Copies of the Contract Documents are also on file for examination in the office of the Water Supply & Treatment Coordinator, Utilities Complex, 2nd Floor, 910 Dublin Road, Columbus, Ohio 43215, Phone (614-645-7100), the office of ms consultants, inc., 2221 Schrock Road, Columbus, Ohio 43229, the office of URS Corporation, 277 West Nationwide Blvd., Columbus, Ohio 43215, Builder's Exchange of Central Ohio Plan Room, 1175 Dublin Road, Columbus, Ohio, and the Minority Contractors and Business Assistance Center, 1393 East Broad Street, Columbus, Ohio.
ORIGINAL PUBLISHING DATE: July 02, 2011

SA004032 - RFP CSO REDUCTION IMPROVEMENTS AT WWTP

General Information; The City of Columbus operates two large interconnected municipal wastewater treatment plants, a biosolids composting facility, and a Sewer Maintenance Operations Center (SMOC). This work is part of the City's continuing program to upgrade its wastewater treatment facilities, provide efficient, reliable, cost-effective operations, and enhance personnel safety.

Scope; Within the above, the City of Columbus operates the Alum Creek Storm Tank at 2025 E. Main St. (corner of Alum Creek Drive and Main Street) Columbus, Ohio 43205. It has been determined that the building, much of the equipment, duct work and wiring therein is in need of rehabilitation. This RFP is intended to implement a study of, but not limited to, the areas, structures and equipment, noted within this RFP, and a determination the equipment and procedures necessary to rehabilitate and upgrade the same to an operational status.

Information Package; All offerors are required to obtain the RFP with the project information and submittal instructions from the City of Columbus web site.
(<http://vendorservices.columbus.gov>).

Questions; All questions regarding this RFP should be submitted, by e-mail, no later than July 20, 2011 to Robert M, Smith, P.E., rsmith2@columbus.gov.

Additional Information; For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: July 21, 2011

BID OPENING DATE - August 4, 2011 11:00 am

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA004036 - POLE LINE HARDWARE UTC/DOPW

1.1. Scope. It is the intent of this bid proposal to provide the City of Columbus Department of Public Utilities, Division of Power and Water a "firm" offer for sale" blanket type contract (s) that will allow the purchase of Pole Line Hardware items that will be used for new installations and maintenance for our day-to-day operation. The proposed contract(s) will be through September 30, 2012. The annual estimated expenditure for these items is \$100,000.00.

1.2. Classification. The successful bidder(s) will supply various Pole Line Hardware items. The Division intends to purchase Bolts, Hooks, Nuts, Screws, Washers, Braces, Brackets, Clevis, Pins, Racks, Adapters, Anchors, Grips, Connectors, Sleeves, Terminators, Clamps, Spacers, Insulators, Links, Braids, Staples, Arresters, Cutouts, Switches, Fuses, Elbows, Grounding Devices, Junctions, Inserts, Splice Kits, Tape, Conduit, Couplings, Duct, Elbows, Pull Boxes, Lids and Caps. These items will be purchased throughout the term of the contract.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 08, 2011

SA004041 - Parkson Mechanical Bar Screen Pts UTC

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage to solicit bids to provide a Universal Term Contract for the purchase of replacement Parkson Mechanical Bar Screen Parts. These mechanical bar screen parts are used in the preliminary treatment processes located at the Jackson Pike Wastewater Treatment Plant and are utilized to remove debris from influent wastewater entering the treatment plants prior to processing. The City estimates it will spend \$100,000.00 annually on this contract. The proposed contract will be in effect to and including September 30, 2013.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase and delivery of Parkson Mechanical Bar Screen parts for the Aqua Guard Screens, Model AG-S-T (85), 6.5 x 43.5', 15mm. All orders will be based on an as needed basis. The City of Columbus will provide all installation requirements and maintenance. No substitutes will be accepted.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 13, 2011

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA004042 - Flocculation Tank Shaft Bearings UTC

1.1 Scope: It is the intent of the City of Columbus, Division of Power and Water to establish a Universal Term Contract for the purchase of Flocculation Tank/Sedimentation Basin Shaft Bearings. They are intended to be used by Hap Cremean Water Plant maintenance crews performing maintenance and repair of the flocculation tank and sedimentation basin. The City estimates it will spend \$100,000 per year on this contract. The contract will be in effect from the date of execution by the City to and including August 31, 2013.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase of flocculation tank/sedimentation basin shaft bearings as specified herein. All installation requirements will be handled by City of Columbus staff.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 13, 2011

SA004037 - SEWERS/SWWTP/MOTOROLA COMM. SYSTEM

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 SCOPE AND CLASSIFICATION

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage to obtain formal bids for the purchase of one (1) Motorola Communication System. The equipment will be used at the Southerly Wastewater Treatment Plant for supplying paging, voice and emergency communication throughout the plant.

1.2 Classification: The contract resulting from this bid proposal will provide for the purchase and delivery of one (1) new communication system. The Winning bidder will provide all installation, set-up and training (up to 80 employees) for the system.

1.2.1 Bidder experience: The Bidder must submit an outline of its experience and work history in installation of radio equipment and services for the past five years.

1.2.2 Specification Questions: Questions regarding this bid must be sent by in writing via email to vendorservices@columbus.gov no later than 12:00 noon (local time) on July 20, 2011. Responses will be posted as an addendum to this bid on the City's website (vendorservices.columbus.gov) no later than 4:00 p.m. (local time) on July 22, 2011.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 12, 2011

SA004038 - ROADWAY IMPROVEMENTS - LAZELLE ROAD

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

City funded Professional Services Ad

1.1 Scope: The City of Columbus, Department of Public Service is receiving proposals until 1:00 P.M. August 4, 2011, for professional engineering consulting services for the Roadway Improvements - Lazelle Road project, CIP No. 530161-100081. Proposals are being received by Department of Public Service, Office of Support Services, 109 N. Front St., Room 301, Columbus, OH 43215. The scope of the project shall consist of Final Engineering of a project which will improve the Lazelle Road corridor from a point west of Flint Road (as needed for lane addition tapers and vertical realignment) to Sancus Boulevard and will include improvements to the intersections of Lazelle with Flint Rd. and S. Old State Rd. and replacement of the railroad underpass.

