

Columbus City Bulletin



**Bulletin #44
October 31, 2009**

Proceedings of City Council

Saturday October 31, 2009



SIGNING OF LEGISLATION

Legislation was signed by Council President Michael C. Mentel on the night of the Council meeting, Monday, *October 26, 2009*; by Mayor Michael B. Coleman on Wednesday, *October 28, 2009*; and attested by the City Clerk, prior to Bulletin publishing, except for Ordinances 1275-2009, and 1375-2009, which were signed by President Pro Tem Hearcel F. Craig, and Ordinance 1268-2009 which was signed by Acting President Pro Tem Andrew J. Ginther, on the night of the Council meeting, Monday, *October 26, 2009*.

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, October 26, 2009

5:00 PM

Columbus City Council

Columbus City Council

Journal

October 26, 2009

**REGULAR MEETING NO. 47 OF COLUMBUS CITY COUNCIL, OCTOBER 26, 2009
at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

Present: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller
and Paley

READING AND DISPOSAL OF THE JOURNAL

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller
and Paley

C0027-2009

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY
CLERK'S OFFICE AS OF WEDNESDAY OCTOBER 21, 2009:

Transfer Type: C1, C2, D6
To: Sinba Inc
DBA 14-0 Express Carryout
1481 N High St
Columbus OH 43201
From: Israa Inc
DBA Sammys 14-0 Express Carryout
1481 N High St
Columbus OH 43201
Permit # 8184597

Transfer Type: D5, D6
TO: CH Inc
3779 S Hamilton Rd & Patio
Columbus OH 43219
From: Spartan Mongo IV Inc
DBA BD S Mongolian Barbeque
3977 Worth Av & Patio
Columbus OH 43219
Permit # 11643750135

Transfer Type: C1, C2, D6
To: A & A Westerville Inc
DBA Super Save Gas Food Center
2835 Westerville Rd
Columbus OH 43224
From: Adrees Inc
DBA Super Save Gas Food Center
2835 Westerville Rd
Columbus OH 43224
Permit # 0003178

Transfer Type: C1, C2, D6
To: 1540 Mound Inc
DBA Kwik Stop Drive Thru
1540 W Mound St
Columbus OH 43223
From: Moazzam Inc
DBA Kwik Stop Drive Thru
1540 W Mound St
Columbus OH 43223
Permit # 6548373

Transfer Type: D1, D3, D3A
To: Giovannis City Limits LLC
5610 Hall Rd
Columbus OH 43119
From: City Limits Café LLC
5610 Hall Rd
Columbus OH 43119
Permit # 3200245

Transfer Type: D2
To: Noodle Shop Co Colorado Inc
Noodles
5065 N Hamilton Rd & Patio
Columbus OH 43230
From: Noodle Shop Co Colorado Inc
DBA Noodles 753
2124 N High Street & Patio
Columbus OH 43201
Permit # 64316440086

Transfer Type: C1, C2
To: Dewane Inc
DBA Northland Market
4312 Karl Rd
Columbus OH 43224
From: 4312 Karl Rd Inc
DBA Northland Market
4312 Karl Rd
Columbus OH 43224

Permit # 2111979

Advertise: 10/31/2009

Return: 11/10/2009

Read and Filed

RESOLUTIONS OF EXPRESSION

GINTHER

0166X-2009

To endorse Issue 47 and support the South-Western City School District Operating Levy.

Sponsors: Andrew Ginther, Michael C. Mentel, Hearcel Craig, A. Troy Miller, Eileen Y. Paley, Charleta B. Tavares and Priscilla Tyson

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

TAVARES

0165X-2009

To recognize and Endorse the passage of Issue 4 Franklin County Children Services Levy.

A motion was made by Ms. Tavares, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Absent@vote: 1 - Ginther

Affirmative: 6 - Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

ADDITIONS OR CORRECTIONS TO THE AGENDA

UTILITIES: 1253-2009

PUBLIC SERVICE & TRANSPORTATION: 1298-2009

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

AFFIRMATIVE: 7 NEGATIVE: 0

FIRST READING OF 30-DAY LEGISLATION

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

1373-2009 FR To assess certain properties for the cost for demolishing structures found to be public nuisances.

Read for the First Time

1387-2009 FR To accept the application (AN09-004) of Sharon Scales and Theresa Schreck for the annexation of certain territory containing 0.5 ± acres in Prairie Township.

Defeated

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

1301-2009 FR To authorize the Director of Finance and Management to establish a

purchase order with Capp Inc for the purchase of Asco Gas Shut-Off Valves for the Division of Sewerage and Drainage, and to authorize the expenditure of \$26,890.65 from the Sewerage System Operating Fund. (\$26,890.65)

Read for the First Time

CONSENT ACTIONS

RESOLUTIONS OF EXPRESSION

CRAIG

- 0161X-2009 CA To honor and recognize the contributions of The Columbus Northern Lions Club as the organization celebrates 60 years of service in the City of Columbus.

Sponsors: Hearcel Craig

Adopted

GINTHER

- 0167X-2009 CA To recognize and honor Melvin Ross for his 30 years of exceptional service to the State of Ohio.

Sponsors: Andrew Ginther

TYSON

- 0164X-2009 CA To celebrate the illustrious career of jazz legend Dr. Benny Golson, and to welcome this internationally renowned artist to Columbus.

Sponsors: Priscilla Tyson

Adopted

- 0169X-2009 CA To celebrate the illustrious career of Congresswoman Maxine Waters and honor her recognition as the 2009 Jacob Julian Ashburn Community Leadership Award recipient.

Sponsors: Priscilla Tyson, Hearcel Craig, Andrew Ginther, A. Troy Miller, Eileen Y. Paley, Charleta B. Tavares and Michael C. Mentel

Adopted

FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY

- 1278-2009 CA To authorize the Finance and Management Director to renew a contract for the Facilities Management Division with Winnsapes for snow removal services for various City facilities; and to authorize the expenditure of \$38,376.00 from the General Fund. (\$38,376.00)

Approved

- 1392-2009 CA To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Proline Electric, Inc. for the installation of an ice melt system for the Jerry Hammond Center, 1111 East Broad Street; to authorize the expenditure of \$78,550.00 from the 1111 East Broad Street Operations Fund; and to declare an emergency. (\$78,550.00)

Approved

- 1456-2009 CA To authorize the Finance and Management Director to modify and increase a contract with Kone, Inc. for emergency repairs to the North West elevator at City Hall, 90 West Broad Street; to authorize the expenditure of

\$78,003.00 from the Capital Improvements Budget in the Facility Renovations - Various Projects fund; and to declare an emergency. (\$78,003.00)

Approved

PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER TAVARES MENTEL

1256-2009 CA To transfer all sidewalk waiver fees currently in the Sidewalk Waiver Fund Project in the General Permanent Improvement Fund into a fund to be established by the City Auditor for sidewalk and bikeway capital improvement projects use in specific Community Planning Areas.

Approved

1380-2009 CA To authorize the Director of Public Service to prepare and execute an application for federal grant funding to improve portions of Town Street and Dana Avenue in Franklinton for the Safe Routes to Schools (SRTS) program through the Ohio Department of Transportation (ODOT); for the Division of Mobility Options; and to declare an emergency. (\$-0-)

Approved

1383-2009 CA To authorize the Director of Public Service to prepare and execute an application for federal grant funding to improve portions of Valleyview Drive and Hague Avenue for the Safe Routes to Schools (SRTS) program through the Ohio Department of Transportation (ODOT) for the Division of Mobility Options; and to declare an emergency. (\$-0-)

Approved

SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL

1299-2009 CA To authorize the payment of \$3,213.62 for vacation time and benefits which have accumulated in excess of the maximum amount established by salary ordinance for Fire Division personnel. (\$3,213.62)

Approved

1319-2009 CA To authorize and direct the Finance & Management Director to enter into three (3) UTC contracts for the option to purchase Personal Safety Products with Safety Solutions, Inc., Jendco Safety Supply and Fire Safety Services, Inc., to authorize the expenditure of three (3) dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$3.00)

Approved

1327-2009 CA To establish fund No. 223-309, titled "Feed-Police Horses Only" and to authorize the Public Safety Director to expend said monies solely for the purpose of feeding horses in the Division of Police Mounted Unit. (\$2,500.00)

Approved

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

1386-2009 CA To amend Ordinance 1150-2009, passed September 21, 2009, for the purpose of replacing EJ Lawn Service with Higher Ground Commercial Maintenance LLC to provide additional grass mowing and litter control services as part of the Weed Abatement Program; and to declare an emergency.

Approved**UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL**

- 0156X-2009** CA To declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the Franklin Main Sanitary Subtrunk Project Phase III, and to declare an emergency.

Adopted

- 1059-2009** 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 Franklin County Greenway Plan for Fiscal Year 2010, and to authorize the expenditure of \$26,100.00 from the Sanitary Sewer Operating Fund, \$23,280.00 from the Water Operating Fund, \$6,960.00 from the Storm Sewer Operating Fund and \$3,660.00 from the Electricity Operating Fund. (\$60,000.00)

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

Abstained: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

- 1205-2009** CA To authorize the Director of Public Utilities to enter into a planned contract modification with 360water, Inc. in the amount of \$280,125.00 for professional services in connection with Facilities and Safety Training Management and Documentation Services; to authorize the expenditure of \$215,365.00 from the Sewer System Operating Fund; and \$64,760.00 from the Water Systems Operating Fund. (\$280,125.00)

Approved

- 1215-2009** CA To authorize the Director of Public Utilities to enter into a modification of the Utility Cut and Restoration Project contract with Decker Construction Company, for the Division of Power and Water, to authorize the expenditure of \$500,000.00 from Water Systems Operating Fund. (\$500,000.00)

Approved

- 1226-2009** CA To authorize the Director of Public Utilities to modify an existing contract with Asplundh Tree Expert Co. for power line clearance services for the Division of Power and Water; to authorize the expenditure of \$40,000.00 from the Electricity Operating Fund. (\$40,000.00)

Approved

- 1254-2009** CA To authorize the Director of Finance and Management to enter into a contract with BissNuss, Inc. for the purchase Electronic Load Cells and Indicators for the Division of Power and Water and to authorize the expenditure of \$33,026.00 from the Water Operating Fund. (\$33,026.00)

Approved

- 1261-2009** CA To authorize the Director of Finance and Management to issue a Blanket Purchase Order from an established Universal Term Contract for the purchase of Polymer with Fort Bend Services., for the Division of Sewerage and Drainage; to authorize the expenditure of \$500,000.00 from the Sewerage System Operating Fund. (\$500,000.00)

Approved

- 1266-2009** CA To authorize the Director of Public Utilities to pay operating license fees for

the three water treatment plants to the Treasurer, State of Ohio, Ohio Environmental Protection Agency, for the Division of Power and Water; and to authorize the expenditure of \$209,000.00 from the Water Systems Operating Fund. (\$209,000.00)

Approved

- 1268-2009** CA To authorize the Director of Public Utilities to modify an agreement on behalf of the City of Columbus between Kurtz Brothers Central Ohio, LLC and the Solid Waste Authority of Central Ohio, for the design, construction and operation of the Organic Waste Recovery and Reuse System Project, and to authorize the expenditure of \$150,000.00 from the Sewer System Operating Fund. (\$150,000.00)

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

Abstained: 2 - Craig and President Mentel

Affirmative: 5 - Ginther, Ms. Tavares, Tyson, Miller and Paley

- 1269-2009** CA To authorize the Director of Public Utilities to pay the annual Discharge Fees for Fiscal Year 2009 to the State of Ohio, Ohio Environmental Protection Agency for the Division of Sewerage and Drainage; and to authorize the expenditure of \$82,800.00 from the Sewerage System Operating Fund. (\$82,800.00)

Approved

- 1282-2009** CA To authorize the Director of Public Utilities to renew a membership with the National Association of Clean Water Agencies for the Division of Sewerage and Drainage and to authorize the expenditure of \$26,566.00 from the Sewerage System Operating Fund (\$26,566.00)

Approved

- 1284-2009** CA To authorize the Director of Public Utilities to enter into a professional engineering services contract with Chester Engineers, in connection with the Large Diameter Sewer Assessment - Alum Creek Trunk (North) / Alum Creek SubTrunk Project; and to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund in the amount of \$663,237.56, to the Voted Sanitary Sewer Bond Fund. (\$663,237.56)

Approved

- 1286-2009** CA To authorize the Director of Public Utilities to enter into an agreement with Environmental Systems Corporation for the complete upgrade of the Emissions Monitoring Systems under the Sole Source provisions of the Columbus City Code for the Division of Sewerage and Drainage, and to authorize the expenditure of \$99,561.66 from the Sewerage System Operating Fund, (\$96,561.66)

Approved

- 1293-2009** CA To authorize the Director of Finance and Management to establish a Blanket Purchase Order for Sludge Grinder Equipment Repair Parts and Service from a Universal Term Contract with JWC Environmental; and to authorize the expenditure of \$67,000.00 from the Sewerage System Operating Fund. (\$67,000.00)

Approved

- 1306-2009** 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 Big Walnut/Rickenbacker Sanitary Interceptor Sewer Project, and to declare an emergency.

Approved

- 1311-2009 CA To authorize the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate necessary for the Portage Grove Area Sanitary Improvement Project, and to declare an emergency.

Approved

- 1328-2009 CA To authorize the Director of Finance and Management to establish a purchase order with Amerisochi Inc for the purchase of ABB Low Voltage Drives for the Division of Sewerage and Drainage, and to authorize the expenditure of \$56,153.00 from the Sewerage System Operating Fund. (\$56,153.00)

Approved

Passed The Consent Agenda

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

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

**PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER
TAVARES MENTEL**

- 1375-2009 To authorize the Director of Public Service to enter into a professional service contract with ms consultants, Inc., for the preliminary engineering of the James Road/Stelzer Road project; to appropriate and authorize the expenditure of \$500,000.00 from the General Government Grant Fund for the Division of Planning and Operations; and to declare an emergency. (\$500,000.00)

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

Abstained: 1 - President Mentel

Affirmative: 6 - Ginther, Ms. Tavares, Craig, Tyson, Miller and Paley

- 1298-2009 To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements for the proposed building foundations, building facades, solariums and balconies, and cornice within those public rights-of-way needed for the East Village, Phase I, Project.

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

1275-2009

To authorize the Director of Development to enter into an Enterprise Zone Agreement with Continental/Olentangy Hotel, LLC for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a proposed \$13.6 million investment in real property improvements.

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

Abstained: 1 - President Mentel

Affirmative: 6 - Ginther, Ms. Tavares, Craig, Tyson, Miller and Paley

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

Abstained: 1 - President Mentel

Affirmative: 6 - Ginther, Ms. Tavares, Craig, Tyson, Miller and Paley

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

1271-2009

To authorize the City Attorney to acquire fee simple title and lesser interests; to contract for professional services; to authorize the transfer of \$45,000.00 within the Storm Sewer Bonds Fund; to amend the 2009 Capital Improvements Budget; to authorize the expenditure of \$45,000.00 from the Storm Sewer Bonds Fund for the Department of Public Utilities, Sewerage and Drainage Division for costs in connection with the Maryland Avenue/Denver Avenue Stormwater Project; and to declare an emergency. (\$45,000.00)

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1253-2009

This legislation authorizes the Director of Public Utilities to execute a planned contract modification (#3) for professional engineering services with DLZ Ohio, Inc. in connection with the Olentangy-Scioto Interceptor Sewer (OSIS) Augmentation and Relief Sewer (OARS); to authorize the appropriation and transfer of \$2,139,082.82 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$2,139,082.82 from the Voted Sanitary Sewer Bond Fund; and to amend the 2009 Capital Improvements Budget. (\$2,139,082.82)

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

HEALTH, HOUSING & HUMAN SVC'S: TAVARES, CHR. TYSON MILLER MENTEL

1420-2009

To authorize and direct the Board of Health to enter into various community contracts to support H1N1 vaccination clinics; to authorize the expenditure of \$279,149 from the Health Department Grants Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an

emergency. (\$279,149)

A motion was made by Ms. Tavares, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

1337-2009

To authorize the Director of Recreation and Parks to accept a grant in the amount of \$1,000,000.00 and enter into an agreement with the State of Ohio, acting by and through the Ohio Cultural Facilities Commission, to appropriate these funds to the Recreation and Parks Grant Fund; and to declare an emergency. (\$1,000,000.00)

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1364-2009

To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$3,019,500.00 and enter into an agreement with the Ohio Department of Natural Resources for funding to support the development of the Scioto Riverfront Park System, to authorize an appropriation of \$3,019,500.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department; and to declare an emergency. (\$3,019,500.00)

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

ADJOURNMENT

ADJOURNED: 6:34

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley



City of Columbus

Journal - Final

Zoning Committee

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

Priscilla Tyson, Chair; All Members

Monday, October 26, 2009

6:30 PM

Zoning Committee

Zoning Committee

Journal

October 26, 2009

REGULAR MEETING NO. 48 OF CITY COUNCIL (ZONING), OCTOBER 26, 2009 AT 6:30 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Present: Mentel: Tavares: Ginther: Tyson: Craig: Paley and Miller

READING AND DISPOSAL OF THE JOURNAL

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

Affirmative: Mentel, Tavares, Ginther, Tyson, Craig, Miller and Paley

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: TYSON, CHR. CRAIG GINTHER MILLER PALEY TAVARES MENTEL

1257-2009

To grant a Variance from the provisions of Sections 3356.03, AR-4 Permitted Uses and 3342.15, Maneuvering, of the Columbus City Codes for the property located at 28 EAST ELEVENTH AVENUE (43201), to permit a property management office in the AR-4, Apartment Residential District with one stacked parking space. (Council Variance #CV08-028)

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

Affirmative: Mentel, Tavares, Ginther, Tyson, Craig, Miller and Paley

1277-2009

To rezone 1729 NORTHWEST BOULEVARD (43212), being 1.76± acres located at the southwest corner of Northwest Boulevard and Chambers Road, From: C-4, Commercial District, To: CPD, Commercial Planned Development District (Rezoning # Z09-011).

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

Affirmative: Mentel, Tavares, Ginther, Tyson, Craig, Miller and Paley

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

Affirmative: Mentel, Tavares, Ginther, Tyson, Craig, Miller and Paley

1332-2009

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD

and AR-1, Apartment residential district use; 3333.09, Area requirements; 3333.18, Building lines; 3333.23, Minimum side yard permitted; 3342.15, Maneuvering; 3342.18, Parking setback line; 3342.28, Minimum number of parking spaces required; and 3372.521 (D) (E), Supplemental parking requirements, of the Columbus City Codes; for the property located at 1283 SUMMIT STREET (43201), to permit three separate single-family lots with reduced development standards in the AR-1, Apartment Residential District (Council Variance # CV07-028).

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

Affirmative: Mentel, Tavares, Ginther, Tyson, Craig, Miller and Paley

ADJOURNED: 6:38 P.M.

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

Affirmative: Mentel, Tavares, Ginther, Tyson, Craig, Miller and Paley

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: 0156X-2009

Drafting Date: 10/07/2009

Version: 1

Current Status: Passed

Matter Type: Resolution

Explanation

Background:

The following is a resolution to declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the Franklin Main Sanitary Subtrunk Project Phase III.

Fiscal Impact:

N/A

Emergency action is requested to allow the acquisition of the parcels necessary for the aforementioned project so that there will be no delay in the project, thereby preserving the public health, peace, property, safety, and welfare.

Title

To declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the Franklin Main Sanitary Subtrunk Project Phase III, and to declare an emergency.

Body

WHEREAS, the City of Columbus is engaged in the Franklin Main Sanitary Subtrunk Project Phase III; and,

WHEREAS, an emergency exists 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 permanent easements in, over, under and through the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; 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 permanent easements in, over, under and through the following listed parcels of real estate more fully described in Exhibits A through K attached hereto and made a part hereof as though fully written herein, necessary for the Franklin Main Sanitary Subtrunk Project Phase III, Project # 650600 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:

EXHIBIT/PARCEL NUMBER/OWNER(S)

A/1S
B/2S
C/3S
D/4S
E/5S
F/6S
G/7S
H/8S

I/9S
J/10S
K/11S

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 state in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.