1.2 Classification: Firms wishing to submit a proposal must meet the mandatory requirements stated in the RFP. A pre-proposal meeting will be held at 10:00 a.m on July 18, 2011 at 1881 E. 25th Avenue. All questions concerning the RFP are to be sent to capitalprojects@columbus.gov. The last day to submit questions is July 26, 2011. Responses will be posted on the Vendor Services web site as an addendum. Phone calls will not be accepted.

For additional information concerning this bid go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov/e-proc/>) and view this solicitation number in the open solicitations listing.

Additional information:

It is highly recommended that proposals are hand delivered and not mailed as US Mail is not delivered directly to this building.

ORIGINAL PUBLISHING DATE: July 08, 2011

BID OPENING DATE - August 5, 2011 1:00 pm

SA004044 - OCM-RFSQ-DEMO OF CITY-OWNED STRUCTURES

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

REQUEST FOR STATEMENTS OF QUALIFICATION (RFSQ)
FOR ARCHITECTURAL/ENGINEERING CONSULTING SERVICES
FOR THE DEMOLITION OF CITY-OWNED STRUCTURES

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain Request for Statements of Qualifications (RFSQ) to establish a contract for the PROFESSIONAL ARCHITECTURAL/ENGINEERING CONSULTING SERVICES FOR THE DEMOLITION OF CITY-OWNED STRUCTURES.

1.2 Clarification: The scope of the work shall include design, engineering and contract administration services for the decommissioning and demolition of City owned structures located at 200, 220, 240 and 270 Greenlawn Avenue and at 2077 Parkwood Avenue (approximately 20,500 SF of office space at the northeast corner of parcel). The work on Greenlawn Avenue will be performed in preparation for future structures and the work on Parkwood Avenue will be performed in preparation for parking on the existing slab-on-grade.

1.3 Deadline for questions is Friday, July 22, 2011 at 12:00 p.m. Contact Jennifer Henderson with the Office of Construction Management via email (jrhenderson@columbus.gov) or fax (614-645-0254) only.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: July 12, 2011

BID OPENING DATE - August 11, 2011 11:00 am

SA003980 - POW/45 FOOT DIGGER/DERRICK/UTILITY BODY

1.1 Scope: It is the intent of the City of Columbus Department of Public Utilities, Power Division, to obtain formal bids to establish a contract for the purchase of one (1) 45 foot digger/derrick truck with a minimum GVW rating of 33,000 pounds equipped with utility body. This truck will be used by the Division of Electricity when working on various distribution poles.

1.2 Classification: The contract resulting from this bid proposal will provide for the purchase and delivery of one (1) new and unused 45 foot digger/derrick truck with a minimum GVW rating of 33,000 pounds equipped with utility body.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: June 30, 2011

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA004039 - FLOW INJECTION ANALYZER

1.1 SCOPE. The Surveillance Laboratory of the Division of Sewerage and Drainage is soliciting bids for the purchase and installation of one (1) flow injection analyzer (FIA).

1.2 CLASSIFICATION. Successful bidder will supply equipment as specified and provide on site training of up to 5 people over two (2) days. This system must be of equal or greater quality and function to the Lachat Instrument QuickChem 8500 Series 2 FIA+ and include operating software, installation and training.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 12, 2011

SA004050 - Bricjk Rehab-Pearl Street-Short North

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus, Department of Public Service, is receiving proposals until 3:00 P.M., August 11, 2011, for BRICK REHABILITATION - PEARL STREET - SHORT NORTH BRICK REHABILITATION, CIP NO. 530105-100002, 2697 Drawer E. Proposals are being received at the Department of Public Service, Office of Support Services, 109 N. Front St., Ground Floor, Security Desk, Columbus, OH, 43215. The purpose of the project is the brick street reconstruction to the Pearl Street roadway (Short North - Italian Village District) from Russell Street to Warren Street and from Hubbard Avenue to Prescott Street; includes minor storm sewer work, intermittent curb and sidewalk, and ADA ramp improvements, and such other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents. The Bid Submittal Documents are defined in the City of Columbus Construction and Material Specifications, 2002, as "the bound manual which includes the advertisement for bids, special provisions, the proposal forms, proposed guaranty, contract forms, supplemental specifications, standard drawings (if included), and other notices." The work under this contract shall be completed in a manner acceptable to the City by June 15, 2012.

1.2 Classification: Prevailing wage rates apply. The bidder is required to submit a proposal bond in the form provided in the Bid Submittal documents. The amount of the guaranty shall be expressed in dollars and cents or as a percentage of the bid amount, and shall not be less than ten (10) percent of the bid, including all alternates submitted which increases the bid. Each offeror shall submit with its bond an active City of Columbus Contract Compliance Certification Number, or a completed application for certification. Half sized bid submittal document set can be purchased at 109 N. Front St, Room 301 for \$12.00 and full size bid submittal document set can be purchased for \$20.00. A pre-bid meeting will be held at 1:00 p.m. on August 3, 2011 at 1800 E. 17th Ave. All questions concerning the project are to be sent to capitalprojects@columbus.gov. The last day to submit questions is August 4, 2011 at 10:00 am. Responses will be posted on the Vendor Services web site as an addendum and an e-mail will be sent to each firm who purchased plans. Phone calls will not be accepted.

For additional information concerning this bid go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov/e-proc/>) and view this solicitation number in the "open solicitations" listing.

Additional information:

It is highly recommended that proposals are hand delivered and not mailed as US Mail is not delivered directly to this building.

ORIGINAL PUBLISHING DATE: July 21, 2011

BID OPENING DATE - August 16, 2011 1:00 pm

SA004040 - PUR AND INSTALL GPS/TELEMATIC SYSTEM

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus, Department of Finance and Management, is receiving proposals until 1:00 P.M. August 16, 2011, for professional services for the Purchase and Installation of GPS/Telematic System for The Department of Finance and Management, Fleet Management Division. Proposals are being received by The Department of Finance and Management at the City of Columbus Purchasing Office, 50 West Gay Street, 1st Floor, Columbus, Ohio 43215. The intent of this Request for Proposal (RFP) is to identify a qualified vendor to provide the necessary hardware, software, and labor to implement a Global Positioning/Telematic System that will enable the City of Columbus to locate City-owned light and heavy duty vehicles rapidly and to increase efficiency, improve employee safety, save on fuel costs, and enhance services.

A listing of the specifications and deliverables are available in the attached document. Click 'continue' on the first web page of the solicitation and click on the bid packet.

1.2 Classification: Interested firms may request an electronic copy of the Exhibit A via e-mail from AMBeckman@columbus.gov, Subject: Request Exhibit A for the Purchase and Installation of GPS/Telematic System for The Department of Finance and Management, Fleet Management Division. Each offeror shall submit with its proposal an active City of Columbus Contract Compliance Certification Number. All questions concerning the RFP are to be sent to AMBeckman@columbus.gov. The last day to submit questions is August 4, 2011. Responses will be posted on the Vendor Services web site as an addendum and an e-mail will be sent to each firm requesting an Exhibit A. Phone calls will not be accepted.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

Additional information:

It is highly recommended that proposals are hand delivered and not mailed as US Mail is not delivered directly to this building.

ORIGINAL PUBLISHING DATE: July 12, 2011

BID OPENING DATE - August 18, 2011 11:00 am

SA004048 - TECHNOLOGY EQUIPMENT DISPOSAL UTC

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus is obtaining bids to establish a Universal Term contract for the secure Removal and destruction of, or testing, sanitizing and return of Technology equipment of the types listed herein. This contract will be used by various City agencies and will be coordinated through the Department of Technology. The proposed contract will be in effect through November 30, 2013. It is estimated that \$15,000.00 will be spent annually by various City Agencies.

1.2 Classification: Contractor must have minimum of two years experience in the removal and destruction of sensitive information from electronic devices. The contractor must have a tracking/ reporting system, secure handling methods, and the ability to sanitized and return items if requested. All bidders must demonstrate (by means of providing the information requested herein) their required experience. Items must be disposed of/recycled in a responsible manner with no waste to landfill.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 16, 2011

BID OPENING DATE - August 19, 2011 4:00 pm

SA004046 - 2012 WATER DISTRIBUTION ENG CAP IMP PROG

SCOPE: The City of Columbus Department of Public Utilities, Division of Power and Water is receiving statement of qualifications (SOQ?s) for the 2012 Water Distribution Engineering Capital Improvement Program. The work for which the SOQ?s are invited consists of professional engineering design and surveying services for twelve (12) water distribution projects.

CLASSIFICATIONS: There is not a Pre-Bid Conference for this request. Prevailing wage rates do not apply. There are no bonds required as part of this request.

For additional information concerning this request, including procedures for obtaining a copy of the request for statement of qualifications and how to submit for the SOQ, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 13, 2011

BID OPENING DATE - August 25, 2011 11:00 am

SA004052 - 64 GALLON RECYCLING CONTAINER PROGRAM

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus is soliciting bids for the Division of Refuse Collection to establish a five (5) year Universal Term Contract for the purchase, assembly, and delivery of sixty-four (64) gallon automated recycling containers and miscellaneous recycling container parts and informational materials. These containers will be utilized for residential recycling collections. This contract will consist of a one year deployment phase in which approximately 230,00 units are to be delivered to end users and thereafter a maintenance phase in which containers and replacement parts will be purchased on an "as needed" basis and delivered to a designated service provider.

1.2 Classification: The successful vendor will be responsible for supplying 64 gallon containers with literature as specified, delivering them to households as scheduled the first year and after that units will be requested as needed and delivered to the service provider. Units are to have a 10 year warranty/guarantee. Bidders are required to provide a sample container upon request after bid opening.

1.2.1 Specification Questions: Questions regarding this bid must be sent by in writing via email to vendorservices@columbus.gov no later than 11:00 a.m. (local time) on August 3, 2011. Responses will be posted as an addendum to this bid on the City's website (vendorservices.columbus.gov) no later than 11:00 a.m. (local time) on August 9, 2011. See section 3.1.5 for additional details.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 21, 2011

BID OPENING DATE - August 26, 2011 1:00 pm

SA004045 - OCM-PS FRONT STREET GARAGE PHASE 2

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

REQUEST FOR STATEMENTS OF QUALIFICATION (RFSQ)
FOR ARCHITECTURAL/ENGINEERING CONSULTING SERVICES
FOR FRONT STREET PARKING GARAGE, PHASE 2

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain Request for Statements of Qualifications (RFSQ) to establish a contract for the PROFESSIONAL ARCHITECTURAL/ENGINEERING CONSULTING SERVICES FOR FRONT STREET PARKING GARAGE, PHASE 2.

1.2 Clarification: It is the desire of the Department of Finance and Management through the Office of Construction Management to make improvements to this facility in order to better meet the needs of its users. This project will emphasize MEP equipment, lighting retrofits, signage, way finding, traffic control, drainage, communications cable and equipment, security systems, build-out/renovation of the two storefront spaces for an intended use, and architectural and other improvements as necessary.

1.3 Deadline for questions is Friday, August 12, 2011 at 12:00 p.m. Contact Jennifer Henderson with the Office of Construction Management via email (jrhenderson@columbus.gov) or fax (614-645-0254) only.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 13, 2011

Public Notices

The link to the **Columbus City Health Code** pdf shall constitute publication in the City Bulletin of changes to the Columbus City Health Department's Health Code. To go to the Columbus City Health Code, click [here](#) (pdf).

The Columbus City Code's "**Title 7 -- Health Code**" is separate from the Columbus City Health Code. Changes to "Title 7 -- Health Code" are published in the City Bulletin. To go to the Columbus City Code's "Title 7 -- Health Code," click [here](#) (html).