Legislation Number: 0161X-2009

Drafting Date: 10/14/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To honor and recognize the contributions of The Columbus Northern Lions Club as the organization celebrates 60 years of service in the City of Columbus.

Body

WHEREAS, The Columbus Northern Lions Club was chartered by Lions Clubs International on September 14, 1949; and

WHEREAS, during the ensuing 60 years the Columbus Northern Lions have followed the motto of Lions Clubs throughout the world, "We Serve."; and

WHEREAS, The Columbus Northern Lions Club has provided financial support to youth sports programs in the Clintonville and North University communities during the 1950s, 1960s and 1970s; and

WHEREAS, The Columbus Northern Lions Club sponsors an annual Christmas Party, with gifts and a surprise visit by Santa Claus, for elementary aged students at the Ohio State School for the Blind; and

WHEREAS, The Columbus Northern Lions Club provides officiating, organizational support and event t-shirts for participants in an annual track meet hosted by the Ohio State School for the Blind for Central Ohio blind youth and others with eyesight impairments; and

WHEREAS, The Columbus Northern Lions Club annually donates grocery store gift cards during the holidays to deserving families with children enrolled in inner city public schools in the Old North Columbus, Italian Village and Weinland Park neighborhoods of Columbus; and

WHEREAS, The Columbus Northern Lions Club collects used eye glasses for redistribution to developing countries through Lions Clubs International and donates annually to many organizations that provide resources to the blind or promote eyesight health and advances in eyesight treatment; now, therefore

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

That we do hereby honor and recognize the contributions of The Columbus Northern Lions Club as the organization celebrates 60 years of service in the City of Columbus.

Legislation Number: 0164X-2009

Drafting Date: 10/21/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To celebrate the illustrious career of jazz legend Dr. Benny Golson, and to welcome this internationally renowned artist to Columbus.

Body

WHEREAS, Dr. Benny Golson has recorded more than thirty albums over the course of his six decades in the music industry; and

WHEREAS, Dr. Golson's contributions to jazz music as a composer, arranger, lyricist, producer, and tenor saxophonist have brought him worldwide acclaim and inspired generations of musicians to pursue their dreams; and

WHEREAS, Dr. Golson has played in the bands of world famous artists - including Benny Goodman, Dizzy Gillespie, Lionel Hampton, Earl Bostic, and Art Blakey - and has scored numerous television programs and film projects; and

WHEREAS, countless musicians have benefitted directly from Dr. Golson's work as an educator through his lectures at the Lincoln Center, New York University, and National University at San Diego; and

WHEREAS, many esteemed institutions have celebrated Dr. Golson's body of work, including Boston's prestigious Berklee School of Music, the University of Pittsburgh's International Academy of Jazz, the National Endowment for the Arts, and others; and

WHEREAS, Dr. Golson will bring his extensive repertoire to Columbus on Saturday, October 24th, with an 8pm performance at the Lincoln Theatre, located at 769 East Long Street; now, therefore

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

That we do hereby welcome Dr. Benny Golson to Columbus and thank him for his innumerable and invaluable contributions to jazz music.

Legislation Number: 0165X-2009

Drafting Date: 10/21/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To recognize and Endorse the passage of Issue 4 Franklin County Children Services Levy.

Body**WHEREAS**, Each year Franklin County Children Services helps more than 28,000 abused and neglected children by investigating allegations of child abuse and neglect, providing voluntary or court-ordered protective services to families whose children can remain safely in their own homes, helping parents resolve their family problems and placing children in temporary foster care or permanent adoptive homes when necessary; and

WHEREAS, during the past 5 years, Children Services has come into the lives of nearly 11,000 children a year; yet, by providing more "front door" services, Children Services has been able to strengthen families thus allowing children to stay with their loved ones; and

WHEREAS, the number of children placed away from home is at a 10-year low, and further abuse or neglect has not

increased, because of the successful efforts of Children Services to protect children within their homes; and
WHEREAS, since 2004, 822 children and teens under permanent custody of Children Services have been placed in loving adoptive homes, and more than 350 foster children have graduated from high school in the past four years, with more than 50% going on to college, technical school or into the military; and
WHEREAS, by providing more effective and less intrusive services to children and families, Children Services has been able to make Franklin County a safer place for Children, while still keeping together the families that love them; now, therefore

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

That this Council hereby endorses the passage of Issue 4 on the November 3, 2009 general election ballot for the support of Franklin County Children Services and the care and placement of abused, neglected and dependent children, and will communicate this endorsement to the community at large.

Legislation Number: 0166X-2009

Drafting Date: 10/21/2009

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To endorse Issue 47 and support the South-Western City School District Operating Levy.

Body

WHEREAS, it is the obligation of the City of Columbus to protect and promote the health, safety and welfare of the community; and

WHEREAS, a healthy education system is critical to the economic stability and success of the Columbus region; and

WHEREAS, the South-Western City School District is the sixth largest school district in the State of Ohio and the second largest in Franklin County; and

WHEREAS, of the more than 21,000 students in the South-Western City School District, more than one-third reside in the City of Columbus; and

WHEREAS, the South-Western City School District Board of Education and administration have diligently implemented a five-year budget plan; and

WHEREAS, the South-Western City School District Board of Education has reduced the budget by more than \$22 million and 350 positions over the last three years; and

WHEREAS, the South-Western City School District Board of Education and administration have kept the promises they made to make the 2005 levy last three years; and

WHEREAS, the South-Western City School District has a demonstrated need for operating finances to maintain quality educational services and programs in the community; and

WHEREAS, the South-Western City School District Board of Education has placed a 7.4 mill operating levy on the November 3, 2009 ballot that will reinstate high school and expanded walk zone busing, extra-curricular activities, athletics, clubs, and before- and after-school programs; now, therefore

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

That this Council does hereby endorse Issue 47 and encourages the residents of the South-Western City School District to support our youth and the future of Columbus by voting FOR Issue 47 on November 3.

Legislation Number: 0167X-2009

Drafting Date: 10/21/2009

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To recognize and honor Melvin Ross for his 30 years of exceptional service to the State of Ohio.

Body

WHEREAS, Melvin Ross retired from the State of Ohio September 29, 2009 after 30 years of dedicated service to the Ohio Department of Rehabilitation and Correction; and

WHEREAS, Mr. Ross dutifully served in the capacity of Food Service Coordinator at the Southeastern Correctional Institution (SCI) for the entirety of his career; and

WHEREAS, prior to his employment with the State, he served his country as an United States Marine in the Vietnam War where he fought in the Tet Offensive and received a Purple Heart; and

WHEREAS, after his honorable discharge from the military, Mr. Ross returned home and pursued a culinary arts degree which translated to his employment at SCI; and

WHEREAS, Mr. Ross worked diligently to provide nutritionally balanced meals, maintaining proper portion control, while staying within the confines of challenging budget constraints; and

WHEREAS, Mr. Ross was instrumental in ensuring quality food service delivery and his kitchen was consistently recognized for cleanliness and order; and

WHEREAS, he received many accolades and citations from the Warden over the years, including recognition of his perfect attendance and as the Employee of the Year; and

WHEREAS, Mr. Ross set high standards for himself, not just because of his strong work ethic and commitment to his chosen profession, but to be a positive influence on the inmates with whom he worked and to mentor the employees who he supervised; and

WHEREAS, he was an inspiration to the men and women who were incarcerated, and his tireless dedication and caring spirit impacted many of their lives long after their release; now, therefore,

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

That this Council does hereby recognize and honor Melvin Ross for his 30 years of exceptional service to the State of Ohio, and wishes him well in his retirement.

Legislation Number: 0169X-2009

Drafting Date: 10/23/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To celebrate the illustrious career of Congresswoman Maxine Waters and honor her recognition as the 2009 Jacob Julian Ashburn Community Leadership Award recipient.

Body

WHEREAS, Congresswoman Maxine Waters, representing California’s 35th Congressional District, has devoted her life to fierce advocacy on behalf of women, children, people of color, and the poor; and

WHEREAS, Congresswoman Waters has served with distinction in the United States House of Representatives for more than two decades, tackling difficult and sometimes controversial issues on behalf of her constituents; and

WHEREAS, the congresswoman has earned a national reputation for her competence, commitment, and passion for public service; and

WHEREAS, the Jacob Julian Ashburn Community Leadership Award is bestowed on individuals who demonstrate outstanding community leadership in the areas of sports and recreation, social services, education, or religion; and

WHEREAS, the award honors leaders who through their service have made a positive impact on the lives of children and young adults; and

WHEREAS, Congresswoman Waters will receive the 2009 Jacob Julian Ashburn Community Leadership Award on the 25th day of October, 2009, at the J. Ashburn Jr. Youth Center’s Speaker’s Award Banquet; now, therefore

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

That we do hereby celebrate Representative Waters’ lifetime of public service, and congratulate her on this prestigious honor.

Legislation Number: 1059-2009

Drafting Date: 07/16/2009

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) to provide funding and continued support for the Franklin County Greenways Plan for Fiscal Year 2010. 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 funds from the State of Ohio, Department of Natural Resources, will allow for continued program funding. The results of this program will be very useful to the Department of Public Utilities by potentially providing better services to the City Of Columbus in the form of better floodplain infrastructure, and improved stream water quality. The mission of the program is to foster a better understanding and appreciation for that waterways play in our environment. Furthermore, the program provides models, strategies and information for environmental planning process and land use decisions in the community and watersheds. The support covers the period of January 1, 2010 through December 31, 2010.

SUPPLIER: Mid-Ohio Regional Planning Commission (31-1009675) Non-Profit

FISCAL IMPACT: \$60,000.00 is needed and budgeted for this support.

\$60,000.00 was spent in 2008

\$60,000.00 was spent in 2007

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 Franklin County Greenway Plan for Fiscal Year 2010, and to authorize the expenditure of \$26,100.00 from the Sanitary Sewer Operating Fund, \$23,280.00 from the Water Operating Fund, \$6,960.00 from the Storm Sewer Operating Fund and \$3,660.00 from the Electricity Operating Fund. (\$60,000.00)

Body

WHEREAS, the Mid-Ohio Regional Planning Commission (MORPC) has developed multi-jurisdictional plans for long-term protection and enhancement of our rivers and streams, and

WHEREAS, City funding, along with funds from the State of Ohio, Department of Natural Resources, will allow for continued program funding, and

WHEREAS, the results of this program will be very useful to the Department of Public Utilities by potentially providing better services to the City Of Columbus in the form of better floodplain infrastructure, and improved stream water quality, and

WHEREAS, the mission of the program is to foster a better understanding and appreciation for that waterways play in our environment. Furthermore, the program provides models, strategies and information for environmental planning process and land use decisions in the community and watersheds, and

WHEREAS, the support covers the period of January 1, 2010 through December 31, 2010 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 for the purposes of providing funding and continued support for the Franklin County Greenways Plan for the Fiscal Year 2010.

Section 2. That the expenditure of \$60,000.00 or as much thereof as may be needed, be and the same hereby authorized as follows:

FUND 650
OCA 605006
Object Level 3337
Amount: \$26,100.00

FUND 600
OCA: 601849
Object Level 3337
Amount: \$23,280.00

FUND 675
OCA 675002
Object Level 3337

Amount: \$6,960.00

FUND 550
OCA 600700
Object Level 3 3337
Amount: \$3,660.00

Section 3. That for the reasons stated in the preamble hereto, which is hereby made part hereof, this ordinance shall take effect and be in force from and after the earliest date allowed by law.

Legislation Number: 1205-2009

Drafting Date: 09/03/2009

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 Division of 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. **A detail of the complete scope of this planned modification is attached.**

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

This third modification is part of the planned scope of services included in the contract which original language allowed for five (5) planned modificatio

Title

To authorize the Director of Public Utilities to enter into a planned contract modification with 360water, Inc. in the amount of \$280,125.00 for professional services in connection with Facilities and Safety Training Management and Documentation Services; to authorize the expenditure of \$215,365.00 from the Sewer System Operating Fund; and \$64,760.00 from the Water Systems Operating Fund. (\$280,125.00)

Body

WHEREAS, the procurement was conducted in accordance with the Request For Proposals (RFP) process set forth in Section 329.14, Columbus City Codes, 1959, and the Division's Evaluation Committee recommended the single firm submitting a proposal, 360Water, Inc., for further consideration, and

WHEREAS, a contract was entered into 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, this planned modification of the contract will continue the services provided within the Division of Sewerage and Drainage and expand services to staff of the Division of Power and Water, and

WHEREAS, the Department of Public Utilities, hereby requests this City Council to authorize the Director of Public Utilities to modify an agreement for professional services with 360water, Inc. for the implementation of the DPU, DOSD and Division of Power and Water Facilities and Safety Training Management & Documentation Services contract, 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 be, and hereby is, authorized to modify the existing agreement with 360water, Inc., for professional services for the DPU, DOSD and Division of Power and 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.

Section 2. That the expenditure of \$280,125.00 is hereby 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: \$215,365.00

Division of Power and Water (Water) Fund 600

OCA: 601849
Object Level 1: 03
Object Level 3: 3336
Amount: \$64,760.00

TOTAL REQUESTED AMOUNT: \$280,125.00

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

Legislation Number: 1215-2009

Drafting Date: 09/08/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The Department of Public Utilities entered into a contract with Decker Construction Company for the Utility Cut and Restoration Project. This project includes services such as excavation, driveway pavement replacement, pavement planning, crack sealing, flowable controlled density fill, brick street repair, pumping water from cuts, mill and overlaying. This contract was the result of a Director's bid received on December 13, 2007 (SA002731). Decker Construction Company was the only bid received and met all requirements of the specifications. The original contract was for a period of one year with a multi-year renewal option. The Department is pleased with their performance and request authority to modify the original contract for a grand total of \$500,000.00.

Contract Compliance: 31-0983557, expires November 26, 2009
Decker Construction Company does not hold MBE/FBE status.

1. Amount of additional funds: The amount of additional funds needed for this contract is \$500,000.00. The original

contract was established for \$1,235,000.00. The total cost of the original contract and all modifications is \$3,160,000.00. The modification represents funding added during the contract period for costs related to the services provided. The need for increased funding is to cover anticipated contract billings during fiscal year 2009.

2. Reason additional needs were not foreseen: The need for increased funding is directly related to code requirements and system repairs over and above those originally anticipated. This legislation is to encumber funds for fiscal year 2009 for the Division of Power and 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.
4. How cost was determined: The cost, terms and conditions are in accordance with the original agreement.

FISCAL IMPACT: The Divisions of Power and Water (W) allocated \$785,000.00 for these services in the 2009 budget. The Division of Power and Water (W) has encumbered \$700,000.00 to date in FY2009 and is requesting to encumber additional funds in the amount of \$500,000.00. Water Works Operating Fund 600 expenditures will be reprioritized in order to cover the deficit.

The following amounts were encumbered in 2007 and 2008 for similar services:

2007: \$760,000 Water; \$980,000 Sewerage; \$0.0 Electricity

2008: \$860,000 Water; \$600,000 Sewerage; \$25,000 Electricity

Title

To authorize the Director of Public Utilities to enter into a modification of the Utility Cut and Restoration Project contract with Decker Construction Company, for the Division of Power and Water, to authorize the expenditure of \$500,000.00 from Water Systems Operating Fund. (\$500,000.00)

Body

WHEREAS, the Department of Public Utilities has a contract with Decker Construction Company, for the Utility Cut and Restoration Project, and

WHEREAS, the vendor has agreed to modify and increase EL007922 at current prices and conditions, and it is in the best interest of the City to exercise this option, and

WHEREAS, these repair services are used by the Department of Public Utilities, 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 Public Utilities Director be and is hereby authorized and directed to modify and increase EL007922 with Decker Construction Company. Total amount of modification No. 2 is ADD \$500,000.00. Total contract amount including this modification is \$3,160,000.00.

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

Section 3. That the expenditure of \$500,000.00 or so much thereof as may be needed, is hereby authorized from Object Level One 03, Object level Three 3375, Fund Names and Numbers, Departments, OCA Codes and amounts listed below, to pay the cost thereof.

| <u>Dept/Div</u> | <u>Fund Name</u> | <u>Fund Number</u> | <u>OCA</u> | <u>Amount</u> |
|-----------------|------------------|--------------------|------------|---------------|
|-----------------|------------------|--------------------|------------|---------------|

| | | | | |
|-------|-----------------------|-----|--------|------------------|
| 60-09 | Water Works Operating | 600 | 602730 | 450,000.00 |
| 60-09 | Water Works Operating | 600 | 602722 | <u>50,000.00</u> |
| | | | | \$500,000.00 |

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

Legislation Number: 1226-2009

Drafting Date: 09/10/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes a modification of Contract EL-009335, with Asplundh Tree Expert Co., to provide power line clearance services for the Division of Power and Water. Power line clearance is a tree trimming service that the division continuously needs for proper maintenance of its street lighting and distribution facilities. This modification provides funding to continue services until such time that additional funding will be available in 2010.

Amount of additional funds to be expended: \$40,000.00

Reasons additional goods/services could not be foreseen: Additional funds are necessary due to the division's need for this service increasing with the growth of its distribution and street lighting facilities and weather conditions that have necessitated a greater need for these services than originally anticipated.

Reasons other procurement processes are not used: The existing contract is based upon the lowest responsive and responsible bid received and opened on December 20, 2006. The contract provides for services from April 1, 2009 through March 31, 2011.

How cost of modification was determined: The cost is based upon the estimated needs at the rates in the existing contract.

Contract Compliance Number: 231277550, expires 2/4/11

FISCAL IMPACT: \$235,000.00 was budgeted and encumbered for this service within the 2009 Electricity Operating Budget. The additional funds required will be absorbed within the current budget due to reduced expenditures for other services in Object Level One: 03.

2007 encumbrances for this service: \$275,000

2008 encumbrances for this service: \$295,000

Title

To authorize the Director of Public Utilities to modify an existing contract with Asplundh Tree Expert Co. for power line clearance services for the Division of Power and Water; to authorize the expenditure of \$40,000.00 from the Electricity Operating Fund. (\$40,000.00)

Body

WHEREAS, power line clearance services are required by the Division of Power and Water for maintenance of distribution and street lighting circuits; and

WHEREAS, Contract Number EL009335, with Asplundh Tree Expert Company, was authorized by Ordinance Number 0193-2009, passed March 30, 2009, for power line clearance services from April 1, 2009 through March 31, 2011; and

WHEREAS, due to the growth of the division's distribution and street lighting systems and storm damages in 2009 it has become necessary to increase the funding associated with the existing 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 modify Contract Number EL009335 with Asplundh Tree Expert Co. for power line clearance services, in the amount of \$40,000.00.

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

SECTION 3. That to pay the cost of the aforesaid contract modification, the expenditure of \$40,000.00, or so much thereof as may be needed, is hereby authorized from the Electricity Operating Fund 550, Division Number 60-07, OCA 606764, Object Level One 03, Object Level Three 3375.

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

Legislation Number: 1253-2009

Drafting Date: 09/18/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to execute a planned contract modification (#3) for professional engineering services with DLZ Ohio, Inc. in connection with the Olentangy-Scioto Interceptor Sewer (OSIS) Augmentation and Relief Sewer (OARS); to authorize the appropriation and transfer of \$2,139,082.82 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$2,139,082.82 from the Voted Sanitary Sewer Bond Fund; and to amend the 2009 Capital Improvements Budget.

The purpose of this Modification (#3) is to complete final design engineering services associated with implementing significant revisions to the design concept. Modification #1 authorized the completion of a new Design Report to fully evaluate the deep tunnel alternative. Modification #2 authorized the final design of the OARS deep tunnel facilities. Contingency funds were utilized to revise the alignment to the Moler Street Regulator side of the river, to complete the Value Engineering Workshop, and to complete the Surge Analysis. This Modification (#3) will allow for revision to the design scope to incorporate the recommendations of the Value Engineering Workshop, design modifications from the Surge Analysis, modifications based upon subsequent reviews, and implementing a two-phased construction contract approach for the project.