**City of Columbus
City Bulletin Report**

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Number: PN0029-2011

Drafting Date: 02/03/2011

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: 2011 Health, Housing & Human Services Committee Meeting Notice

Contact Name: Diamond Emory

Contact Telephone Number: (614) 645-7379

Contact Email Address: DCEmory@Columbus.gov

Body

Council Member Hearcel F. Craig will host a Health, Housing & Human Services Committee Meeting on the dates listed below. Unless otherwise noted, the meetings will begin at 5:00 P.M. in City Council Chambers, located on the second floor of City Hall, 90 West Broad Street, Columbus, Ohio.

A valid picture ID is needed to enter City Hall. Members of the general public wishing to address the meeting must fill out a speaker slip. These speaker forms will be made available in Council Chambers until 5:00 P.M. on the day of the meeting.

- Wednesday, February 16, 2011
- Wednesday, March 2, 2011
- Wednesday, March 16, 2011
- Wednesday, April 6, 2011
- Wednesday, April 20, 2011
- Wednesday, May 4, 2011
- Wednesday, May 18, 2011
- Wednesday, June 1, 2011
- Wednesday, June 15, 2011
- Wednesday, July 6, 2011
- Wednesday, July 20, 2011
- Wednesday, September 7, 2011
- Wednesday, September 21, 2011
- Wednesday, October 5, 2011
- Wednesday, October 19, 2011
- Wednesday, November 2, 2011
- Wednesday, November 16, 2011
- Wednesday, December 7, 2011

Meeting dates and times subject to change.

Legislation Number: PN0035-2011

Drafting Date: 02/09/2011

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Near East Area Commission Meetings

Contact Name: Bonita Lee

Contact Telephone Number: 645-7964

Contact Email Address: btlee@columbus.gov

Body

Near East Area Commission General Meeting, 2nd Thursday of the month
(with the exception that there is no meeting in August)

NEAC Planning meeting, 3rd Thursday of the month
NEAC Zoning meeting, 3rd Tuesday of the month.

Meeting place: 950 E. Main Street, Neighborhood Policing Center
Meeting time: all meetings begin at 6:30 p.m.

"The agenda for the General meeting can be found at www.neighborhoodlink.com <<http://www.neighborhoodlink.com>>"

Contact: Margaret Cooley 614-937-0192

Legislation Number: PN0060-2005

Drafting Date: 02/23/2005

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Published Columbus City Health Code

Contact Name: Roger Cloern

Contact Telephone Number: 654-6444

Contact Email Address: rogerc@columbus.gov

Body"The Columbus City Health Code is updated and maintained by the Columbus Health Department.
To view the most current City Health Code, please visit:
www.publichealth.columbus.gov

Legislation Number: PN0063-2011

Drafting Date: 03/07/2011

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Milo-Grogan Area Commission Meetings

Contact Name: Bonita Lee

Contact Telephone Number: 645-7964

Contact Email Address: btlee@columbus.gov

Body

The Milo-Grogan Area Commission Meetings
Have MOVED
The meetings will now be held at:
Milo Grogan Recreation Center
862 E. Second Avenue * Columbus, OH 43201
The Second Tuesday Every Month At 7:00 p.m.
Your Community - Your Participation Is Important

Legislation Number: PN0171-2011

Drafting Date: 07/06/2011

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Art Commission Public Hearing

Contact Name: Lori Baudro

Contact Telephone Number: 645-6986

Contact Email Address: lsbaudro@columbus.gov

Body

Public Hearing -- Columbus Art Commission

The Columbus Art Commission has two meetings scheduled in July 2011:

Business Meeting

8:30 to 10:30 am on Wednesday, July 13, 2011

King Arts Complex, 867 Mt. Vernon Ave

Regular Commission Meeting

6:00 to 8:00 pm on Thursday, July 26, 2011

At the Columbus Health Department, 240 Parsons Avenue, Columbus OH

For more information contact: Lori Baudro, AICP at 645-6986 or lsbaudro@columbus.gov

A sign language interpreter will be made available provided the Planning Division has at least 48 hours notice before the meeting. Call 645-6986 to make arrangements.

Legislation Number: PN0176-2011

Drafting Date: 07/13/2011

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: City Council Zoning Agenda for 07/25/2011

Contact Name: Geoffrey Starks

Contact Telephone Number: 614-645-7293

Contact Email Address: gjstarks@columbus.gov

Body

REGULAR MEETING NO. 37

CITY COUNCIL (ZONING)

JULY 25, 2011

6:30 P.M.

COUNCIL CHAMBERS

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: MILLER, CHR. CRAIG KLEIN MILLS PALEY TYSON GINTHER

1048-2011

To rezone 4037 LOCKBOURNE ROAD (43207), being 1.9± acres located at the southwest corner of Lockbourne Road and Vernon Avenue, From: R, Rural District, To: L-C-4, Limited Commercial District (Rezoning # Z10-025).

1067-2011

To rezone 700 WEST THIRD AVENUE (43212), being 7.7± acres located on the north side of West Third Avenue, 200± feet west of Olentangy River Road, From: M, Manufacturing District, To: C-4, Commercial and L-AR-O, Limited Apartment Office District (Rezoning # Z11-007).

1068-2011

To grant a Variance from the provisions of Sections 3312.27, Parking setback line and 3333.18, Building lines, of the Columbus City Codes for property located at 700 WEST THIRD AVENUE (43212), to permit multi-unit residential development with reduced parking and building setbacks along West Third Avenue in conjunction with rezoning Z11-007. (CV11-013)

1078-2011

To rezone 9215 ANTARES AVENUE (43240), being 16.2± acres located at the terminus of Antares Avenue, 375± feet northeast of Polaris Parkway, From: L-C-4, Limited Commercial District, To: L-ARLD, Limited Apartment Residential District (Rezoning # Z11-016).

1079-2011

To grant a Variance from the provisions of Sections 3333.255, Perimeter Yard, of the Columbus City Codes for property located at 9215 ANTARES AVENUE (43240), to permit multi-unit residential development with reduced perimeter yard in conjunction with rezoning Z11-016. (CV11-017)

Legislation Number: PN0179-2011

Drafting Date: 07/13/2011

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Board of Zoning Adjustment July 26, 2011 Agenda

Contact Name: David Reiss

Contact Telephone Number: 645-7973

Contact Email Address: djreiss@columbus.gov

Body

AGENDA

BOARD OF ZONING ADJUSTMENT

CITY OF COLUMBUS, OHIO

JULY 26, 2011

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, JULY 26, 2011 at 6:00 P.M.** in the First Floor Hearing Room of the Department of Building & Zoning Services, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Department of Building & Zoning Services, 757 Carolyn Avenue, 645-4522.

SPECIAL NOTE TO THE APPLICANT: It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

SIGN LANGUAGE INTERPRETER: An interpreter will be made available for anyone in need of this service. To request an interpreter, please contact the City of Columbus, Department of Building & Zoning Services at 645-4522 at least four (4) hours before the scheduled meeting time.

1. Application No.: 11310-00221

Location: 1629 RUSHING WAY (43235), located on the south side of Rushing Way, approximately 100 feet east of Swift Way.

Area Comm./Civic: Far Northwest Coalition

Existing Zoning: SR, Suburban Residential District

Request: Variance(s) to Section(s):

3332.26, Minimum side yard permitted.

To reduce the minimum side yard from 5 feet to 3 feet.

3332.38, Private garage.

To increase the allowable size of a garage from 720 square feet to 976 square feet.

Proposal: To construct an additional garage.

Applicant(s): Steven & Nicloe Wasosky; 1629 Rushing Way; Columbus, Ohio 43235

Property Owner(s): Same as applicant.

Case Planner: Jamie Freise, 645-6350

E-mail: JFFreise@Columbus.gov

2. Application No.: 11310-00262

Location: 1735 BETHEL ROAD (43220), located at the southwest corner of Reed & Bethel Rds.

Area Comm./Civic: Northwest Civic Association

Existing Zoning: RR, Restricted Rural District

Request: Variances to Sections:

3312.49, Minimum number of parking spaces required.

To reduce the minimum number of additional parking spaces from 57 to 0.

3312.27, Parking setback line.

To reduce the required parking setback from 25 ft. to 10 ft. for a proposed passenger drop-off driveway along Reed Rd.

3332.21, Building lines.

To reduce the minimum building setback line from 60 ft. to 45 ft. along Bethel Rd. (existing condition) and from 50 ft. to 30 ft. along Reed Rd.

Proposal: To construct a church sanctuary and building expansion.

Applicant(s): Heather Roether; c/o M+A Architects; 775 Yard St., Suite 325; Columbus, Ohio 43212

Property Owner(s): Bethel Presbyterian Church; 1735 Bethel Rd.; Columbus, Ohio 43220

Case Planner: Dave Reiss, 645-7973

E-mail: DJReiss@Columbus.gov

3. Application No.: 11310-00263

Location: 3003 NORTH HIGH STREET (43202), located at the northwest corner of W. Tulane Rd. & N. High St.

Area Comm./Civic: Clintonville Area Commission

Existing Zoning: C-4, Commercial District

Request: Variances to Sections:

3312.49, Minimum number of parking spaces required.

To reduce the minimum number of parking spaces from 23 to 0.

Proposal: To convert office space in an existing building into restaurant floor space.

Applicant(s): Tim Lai; c/o Tim Lai Architect; 2576 Summit St.; Columbus, Ohio 43202

Property Owner(s): J.P. Faulkner; 3003 N. High St.; Columbus, Ohio 43202

Case Planner: Dave Reiss, 645-7973

E-mail: DJReiss@Columbus.gov

4. Application No.: 11310-00264

Location: 955 WEST 5TH AVENUE (43212), located at the southeast corner of Norton and W. 5th Aves.

Area Comm./Civic: Fifth by Northwest Area Commission

Existing Zoning: M, Manufacturing District

Request: Variances to Sections:

3372.607, Landscaping and screening.

To locate the dumpster area and the ground-mounted electrical equipment on the front side of the building, facing Norton Ave., instead of behind the principal building.

3312.49, Minimum number of parking spaces required.

To reduce the minimum number of parking spaces from 85 to 69 (16 spaces).

Proposal: To convert a former manufacturing and sales office into a retail strip center.

Applicant(s): Brian Quackenbush; c/o E.M.H.&T.; 5500 New Albany Rd.; Columbus, Ohio 43054

Property Owner(s): Fifth Avenue Design Center, L.L.C.; 4844 Adele Ct.; Woodland Hills, California 91364

Case Planner: Dave Reiss, 645-7973

E-mail: DJReiss@Columbus.gov

5. Application No.: 11310-00265

Location: 66 OAKLAND PARK AVE. (43214), located on the north side of Oakland Park Avenue, approximately 500 feet east of North High Street.

Area Comm./Civic: Clintonville Area Commission

Existing Zoning: R-3, Residential District

Request: Variances(s) to Section(s):

3332.25, Maximum side yards required.

To reduce the maximum side yard from 10 feet to 8 feet.

3332.26, Minimum side yard permitted.

To reduce the minimum side yard from 5 feet to 3 feet.

Proposal: To construct a second story addition which will straddle the driveway.

Applicant(s): Douglas E. Ball, Jr.; 66 Oakland Park Avenue; Columbus, Ohio 43214

Property Owner(s): Applicant

Case Planner: Jamie Freise, 645-6350

E-mail: JFFreise@Columbus.gov

6. Application No.: 11310-00273

Location: 3539 HINES ROAD (43147), located on the north side of Hines Rd., approximately 500 ft. north of Refugee Rd.

Area Comm./Civic: None

Existing Zoning: R-2, Residential District

Request: Variances to Sections:

3309.14, Height districts.

To increase the allowable height of a building or structure from 35 ft. to 170 ft. (135 ft. variance).

3332.26, Minimum side yard permitted.

To reduce the minimum side yard from 5 ft. to 0 ft.

Proposal: To construct a 170 ft. tall water tank.