The original contract for DLZ Ohio, Inc. was for the design of Phase 1 of the OSIS Augmentation and Relief Sewer (OARS). The work included the design of a 15,000 foot long large diameter conduit via open-cut methods and other facilities and appurtenances to convey Combined Sewer flows from the vicinity of the Whittier Street Storm Standby Tanks south to the vicinity of the Jackson Pike Wastewater Treatment Plant.

Due to the large cost and long duration associated with the design of this project, the contract was established to be funded incrementally. The proposed modification amount is \$2,139,082.82 which includes a 10% contingency amount that will be utilized to fund any needed and approved changes in the work. One future modification is anticipated at this time for engineering services during construction. A summary of the design contract, legislation and ordinance dates and funding amounts is as follows:

1.1 Amount of additional funds to be expended: \$2,139,082.82

| | | |
|--|------------------------|------------------|
| Original Contract Amount: | OARS Phase 1 | \$ 5,622,070.00 |
| Modification #1: | OARS Phase 2, 3 & 4 | \$ 0.00 |
| Modification #2: | OARS Phase 1 through 4 | \$ 8,925,509.96 |
| Modification #3: (Current) | OARS Revisions | \$ 2,139,082.82 |
| <u>Modification #4 (Future)</u> | Eng. During Const | <u>\$ TBD.00</u> |
| Total (Orig. + Mod #1, Mod #2, Mod #3) | | \$16,686,662.78 |

1.2 Reasons additional goods/services could not be foreseen.

This was a planned modification. The Department anticipates requesting additional appropriations to this contract for fiscal years 2010 through 2015, through planned contract modifications duly authorized by City Council. Under the terms of this contract, the City has the right to contract for additional services to fulfill emergency capital improvements related needs subject to the approval of a contract modification by City Council.

1.3. Reason other procurement processes are not used:

This modification provides costs to complete the detailed design and preparation of construction documents as part of the planned incremental funding.

1.4. How cost of modification was determined:

The scope of services and costs were negotiated with DLZ by the Administrator of the Division and the division's project manager.

2. MULTI-YEAR CONTRACT:

This ordinance will authorize the expenditure of \$2,139,082.82. The Department anticipates requesting additional appropriations to this contract for the fiscal years 2010 through 2015, through planned contract modifications duly authorized by City Council. Under the terms of this contract, the City has the right to contract for additional services to fulfill emergency capital improvements related needs subject to the approval of a contract modification by City Council. The rates schedules established within this contract will remain in force throughout the life of the contract.

3. FISCAL IMPACT:

This ordinance authorizes the transfer and appropriate funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund for this modification; to authorize the expenditure of \$2,139,082.82 from the Voted Sanitary Sewer Bond Fund; and amend the 2009 Capital Improvements Budget to establish sufficient budget authority for this ordinance. Monies for this contract from the Sanitary Sewer Reserve Fund will be provided from an upcoming Bond Sale via the transfer detailed in this Ordinance.

4. CONTRACT COMPLIANCE INFO: 31-1268980 | MBR | Expiration Date: 03/10/2011

5. Emergency Designation: No emergency designation is requested for this legislation

Title

This legislation authorizes the Director of Public Utilities to execute a planned contract modification (#3) for professional engineering services with DLZ Ohio, Inc. in connection with the Olentangy-Scioto Interceptor Sewer (OSIS) Augmentation and Relief Sewer (OARS); to authorize the appropriation and transfer of \$2,139,082.82 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$2,139,082.82 from the Voted Sanitary Sewer Bond Fund; and to amend the 2009 Capital Improvements Budget. (\$2,139,082.82)

Body

WHEREAS, it is necessary to modify the professional engineering services contract with DLZ Ohio, Inc., for the sanitary project: Olentangy-Scioto Interceptor Sewer (OSIS) Augmentation and Relief Sewer (OARS); to provide additional monies to cover implementing significant revisions to the design concept. This Modification (#3) will allow for revision to the design scope to incorporate the recommendations of the Value Engineering Workshop, design modifications from the Surge Analysis, modifications based upon subsequent reviews, and implementing a two-phased construction contract

approach for the project in accordance with the Department's design requirements in an effort to ensure the continued operation of its sanitary system infrastructures; and

WHEREAS, City Auditor Contract No. EL005911 for \$5,622,070, was authorized by Ordinance No. 1354-2005, as passed February 27, 2006, executed March 22, 2006, and approved by the City Attorney on March 23, 2006, for the Olentangy-Scioto Interceptor Sewer (OSIS) Augmentation and Relief Sewer (OARS); and

WHEREAS, Modification #1, was authorized by Ordinance No. 0050-2007, as passed April 16, 2007. No money was involved in this modification as only a change in Scope took place; and

WHEREAS, Modification No. 2 for Contract No. EL007666 for \$8,925,509.96, was authorized by Ordinance No. 1569-2007, as passed November 12, 2007, executed January 16, 2008, and approved by the City Attorney on January 24, 2008 for the Olentangy-Scioto Interceptor Sewer (OSIS) Augmentation and Relief Sewer (OARS); and

WHEREAS, it is necessary to authorize the transfer and appropriation of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund 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 Voted Sanitary Sewer Bond Fund; and

WHEREAS, it is necessary to authorize an amendment the 2009 Amend Capital Improvement Budget for purposes of creating and providing sufficient budget authority for the aforementioned expenditure; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Sanitary Sewer Reserve Fund the amount transferred; 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, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that Council authorize the Director of Public Utilities to execute a planned contract modification to the professional services agreement with DLZ Ohio, Inc. for the Olentangy-Scioto Interceptor Sewer (OSIS) Augmentation and Relief Sewer (OARS); and to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of funds from the Voted Sanitary Sewer Bond Fund for purposes of providing sufficient funding for the aforementioned project expenditure; and to amend the 2009 Capital Improvements Budget; 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 Contract No. EL007666 with DLZ Ohio, Inc., 6161 Huntley Rd., Columbus, Ohio 43229-1003, for professional engineering services in connection with the Olentangy-Scioto Interceptor Sewer (OSIS) Augmentation and Relief Sewer (OARS), in accordance with the terms and conditions as shown in the contract modification on file in the office of the Division of Sewerage and Drainage.

Section 2. That from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 654, 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, 2009, the sum of \$2,139,082.82 is hereby appropriated to the Division of Sewerage and Drainage: Division 60-05| OCA Code 655225 Object Level One 10 | Object Level Three 5502.

Section 3. That the City Auditor is hereby authorized to transfer a total \$2,139,082.82 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund 664, into the Olentangy-Scioto Interceptor Sewer (OSIS) Augmentation and Relief Sewer (OARS), Project 650704, at such time as deemed necessary by the Auditor, and to expend said funds, or so

much thereof as may be necessary.

Section 4. That the appropriation and expenditure of \$2,139,082.82 or as much thereof as may be needed, is hereby authorized from the Voted Sanitary Sewer Bond Fund | Fund 664| Division 60-05| Project 650704 | OCA Code 664704 | Object Level Three 6676.

Section 5. That the 2009 Capital Improvements Budget, Ordinance No. 0806-2009, is hereby amended as follows, to provide sufficient budget authority for the execution of the contract stated herein:

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

650714-100000 | Richards/Granden/Torrence Area Relief | \$230,000| \$ 90,917 | (-\$139,083)

650704-100001 | Olentangy-Scioto Interceptor Sewer (OSIS) Augmentation and Relief Sewer (OARS) Project |\$2,000,000 | \$2,139,083 | (+\$ 139,083)

Section 6. 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 7. That upon obtaining other funds for the purpose of funding sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sanitary Sewer Reserve Fund the amount transferred above, and said funds are hereby deemed appropriated for such purposes.

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 \$2,139,082.82 (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 Sanitary/Sewer Reserve Fund 654, which is the fund from which the advance for costs of the Project will be made.

Section 9. 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 10. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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

Legislation Number: 1254-2009

Drafting Date: 09/18/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Director of Finance and Management to enter into a contract with BissNuss, Inc. for the purchase Electronic Load Cells and Indicators for the Division of Power and Water (Water). The equipment is used by the water treatment plant to measure the weight of chlorine cylinders in order to monitor when the cylinder goes empty and also to add up the pounds per day that have been fed.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA003342). Twenty eight (28) vendors (28 MAJ) were solicited and one (1) bid (1 MAJ) were received and opened on September 10, 2009. BissNuss, Inc. in the amount of \$33,026.00, met specifications and an award is recommended as the lowest responsive, responsible, and best bidder. The bid tabulation is 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.

SUPPLIER: BissNuss, Inc., Contract Compliance Number: 34-1392362, expires 09/22/2011. This supplier does not hold MBE/FBE status.

FISCAL IMPACT: \$33,026.00 is budgeted and needed for this purchase.

No similar expenditures in 2007 or 2008.

Title

To authorize the Director of Finance and Management to enter into a contract with BissNuss, Inc. for the purchase Electronic Load Cells and Indicators for the Division of Power and Water and to authorize the expenditure of \$33,026.00 from the Water Operating Fund. (\$33,026.00)

Body

WHEREAS, Electronic Load Cells and Indicators are required by the Division of Power and Water to measure the weight of chlorine cylinders; and

WHEREAS, the Purchasing Office opened formal bids on September 10, 2009 for the purchase of Electronic Load Cells and Indicators for the Division of Power and Water (Water); and

WHEREAS, the Division of Power and Water recommends an award to be made to the lowest, responsive and responsible bidder, BissNuss, Inc.; and

WHEREAS, a contract will be issued by the Purchasing Office in accordance with the terms, conditions and specifications of Solicitation Number: SA003342 on file in the Purchasing Office; now, therefore

BE IT ORADINED 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 contract with BissNuss, Inc. for the purchase of Electronic Load Cells and Indicators for the Division of Power and Water, in accordance with specifications on file in the Purchasing Office.

SECTION 2. That the expenditure of \$33,026.00, or so much thereof as may be needed, be and the same hereby is authorized from the Water Operating Fund, Fund No. 600, OCA 602474, Object Level 1: 02, Object Level 3: 2236.

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

Legislation Number: 1256-2009

Drafting Date: 09/18/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The purpose of this legislation is to transfer between funds sidewalk waiver fees collected prior to City Council passing Ordinance 1987-2008 on December 15, 2008. The ordinance updated the City's Codes pertaining to sidewalks and bikeways. Furthermore, the ordinance authorized the City Auditor to establish funds into which fees for construction exemptions of bikeway facilities or sidewalks approved by the Director of Public Service may be deposited.

The Director of Public Service subsequently promulgated new Rules and Regulations for Sidewalk and Bikeway Facility Requirements on March 21, 2009. The City Auditor has established the new funds per Ordinance 1987-2008.

Between 2000 and 2007, the Department of Public Service received 186 sidewalk waiver requests, of which 87 requests were granted. In certain cases, the City accepted fees in lieu of constructing or granting a total waiver of sidewalk obligation. Those fees collected totaled \$248,883.27 and are on deposit in Fund 748.

This proposed legislation transfers the old sidewalk waiver fees into these new funds, and they will be tracked and utilized per Ordinance 1987-2008 and the March 21, 2009 Rules and Regulations for Sidewalk and Bikeway Facility Requirements. The new rules and regulations allow for collected construction exemption fees to be used in implementing sidewalk and bikeway facility improvements in the same Community Planning Area, similar to how the City's parkland dedication process works.

2. FISCAL IMPACT

There is no cost to the city of Columbus at this time.

TitleTo transfer all sidewalk waiver fees currently in the Sidewalk Waiver Fund Project in the General Permanent Improvement Fund into a fund to be established by the City Auditor for sidewalk and bikeway capital improvement projects use in specific Community Planning Areas.

BodyWHEREAS, Columbus City Council passed on December 15, 2008 Ordinance 1987-2008, which amended Columbus City Code requirements for sidewalk and bikeway facilities; and

WHEREAS, Ordinance 1987-2008 authorized the City Auditor to establish funds for the purpose of depositing construction exemption fees for sidewalks and bikeway facilities; and

WHEREAS, the Director of Public Service promulgated on March 2, 2009 Rules and Regulations for Sidewalk and Bikeway Facility Requirements as authorized by Ordinance 1987-2008; and

WHEREAS, the March 21, 2009 Rules and Regulations for Sidewalk and Bikeway Facility Requirements establish that construction exemption fees for sidewalks and bikeway facilities are to be used for sidewalk and bikeway facility improvements in the Community Planning Area in which an exempted property is located; and

WHEREAS, this ordinance is necessary in order to transfer sidewalk waiver fees in the amount of \$248,883.27 in Fund 748, to be tracked and utilized according to the Rules and Regulations for Sidewalk and Bikeway Facility Requirements; now therefore,

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

Section 1. That the City Auditor shall transfer all monies in the Sidewalk Waiver Fund project, project 590115, from Fund 748 to a capital projects fund to be determined by the City Auditor in the amount \$248,883.27 .

Section 2. That such monies shall be limited in their use to the design and construction of sidewalks and bikeways within

specific Community Planning Areas.

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

Legislation Number: 1257-2009

Drafting Date: 09/18/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Council Variance Application: CV08-028

APPLICANT: 28 East 11th LLC; c/o Donald Plank; Plank and Brahm; 145 East Rich Street; Columbus, Ohio, 43215.

PROPOSED USE: To bring an existing property management office and associated parking lot in the AR-4, Apartment Residential District into zoning conformance.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant seeks a Council variance to conform an existing property management office in the AR-4, Apartment Residential District. Staff supports the proposal as the office use is compatible with the adjacent land uses and that the Council variance is preferred method of conforming this use rather than changing the zoning on this side of Pearl Street.

Title

To grant a Variance from the provisions of Sections 3356.03, AR-4 Permitted Uses and 3342.15, Maneuvering, of the Columbus City Codes for the property located at **28 EAST ELEVENTH AVENUE (43201)**, to permit a property management office in the AR-4, Apartment Residential District with one stacked parking space. (Council Variance #CV08-028)

Body

WHEREAS, by application No. CV08-028 the owner of property at **28 EAST ELEVENTH AVENUE (43201)**, is requesting a Council Variance to permit a property management office in the AR-4, Apartment Residential District; and

WHEREAS, Section 3333.035, AR-4 Apartment Residential District Use, permits apartment uses only, while the applicant proposes to permit the use of the existing building as a property management office; and

WHEREAS, Section 3342.15, Maneuvering, requires each parking space to have sufficient maneuvering area, while applicant proposes one (1) stacked parking space, as depicted on the site plan; and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval and note that a Council variance is required to allow a property management office in the AR-4, Apartment Residential District; and

WHEREAS, Staff finds the property management office use to be compatible with the adjacent land uses and prefers the use of the Council variance to conforming this use rather than introducing a new zoning district on the east side of Pearl

Street; 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 owners of the property located at **28 EAST ELEVENTH AVENUE (43201)**, 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, AR-4 Permitted Uses and 3342.15, Maneuvering, of the Columbus City Codes are hereby granted for the property located at **28 EAST ELEVENTH AVENUE (43201)**, insofar as said section prohibits a property management office with one stacked parking space by varying the district's permitted use and a maneuvering requirement; said property being more particularly described as follows:

Situated in the County of Franklin in the State of Ohio and in the City of Columbus and being further described as follows:

Being Lot Number Sixty (60) of Chittenden Place, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Page 148, 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 property management office or those uses permitted in the AR-4, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned on maintenance of the principal building shall be retained and the property management office is permitted only in the existing building. The building shall retain its present appearance and building materials, other than normal building maintenance. The building may be fully used as a property management office or be used for first floor property management office and one (1) apartment on the second floor.

SECTION 4. That this ordinance is further conditioned on the two (2) existing garage building(s) remaining available for parking for the property as long as the garage buildings remain. The garage building(s) are not required to be retained, but, if removed, a comparable number of surface parking spaces will be provided as the number removed by razing the garage(s).

SECTION 5. That this ordinance is further conditioned on the sign presently located on the south building wall above the porch being removed within 14 days of the effective date of this ordinance. There shall be no signage on the building for the property management office other than a sign on the south wall below the porch roof, as presently exists, and in compliance with the Graphics Code.

SECTION 6. That this ordinance is further conditioned on a commitment by the owner to maintain the existing building footprint in conformance with the site plan titled, "**28 EAST 11TH AVENUE**," dated June 3, 2009 and signed June 3, 2009 by Donald Plank, Attorney for Applicant. 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 Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment.

SECTION 7. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1261-2009

Drafting Date: 09/21/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

This legislation authorizes the Director of Finance and Management to establish a blanket purchase order for the Purchase of Polymer for the Division of Sewerage and Drainage, Southerly Wastewater Treatment Plants in accordance with a Universal Term Contract established by the Purchasing Office.

Polymer is used at both wastewater treatment plants as a sludge conditioner in the sludge dewatering process. The Purchasing Office has established a Universal Term Contract FL003291 which expires March 31, 2010 for the purchase of Polymer. Additional money is needed for Fiscal Year 2009 purchases of the chemical for the Southerly Wastewater Treatment Plant.

SUPPLIER: Fort Bend Services (74-2144642) Expires 8-4-10

FISCAL IMPACT: \$500,000.00 is needed and budgeted for this purchase.

\$1,020,000.00 has been certified in 2009

\$1,150,000.00 was spent in 2008

\$1,285,000.00 was spent in 2007

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 issue a Blanket Purchase Order from an established Universal Term Contract for the purchase of Polymer with Fort Bend Services., for the Division of Sewerage and Drainage; to authorize the expenditure of \$500,000.00 from the Sewerage System Operating Fund. (\$500,000.00)

Body

WHEREAS, the Purchasing Office has established a Universal Term Contract FL003291 for the purchase of Polymer for the which expires March 31, 2010; and

WHEREAS, the Jackson and Southerly Wastewater Treatment Plants utilize polymer for the dewatering of sludge process within the treatment procedure; and

WHEREAS, the Division of Sewerage and Drainage desires to purchase Polymer 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 he is hereby authorized to issue a Blanket Purchase Orders for the purchase of Polymer on the basis of the Universal Term Contract with Fort Bend Services. for use in Department of Public Utilities, Division of Sewerage and Drainage.

Section 2. That the expenditure of \$500,000.00 or so much thereof as may be needed, is hereby authorized from the Sewerage System Operating Fund 650 as follows to pay for the cost thereof:

Southerly Wastewater Treatment Plant

OCA 605055
Object Level One 02
Object Level Three 2204
Amount \$500,000.00

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

Legislation Number: 1266-2009

Drafting Date: 09/21/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: In 1993 the State of Ohio passed House Bill 152, which requires the Division of Power and Water to pay operating license fees for the three water treatment plants. This fee is based upon the number of service connections. This is the 17th year for this payment. This fee is payable to the Treasurer, State of Ohio, Ohio Environmental Protection Association by December 31st. Their Federal Identification Number is 31-6402047 (082).

FISCAL IMPACT: The Division of Power and Water has allocated \$227,500.00 in the 2009 Budget for this expense.

\$ 206,780.80 was expended for this purpose in 2008.

\$ 205,731.88 was expended for this purpose in 2007.

Title

To authorize the Director of Public Utilities to pay operating license fees for the three water treatment plants to the Treasurer, State of Ohio, Ohio Environmental Protection Agency, for the Division of Power and Water; and to authorize the expenditure of \$209,000.00 from the Water Systems Operating Fund. (\$209,000.00)

Body

WHEREAS, the State of Ohio passed House Bill 152 in 1993 requiring the Division of Power and Water to pay operating license fees for three water treatment plants; and

WHEREAS, this fee is based upon the number of service connections. This is the 17th year for this payment. This fee is payable to the Treasurer, State of Ohio, Ohio Environmental Protection Association by December 31st; 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 pay operating license fees, to the Treasurer, State of Ohio, Ohio Environmental Protection Agency, for the Division of Power and Water, Department of Public Utilities.

Section 2. That the expenditure of \$209,000.00 much thereof as may be needed is hereby authorized from Water Systems Operating Fund 600, Department 60-09, OCA Code 601989, Object Level One 03, Object Level Three 3401, to pay the cost thereof.

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

Legislation Number: 1268-2009

Drafting Date: 09/22/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

This legislation authorizes the Director of Public Utilities to execute Contract Modification No. 3 to the Organic Waste Processing Agreement between Kurtz Brothers Central Ohio, LLC (Kurtz) and the Solid Waste Authority of Central Ohio (SWACO).