Applicant(s): City of Columbus; Public Utilities Department; 910 Dublin Rd.; Columbus, Ohio 43215

Property Owner(s): Same as applicant.

Case Planner: Dave Reiss, 645-7973

E-mail: DJReiss@Columbus.gov <<mailto:DJReiss@Columbus.gov>>

7. Application No.: 11310-00290

Location: 1294 NORTH 5TH STREET (43201), located on the east side of N. 5th St., 40 ft. south of E. 7th Ave.

Area Comm./Civic: University Area Commission

Existing Zoning: R-4, Residential District

Request: Variance(s) to Section(s):

3372.544, Maximum floor area.

To increase the maximum total calculated floor area as a ratio to lot area from 0.40 to 0.53.

Proposal: To construct a single-family dwelling.

Applicant(s): Habitat for Humanity; c/o Donald Plank; Plank Law Firm; 145 E. Rich St., 3rd Floor; Columbus, Ohio 43215

Property Owner(s): City of Columbus; c/o John Turner, Administrator; Department of Development, Land Redevelopment Office; 109 N. Front St.; Columbus, Ohio 43215

Case Planner: Jamie Freise, 645-6350

E-mail: JFFreise@Columbus.gov

8. Application No.: 11310-00291

Location: 1305 NORTH 6TH STREET (43201), located on the west side of N. 6th St., 40 ft. north of E. 7th Ave.

Area Comm./Civic: University Area Commission

Existing Zoning: R-4, Residential District

Request: Variance(s) to Section(s):

3372.544, Maximum floor area.

To increase the maximum total calculated floor area as a ratio to lot area from 0.40 to 0.53.

Proposal: To construct a single-family dwelling.

Applicant(s): Habitat for Humanity; c/o Donald Plank; Plank Law Firm; 145 E. Rich St., 3rd Floor; Columbus, Ohio 43215

Property Owner(s): City of Columbus; c/o John Turner, Administrator; Department of Development, Land Redevelopment Office; 109 N. Front St.; Columbus, Ohio 43215

Case Planner: Jamie Freise, 645-6350

E-mail: JFFreise@Columbus.gov

9. Application No.: 11310-00292

Location: 1329 NORTH 6TH STREET (43201), located on the west side of N. 6th St., 80 ft. north of E. 7th Ave.

Area Comm./Civic: University Area Commission

Existing Zoning: R-4, Residential District

Request: Variance(s) to Section(s):

3372.544, Maximum floor area.

To increase the maximum total calculated floor area as a ratio to lot area from 0.40 to 0.53.

Proposal: To construct a single-family dwelling.

Applicant(s): Habitat for Humanity; c/o Donald Plank; Plank Law Firm; 145 E. Rich St., 3rd Floor; Columbus, Ohio 43215

Property Owner(s): City of Columbus; c/o John Turner, Administrator; Department of Development, Land Redevelopment Office; 109 N. Front St.; Columbus, Ohio 43215

Case Planner: Jamie Freise, 645-6350

E-mail: JFFreise@Columbus.gov

RECONSIDERATION CASE:

10. Application No.: 11310-00144

Location: 27-29 EAST 2ND AVENUE (43201), located on the south side of E. 2nd Ave., 42 ft. east of Pearl Al.

Area Comm./Civic: Italian Village Commission

Existing Zoning: R-4, Residential District

Request: Variances to Sections:

3312.29, Parking space.

To reduce the minimum dimensions for parking spaces from 9 ft. by 18 ft. to 8 ft. by 16 ft. for two parking spaces.

3332.27, Rear yard.

To reduce the minimum rear yard from 25% of the total lot area (3,190 x 25% = 797.5 sq. ft.) to 17.3% (552 sq. ft.) of the total lot area; a reduction of 7.7%.

Proposal: To create two parking spaces in the rear yard of a 2-family dwelling.

Applicant(s): Tony McCleery; 6253 Post Rd.; Dublin, Ohio 43017

Property Owner(s): Same as applicant.

Case Planner: Dave Reiss, 645-7973

E-mail: DJReiss@Columbus.gov

Legislation Number: PN0180-2011

Drafting Date: 07/13/2011

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Board of Zoning Adjustment July 26, 2011 Appeals Agenda

Contact Name: David Reiss

Contact Telephone Number: 645-7973

Contact Email Address: djreiss@columbus.gov

Body

APEALS AGENDA

BOARD OF ZONING ADJUSTMENT

CITY OF COLUMBUS

JULY 26, 2011

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, JULY 26, 2011 at 6:00 P.M.** in the First Floor Hearing Room of the Building Services Division Offices, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Building and Development Services Section, 757 Carolyn Avenue, 645-7314.

SPECIAL NOTE TO THE APPLICANT: It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

SIGN LANGUAGE INTERPRETER: An interpreter to "Sign" this meeting will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours prior to the scheduled meeting time. To schedule an interpreter, please contact the City of Columbus, Human Resources Department at 645-6373 or TDD 645-3293.

THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M.:

1. 11312-00229
485 CLARENDON AVENUE
Greater Hilltop Area Commission
R-4, Residential

To Appeal Zoning Code Violation Order No. 11470-01224 issued on 3/29/2011 for:

1. 3305.01, Certificate of zoning clearance.

City Staff: Danielle Weber

City Staff Phone: 645-0328

Appellant: Henry S. Kunze, T.O.D., 56 Logan Ave., Westerville, Ohio 43081
Owner: Same as appellant
Attorney/Agent: Tim Pirtle, 2935 Kenny Rd., Suite 225, Columbus, Ohio 43221

Legislation Number: PN0183-2011

Drafting Date: 07/19/2011

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus City Council Joint Public Safety & Development Committee Meeting

Contact Name: John Ivanic

Contact Telephone Number: (614) 645-6798

Contact Email Address: JPivanic@columbus.gov

Body

Columbus City Councilmembers Michelle M. Mills, chair of the Public Safety Committee, and Zach Klein, chair of the Development Committee, will hold a public to review various proposed changes to the codes dealing with graffiti vandalism.