This Modification No. 3 will fund the following provisions and services to this contract. Modification No. 3 will be in effect to and including September 30, 2010.

A. Trucked Waste Disposal Facility:

Grant Kurtz the authority to design their facility to include the process of accepting trucked waste in addition to the fats, oils and grease (FOG) that they will be accepting under the terms of the original agreement. In so much as Kurtz was constructing a similar facility to the one operated by DOSD in the vicinity of Berliner Park, both parties agreed that it would be in their best interests to share a facility to accommodate both efforts thereby reducing costs and a duplication of services. This facility will be operated and maintained by Kurtz under the terms of this agreement for a period of ten years.

B. Incinerator Ash Beneficial Reuse Program:

Grant Kurtz the authority to create a beneficial reuse program for wastewater treatment incinerator ash that is generated by the City's two wastewater treatment plants. Ash has been historically stored at the treatment plants in lagoons and land filled at considerable expense to DOSD. This program will allow for up to 5,000 tons a year to be removed and adapted for beneficial reuse under this provision, at a rate of \$30.00 per ton, which is less than the current land filling tipping rate.

C. Fixed Rate Sewer Sludge Processing Term:

Enact a fixed rate fee of \$33.50 per ton of sewerage sludge processing for the duration of this contract (10 years + 5 year extension). This contract authorizes the disposal of up to 25,000 wet tons per year at this rate. This contract will provide DOSD with a beneficial alternative disposal option for sewerage sludge, and should avoid the costs associated with land filling sludge during planned and unplanned shutdowns of the city's wastewater incinerator facilities.

FISCAL IMPACT: \$150,000.00 is needed and budgeted for this modification.

VENDOR: Kurtz Brothers Central Ohio, LLC (20-352137) Expires 12-12-10

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 modify an agreement on behalf of the City of Columbus between Kurtz Brothers Central Ohio, LLC and the Solid Waste Authority of Central Ohio, for the design, construction and operation of the Organic Waste Recovery and Reuse System Project, and to authorize the expenditure of \$150,000.00 from the Sewer System Operating Fund. (\$150,000.00)

Body

WHEREAS, the City of Columbus is committed to providing environmentally friendly programs for the disposal of yard waste, sewage bio-solids, fats, oils and greases and other waste streams from the community, and is continuously searching for alternatives to landfill disposal and to incineration; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities, and the Solid Waste Authority of Central Ohio are desirous of establishing an Organic Waste Recovery and Reuse System program to process municipal sewage bio-solids, fats, oils, greases, food waste, animal waste, yard waste and other organic material; and

WHEREAS, the Solid Waste Authority of Central Ohio and the City of Columbus, utilized the Request for Statement of Qualification competitive procurement provisions of Section 329.13 of the Columbus City Codes for purposes of procuring a ten-year agreement for the design, construction and operation of the area's first Organic Waste Recovery and Reuse System; and had determined Kurtz Brothers, Inc., to be the highest ranking offeror; and

WHEREAS, Ordinance No. 1270-2005, as passed by Columbus City Council on July 25, 2005, authorized the Director of Public Utilities to enter into an agreement on behalf of the City between Kurtz Brothers, Inc., and the Solid Waste Authority of Central Ohio for the design, construction and operation of an Organic Waste Recovery and Reuse System (OWRRS) project to process municipal sewage sludge, food waste, animal waste, yard waste and other organic material; and

WHEREAS, Ordinance No. 1442-2006, as passed by Columbus City Council on September 18, 2006, authorized the Director of Public Utilities to execute a contract modification on behalf of the City and the Solid Waste Authority of Central Ohio and Kurtz Brothers, Inc., to allow for the selection of an alternative site for the OWRRS facility, and to extend the deadline for the construction of said facility; and

WHEREAS, the parties to this agreement have determined it advantageous to enter into a contract modification for purposes of incorporating additional public-private partnerships including the development of a beneficial reuse of wastewater sludge incinerator ash and provisions for moving the City's Trucked Waste Facility location to the OWRRS site for purposes of allowing a mutual benefit between the contracted parties and its customers; and it is therefore necessary for this City Council to authorize the Director of Public Utilities to execute a contract modification, 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 a contract with the Solid Waste Authority of Central Ohio (SWACO) and Kurtz Brothers Central Ohio, LLC, for the design, construction and operation of an Organic Waste Recovery and Reuse System.

Section 2. That the expenditure of \$150,000.00 is hereby authorized to pay Kurtz Brothers Central Ohio, LLC, in connection with the removal of 5,000 wet tons at \$30.00 per ton of wastewater incinerator ash for the development of a beneficial use program, and that the cost thereof is to be funded as follows:

**Division of Sewerage and Drainage
Southerly Wastewater Treatment Plant**

Fund: 650
OCA 605055
Object Level 1: 03
Object Level 03: 3419
Amount: \$150,000.00

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

Legislation Number: 1269-2009

Drafting Date: 09/22/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this legislation is to authorize the Director of Public Utilities to pay the State of Ohio, Ohio Environmental Protection Agency (OEPA) Annual Discharge Fees for the Jackson Pike and Southerly Wastewater Treatment Plants for fiscal year 2009.

House Bill 152 became law in July 1993. This law created a series of fees which provides financial support of the Ohio Environmental Protection Agency. Included in these fees is an annual Wastewater Treatment Plant Discharges Fees that need to be paid by holders of NPDES permits.

The Division of Sewerage and Drainage holds two such permits, Jackson Pike Permit Number 4PF00000, Southerly Permit Number 4PF00001. The Jackson Pike Wastewater Treatment Plant has discharge fees totaling \$41,400.00 and the Southerly Wastewater Treatment Plant has discharge fees totaling \$41,400.00, payment is due on January 31, 2010. A ten percent (10%) penalty is accessed if payment is not received on or before January 31, 2010 by the Ohio EPA.

The fees for calendar year 2009 are based upon the average volume of wastewater discharged by each facility during the previous year (2008) between May 1 and October 31. During this period, the Jackson Pike Wastewater Treatment Plant averaged 58.3327 MGD and the Southerly Wastewater Treatment Plant averaged 96.4280 MGD.

SUPPLIER: State of Ohio, Ohio Environmental Protection Agency (31-6402047-090) Governmental Entity

FISCAL IMPACT: \$82,800.00 is needed and budgeted to pay these fees.

\$82,800.00 was paid in 2008
\$82,800.00 was paid in 2007
\$82,800.00 was paid in 2006

Title

To authorize the Director of Public Utilities to pay the annual Discharge Fees for Fiscal Year 2009 to the State of Ohio, Ohio Environmental Protection Agency for the Division of Sewerage and Drainage; and to authorize the expenditure of \$82,800.00 from the Sewerage System Operating Fund. (\$82,800.00)

Body

WHEREAS, House Bill 152 became law in July 1993 and created a series of fees which provide financial support to the State of Ohio, Ohio Environmental Protection Agency; and,

WHEREAS, included in these fees is an annual Wastewater Treatment Plant Discharger Fees to be paid by holders of NPDES permits; and,

WHEREAS, the Division of Sewerage and Drainage holds such permits for the Jackson Pike and Southerly Wastewater Treatment Plants; and,

WHEREAS, the fees for calendar year 2009 are based upon the average volume of wastewater discharged by each facility during the previous year (2008) between May 1 and October 31. During this period, the Jackson Pike Wastewater Treatment Plant averaged 58.3327 MGD and the Southerly Wastewater Treatment Plant averaged 96.4280 MGD, and

WHEREAS, these fees were first paid in January 1994, and have been paid each year thereafter, and have been budgeted for the 2009 payments; and,

WHEREAS, payment is due on or before January 31, 2010 to prevent a ten percent (10%) penalty, 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 pay the Ohio Environmental Protection Agency through the Treasurer, State of Ohio, for annual Discharger Fees for 2009 upon receipt of proper invoices.

Section 2. That the expenditure of \$82,800.00, or so much thereof as may be needed, is hereby authorized from the Sewerage System Operating Fund 650, as follows:

Jackson Pike Wastewater Treatment Plant

OCA 605014
Object Level One 03
Object Level Three 3401
Amount \$41,400.00

Southerly Wastewater Treatment Plant

OCA 605048
Object Level One 03
Object Level Three 3401
Amount \$41,400.00

Total Amount: \$82,800.00

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

Legislation Number: 1271-2009

Drafting Date: 09/22/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation Background: The following is an ordinance to authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend the monies for payment of acquisition costs in connection with the Maryland Avenue/Denver Avenue Stormwater Project.

Fiscal Impact: This legislation includes a transfer of funds within the Storm Sewer Bonds Fund and an amendment to the 2009 Capital Improvements Budget to allow sufficient cash and authority in the proper account for this project expenditure. The funds transferred and the authority amendment for this project is a result of encumbrance cancellations.

Emergency Justification: Emergency action is requested in order to provide for the immediate acquisition of real property interests necessary to the City's project in order to preserve public health, peace, property and safety.

TitleTo authorize the City Attorney to acquire fee simple title and lesser interests; to contract for professional services; to authorize the transfer of \$45,000.00 within the Storm Sewer Bonds Fund; to amend the 2009 Capital Improvements Budget; to authorize the expenditure of \$45,000.00 from the Storm Sewer Bonds Fund for the Department of Public Utilities, Sewerage and Drainage Division for costs in connection with the Maryland Avenue/Denver Avenue Stormwater Project; and to declare an emergency. (\$45,000.00)

Body

WHEREAS, the City of Columbus is engaged in the Maryland Avenue/Denver Avenue Stormwater Project; and

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

WHEREAS, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for purposes of providing sufficient budget authority for the aforementioned project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to authorize the City Attorney to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the aforesaid professional services necessary in connection with said 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 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 Maryland Avenue/Denver Avenue Stormwater Project, Project No. 610976.

Section 2. That the City Auditor is hereby authorized and directed to transfer and appropriate \$45,000.00 from within the Storm Sewer Bond Fund, Fund No. 685, Div. 60-15, OL3: 6601, Division of Sewerage and Drainage as follows:

FROM:

Proj. No. | Proj. Name | OCA | Amount

610963-100000 | Hague Avenue (carryover) | 685963 | \$45,000.00

TO:

Proj. No. | Proj. Name | OCA | Amount

610976-100000 | Maryland Avenue (carryover) | 685976 | \$45,000.00

Section 3. That the expenditure of \$45,000.00, or so much thereof as may be necessary from the Storm Sewer Bonds Fund, Fund No. 685; Dept./Div.60-15; Project No. 610976-100000; OCA Code 685976; Object Level Three 6601 for the aforesaid purpose is hereby authorized.

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

Section 7. That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows, to provide sufficient budget authority for the expenditures associated with the Maryland Avenue/Denver Avenue Stormwater Project:

Proj. No. | Proj. Name | Current Authority | Revised Authority | (Amount of Change)

610963-100000 | Hague Avenue (carryover) | \$98,505 | \$53,505 | (-\$45,000)

610976-100000 | Maryland Avenue (carryover) | \$0 | \$45,000 | (+\$45,000)

Section 8. 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: 1275-2009

Drafting Date: 09/23/2009

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

BACKGROUND: The need exists to enter into an Enterprise Zone Agreement with Continental/Olentangy Hotel, LLC. The Ohio Enterprise Zone law O.R.C. Section 5709.62 (3) requires the City to enter into a Council-approved agreement between the City and participating companies.

Continental/Olentangy Hotel, LLC is a real estate development company created and organized by Continental Real Estate Companies for the purpose of re-developing the Buckeye Hall of Fame Café site, which is located just south of the OSU campus. Continental/Olentangy Hotel, LLC was created in July 2009 to assist in the **demolition of existing improvements and the** construction of a brand new 134-room, 6-story hotel known as Marriott Spring Hill Suites Hotel. The proposed site is currently under receivership and will cease operations by year end, leaving a vacant building in the community.

The Department of Development recommends a 75%/10-year Enterprise Zone tax abatement on real property improvements. This proposal is consistent with the Columbus Tax Incentive Policy under Central City projects.

The Columbus Public Schools has been advised of this project.

FISCAL IMPACT: No funding is required for this project.

Title

To authorize the Director of Development to enter into an Enterprise Zone Agreement with Continental/Olentangy Hotel, LLC for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a proposed \$13.6 million investment in real property improvements.

Body

WHEREAS, the Columbus City Council authorized the designation of the Enterprise Zone by legislation, Ordinance Number 779-85, dated April 22, 1985; and subsequently amended the Zone by Ordinance Nos. 2722-85 in 1986; 2080-89 in 1989; 1949-92, 2609-92 and 2249-92 in 1992; 1079-94 and 1228-94 in 1994; 2196-95 and 2817-95 in 1995; 533-99 in 1999; 1785-00 in 2000; 1464-02 in 2002; and 225-03 in 2003; and

WHEREAS, the Director of the Development Department of the State of Ohio determined that the Columbus Enterprise Zone as amended by the aforementioned Ordinances continued to contain the characteristics set forth in Section 5709.61(A) of the Ohio Revised Code and recertified said Zone in 1986, December 20, 1989, September 28, 1992, October 22, 1992, December 17, 1992, May 31, 1994, June 24, 1994, June 16, 1995, October 5, 1995, December 19, 1995, April 1, 1999, September 25, 2000, January 27, 2003 and most recently on August 19, 2003 as an "urban jobs and enterprise zone" under Chapter 5709 of the Ohio Revised Code; and

WHEREAS, Continental/Olentangy Hotel, LLC plans to invest approximately \$13.6 million in real property improvements on parcel numbers 010-077863 and 010-040234; and

WHEREAS, the project will include **the demolition of existing improvements and** a newly constructed Marriott Spring Hill Suites Hotel consisting of a 6-story, 134-rooms with associated parking and landscaping; and

WHEREAS, the project will create 15 new full-time positions with an annual payroll of approximately \$527,000; and

WHEREAS, the project will increase the City's bed tax revenue approximately \$450,000 annually; and

WHEREAS, the City is encouraging this project because of plans to redevelop the site of the Buckeye Hall of Fame Café; and

WHEREAS, the City desires to enter into such a binding formal agreement in order to foster economic growth; NOW THEREFORE,

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

Section 1. That the Director of Development is hereby authorized to enter into an Enterprise Zone Agreement with Continental/Olentangy Hotel, LLC to provide therewith an exemption of seventy-five percent (75%) on real property improvements for a term of ten (10) taxable years in association with the project's proposed \$13.6 million investment in real property improvements.

Section 2. That the City of Columbus Enterprise Zone Agreement **shall be signed** ~~is signed~~ by Continental/Olentangy Hotel, LLC within sixty (60) days after receiving the agreement or this ordinance and the abatements and credits authorized herein are null and void.

Section 3. That this ordinance shall take effect at the earliest time allowed by law.

Drafting Date: 09/23/2009

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

Rezoning Application Z09-011

APPLICANT: The Kroger Co; c/o Christopher A. Rinehart, Atty.; Rinehart & Rishel, Ltd; 300 East Broad Street, Suite 190; Columbus, OH 43215.

PROPOSED USE: Fuel sales and parking.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (3-0) on August 13, 2009.

FIFTH BY NORTHWEST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested CPD, Commercial Planned Development District would provide for the construction of additional parking at the site and a fuel station. The proposed rezoning would include development commitments more stringent than the C-4, Commercial District that now exists on the site. The proposal is consistent with the *Fifth by Northwest Neighborhood Plan (2009)*, zoning and development patterns of the area.

Title

To rezone **1729 NORTHWEST BOULEVARD (43212)**, being 1.76± acres located at the southwest corner of Northwest Boulevard and Chambers Road, **From:** C-4, Commercial District, **To:** CPD, Commercial Planned Development District **and to declare an emergency** (Rezoning # Z09-011).

Body

WHEREAS, application #Z09-011 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.85± acres from the C-4, Commercial District, to the CPD, Commercial Planned Development District; and

WHEREAS, the Development Commission recommends approval of said zoning change; 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; and**

WHEREAS, the Fifth by Northwest Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval because the requested CPD, Commercial Planned Development District would provide for the construction of additional parking at the site and a fuel station. The proposed rezoning would include development commitments more stringent than the C-4, Commercial District that now exists on the site. The proposal is consistent with the *Fifth by Northwest Neighborhood Plan (2009)*, zoning and development patterns of 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:

1729 NORTHWEST BOULEVARD (43212), being 1.76± acres located at the southwest corner of Northwest Boulevard and Chambers Road, and being more particularly described as follows:

LEGAL DESCRIPTION:

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 3, Township 1 North, Range 18 West, United States Military Lands, and being all of a 1.758 acre tract of land (1.757 acres by recent survey) and being portions of Lot Number Twenty-Two (22), Lot Number Twenty-Four (24), a portion of a vacated alley 20 feet in width (Road Record 19, Page 226) and all of Lot Number Twenty-Five (25) in John M. Pugh's Subdivision, as shown of record in Plat Book 4, Page 324, said 1.758 acre tract having been conveyed to Vogel Investment Company, Inc., by deed of record in Instrument No. 199801060003317, all references to Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a ¾-inch pipe I.D. iron pipe found at a point connecting a south right-of-way line of Chambers Road (variable width) with the southwesterly right-of-way line of Northwest Boulevard (100 feet wide) and at a corner of said 1.757 tract;

Thence S 58° 28' 31" E along the southwesterly right-of-way line of Northwest Boulevard, crossing a portion of said Lot No. 24 and along a northerly line of said 1.757 acre tract a distance of 94.8 feet at a railroad spike found in the west line of Lot Number Twenty-Three (23) in John M. Pugh's Subdivision, in the east line of said Lot No. 24, at the northwest corner of a 0.268 acre tract of land conveyed to Ravi Badhwar by deed of record in Official Record 25803, Page E 09 and at a northeasterly corner of said 1.757 acre tract;

Thence S 03° 23' 41" W along a portion of the west line of said Lot No. 23, along a portion of the east line of said Lot No. 24, along the west line of said 0.268 acre tract and along an east line of said 1.757 acre tract a distance of 117.46 feet to a ¾-inch I.D. iron pipe found at the southwest corner of said 0.268 acre tract, in the center of said vacated portion of said alley and at a corner of said 1.757 acre tract;

Thence S 86° 07' 29" E along the centerline of said vacated portion of said alley, along a portion of the south line of said 0.268 acre tract and along a north line of said 1.757 acre tract a distance of 52.00 feet to a ½-inch I.D. iron pipe found at the northwest corner of a 0.206 acre tract of land conveyed to Housing Network, Inc., by deed of record in Official Record 13950, Page B 02 and at a northeast corner of said 1.757 acre tract;

Thence S 03° 06' 47" W crossing a portion of said Lot No. 22, along the west line of said 0.206 acre tract, along the west line of a 0.16 acre tract of land conveyed to Jeffrey R. and Mary J. Gossman by deed of record in Instrument No. 199802270044493, along the west line of a 0.23 acre tract of land conveyed to Steven R. and Susan H. Reeser by deed of record in Instrument No. 200407120161065, along the west line of a 0.33 acre tract of land conveyed to Northwood Properties, Inc. by deed of record in Instrument No. 200206170148997, along an east line of said 1.757 acre tract a distance of 184.22 feet to a ¾-inch I.D. iron pipe found in the north line of Chesapeake Avenue (50 feet in width), in the south line of said Lot No. 22, at the southwest corner of said 0.33 acre tract and at the southeast corner of said 1.757 acre tract;

Thence N 86° 10' 33" W along a north line of Chesapeake Avenue, along a portion of the south line of said Lot No. 22, along the south line of said Lot No. 25 and along the south line of said 1.757 acre tract a distance of 257.88 feet to a ¾-inch I.D. iron pipe found at the southwest corner of said Lot No. 25, at the southeast corner of Lot Number Twenty-Eight (28), in said John M. Pugh's Subdivision, at a corner of a 5.400 tract of land conveyed to The Kroger Co. by deed of record in Instrument No. 200502230033272 and at the southwest corner of said 1.757 acre tract;

Thence N 04° 05' 51" E along the east line of said Lot No. 28, along the west line of said Lot No. 25, along a portion of the east line of Lot Number Twenty-Nine (29), in said John M. Pugh's Subdivision, along a portion of the west line of said Lot No. 24, along an east line of said 5.400 acre tract and along the west line of said 1.757 acre tract a distance of 274.83 feet to a ¾-inch I.D. iron pipe found at a corner of said 1.757 acre tract and at a corner of said 5.400 acre tract;

Thence N 33° 13' 38" E crossing a portion of said Lot No. 24, along a southeasterly line of said 5.400 acre tract and along a northwesterly line of said 1.757 acre tract a distance of 81.17 feet to a ¾-inch I.D. iron pipe found at the south

right-of-way line of Chambers Road, at the northeast corner of said 5.400 acre tract and at the northwest corner of said 1.757 acre tract;

Thence S 86° 18' 12" E crossing a portion of said Lot No. 24, along the south right-of-way line of Chambers Road and along a north line of said 1.757 acre tract a distance of 77.73 feet to the place of beginning.

Containing 1.757 acres of land more or less and being subject to all easements and restrictions of record.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from an actual field survey of said 1.757 acre tract, performed under his supervision in December, 2005. Basis of bearings is the north line of Chesapeake Avenue, also being the south line of said 1.757 acre tract, being S 86° 10' 33" E, as transferred from a GPS survey of Franklin County monuments FCGS 5028 and FCGS 1159 performed by the Franklin County Engineer's Office in 1991, and is based on the NAD83 Ohio State Plane Coordinate System, South Zone.

To Rezone From: C-4, Commercial District,

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 Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "**KROGER N942 1375 CHAMBERS ROAD,**" signed by Christopher A. Rinehart, Attorney for the Applicant, and dated September 11, 2009, and text titled, "**CPD TEXT**," signed by Christopher A. Rinehart, Attorney for the Applicant, and dated August 6, 2009, and the text reading as follows:

CPD TEXT

CPD, COMMERCIAL PLANNED DISTRICT

1.757 ACRES +/-

EXISTING DISTRICT: C-4, Regional Scale Commercial District

PROPOSED DISTRICT: CPD, Commercial Planned District

PROPERTY ADDRESS: 1729 Northwest Boulevard / Parcel ID: 010-192261

PROPERTY OWNER: The Kroger Co.
4111 Executive Parkway
Westerville, Ohio 43081

APPLICANT: The Kroger Co.
4111 Executive Parkway
Westerville, Ohio 43081

c/o: Christopher A. Rinehart, Esq.
Rinehart & Rishel, Ltd.
300 East Broad Street, Suite 190

Columbus, Ohio 43215

DATE OF TEXT: August 6, 2009

APPLICATION NUMBER: Z09-011

INTRODUCTION:

The subject property consists of one (1) parcel totaling 1.757+/- acres located at 1729 Northwest Boulevard, Columbus, Ohio, 43212, and is part of an existing shopping center containing a grocery store ("Site"). The Site is currently developed as a shopping center and is zoned C-4, Regional Scale Commercial District. Applicant proposes to rezone the Site to CPD, Commercial Planned District, for the purpose of constructing a fuel station and adding additional parking, as shown on the submitted site plan, (Sheet L-1, dated September 11, 2009).

1. PERMITTED USES:

A. Chapter 3356 (C-4), Regional Scale Commercial District

1. Unless otherwise indicated herein, the permitted uses in, on or upon the Site shall be those allowed in Chapter 3356 (C-4), of the Columbus City Code.

B. Chapter 3357 (C-5), Highway Oriented Commercial Development

1. Unless otherwise indicated herein, the permitted uses in, on or upon the Site shall include an automobile service station as permitted by Chapter 3357 of the Columbus City Code.

- 2. DEVELOPMENT STANDARDS:** The applicable development standards shall be as specified in Chapters 3356 and 3357 (as specifically related to automobile services stations), except as specifically set forth herein.

A. Density, Lot, and/or Setback Commitments

1. Building Setbacks: The minimum building setback from Chambers Road and/or Northwest Boulevard shall be as shown on the attached site plan.
2. Parking Setbacks: The minimum parking, loading and maneuvering setback shall be as shown on the attached site plan.

B. Access, Loading, Parking, and/or Other Traffic Related Commitments N/A

C. Buffering, Landscaping, Open Space and/or Screening Commitments

1. Landscaping shall be developed in accordance with the submitted site plan.
2. All landscaping shall be maintained in a healthy condition and dead material shall be replaced with new landscaping within six (6) months or the next planting season, whichever comes first.
3. Unless otherwise shown on the submitted site plan, minimum tree size at installation - ornamental tree 1 inch caliper; shade tree 2 ½ inch caliper; and evergreens 5 feet in height.

D. Building Design and/or Interior-Exterior Treatment Commitments

1. All roof-mounted mechanical equipment shall be screened from public view to the height of the equipment. The design, colors and materials used in screening shall be architecturally compatible with the rooftop and the aesthetic character of the building.

2. The kiosk constructed at the filling station on the Site shall incorporate brick or brick-veneer on all four sides of the structure.

E. Lighting, Outdoor Display Areas, and/or Other Environmental commitments

1. Light standards shall not exceed 28 feet in height excepts lights located within 100 feet of a residentially used or zoned property shall not exceed 18 feet in height.
2. Lights shall have fully shielded, recessed lamps directed downward to prevent glare and shine above the horizontal plane.
3. For aesthetic compatibility, lights shall be from the same or similar type and color.
4. Outside storage shall be located in front of the kiosk along the sidewalk, four feet in depth and twelve feet in width and in a 4' x 4' area at the ends of the pump islands.
5. The maximum height for any outside storage area shall be three feet.
6. The outdoor display area shall contain only those items normally and customarily sold by a filling station and other seasonal items and products.

F. Graphic and Signage Requirements

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33, of the Columbus City Code as it applies to those uses designated as C-4, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
2. Applicant shall submit a graphics plan with the Columbus Graphics Commission regarding proposed signs to be added or refaced on the Site.

G. Miscellaneous Commitments

1. Section 3357.18 shall apply if fuel sales are abandoned according to the definition included in this section of the Columbus City Code. The owner / lessee shall follow the requirements found in Section 3357.18 (a through e) in order to secure the site and maintain the aesthetics of the property.
2. One or more bicycle racks shall be installed at the filling station.
3. Utilities shall be located underground if permitted by the City of Columbus and/or the applicable utility.
4. No dumpsters will be located at the Site.

H. Variances

1. Section 3342.19 Parking Space

In order to develop the parking lot as shown on the submitted site plan, Applicant seeks a variance to this code provision for those parking spaces that will cross the existing property line.

I. CPD Criteria

1. Natural Environment

The Site is located in an existing shopping center.

2. Existing Land Use

The property is currently zoned C-4, Regional Scale Commercial District. The rezoning permits commercial use of the Site pursuant to existing C-4 standards as well as a limited C-5 use for an automobile service station and ancillary parking.

3. Transportation and Circulation

There will be direct vehicular access to the Site from the existing shopping center, as shown on the submitted site plan.

4. Visual Form of the Environment

As described in this text, the Site will be developed to complement the existing area.

5. View and Visibility

The Site is clearly visible from Chambers Road, Northwest Boulevard and the existing shopping center.

Consideration has been given to visibility and safety issues. This text and the attached site plan are a direct result of the same. Well-defined access will be provided to the Site.

6. Proposed Development

The proposed development is compatible and complementary to existing surrounding commercial uses. Significant commercial development has already occurred adjacent to the Site and the proposed development is complementary to such development.

7. Behavior Patterns

As indicated and set forth on the site plan, access to the Site will be facilitated from the existing shopping center. The proposed development is not expected to significantly alter existing traffic behavior patterns.

8. Emissions

No adverse emissions are expected from this development.

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 of 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 Development 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. 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: 1278-2009

Drafting Date: 09/24/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Finance and Management Director to renew a contract for the Facilities

Management Division with Winnsapes for snow removal services at the following complexes: I-71 Complex (757 Carolyn Ave and 750 Piedmont Road), the Health Department (240 Parsons Avenue), the Police Academy (1000 North Hague Avenue), the Strategic Response Bureau (1120 Morse Road), and the Fire Training Academy (3639 and 3675 Parsons Avenue). The contractor is responsible for removal of snow at 2" or more and salting. Removal of snow and salting must be completed by 6:00 a.m. at all locations. The contractor will remove snow and salt all black top and driveway parking areas.

Ordinance No. 1933-2008, passed December 15, 2008, in the amount of \$38,376.00. The contract was bid with renewal options. This is the first of four renewal options for the period of January 1, 2010 through December 31, 2010.

Fiscal Impact: The cost of this contract is \$38,376.00. The Facilities Management Division budgeted \$97,335.00 in the 2009 General Fund Budget for snow removal and landscape maintenance. Ordinance No. 0372-2009, passed March 30, 2009, authorized an expenditure of \$58,959.00 for landscape maintenance. This ordinance authorizes an expenditure of \$38,376.00 for snow removal only.

Winnsapes Contract Compliance No. 31-1313521 Expiration date September 28, 2011.

Title

To authorize the Finance and Management Director to renew a contract for the Facilities Management Division with Winnsapes for snow removal services for various City facilities; and to authorize the expenditure of \$38,376.00 from the General Fund. (\$38,376.00)

Body

WHEREAS, it is necessary to provide snow removal services at the following complexes: I-71 Complex (757 Carolyn Ave and 750 Piedmont Road), the Health Department (240 Parsons Avenue), the Police Academy (1000 North Hague Avenue), the Strategic Response Bureau (1120 Morse Road), and the Fire Training Academy (3639 and 3675 Parsons Avenue); and

WHEREAS, snow removal services will provide safe parking lots for City employees and users of these facilities; and

WHEREAS, it is necessary to authorize the Finance and Management Director to renew a contact with Winnsapes for snow removal, so that snow removal services can be provided during the winter months, 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 renew a contract for the Facilities Management Division with Winnsapes for snow removal at various City facilities.

SECTION 2. That the expenditure of \$38,376.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Dept/Div: 45-07
Fund: 010
OCA Code: 450044
OL1: 03
OL3: 3377
Amount: \$38,376.00

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

Drafting Date: 09/24/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This legislation will enable the Director of Public Utilities to renew the membership for 2010 with the National Association of Clean Water Agencies (NACWA) for the Division of Sewerage and Drainage. NACWA represents the interests of the country's wastewater treatment agencies, maintains a key role in the development of environmental legislation, and works closely with federal regulatory agencies in the implementation of environmental programs. The NACWA is a nationally-recognized leader in environmental policy and a sought-after technical resource on water quality and ecosystem protection. The membership renewal will provide direct and timely access to this information. The membership is for one (1) year.

SUPPLIER: National Association of Clean Water Agencies (23-7088488-005). Non-Profit Organization

FISCAL IMPACT: The amount budgeted for the membership is \$26,566.00

Title

To authorize the Director of Public Utilities to renew a membership with the National Association of Clean Water Agencies for the Division of Sewerage and Drainage and to authorize the expenditure of \$26,566.00 from the Sewerage System Operating Fund (\$26,566.00)

Body

WHEREAS, it is necessary to renew the membership with the National Association of Clean Water Agencies for 2010 to insure continued and proper research in Wastewater Treatment areas; and

WHEREAS, the NACWA represents the interests of the country's wastewater treatment agencies, maintains a key role in the development of environmental legislation, and works closely with federal regulatory agencies in the implementation of environmental programs. The NACWA is a nationally-recognized leader in environmental policy and a sought-after technical resource on water quality and ecosystem protection. The membership renewal will provide direct and timely access to this information, 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 execute the necessary documents to renew the membership to the National Association of Clean Water Agencies, for the Division of Sewerage and Drainage, Department of Public Utilities.

Section 2. That the expenditure of \$26,566.00 or so much thereof as may be needed, is hereby authorized from Sewerage System Operating Fund, Fund No. 650 to pay for the cost thereof. as follows:

OCA 605006
Object Level 1 03
Object Level 3: 3333

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

Legislation Number: 1284-2009

Drafting Date: 09/24/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND:

Need: This legislation authorizes the Director of Public Utilities to enter into a professional engineering services contract in the amount of \$663,237.56 with Chester Engineers, in connection with the Large Diameter Sewer Assessment - Alum Creek Trunk (North) / Alum Creek SubTrunk Project for the Division of Sewerage and Drainage; to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund in the amount of \$663,237.56, to the Voted Sanitary Sewer Bond Fund.

The purpose of this Project is to perform a sewer condition assessment of the Alum Creek Trunk Sewer - North Segment and the Alum Creek SubTrunk to determine the debris accumulation and structural integrity of the pipes. The approximate total length of this sewer is 39,460 feet. Based on existing record plan information, the pipe material is RCP and the size ranges from 42" to 78". Work items for this phase of the project shall consist of closed circuit televising and sonar to assess the structural and operational condition of the large diameter trunk sewers identified on the project Exhibit, the providing of an Assessment Report outlining recommendations for their cleaning and/or rehabilitation, and all other necessary items for the completion of the Report.

Upon receipt and approval of the Assessment Report, the City and the Engineer shall execute a planned modification to this agreement for all professional services necessary for the completion of the design plans/specifications, bidding documents, engineering services during construction, and all other services required for the completion of the project. The first phase of this project shall be for a period of one year with subsequent planned modifications.

1.1 Amount of Funds to be Expended:

Original Contract: \$663,237.56
Future Modifications: \$500,000.00

2. FISCAL IMPACT:

This ordinance authorizes the transfer and appropriation of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund, to authorize appropriation and expenditure of \$663,237.56 from the Voted Sanitary Sewer Bond Fund. Monies for this contract from the Sanitary Sewer Reserve Fund will be provided from an upcoming Bond Sale via the transfer detailed in this Ordinance.

3. CONTRACT COMPLIANCE NO.: 20-2401674 | MBE | 06/04/2011

4. EMERGENCY DESIGNATION: No emergency designation is requested for this legislation

Title

To authorize the Director of Public Utilities to enter into a professional engineering services contract with Chester Engineers, in connection with the Large Diameter Sewer Assessment - Alum Creek Trunk (North) / Alum Creek SubTrunk Project; and to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund in the amount of \$663,237.56, to the Voted Sanitary Sewer Bond Fund. (\$663,237.56)

Body

WHEREAS, this legislation authorizes the Director of Public Utilities to enter into a professional engineering service agreement with Chester Engineers, 88 East Broad Street, Suite 1980, Columbus, Ohio 43215, for the purpose of providing a sewer assessment of the Large Diameter Sewer Assessment - Alum Creek Trunk (North) / Alum Creek SubTrunk Project for the amount of \$663,237.56; and

WHEREAS, this assessment will result in an Assessment Report which will outline the professional services necessary for

the completion of the design plans/specifications, bidding documents, engineering services during construction, and all other services required for the completion of the project; and

WHEREAS, it is necessary to authorize the transfer and appropriation of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund 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 Voted Sanitary Sewer Bond Fund; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Sanitary Sewer Reserve Fund the amount transferred; and

WHEREAS, the aggregate principal amount which the City will issue to finance this phase of the project is presently expected not to exceed \$663,237.56; 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, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that Council authorize the Director of Public Utilities to execute a planned contract modification to the professional services agreement with Chester Engineers, for the Large Diameter Sewer Assessment - Alum Creek Trunk (North) / Alum Creek SubTrunk Project; and to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of funds from the Voted Sanitary Sewer Bond Fund for purposes of providing sufficient funding for the aforementioned project expenditure; 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 Public Utilities is hereby is, authorized to enter into a professional engineering service agreement with Chester Engineers, 88 East Broad Street, Suite 1980, Columbus, Ohio 43215, for the purpose of providing a sewer assessment of the Large Diameter Sewer Assessment - Alum Creek Trunk (North) / Alum Creek SubTrunk Project.

Section 2. That from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 654, 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, 2009, the sum of \$663,237.56 is hereby appropriated to the Division of Sewerage and Drainage: Division 60-05| OCA Code 655225 | Object Level One 10 | Object Level Three 5502.

Section 3. That the City Auditor is hereby authorized to transfer a total \$663,237.56 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund 664, into the Large Diameter Sewer Assessment - Alum Creek Trunk (North) / Alum Creek SubTrunk Project. Capital Improvement Project 650725.100002, at such time as deemed necessary by the Auditor, and to expend said funds, or so much thereof as may be necessary.

Section 4. That the appropriation and expenditure of \$663,237.56 or as much thereof as may be needed, is hereby authorized from the Voted Sanitary Sewer Bond Fund | Fund 664| Division 60-05| Project 650725.100002 | OCA Code 664725 | Object Level Three 6676.

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

Section 7. 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 \$663,237.56 (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 Sanitary/Sewer Reserve Fund 654, which is the fund from which the advance for costs of the Project will be made.

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

Legislation Number: 1286-2009

Drafting Date: 09/25/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This ordinance authorizes the Director of Public Utilities to enter into a service agreement with Environmental Systems Corporation to upgrade the Emissions Monitoring Systems (CEMS) at the Southerly and Jackson Pike Wastewater Treatment Plant. This agreement is being entered into under the Sole Source provisions provided under Section 329.07 of Columbus City Code.

The current CEMS equipment and software is outdated and no longer will be supported by the company after April 2010. It has become necessary for the software and hardware to be upgraded to the most recent version. CEMS provides continuous regulatory stack emissions monitoring as required by state and federal regulations. The current systems were purchased and installed in 1998. Environmental Systems Corporation installed and developed the software and hardware and is the sole provider of the software, maintenance, and licenses for this upgrade.

Environmental Systems Corporation will provide with this upgrade, support and maintenance, licenses fees, software and hardware. The maintenance agreement for the new software will be for one (1) year to and including September 30, 2010. The Division of Sewerage and Drainage will need to annually enter into an agreement with ESC for the annual support of the software.

SUPPLIER: Environmental Systems Corporation (62-0807987) Expires 9-24-11

FISCAL IMPACT: \$99,561.66 is needed for this agreement. Funding is available in the current budget appropriation.

\$28,554.00 was spent in 2007 (Support Only)

\$39,955.00 was spent in 2006 (Support Only)

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 an agreement with Environmental Systems Corporation for the complete upgrade of the Emissions Monitoring Systems under the Sole Source provisions of the Columbus City Code for the Division of Sewerage and Drainage, and to authorize the expenditure of \$99,561.66 from the Sewerage System Operating Fund, (\$96,561.66)

Body

WHEREAS the Incinerator Continuous Emissions Monitoring Systems at the Southerly and Jackson Pike Wastewater Treatment Plant provides continuous regulatory stack emissions monitoring as required by state and federal regulations 40CFR75; and

WHEREAS, the current CEMS equipment and software is outdated and no longer will be supported by the company after April 2010. It has become necessary for the software and hardware to be upgraded to the most recent version; and

WHEREAS, Environmental Systems Corporation will provide with this upgrade support and maintenance, licenses fees, software and hardware; and

WHEREAS, the maintenance agreement for the new software will be for one (1) year to and including September 30, 2010. The Division of Sewerage and Drainage will need to annually enter into an agreement with ESC for the annual support of the software; and

WHEREAS, Environmental Systems Corporation installed and developed the software and hardware and is the sole provider of the software, maintenance, and licenses for this upgrade and this agreement is being established under the Sole Source provisions provided in Section 329.07 of the Columbus City Code, 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 an agreement with Environmental Systems Corporation for the complete upgrade and support for the Emissions Monitoring Systems for the Division of Sewerage and Drainage.

Section 2. That the expenditure of \$99,561.66 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

Southerly Wastewater Treatment Plant

OCA: 604793
Object Level 1: 03
Object Level 3: 3369
Amount \$49,780.83

Jackson Pike Wastewater Treatment Plant

OCA: 604819

Object Level 1: 03
Object Level 3: 3369
Amount \$49,780.83

Section 3. That the agreement is being established in accordance with the sole source provisions of the Columbus City Code, Section 329.07.

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

Legislation Number: 1293-2009

Drafting Date: 09/28/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this legislation is to authorize the Director of Finance and Management to establish a Blanket Purchase Order for Sludge Grinder Equipment Repair Parts and Services in accordance with an established Universal Term Contract for the Division of Sewerage and Drainage, Jackson Pike Wastewater Treatment Plant and Sewer Maintenance Operation Center.