Date: Monday, August 8, 2011

Time: 5:00 PM

Location:

City Council Chambers
Columbus City Hall
90 West Broad Street
Columbus, Ohio 43215

Legislation Number: PN0184-2011

Drafting Date: 07/21/2011

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Finance Committee Hearing

Contact Name: Carl Williams

Contact Telephone Number: (614) 645-2932

Contact Email Address: CGWilliams@columbus.gov

Body

Councilmember Priscilla R. Tyson, chair of the Finance Committee, will host a public hearing to review the city's second quarter finances. Finance Department Director Paul Rakosky will present a report on the Second Quarter Financial Review.

Date: Wednesday, August 17, 2011

Time: 4pm

Location:

City Hall
Columbus City Council Chambers
90 West Broad Street
Columbus, OH 43215

Public testimony will be accepted. Anyone wishing to address City Council on this matter must fill out a speaker slip before 4 pm on the day of the hearing. The meeting will broadcast live on CTV, Columbus' cable access channel 3.

Legislation Number: PN0290-2010

Drafting Date: 11/03/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: 2011 Meeting Schedule - City of Columbus Records Commission

Contact Name: Toya Johnson, Records Commission Coordinator

Contact Telephone Number: 645-7293

Contact Email Address: tjjohnson@columbus.gov

Body

**CITY BULLETIN NOTICE
MEETING SCHEDULE
CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2011 are scheduled as follows:

Monday, February 14, 2011

Monday, May 9, 2011

Monday, September 19, 2011

These meetings will take place at: City Hall, 90 West Broad Street, 2nd Floor, in the City Council Conference Room (226). They will begin promptly at 10:00 am.

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time, or location of any meeting; or to hold additional meetings. To confirm the meeting date, time, and locations or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator - (614) 645-7293.

Advertise: [01/01/2011 to 9/17/2011](#)

Legislation Number: PN0315-2010

Drafting Date: 12/08/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

**OFFICIAL NOTICE
CIVIL SERVICE COMMISSION
COMPETITIVE EXAMINATION ANNOUNCEMENTS**

Notice/Advertisement Title: Civil Service Commission Notice

Contact Name: Annette Bigham

Contact Telephone Number: 614.645.7531

Contact Email Address: eabigham@columbus.gov

Body

OFFICIAL NOTICE
CIVIL SERVICE COMMISSION
COMPETITIVE EXAMINATION ANNOUNCEMENTS

APPLY ONLINE 24 HOURS A DAY, 7 DAYS A WEEK OR APPLY IN PERSON 9:00 A.M. TO 4:00 P.M. MONDAY, WEDNESDAY, or THURSDAY.

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is located on our website at www.csc.columbus.gov and is also posted at the Commission offices located at 50 West Gay Street, 6th Floor, Columbus, Ohio. Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area. Applicants interested in City jobs should check our website or visit the Commission offices.

Legislation Number: PN0321-2010

Drafting Date: 12/14/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Recreation & Parks Commission Meetings

Contact Name: Eric L. Brandon

Contact Telephone Number: 614-645-5253

Contact Email Address: ebrandon@columbus.gov

Body

NOTICE OF REGULAR MEETINGS COLUMBUS RECREATION AND PARKS COMMISSION

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercises certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at 8:30 a.m. on the following dates and locations (unless otherwise posted):

- o Wednesday, January 12, 2011 - 1111 East Broad St, 43205
- o Wednesday, February 9, 2011 - 1111 East Broad St, 43205
- o Wednesday, March 9, 2011 - 1111 East Broad St, 43205
- o Wednesday, April 13, 2011 - 1111 East Broad St, 43205
- o Wednesday, May 11, 2011 - 1111 East Broad St, 43205
- o Wednesday, June 8, 2011 - 1111 East Broad St, 43205
- o Wednesday, July 13, 2011 - 1111 East Broad St, 43205
- o August Recess - No meeting

- o Wednesday, September 14, 2011 - 1111 East Broad St, 43205
- o Wednesday, October 12, 2011 - 1111 East Broad St, 43205
- o Wednesday, November 9, 2011 - 1111 East Broad St, 43205
- o Wednesday, December 14, 2011 - 1111 East Broad St, 43205

In the event no proper business exists the meeting may be cancelled without further notice. For further information you may contact the Recreation and Parks Department, 1111 E. Broad St., Columbus, Ohio 43205 (Telephone: [614] 645-5253).

Legislation Number: PN0322-2010

Drafting Date: 12/14/2010

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Downtown Commission 2011 Meetings

Contact Name: Daniel Thomas

Contact Telephone Number: 645-8404

Contact Email Address: djthomas@columbus.gov

Body

Downtown Commission 2011 Meetings

Business Meeting 109 N. Front St. 1st Fl. Conf. Rm 8:30am - 10:00am	Training Center	Regular Meeting 109 N. Front St. 8:30am - 11:00am
February 10, 2011 April 14, 2011 June 9, 2011 August 11, 2011 October 13, 2011 December 8, 2011		January 25, 2011 February 22, 2011 March 22, 2011 April 26, 2011 May 24, 2011 June 28, 2011 July 26, 2011 August 23, 2011 September 27, 2011 October 25, 2011 November 22, 2011 December 20, 2011

A Sign Language Interpreter will be made available for anyone with a need for this service, provided the Planning Division is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule, please call 645-8036.

Legislation Number: PN0323-2010

Drafting Date: 12/14/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: German Village Commission 2011 Meetings

Contact Name: Randy Black

Contact Telephone Number: 645-6821

Contact Email Address: rblack@columbus.gov

Body

German Village Commission 2011 Meeting Schedule

The German Village Commission has its Regular Meeting the 1st Tuesday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036.

Application Deadline:

December 21, 2010
January 18, 2011
February 15, 2011
March 22, 2011
April 19, 2011
May 24, 2011
June 21, 2011
July 19, 2011
August 23, 2011
September 20, 2011
October 18, 2011
November 22, 2011
December 20, 2011

Business Meeting Dates

(1st fl. Conf. Rm, 109 N. Front St.)