Sludge Grinder parts are required for the sludge grinders located at the Jackson Pike Wastewater Treatment Plant. Primary Sludge is processed by these grinders which are placed in areas to reduce the down time of pumps, pipe lines, and valves, and to protect them from damage or stoppage from large material in the sludge. In 2009 the Jackson Pike Wastewater Treatment Plant maintenance personnel began major rehabilitation projects on the grinders at that plant. The plant has a need for additional money to complete the rehabilitation projects. In addition, the Sewer Maintenance Operation Center has a need for services on a grinder at Dodge Park and additional monies are needed for the project.

The Division of Sewerage and Drainage desires to establish a Blanket Purchase Order in accordance with the existing Universal Term Contract. The contract number is FL-004295 which expires on May 31, 2011.

SUPPLIER: JWC Environmental, Contract Compliance No. (33-0381716) Expires 9-28-11

FISCAL IMPACT: \$67,000.00 is needed and budgeted for this purchase. The Division of Sewerage and Drainage has certified the maximum amount allowed to be certified against a Universal Term Contract within the Columbus City Code without legislation.

\$96,200.00 has been certified against this UTC in 2009

\$63,626.00 was spent in 2008

\$91,418.00 was spent in 2007

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 for Sludge Grinder

Equipment Repair Parts and Service from a Universal Term Contract with JWC Environmental; and to authorize the expenditure of \$67,000.00 from the Sewerage System Operating Fund. (\$67,000.00)

Body

WHEREAS, the Purchasing Office established a Universal Term Contract for the option to obtain Sludge Grinder Equipment Repair Parts from JWC Environmental, contract number FL-004295; and

WHEREAS, Sludge Grinder parts are required for the sludge grinders located at the Jackson Pike Wastewater Treatment Plant. Primary Sludge is processed by these grinders which are placed in areas to reduce the down time of pumps, pipe lines, and valves, and to protect them from damage or stoppage from large material in the sludge; and

WHEREAS, in 2009 the Jackson Pike Wastewater Treatment Plant maintenance personnel began major rehabilitation projects on the grinders at that plant; and

WHEREAS, the Sewer Maintenance Operation Center also has a need for services on a grinder at Dodge Park and additional monies are needed for the project; and

WHEREAS, the Division of Sewerage and Drainage has certified the maximum amount of dollars allowed by the Columbus City Code on Universal Term Contracts; and

WHEREAS, the plant has a need for additional money to complete the two (2) projects; and

WHEREAS, the Division of Sewerage and Drainage desires to establish a Blanket Purchase Order in accordance with the existing Universal Term Contract, for use by 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 Finance and Management be and is hereby authorized to establish a purchase order with JWC Environmental for the purchase of Sludge Grinder Parts and Services for the Division of Sewerage and Drainage, in accordance with specifications on file in the Purchasing Office.

Section 2. That the expenditure of \$67,000.00, or so much thereof as may be needed, is hereby authorized from the Sewerage System Operating Fund, Fund No. 650, as follows:

OCA 605030
Object Level 1: 02
Object Level 3: 2245
Amount: \$55,000.00

OCA 605089
Object Level 1: 0
Object Level 3: 3372
Amount: \$12,000.00

TOTAL REQUEST: \$67,000.00

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

Legislation Number: 1298-2009

Drafting Date: 09/28/2009

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

1. BACKGROUND

A number of encroachments into the public rights-of-way were requested by the Wagbros Company during the plan development phase of the East Village, Phase I, Project. This project is located at 1368-1400 Grandview Avenue. It is proposing a new four story mixed use building. The building will have retail and restaurants on the first floor and residential units on the next three floors. The existing building was destroyed in a fire earlier this year. The encroachments include a three foot foundation encroachment, a four foot Aerial easement for cornice, solarium and balconies into the right-of-way of Grandview Avenue and a one foot wide building encroachment into the first alley east of and parallel to Grandview Avenue. The development is planned to start construction this fall. The following legislation authorizes the Director of the Department of Public Service to execute any documents necessary to grant encroachment easements for the proposed encroachments into the public rights-of-way. Installation of the proposed building will retain the appearance and continuity of the neighborhood. A value of \$1,500.00 was established for these three encroachment easements.

The City will receive a total of \$1,500.00, to be deposited in Fund 748, Project 537650, for granting the requested encroachment easements.

TitleTo authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements for the proposed building foundations, building facades, solariums and balconies, and cornice within those public rights-of-way needed for the East Village, Phase I, Project **and to declare an emergency.**

Body

WHEREAS, a number of encroachments into the public rights-of-way were requested by the Wagbros Company during the plan development phase of the East Village, Phase I, Project; and

WHEREAS, The encroachments include a three foot foundation encroachment, a four foot aerial easement for cornice, solarium and balconies into the right-of-way of Grandview Avenue and a one foot wide building encroachment into the first alley east of and parallel to Grandview Avenue; and

WHEREAS, A value of \$1,500.00 was established for these three encroachment easements; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service & Transportation in that it is immediately necessary to pass this ordinance as an emergency measure because of the need to begin construction as soon as possible per Jeffrey L. Brown; 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 the Department of Public Service be and is hereby authorized to execute those documents necessary to grant the following described encroachment easements; to-wit:

1' Wide Building Encroachment Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of a 12' wide alley, of Rickett's and Ady's Fairday Addition, as shown of record in Plat Book 4, Page 278, Franklin County Recorder's Office and being more particularly described as follows:

Commencing at the intersection of the west line said 12' wide alley with the north line of a 15.5' wide alley, also being the

southeast corner of Lot 91 of said subdivision;

Thence, along part of the east line of said Lot 91, along the west line of said alley, North 03° 29' 47" East, 14.00 feet to the **TRUE POINT OF BEGINNING**;

Thence, along part of the east line of said Lot 91, the east line of Lot 90 and part of the east line of Lot 89 of said subdivision, along the west line of said alley, North 03° 29' 47" East, 48.00 feet;

Thence, across said 12' wide alley the following three (3) courses:

1. South 86° 30' 13" East, 1.00 feet,
2. South 03° 29' 47" West, 48.00 feet.
3. North 86° 30' 13" West, 1.00 feet to the place of beginning, **CONTAINING 48 SQUARE FEET**. Bearings are based on the Ohio State Plane Coordinate System, Ohio South Zone NAD 83 (1986 Adjustment), monuments GRANDVIEW and WEDIEHL, established by the Franklin County Engineer.

3' Wide Foundation Encroachment Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Grandview Avenue (60 feet wide) and part of 15.5' wide alley of Rickett's and Ady's Fairday Addition, as shown of record in Plat Book 4, page 278, Franklin County Recorders Office and situated between 788.0 feet to 793.0 feet of the North American Vertical Datum of 1988 and being more particularly described as follows:

Commencing at the intersection of the south line of said 15.5' alley (now a 30' wide alley, 14.5 feet to the north was dedicated by Ord. No. 799-49 on October 10, 1949 and recorded in Deed Book 1535, Page 107) with the west line of a 12' wide alley (Plat Book 4, Page 278), also being the northeast corner of Lot 84 of said subdivision;

Thence, along the south line of said 15.5' alley, part of the north line of said Lot 84 North 86° 46' 52" West, 35.00 feet to the **TRUE POINT OF BEGINNING**;

Thence, along the south line of said 15.5' alley, part of the north line of said Lot 84, North 86° 46' 52" West, 64.00 feet to the intersection of said 15.5' alley with the east line of said Grandview Avenue, also being the northwest corner of said Lot 84;

Thence, along the east line of said Grandview Avenue, along the west line of Lots 84 thru 88 inclusive, and part of Lot 89 South 04°00' 36" West, 170.00 feet to a point;

Thence, across said Grandview Avenue and said 15.5' alley the following four (4) courses:

1. North 85° 59' 24" West, 4.00 feet;
2. North 04° 00' 36" East, 172.96 feet;
3. South 86° 46' 52" East, 66.96 feet;
4. South 03° 13' 08" West, 4.00 feet;

to the point of beginning **CONTAINING 711 square feet**. Bearings are based on the Ohio State Plane Coordinate System, Ohio South Zone NAD 83 (1986 Adjustment), monuments GRANDVIEW and WEDIEHL, established by the Franklin County Engineer.

4' Wide Aerial Encroachment Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Grandview Avenue (60 feet wide) and part of 15.5' wide alley of Rickett's and Ady's Fairday Addition, as shown of record in Plat Book 4, page 278, Franklin County Recorders Office and situated between 803.0 feet to 844.0 feet of the North American Vertical Datum of 1988 and being more particularly described as follows:

Commencing at the intersection of the south line of said 15.5' alley (now a 30' wide alley, 14.5 feet to the north was dedicated by Ord. No. 799-49 on October 10, 1949 and recorded in Deed Book 1535, Page 107) with the west line of a 12' wide alley (Plat Book 4, Page 278), also being the northeast corner of Lot 84 of said subdivision;

Thence, along the south line of said 15.5' alley, part of the north line of said Lot 84 North 86° 46' 52" West, 38.00 feet to the **TRUE POINT OF BEGINNING**;

Thence, along the south line of said 15.5' alley, part of the north line of said Lot 84, North 89° 46' 52" West, 61.00 feet to the intersection of said 15.5' alley with the east line of said Grandview Avenue, also being the northwest corner of said Lot 84;

Thence, along the east line of said Grandview Avenue, along the west line of Lots 84 thru 90 inclusive, and part of Lot 91, South 04°00' 36" West, 234.20 feet;

Thence, across said Grandview Avenue and said 15.5' alley the following four (4) courses:

1. North 85° 59' 24" West, 4.00 feet;
2. North 04° 00' 36" East, 238.15 feet;
3. South 86° 46' 52" East, 64.95 feet;
4. South 03° 13' 08" West, 4.00 feet;

to the point of beginning **CONTAINING 1,197 square feet**. Bearings are based on the Ohio State Plane Coordinate System, Ohio South Zone NAD 83 (1986 Adjustment), monuments GRANDVIEW and WEDIEHL, established by the Franklin County Engineer.

Section 2. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law. That for the reason 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: 1299-2009

Drafting Date: 09/29/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the payment of \$3,213.62 for vacation time and benefits which have accumulated in excess of the maximum amount established by the salary ordinance for Fire Division personnel listed below.

Injury leave kept Firefighter Charles Robinson from using accumulated vacation time prior to the cutoff date. Wages, Worker's Compensation and Medicare total \$3,213.62.

FISCAL IMPACT: Funds are available in the 2009 Budget for these payments.

TitleTo authorize the payment of \$3,213.62 for vacation time and benefits which have accumulated in excess of the maximum amount established by salary ordinance for Fire Division personnel. (\$3,213.62)

Body**WHEREAS**, Firefighter Charles Robinson has requested payment for vacation that was unable to be taken due to injury leave; and

WHEREAS, the vacation leave has accumulated in excess of the amount established by the salary ordinance; and

WHEREAS, a situation exists in the usual daily operation of the Division of Fire, Department of Public Safety in that monetary provision for vacation time due Firefighter Charles Robinson should be made for the reasons above; Now, therefore:

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

SECTION 1. That this Council determines that it is in the best interest of the City of Columbus to authorize the payment to Firefighter Charles Robinson the appropriate amounts due for accrued vacation time that was not taken by no fault of his own, and which otherwise would be forfeited. Such expenditure is hereby authorized as follows: Fund 10; Division 30-04:

| OCA | Object Level 3 | Amount |
|--------------|-----------------------|------------------|
| 301499 | 1130 Wages | \$ 3,018.90 |
| 301499 | 1171 Medicare | \$ 43.77 |
| 301499 | 1173 Workers Comp | \$ <u>150.95</u> |
| TOTAL | | \$ 3,213.62 |

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

Legislation Number: 1306-2009

Drafting Date: 09/30/2009

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 Big Walnut/Rickenbacker Sanitary Interceptor Sewer Project.

Fiscal Impact: Funding for this project is from the Department of Public Utilities, Division of Sewerage and Drainage.

Emergency Justification: Emergency action is requested to allow acquisition activities to begin as soon as possible in order to maintain the division project time line.

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 Big Walnut/Rickenbacker Sanitary Interceptor Sewer Project, and to declare an emergency.

Body

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Big Walnut/Rickenbacker Sanitary Interceptor Sewer Project, # 650491; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0009X-2008, on the 4th day of February 2008, and Resolution No. 0018X-2009 on 6th day of April, 2009 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 Department of Public Utilities, Division of Sewerage

and Drainage, 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 the following described real property, be appropriated for the public purpose of the Big Walnut/Rickenbacker Sanitary Interceptor Sewer Project, #650491, pursuant to the power and authority granted to a municipal corporation 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:

PARCEL 3A-P

Situated in the State of Ohio, County of Franklin, Township of Hamilton, located in Section 10, Township 3, Range 22, Matthews Survey of Congress Lands East of the Scioto, being across that 69.738 acre tract as conveyed to Pickaway Properties, LLC by deed of record in Instrument Number 200404080078968, and Joanne A. Legg, Trustee by deed of record in Official Record 17581 C14 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

Beginning, for reference, in the southerly line of that 42.936 acre tract as conveyed to Columbus and Southern Ohio Electric Company by deed of record in Deed Book 3268, Page 641, at a point 11.28 feet right of station 568+91.80, as shown on a plat of survey by the Jennings-Lawrence Co. of the Columbus Feeder of the Ohio and Erie Canal performed for the State of Ohio in 1926 and 1927;

thence North 62° 52' 51" West, with said southerly line, a distance of 156.37 feet to a point;

thence South 27° 07' 09" West, across said 69.738 acre tract, a distance of 37.69 feet to a point in the southerly right-of-way line of Rowe Road, the TRUE POINT OF BEGINNING;

thence South 60° 58' 53" East, with the southerly right-of-way line of Rowe Road, a distance of 446.37 feet to a point;

thence South 59° 12' 53" East, continuing with said southerly right-of-way line, a distance of 233.96 feet to a point;

thence across Grantor's tract, the following courses and distances:

South 30° 47' 07" West, a distance of 30.00 feet to a point;

North 59° 12' 53" West, a distance of 233.50 feet to a point;

North 60° 58' 53" West, a distance of 445.91 feet to a point; and

North 29° 01' 07" East, a distance of 30.00 feet to the TRUE POINT OF BEGINNING, and containing 0.468 acre of land, more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse, which was referenced to said coordinate system by GPS observations of Franklin County Geodetic Survey Monuments, Smith and FCGS 9926. The grid bearing between said monuments being N 71° 52' 56" W. Distances shown hereon are ground distances.

EVANS, MECHWART, HAMBLETON, & TILTON, INC., James M. Pearsall,
Registered Surveyor No. 7840

PARCEL 3B-T

Situated in the State of Ohio, County of Franklin, Township of Hamilton, located in Section 10, Township 3, Range 22, Matthews Survey of Congress Lands East of the Scioto, being across that 69.738 acre tract as conveyed to Pickaway Properties, LLC by deed of record in Instrument Number 200404080078968, and Joanne A. Legg, Trustee by deed of record in Official Record 17581 C14 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

Beginning, for reference, in the southerly line of that 42.936 acre tract as conveyed to Columbus and

Southern Ohio Electric Company by deed of record in Deed Book 3268, Page 641, at a point 11.28 feet right of station 568+91.80, as shown on a plat of survey by the Jennings-Lawrence Co. of the Columbus Feeder of the Ohio and Erie Canal performed for the State of Ohio in 1926 and 1927;
thence North 62° 52' 51" West, with said southerly line, a distance of 156.37 feet to a point;
thence South 27° 07' 09" West, across said 69.738 acre tract, a distance of 37.69 feet to a point;
thence South 27° 01' 07" West, across said 69.738 acre tract, a distance of 30.00 feet to a point;
thence South 27° 01' 07" West, across said 69.738 acre tract, a distance of 207.33 feet to the TRUE POINT OF BEGINNING;

thence continuing across Grantor's tract, the following courses and distances:

South 60° 58' 53" East, a distance of 100.00 feet to a point;

South 29° 01' 07" West, a distance of 50.00 feet to a point;

North 60° 58' 53" West, a distance of 100.00 feet to a point; and

North 29° 01' 07" East, a distance of 50.00 feet to the TRUE POINT OF BEGINNING, and containing 0.115 acre of land, more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse, which was referenced to said coordinate system by GPS observations of Franklin County Geodetic Survey Monuments, Smith and FCGS 9926. The grid bearing between said monuments being N 71° 52' 56" W. Distances shown hereon are ground distances. EVANS, MECHWART, HAMBLETON, & TILTON, INC. , James M. Pearsall, Registered Surveyor No. 7840

PARCEL 3C-P

Situated in the State of Ohio, County of Franklin, Township of Hamilton, located in Section 10, Township 3, Range 22, Matthews Survey of Congress Lands East of the Scioto, being across that 69.738 acre tract as conveyed to Pickaway Properties, LLC by deed of record in Instrument Number 200404080078968, and Joanne A. Legg, Trustee by deed of record in Official Record 17581 C14 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

BEGINNING at the intersection of the easterly line of said 69.738 acre tract with the southerly right-of-way line of Rowe Road;

thence South 63° 44' 07" West, with said easterly line, a distance of 36.23 feet to a point on a curve;

thence across said 69.738 acre tract, with the arc of said curve to the left, having a central angle of 08° 09' 47", a radius of 1170.00 feet, an arc length of 166.69 feet, and a chord bearing North 47° 38' 40" West, a chord distance of 166.55 feet to a point in the southerly right-of-way line of said Rowe Road;

thence South 59° 12' 53" East, with said southerly right-of-way line, a distance of 94.90 feet to a point;

thence South 57° 15' 33" East, continuing with said southerly right-of-way line, a distance of 88.03 feet to the POINT OF BEGINNING, and containing 0.060 acre of land, more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse, which was referenced to said coordinate system by GPS observations of Franklin County Geodetic Survey Monuments, Smith and FCGS 9926. The grid bearing between said monuments being N 71° 52' 56" W. Distances shown hereon are ground distances. EVANS, MECHWART, HAMBLETON, & TILTON, INC. James M. Pearsall, Registered Surveyor No. 7840

Registered Surveyor No. 7840

Section 2. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Big Walnut/Rickenbacker Sanitary Interceptor Sewer Project, #650491, pursuant to the power and authority granted to a municipal corporation 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:

PARCEL 4A-P

Situated in the State of Ohio, County of Franklin, Township of Hamilton, located in Section 10, Township 3, Range 22, Matthews Survey of Congress Lands East of the Scioto, being on, over, and across those 10.712 and 249.67 acre tracts conveyed to Pickaway Properties, LLC by deed of record in Instrument Number 200404080078968, and Joanne A. Legg, Trustee by deed of record in Official Record 17465 I11, (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, in the westerly line of that 1.146 acre tract conveyed to Pickaway Properties, LLC by deed of record in Instrument Number 200404080078968, and Joanne A. Legg, Trustee by deed of record in Official Record 17465 I11, at a common corner of said 10.712 and 249.67 acre tracts;

thence North 86° 37' 53" West, with the common line between said 10.712 and 249.67 acre tracts, a distance of 230.63 feet to the TRUE POINT OF BEGINNING;

thence across said 249.67 acre tract, with the arc of a curve to the right, having a central angle of 13° 45' 53", a radius of 1230.00 feet, an arc length of 295.50 feet, a chord bearing and distance of South 27° 22' 36" East, 294.79 feet to a point on the northerly line of the 7.6128 acre tract conveyed to Village of Lockbourne by deed of record in Official Record 6800J08;

thence South 55° 50' 35" West, with said northerly line, a distance of 61.84 feet to a point;

thence across said 10.712 and 249.67 acre tracts, the following courses and distances:

with the arc of a curve to the left, having a central angle of 17° 30' 01", a radius of 1170.00 feet, an arc length of 357.36 feet, a chord bearing and distance of North 28° 31' 44" West, 355.97 feet to a point;

North 37° 16' 45" West, a distance of 476.42 feet to a point of curvature to the left; and

with the arc of said curve, having a central angle of 06° 18' 14", a radius of 1170.00 feet, an arc length of 128.73 feet, a chord bearing and distance of North 40° 25' 52" West, 128.66 feet to a point on the westerly line of said 10.712 acre tract;

thence North 63° 44' 07" East, with said westerly line, a distance of 19.14 feet to a point in the southerly right-of-way line of Rowe Road;

thence with the southerly right-of-way line of Rowe Road, the following courses and distances:

South 57° 15' 53" East, a distance of 122.01 feet to a point; and

South 59° 03' 53" East, a distance of 17.75 feet to a point;

thence across said 10.712 acre tract, the following courses and distances:

South 37° 16' 45" East, a distance of 470.09 feet to a point of curvature to the right; and

with the arc of said curve, having a central angle of 03° 01' 12", a radius of 1230.00 feet, an arc length of 64.83 feet, a chord bearing and distance of South 35° 46' 09" East, 64.82 feet to the TRUE POINT OF BEGINNING and containing 1.256 acres of land, more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse, which was referenced to said coordinate system by GPS observations of Franklin County Geodetic Survey Monuments, Smith and FCGS 9926. The grid bearing between said monuments being N 71° 52' 56" W. Distances shown hereon are ground distances. EVANS, MECHWART, HAMBLETON, & TILTON, INC.

James M. Pearsall Registered Surveyor No. 7840JMP

PARCEL 4B-T

Situated in the State of Ohio, County of Franklin, Township of Hamilton, located in Section 10, Township 3, Range 22, Matthews Survey of Congress Lands East of the Scioto, being on, over, and across that 10.712 and 249.67 acre tracts conveyed to Pickaway Properties, LLC by deed of record in Instrument Number 200404080078968, and Joanne A. Legg, Trustee by deed of record in Official Record 17465 I11 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, in the westerly line of that 1.146 acre tract conveyed to Pickaway Properties, LLC by deed of record in Instrument Number 200404080078968, and Joanne A. Legg, Trustee by deed of record in Official Record 17465 I11, at a common corner of said 10.712 and 249.67 acre tracts;

thence North 86° 37' 53" West, with the common line between said 10.712 and 249.67 acre tracts, a distance of 307.58 feet to the TRUE POINT OF BEGINNING;
thence across said 249.67 acre tract, the following courses and distances:
with the arc of a curve to the right, having a central angle of 03° 00' 09", a radius of 1170.00 feet, an arc length of 61.31 feet, a chord bearing and distance of South 35° 03' 32" East, 61.31 feet to a point;
South 52° 43' 15" West, a distance of 57.53 feet to a point;
thence North 37° 16' 45" West, across said 10.712 and 249.67 acre tracts, a distance of 500.00 feet to a point;
thence across said 10.712 acre tract, the following courses and distances:
North 52° 43' 15" East, a distance of 60.00 feet to a point;
South 37° 16' 45" East, a distance of 424.06 feet to a point of curvature to the right; and
with the arc of said curve, having a central angle of 00° 43' 08", a radius of 1170.00 feet, an arc length of 14.68 feet, a chord bearing and distance of South 36° 55' 11" East, 14.68 feet to the TRUE POINT OF BEGINNING and containing 0.687 acre of land, more or less.
The bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse, which was referenced to said coordinate system by GPS observations of Franklin County Geodetic Survey Monuments, Smith and FCGS 9926. The grid bearing between said monuments being N 71° 52' 56" W. Distances shown hereon are ground distances. EVANS, MECHWART, HAMBLETON, & TILTON, INC.
James M. Pearsall Registered Surveyor No. 7840

PARCEL 4C-T

Situated in the State of Ohio, County of Franklin, Township of Hamilton, located in Sections 10 and 11, Township 3, Range 22, Matthews Survey of Congress Lands East of the Scioto, being on, over, and across those 10.712 and 1.146 acre tracts conveyed to Pickaway Properties, LLC by deed of record in Instrument Number 200404080078968, and Joanne A. Legg, Trustee by deed of record in Official Record 17465 I11, (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:
BEGINNING in the westerly line of said 1.146 acre tract, at a common corner of said 10.712 acre tract and that 249.67 acre tract conveyed to Pickaway Properties, LLC by deed of record in Instrument Number 200404080078968, and Joanne A. Legg, Trustee by deed of record in Official Record 17465 I11;
thence North 86° 37' 53" West, with the common line between said 10.712 and 249.67 acre tracts, a distance of 230.63 feet to a point on a curve;
thence across said 10.712 acre tract, the following courses and distances:
with the arc of said curve to the left, having a central angle of 03° 01' 12", a radius of 1230.00 feet, an arc length of 64.83 feet, a chord bearing and distance of North 35° 46' 09" West, 64.82 feet to a point;
North 37° 16' 45" West, a distance of 470.09 feet to a point on the southerly right-of-way line of Rowe Road;
thence South 59° 03' 53" East, with said southerly right-of-way line, a distance of 215.56 feet to a point;
thence across said 10.712 acre tract, the following courses and distances:
South 37° 16' 45" East, a distance of 251.12 feet to a point; and
North 47° 07' 36" East, a distance of 97.05 feet to a point on the southerly right-of-way line of Rowe Road;
thence South 59° 03' 53" East, with said southerly right-of-way line, a distance of 427.38 feet to a point on the easterly line of said 1.146 acre tract;
thence South 55° 22' 01" West, with said easterly line, a distance of 283.73 feet to a point on the easterly line of said 249.67 acre tract;
thence North 03° 35' 07" East, with said easterly line, a distance of 185.72 feet to the POINT OF BEGINNING and containing 2.232 acres of land, more or less.
The bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse, which was referenced to said coordinate

system by GPS observations of Franklin County Geodetic Survey Monuments, Smith and FCGS 9926. The grid bearing between said monuments being N 71° 52' 56" W. Distances shown hereon are ground distances. EVANS, MECHWART, HAMBLETON, & TILTON, INC. James M. Pearsall Registered Surveyor No. 7840

Section 3. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Big Walnut/Rickenbacker Sanitary Interceptor Sewer Project, #650491, pursuant to the power and authority granted to a municipal corporation 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:

PARCEL 8A
(Temporary)

Situated in the State of Ohio, County of Franklin, Township of Hamilton, located in Section 10, Township 3, Range 22, Matthews Survey of Congress Lands East of the Scioto, being across that 162.738 acre tract as conveyed to Pickaway Properties, LLC by deed of record in Instrument Number 200404080078968, and Joanne A. Legg by deed of reference in Official Record 17465 107, (except as noted, all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

Beginning, for reference, at Franklin County Geodetic Survey Monument FCGS 9926 found at a northwesterly corner of that 68.31 acre tract as conveyed to William L. Bolender by deed of record in Official Record 167, Page 779, Recorder's Office, Pickaway County, Ohio, being the intersection of the centerline of Lockbourne Road with the line common to Franklin and Pickaway Counties;

thence South 86° 28' 45" East, across the right-of-way of said Lockbourne Road, and with said county line, a distance of 30.00 feet to a point in the easterly right-of-way line of said Lockbourne Road, being the TRUE POINT OF BEGINNING;

thence North 03° 35' 07" East, with said easterly right-of-way line, a distance of 478.82 feet to a point;

thence across Grantor's tract, the following courses and distances:

South 86° 28' 45" East, a distance of 33.00 feet to a point;

South 03° 35' 07" West, a distance of 478.82 feet to a point in the northerly line of said 68.31 acre tract, being said county line;

thence North 86° 28' 45" West, with said northerly line, and with said county line, a distance of 33.00 feet to the TRUE POINT OF BEGINNING, and containing 0.363 acre of land, more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse, which was referenced to said coordinate system by GPS observations of Franklin County Geodetic Survey Monuments, Smith and FCGS 9926. The grid bearing between said monuments being N 71° 52' 56" W. Distances shown hereon are ground distances.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.
James M. Pearsall
Registered Surveyor No. 7840

8B
(FEE TAKE)
0.344 ACRES

Situated in the State of Ohio, County of Franklin, Township of Hamilton, located in Section 11, Township 3, Range 22, Matthews Survey of Congress Lands East of the Scioto, being part of that 162.738 acre tract as conveyed to Pickaway Properties, LLC by deed of record in Instrument Number 200404080078968, and Angell Properties 2, LLC by deed of record in Instrument Number 200712110212408, (except as noted, all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

Beginning, for reference, at Franklin County Geodetic Survey Monument FCGS 9926 found at the common corner of said Section 11 and Sections 10, 14 and 15 of said Township and Range, a northwesterly corner of that 68.31 acre tract as conveyed to William L. Bolender by deed of record in Official Record 167, Page 779, Recorder's Office, Pickaway County, Ohio, being the intersection of the

centerline of Lockbourne Road with the line common to Franklin and Pickaway Counties;

thence South 86° 28' 06" East, across the right-of-way of said Lockbourne Road, and with said county line, and the line common to said Sections 11 and 14, a distance of 30.00 feet to an iron pin set at the TRUE POINT OF BEGINNING;

thence North 03° 35' 07" East, with said easterly right-of-way line, a distance of 100.00 feet to an iron pin set;

thence across said 162.738 acre tract, the following courses and distances:

South 86° 28' 06" East, a distance of 150.00 feet to an iron pin set;

South 03° 35' 07" West, a distance of 100.00 feet to an iron pin set in the northerly line of said 68.31 acre tract, being said county and section line, said iron pin set being North 86° 28' 45" West, a distance of 2428.60 feet, with said county and section line, from Franklin County Geodetic Survey Monument FCGS 2222;

thence North 86° 28' 06" West, with said northerly line, and with said county and section line, a distance of 150.00 feet to the TRUE POINT OF BEGINNING, and containing 0.344 acre of land, more or less.

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

Parcel 8C
(Temporary Easement)
0.170 acre

Situated in the State of Ohio, County of Franklin, Township of Hamilton, located in Section 10, Township 3, Range 22, Matthews Survey of Congress Lands East of the Scioto, being part of that 162.738 acre tract as conveyed to Pickaway Properties, LLC by deed of record in Instrument Number 200404080078968, and Angell Properties 2, LLC by deed of record in Instrument Number 200712110212408, (except as noted, all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

Beginning, for reference, at Franklin County Geodetic Survey Monument FCGS 9926 found at a northwesterly corner of that 68.31 acre tract as conveyed to William L. Bolender by deed of record in Official Record, 167, Page779, Recorder's Office, Pickaway County, Ohio, being the intersection of the centerline of Lockbourne Road with the line common to Franklin and Pickaway Counties.

thence North 03°35'07" East, with said centerline, a distance of 100.03 feet, to a point.

thence South 86°24'53" East, across the right of way of said Lockbourne Road and Grantor's tract, a distance of 45.00 feet to the TRUE POINT OF BEGINNING;

thence across Grantor's tract, the following courses and distances:

North 03°35'07" East, a distance of 55.00 feet to a point;

South 86°28'06" East, a distance of 135.00 feet to a point;

South 03°35'07" West, a distance of 55.00 feet to a point;

North 86°28'06" West, a distance of 135.00 feet to the TRUE POINT OF BEGINNING, and containing 0.170 acre of land, more or less.

Section 4. 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 5. That the Council of the City of Columbus hereby fixes the value of said fee simple title and lesser interests as follows:

- | | | |
|----|------------|-------------|
| 1. | 3A; 3B; 3C | \$4,400.00 |
| 2. | 4A; 4B; 4C | \$16,235.00 |
| 3. | 8A; 8B; 8C | \$8,129.00 |

Section 6. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property, in a Court of competent jurisdiction, 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 for the reasons state 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: 1311-2009

Drafting Date: 10/01/2009

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 permanent easements in and to real estate necessary for the Portage Grove Area Sanitary Improvement Project.

Fiscal Impact: The Department of Public Utilities, Division of Sewers and Drainage, has determined funding for this project will be from the Voted Sanitary Sewer Bond Fund.

Emergency Justification: Emergency action is requested to allow the acquisition of the parcels necessary for the aforementioned project to proceed without delay thereby allowing this project to move forward.

Title

To authorize the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate necessary for the Portage Grove Area Sanitary Improvement Project, and to declare an emergency.

Body

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Portage Grove Area Sanitary Improvement Project; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0055X-2008 on the 17th day of March, 2008, 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, subsequent to Resolution No. 0055X-2008's adoption by the Council of the City of Columbus, the legal description of the real property attached to the legislation as "Exhibit J" in "Section 1." of the resolution, was revised; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0143X-2009 on the 17th day of September 21, 2009, thereby amending Resolution 0055X-2008 by revising and replacing the legal description in "Exhibit J" attached thereto, 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 Department of Public Utilities, Division of Sewerage and Drainage, 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 perpetual easements in, over, under, across and through the following described real property, be

appropriated for the public purpose of the Portage Grove Area Sanitary Improvement Project, # 650700, pursuant to the power and authority granted to a municipal corporation 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:

10P

Sanitary Sewer Easement Description Easement Area #1
1293 Northport Circle
City of Columbus

Situated in the State of Ohio, County of Franklin, City of Columbus, Lot 34 of Portage Grove Addition, Extension 1, Plat Book 29, Page 5, and being an easement area more particularly described as follows:

Beginning for reference at the northeast corner of Lot 34;

Thence North 71 °34'20" West, along the north line of Lot 34, 20.70 feet to the point of beginning;

Thence South 2°55'13" West, into Lot 34, 200.65 feet to a point;

Thence South 51 °31 '09" East, 22.15 feet to a point on the east line of Lot 34;

Thence South 03°27'12" West, along the east line of Lot 34, 24.42 feet to a point;

Thence North 51 °31 '09" West, into lot 34, 46.45 feet to a point;

Thence North 2°55'13" East, 216.49 feet to a point in the north line of Lot 34;

Thence South 71 °34'20": East, 20.76 feet to the point of beginning.

Containing 4,857 square feet of land.

For the purpose of this description, a bearing of South 3°27'12" West was used on the east line of Lot 34, according to an actual field survey.

10P-1

Sanitary Sewer Easement Description 1293 Northport Circle
City of Columbus

Situated in the State of Ohio, County of Franklin, City of Columbus, Lot 34 of Portage Grove Addition, Extension 1, Plat Book 29, Page 5, and being an easement area more particularly described as follows:

Beginning at the southeast corner of Lot 34;

Thence North 51 °22'00" West, along the south line of Lot 34, 23.69 feet to a point;

Thence North 85°02'57" East, crossing Lot 34, 19.58 feet to a point in the east line of said lot;

Thence South 3°27'12" West, 16.51 feet to the point of beginning.

Containing 160 square feet of land.

For the purpose of this description, a bearing of South 3°27'12" West was used on the ease line of Lot 34, according to an actual field survey

Section 2. 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 3. That the Council of the City of Columbus hereby fixes the value of said permanent easements as follows:

1. 10P, P1 \$11,975.00

Section 4. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property, in a Court of competent jurisdiction, 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 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 ten days after its passage if the Mayor neither approves nor vetoes the same.

Drafting Date: 10/05/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Personal Safety Products for Various City Agencies. These products help protect City Employees working in potentially hazardous conditions and it allows the City to be in compliance with safety laws and regulations for the workplace. These contracts will provide City agencies with protective gloves, hard hats, eye and ear protection, safety clothing, first aid supplies and other safety equipment and supplies.

The term of the proposed option contract would be approximately two (2) years, with the option to extend the contract, subject to mutual agreement, for one additional one-year period. The Contract is through June 30, 2012. The Purchasing Office opened formal bids on September 17, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06, Solicitation SA003353. One-hundred thirty-one bids were solicited (MBR: 3; F1: 2). Eight (8) bids were received. Grayson Integrated, LLC and Safeware, Inc. were deemed non-responsive for failure to provide a copy of the catalog(s) and price list(s) in which they were bidding. Therefore, pricing information could not be verified.

The Purchasing Office is recommending award of the contract to the lowest, responsive, responsible and best bidders:

Safety Solutions, Inc., CC#310808325 (Expires July 29, 2010), \$1.00

Jendco Safety Supply, F1, CC#311286443 (Expires January 15, 2011), \$1.00

Fire Safety Services, Inc., CC# 340962724 (Expires March 11, 2010), \$1.00

Total Estimated Annual Expenditure: \$250,000.00

These companies are not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund.

Title

To authorize and direct the Finance & Management Director to enter into three (3) UTC contracts for the option to purchase Personal Safety Products with Safety Solutions, Inc., Jendco Safety Supply and Fire Safety Services, Inc., to authorize the expenditure of three (3) dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$3.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on September 17, 2009 and selected the lowest, responsive, responsible and best bid. Eight (8) bids were received. Grayson Integrated and Safeware, Inc. were deemed non-responsive for failure to submit required catalogs with their bids; and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, because the Personal Safety Products help protect City Employees working in potentially hazardous conditions, and because it allows the City to be in compliance with safety laws and regulations for the workplace, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Various City Agencies in that it is immediately necessary to enter into a contract for an option to purchase Personal Safety Products, 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 & Management Director be and is hereby authorized and directed to enter into the following contracts for an option to purchase Personal Safety Products for various City Agencies for the term ending June 30, 2012, with the option to extend the contract, subject to mutual agreement, for one (1) additional one-year period, in accordance with Solicitation No. SA003353 as follows:

Safety Solutions, Inc.: Primary Awards: Items 1-3, 5-11, 15, 17, 19, 21-24, 26, 29-32, 35-39, 41, 44-47, 49, 51, 54-61, Additional Manufacturers 62 (Eagle), 63-67, 71-80. Secondary Awards: Items 14, 25, 27, 33, 43, 62 (Lakeland), Amount: \$1.00.

Jendco Safety Supply: Primary Awards: Items 14, 18, 25, 27, 33, 43, 62 (Lakeland). Secondary Awards: Items 2, 3, 5, 21, 23, 30, 37, 38, 44, 46, 56, 59. Amount: \$1.00.

Fire Safety Services, Inc.: Primary Award: Item 40. Secondary Award: Item 41. Amount: \$1.00.

SECTION 2. That the expenditure of \$3.00 is hereby authorized from the Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

SECTION 3. 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: 1327-2009

Drafting Date: 10/06/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The City of Columbus, Division of Police, has received a contribution of \$2500.00 to be used solely for feeding horses in the Division of Police Mounted Unit.

FISCAL IMPACT: This contribution of \$2500.00 will benefit the City by mitigating the costs of maintaining the Mounted Unit.

Title

To establish fund No. 223-309, titled "Feed-Police Horses Only" and to authorize the Public Safety Director to expend said monies solely for the purpose of feeding horses in the Division of Police Mounted Unit. (\$2,500.00)

Body

WHEREAS, Mr. Christopher Soteriades, 811 Northwest Blvd, Columbus, Ohio, on October 2, 2009 has contributed \$2,500.00 to the City of Columbus, and

WHEREAS, Mr. Soteriades has explicitly directed that these monies be used solely for the feeding of horses within the City's Division of Police Mounted Unit, and

WHEREAS, the Police Mounted Unit currently has 9 horses (standardbred, thoroughbred and quarter), and

WHEREAS, the Mounted Police Unit provides available police services especially during events where unruly crowds are anticipated, and

WHEREAS, the Mounted Police Unit also provides Police presence throughout the City, high school football games and other special events, and

WHEREAS, the Council thanks Mr. Soteriades for his contribution and directs his contribution be used solely for the purpose he intends,

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

Section 1. The City of Columbus accept a \$2,500.00 contribution and directs the City Auditor to deposit such monies into fund no. 223-309, titled "Feed-Police Horses Only".

Section 2. That monies in such fund are to be used solely for feeding horses of the Police Mounted Unit.

Section 3. The Director of Police Safety is hereby authorized to expend monies contained in Fund 223-309 and such monies contained in fund 223-309 are hereby deemed appropriated to the extent of available cash, to be used solely for the purpose of feeding such horses.

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

Legislation Number: 1328-2009

Drafting Date: 10/06/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this legislation is to authorize the Director of Finance and Management to enter into an agreement with Amerisochi Inc for the purchase of ABB Low Voltage Drives for the Division of Sewerage and Drainage, Jackson Pike Wastewater Treatment Plant.

The drives will replace existing equipment and will be used to control the centrifuges at the Jackson Pike Wastewater Treatment Plant. The Purchasing Office opened formal bids on August 27, 2009, eight (8) bids were received. Eighty-five (85) bids were solicited, 3 MBE, 2FBE.