12:00pm :

December 28, 2010
January 25, 2011
February 22, 2011
March 29, 2011
April 26, 2011
May 31, 2011
June 28, 2011
July 26, 2011
August 30, 2011
September 27, 2011
October 25, 2011
November 29, 2011
December 27, 2011

Regular Meeting Dates

(German Village Meeting Haus

588 S Third St.) 4:00 pm :

January 4, 2011
February 1, 2011
March 1, 2011
April 5, 2011
May 3, 2011
June 7, 2011
July 12, 2011
August 2, 2011
September 13, 2011
October 4, 2011
November 1, 2011
December 6, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0324-2010

Drafting Date: 12/14/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Brewery District Commission 2011 Meetings

Contact Name: Randy Black

Contact Telephone Number: 645-6821

Contact Email Address: rblack@columbus.gov

Body

Brewery District Commission 2011 Meeting Schedule

The Brewery District Commission has its Regular Meeting the 1st Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule, please call 645-8036.

Application Deadline:

December 23, 2010
January 20, 2011
February 17, 2011
March 24, 2011
April 21, 2011
May 19, 2011
June 23, 2011
July 21, 2011
August 18, 2011
September 22, 2011
October 20, 2011
November 17, 2011
December 22, 2011

Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
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December 30, 2010	January 6, 2011
January 27, 2011	February 3, 2011
February 24, 2011	March 3, 2011
March 31, 2011	April 7, 2011
April 28, 2011	May 5, 2011
May 26, 2011	June 2, 2011
June 30, 2011	July 7, 2011
July 28, 2011	August 4, 2011
August 25, 2011	September 1, 2011
September 29, 2011	October 6, 2011
October 27, 2011	November 3, 2011
November 24, 2011	December 1, 2011

December 29, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0325-2010

Drafting Date: 12/14/2010

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Victorian Village Commission 2011 Meetings

Contact Name: Randy Black

Contact Telephone Number: 645-6821

Contact Email Address: rblack@columbus.gov

Body

Victorian Village Commission 2011 Meeting Schedule

The Victorian Village Commission has its Regular Meeting the 2nd Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036.

Application Deadline:

January 27, 2011

February 24, 2011

March 31, 2011

April 28, 2011

May 26, 2011

June 30, 2011

July 28, 2011

August 25, 2011

September 29, 2011

October 27, 2011

November 24, 2011

December 29, 2011

Business Meeting Dates

(1st fl. Conf. Rm, 109 N. Front St.)

12:00pm

Regular Meeting Date

(Training Center, 109 N. Front St.)

6:15pm

January 6, 2011

February 3, 2011

March 3, 2011

April 7, 2011

May 5, 2011

June 2, 2011

January 13, 2011

February 10, 2011

March 10, 2011

April 14, 2011

May 12, 2011

June 9, 2011

July 7, 2011	July 14, 2011
August 4, 2011	August 11, 2011
September 1, 2011	September 8, 2011
October 6, 2011	October 13, 2011
November 3, 2011	November 10, 2011
December 1, 2011	December 8, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0326-2010

Drafting Date: 12/14/2010

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Italian Village Commission 2011 Meetings

Contact Name: Randy Black

Contact Telephone Number: 645-6821

Contact Email Address: rblack@columbus.gov

Body

Italian Village Commission 2011 Meeting Schedule

The Italian Village Commission has its Regular Meeting the 3rd Tuesday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036.

Application Deadline:

January 4, 2011
February 1, 2011
March 1, 2011
April 5, 2011
May 3, 2011
June 7, 2011
July 5, 2011
August 2, 2011
September 6, 2011
October 4, 2011
November 1, 2011
December 6, 2011

Business Meeting Dates

Regular Meeting Date

(1st fl. Conf. Rm, 109 N. Front St.) (Training Center, 109 N. Front St.)
12:00pm 6:15pm

January 11, 2011	January 18, 2011
February 8, 2011	February 15, 2011
March 8, 2011	March 15, 2011
April 12, 2011	April 19, 2011
May 10, 2011	May 17, 2011
June 14, 2011	June 21, 2011
July 12, 2011	July 19, 2011
August 9, 2011	August 16, 2011
September 13, 2011	September 20, 2011
October 11, 2011	October 18, 2011
November 8, 2011	November 15, 2011
December 13, 2011	December 20, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0327-2010

Drafting Date: 12/14/2010

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Historic Resource Commission 2011 Meetings

Contact Name: Randy Black

Contact Telephone Number: 645-6821

Contact Email Address: rblack@columbus.gov

Body

Historic Resource Commission 2011 Meeting Schedule

The Historic Resource Commission has its Regular Meeting the 3rd Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036.

Application Deadline:

January 6, 2011
February 3, 2011
March 3, 2011
April 7, 2011
May 5, 2011
June 2, 2011
July 7, 2011
August 4, 2011
September 1, 2011

October 6, 2011
November 3, 2011
December 1, 2011

Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
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January 13, 2011	January 20, 2011
February 10, 2011	February 17, 2011
March 10, 2011	March 17, 2011
April 14, 2011	April 21, 2011
May 12, 2011	May 19, 2011
June 9, 2011	June 16, 2011
July 14, 2011	July 21, 2011
August 11, 2011	August 18, 2011
September 8, 2011	September 15, 2011
October 13, 2011	October 20, 2011
November 10, 2011	November 17, 2011
December 8, 2011	December 15, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0328-2010

Drafting Date: 12/14/2010

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Board of Commission Appeals 2011 Meetings

Contact Name: Randy Black

Contact Telephone Number: 645-6821

Contact Email Address: rblack@columbus.gov

Body

Board of Commission Appeals 2011 Meeting Schedule

The Board of Commission Appeals has its Business Meeting the last Wednesday of every other month (as necessary and barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036.

Business Meeting Dates

(1st fl. Conf. Rm, 109 N. Front St.)

12:00pm

January 26, 2011

March 30, 2011

May 25, 2011

July 27, 2011

September 28, 2011

November 30, 2011