Upon review of the bids the Division of Sewerage and Drainage recommended and award be made for all items to the lowest, responsive and responsible bidder, Amerisochi Inc in the total amount of \$56,153.00

SUPPLIER: Amerisochi Inc (MBE) (34-1656686) Expires: 4-17-11

FISCAL IMPACT: \$56,153.00 is needed and budgeted for this purchase.

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 purchase order with Amerisochi Inc for the purchase of ABB Low Voltage Drives for the Division of Sewerage and Drainage, and to authorize the expenditure of \$56,153.00 from the Sewerage System Operating Fund. (\$56,153.00)

Body

WHEREAS, the Jackson Pike Wastewater Treatment Plant has a need to replace existing ABB drives in the centrifuge buildings, and

WHEREAS, the drives will be used to control the centrifuges at the Jackson Pike Wastewater Treatment Plant, and

WHEREAS, the Purchasing Office opened formal bids on August 27, 2009, eight (8) bids were received, and

WHEREAS, the Division of Sewerage and Drainage recommended an award be made to the lowest, responsive and responsible bidder, Amerisochi Inc, and

WHEREAS, a purchase order will be issued in accordance with the terms and specifications of Solicitation Number: SA-003335 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 purchase order with Amerisochi Inc for the purchase of ABB Low Voltage Drives for the Division of Sewerage and Drainage, in accordance with specifications on file in the Purchasing Office.

Section 2.

That the expenditure of \$56,153.00 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 604819
Object Level 1: 06
Object Level 03: 6624

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

Legislation Number: 1332-2009

Drafting Date: 10/06/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Council Variance Application: CV07-028

APPLICANT: Colleen Boldizar; c/o Don W. Baltosser, Agent; 415 Parkview Avenue; Bryan, Ohio 43506.

PROPOSED USE: Single-family dwellings.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with three single-family residences on one lot in the AR-1, Apartment Residential District. The applicant requests a Council variance to split the property into three separate single-family lots to allow the individual lots to be sold. The AR-1, Apartment Residential District allows single-family dwellings only on lots established prior to January 14, 1959, or lots that were platted before July 16, 1986. The requested variance would conform the existing dwellings and create lot sizes in character with the surrounding neighborhood. Variances include reductions to front and side-yard setbacks, lot width, and parking requirements. The site is located within the planning areas of the *Weinland Park Neighborhood Plan* (2006) and the *University Neighborhoods Revitalization Plan* (1996), both of which support single-family residential uses at this location.

Title

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3333.09, Area requirements; 3333.18, Building lines; 3333.23, Minimum side yard permitted; 3342.15, Maneuvering; 3342.18, Parking setback line; 3342.28, Minimum number of parking spaces required; and 3372.521 (D) (E), Supplemental parking requirements, of the Columbus City Codes; for the property located at **1283 SUMMIT STREET (43201)**, to permit three separate single-family lots with reduced development standards in the AR-1, Apartment Residential District (Council Variance # CV07-028).

Body

WHEREAS, by application #CV07-028, the owner of the property at **1283 SUMMIT STREET (43201)**, is requesting a Variance to permit three separate single-family lots with reduced development standards in the AR-1, Apartment Residential District; and

WHEREAS, Section 3333.02, AR-12, ARLD and AR-1, Apartment residential district use, does not permit single-family dwelling use on newly-created parcels, while the applicant proposes to split a lot developed with three existing single-family dwellings into three separate lots; and

WHEREAS, Section 3333.09, Area requirements, requires that no building shall be erected or altered on a lot with a width of no less than fifty (50) feet, while the applicant proposes a lot widths of 31.12 feet for Lot 1, 37.15 feet for Lot 2, and 31.0 feet for Lot 3; and

WHEREAS, Section 3333.18, Building lines, requires a twenty-five (25) foot building line, while the applicant proposes 17.9 foot building lines along Summit Street for Lots 1 and 2, a zero (0) foot building line for Lot 1 along Sixth Avenue, and an 9.6 foot building line along Sixth Avenue for Lot 3; and

WHEREAS, Section 3333.23, Minimum side yard permitted, requires a side yard of no less than five (5) feet, while the applicant proposes a zero (0) foot side yard for the parking area along the south property line of Lot 1, a 2.9 foot side yard for the existing dwelling and a zero (0) foot side yard for the parking area along the north property line of Lot 2, and a 1.8 foot side yard along the west property line of Lot 3; and

WHEREAS, Section 3342.15, Maneuvering, requires that every parking and loading space shall have sufficient access and maneuvering area which may occur anywhere on a lot, while the applicant proposes access and maneuvering to occur on Lot 1 for the parking spaces on Lot 2; and

WHEREAS, Section 3342.18, Parking setback line, requires a twenty-five (25) foot parking setback line, while the

applicant proposes a zero (0) foot parking setback line for the existing parking lot along East Sixth Avenue for Lot 1; and

WHEREAS, Section 3342.28, Minimum number of parking spaces required, requires two (2) parking spaces per dwelling unit, while the applicant proposes zero (0) on-site parking spaces for Lot 3 but will provide one (1) parking space on Lot 1; and

WHEREAS, Section 3372.521(A) and (E), Supplemental parking requirements, requires that no parking or maneuvering shall be permitted in any required side yard, and that each parking area be separated from required yards or landscaped areas by a continuous eight (8) inch high curb or other permanent barrier, while the applicant proposes parking in required side yards and no separation of parking areas between Lot 1 and Lot 2; and

WHEREAS, this variance will permit three separate single-family lots with reduced development standards in the AR-1, Apartment Residential District; and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested variances would conform the existing dwellings and create lot sizes in character with the surrounding neighborhood, and are supported by the land use recommendations of both the *Weinland Park Neighborhood Plan* (2006) and the *University Neighborhoods Revitalization Plan* (1996); 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 owners of the property located at **1283 SUMMIT STREET (43201)**, in using said property as desired and; now, therefore:

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

SECTION 1. That a variance be granted from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3333.09, Area requirements; 3333.18, Building lines; 3333.23, Minimum side yard permitted; 3342.15, Maneuvering; 3342.18, Parking setback line; 3342.28, Minimum number of parking spaces required; and 3372.521 (A) and (E), Supplemental parking requirements, of the Columbus City Codes; for the property located at **1283 SUMMIT STREET (43201)**, insofar as said sections prohibit single-family dwelling use, with reduced lot widths from 50 feet to 31.12 feet for Lot 1, 37.15 feet for Lot 2, and 31.0 feet for Lot 3; reduced building setbacks from 25 feet to 17.9 feet along Summit Street for Lots 1 and 2, zero (0) feet along Sixth Avenue for Lot 1, and 9.6 feet along Sixth Avenue for Lot 3; reduced minimum side yards from 5 feet to zero (0) feet along the south property line of Lot 1, 2.9 feet for the existing dwelling and zero (0) feet for the parking area along the north property line of Lot 2, and 1.8 feet along the west property line of Lot 3; access and maneuvering to occur on Lot 1 for the parking spaces on Lot 2; reduced parking setbacks from 25 feet to zero (0) feet along East Sixth Avenue for Lot 1; zero (0) on-site parking spaces for Lot 3; and parking in required side yards and no separation of parking areas between Lot 1 and Lot 2, said properties being more particularly described as follows:

1283 SUMMIT STREET (43201), being 0.27± acres located at the southwest corner of Summit Street and Sixth Avenue, 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 Eight (8) of DANIEL HORLOCKER'S SUBDIVISION of the east part of Lot Number Four (4) of JOHN HYERS' SUBDIVISION of Lot Number Six (6) of STEVENSON'S HEIRS" SUBDIVISION of 4th Quarter, 1st Township, 18th Range, U.S. Military Lands, City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 297, Recorder's Office, Franklin County, Ohio. Said Lot being sixty-eight (68) feet of frontage on Summit Street in said city.

Known as Parcel # 010-023164 and addressed as 1279 Summit Street, 1283 Summit Street, and 117 East Sixth Avenue.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for three separate single-family dwellings, or those uses permitted in the AR-1, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned on the Subject Site being subdivided in general conformance with the site plan titled, "**VARIANCE/LOT SPLIT EXHIBIT**," drawn by C.F. Bird & Bull, Inc., dated September 23, 2009, and signed by Don W. Baltosser, Agent for the Applicant. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the Site Plan shall be subject to review and approval by the Director of the Department of Development, or his designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned upon the applicant obtaining all applicable approvals required for the proposed lot splits.

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

Legislation Number: 1337-2009

Drafting Date: 10/07/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background:

This ordinance will enable the Director of Recreation and Parks to accept a grant and enter into an agreement with the State of Ohio, acting by and through the Ohio Cultural Facilities Commission, and provide for the appropriation of said funds to the Recreation and Parks Grant Fund.

At a later date, an ordinance will be submitted to add the grant funding to the Park Construction Agreement for the Scioto Mile Project with Columbus Downtown Development Corporation, which was authorized by Ordinance No. 1746-2007 and used to pay for construction of the proposed bandshell in Bicentennial Park.

This ordinance is submitted as an emergency to meet deadlines imposed by the Ohio Cultural Facilities Commission for execution of the agreement necessary to receive the grant.

Fiscal Impact:

\$1,000,000.00 in grant funding will be used for construction of the bandshell as part of the Scioto Mile Riverfront Park system.

The fiscal impact of this ordinance will be to reduce the Recreation and Parks Grant Fund's unappropriated balance by \$1,000,000.00.

TitleTo authorize the Director of Recreation and Parks to accept a grant in the amount of \$1,000,000.00 and enter into an agreement with the State of Ohio, acting by and through the Ohio Cultural Facilities Commission, to appropriate these funds to the Recreation and Parks Grant Fund; and to declare an emergency. (\$1,000,000.00)

Body

WHEREAS, the State of Ohio, acting by and through the Ohio Cultural Facilities Commission has awarded the City of Columbus, Recreation and Parks Department, a grant in the amount of \$1,000,000.00 for development of parkland in the downtown riverfront area from Battelle Park to Bicentennial Park, and

WHEREAS, it is necessary to appropriate said funds to the Recreation and Parks Grant Fund for expenditures; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to accept said grant funds and appropriate said funds so that the funding is available for necessary expenditures; now, therefore

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

SECTION 1. That the Director of Recreation and Parks be and is hereby authorized and directed to accept a grant in the amount of \$1,000,000.00 and enter into an agreement with the Ohio Facilities Commission for the Scioto Mile Park system.

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, 2009, the sum of \$1,000,000.00 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

| <u>Grant Title</u> | <u>OCA Grant No.</u> | <u>Object Code</u> | <u>Level 3</u> | <u>Amount</u> |
|--|----------------------|--------------------|----------------|----------------|
| Scioto Mile- Ohio Facilities Commission 2009 | 519053 | 519053 | 6621 | \$1,000,000.00 |

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: 1364-2009

Drafting Date: 10/08/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background:

This ordinance will enable the Director of Recreation and Parks to accept a grant, enter into an agreement with the Ohio Department of Natural Resources and provide for the appropriation of said funds to the Recreation and Parks Grant Fund.

At a later date an ordinance will be submitted to add the grant funding to the Park Construction Agreement for the Scioto Mile Project with Columbus Downtown Development Corporation which was authorized by Ordinance No. 1746-2007 and used to pay for construction of the proposed bandshell in Bicentennial Park.

Grant funding will be used in conjunction with the development of the Scioto Riverfront Park system. Work will include land acquisition, environmental abatement, design, and construction in and around the "Scioto Mile" area. The project will provide additional recreation for riverfront visitors and will promote tourism in downtown Columbus and central Ohio.

This ordinance is submitted as an emergency to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up-to-date financial posting promotes accurate accounting and financial management. Emergency action is also necessary to have funding available for necessary expenditures.

Fiscal Impact:

\$3,019,500.00 in grant funding will be used for development of the Scioto Riverfront Park system.

The fiscal impact of this ordinance will be to reduce the Recreation and Parks Grant Fund's unappropriated balance by \$3,019,500.00.

Title

To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$3,019,500.00 and enter into an agreement with the Ohio Department of Natural Resources for funding to support the development of the Scioto Riverfront Park System, to authorize an appropriation of \$3,019,500.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department; and to declare an emergency. (\$3,019,500.00)

Body

WHEREAS, the Ohio Department of Natural Resources has awarded the City of Columbus, Recreation and Parks Department, a grant for the development of the Scioto Riverfront Park system AKA The Scioto Mile; and

WHEREAS, it is necessary to accept said grant and appropriate said funds; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to accept and appropriate said grant funds 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 accept a grant in the amount of \$3,019,500.00 and enter into an agreement with the Ohio Department of Natural Resources for the Scioto Riverfront Park system.

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, 2009, the sum of \$3,019,500.00 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 Amount</u> |
|------------------------|------------------|-------------|--------------------|----------------------|
| Scioto Mile: ODNR 2009 | 519054 | 519054 | 6621 | \$3,019,500.00 |

SECTION 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of Recreation and Parks, 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 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: 1375-2009

Drafting Date: 10/09/2009

Current Status: Passed

Explanation1. BACKGROUND:

This legislation authorizes the Director of Public Service to enter into a contract for the Division of Planning and Operations for a professional services preliminary engineering contract for the James Road/Stelzer Road project with ms consultants, Inc. in the amount of \$500,000.00. The project is located on Stelzer Road between Allegheny Avenue/James Road to Ole Country Lane. The purpose of the project is the preparation of an Engineering Source Document to propose and evaluate alternatives reflecting the complete streets concept for a streetscape project within these project limits. The source document will utilize the streetscape concepts presented in the Port Columbus International Airport Streetscape and Landscape Concepts for International Gateway and Stelzer Road as a guide.

There are 9 bus stops and 3 transit routes within the limits of this project. This project will be planned using the principles stated in the Pedestrian Thoroughfare Plan(PTP).

The selection process for the professional service contract has been done in accordance with provisions of Chapter 329.12 of Columbus City Codes, 1959. 4 majority and 1 minority firms submitted proposals.

The Office of Support Services has completed the selection process for professional design services and has determined that ms consultants, Inc., submitted the best overall proposal at a competitive price for this work.

2. CONTRACT COMPLIANCE

ms consultants, Inc., contract compliance number is 346546916 and expires 7/10/10.

3. EMERGENCY DESIGNATION

Emergency action is requested so that this project can proceed in a timely manner and keep commitments made to the local community.

4. FISCAL IMPACT

The City has received a reimbursement grant in the amount of \$500,000.00 for this project from the Ohio Department of Development.

TitleTo authorize the Director of Public Service to enter into a professional service contract with ms consultants, Inc., for the preliminary engineering of the James Road/Stelzer Road project; to appropriate and authorize the expenditure of \$500,000.00 from the General Government Grant Fund for the Division of Planning and Operations; and to declare an emergency. (\$500,000.00)

Body**WHEREAS**, the Director of Public Service has identified the need to enter into a professional service contract for the preparation of a preliminary engineering source document for the James Road/Stelzer Road project; and

WHEREAS, a satisfactory proposal has been submitted by ms consultants, Inc.; and

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 go forth 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 is hereby authorized to enter into a contract with ms consultants, Inc., 333 East Federal Street, Youngstown, OH 44503 in the amount of \$500,000.00 or so much as needed for the preliminary engineering of the James Road/Stelzer Road project.

Section 2. That the sum of \$500,000.00 be and hereby is appropriated from the unappropriated balance of the General Government Grant Fund, Fund 220, 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, 2009, to the Division of Planning and Operations, Department-Division No. 59-11, as follows:

Fund / Grant / Grant Name / O.L. 01-03 Code / OCA / Amount
220 / 598081 / NetJets Roadwork Grant / 06-6682 / 590053 / \$500,000.00

Section 3. That for the purpose of paying the cost thereof, the sum of \$500,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the General Government Grant Fund for the Division of Planning and Operations, Dept-Div. 59-11, OCA code 590053, Object Level 01/03 Codes 06/6682, and project 598081.

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

Section 6. 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: 1380-2009

Drafting Date: 10/13/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

Safe Routes to Schools (SRTS) is a federal program, which provides limited funds to states including Ohio. These funds are available to municipalities as grants to be used to improve the ability of elementary and middle school students to walk and bicycle to school safely.

The Ohio Department of Transportation (ODOT) requires that a designated official be authorized to submit said applications and execute agreements for approved projects. Additionally, ODOT requires that the City of Columbus act as the Local Public Agency (LPA) to manage the project. This is a reimbursement program, meaning that if funds are awarded the LPA must agree to pay one hundred percent (100%) of the construction cost over and above the maximum amount provided by ODOT in order to actually receive the funding.

With City Council authorization, the Department of Public Service intends to apply for a SRTS grant to construct curb extensions and textured crosswalks at specific locations around Franklinton area schools. Curb extensions shorten the length of the crosswalk thereby reducing pedestrian exposure to traffic, and slow traffic by narrowing the roadway and increase sight distances by preventing illegally parked vehicles near the crosswalk. In order to be eligible for these funds, the projects must be contained in a School Travel Plan approved by ODOT. A School Travel Plan, which includes these projects, for Avondale Elementary, Dana Elementary and Sullivant Elementary schools and Starling Middle School was approved by ODOT in 2008. The School Travel Plan was developed as a component of the Franklinton Community Mobility Plan.

For the 2009 SRTS funding cycle the City will apply for funds to cover the cost of environmental clearance, design, construction and inspection of curb extensions and textured crosswalks on Town Street at the intersections of Avondale Avenue and Hawkes Avenue on the south side of Avondale Elementary School and on Dana Avenue midblock in front of the Dana Elementary School entrance. Depending on the amount of the grant awarded, design may be provided by City staff, an ODOT consultant contract or through a City consultant contract. Construction is expected to occur in 2011. No right-of-way acquisition is anticipated.

This legislation will authorize the Director of Public Service to prepare and execute applications and any consequential project agreements for approved projects. The legislation will also enable the City of Columbus to act as the LPA for the

designated SRTS project.

2. FISCAL IMPACT

Approval of this legislation will provide an opportunity to secure federal funds for a curb extension project. From the 2008 SRTS funding cycle, the Ohio Department of Transportation awarded \$234,812 to the City of Columbus to construct a sidewalk on Rich Street between Central Avenue and Yale Avenue. Overall, for the 2008 funding cycle ODOT awarded \$3.7 million in Safe Routes to School funding to 13 Ohio communities for infrastructure improvement projects. The maximum SRTS amount available for an infrastructure application in 2009 is \$500,000. This money will be awarded in the form of a federal grant. The City will apply for up to the maximum amount of \$500,000, which includes environmental clearance, design, construction and inspection. Any costs of the project not covered by the SRTS program will be borne by the City of Columbus. If deemed essential to the project, those extra costs will be requested with future legislation.

No financial participation or local match by the City is required at this time.

3. EMERGENCY DESIGNATION

The deadline for submission of the application to ODOT is November 2, 2009. Acceptance of a signed application by ODOT is contingent upon passage of this legislation. Therefore, emergency action is requested in order to submit an active application for the November 2009 funding application deadline.

Title To authorize the Director of Public Service to prepare and execute an application for federal grant funding to improve portions of Town Street and Dana Avenue in Franklinton for the Safe Routes to Schools (SRTS) program through the Ohio Department of Transportation (ODOT); for the Division of Mobility Options; and to declare an emergency. (\$-0-)

Body **WHEREAS**, the United States Congress has set aside monies for Safe Routes to School (SRTS) Projects through the State of Ohio, Department of Transportation; and

WHEREAS, Local Public Agencies (LPAs) can apply for these monies and be selected for funding by the State of Ohio, Department of Transportation; and

WHEREAS, A School Travel Plan for Avondale Elementary, Dana Elementary and Sullivant Elementary schools and Starling Middle School was developed as part of the Franklinton Community Mobility Plan; and

WHEREAS, the Ohio Department of Transportation has approved a School Travel Plan in accordance with Safe Routes to Schools guidelines; and

WHEREAS, the project along Town Street at Avondale Avenue and Hawkes Avenue and Dana Avenue at Dana Elementary School is included in the approved Franklinton Area School Travel Plan and is eligible to receive federal funding; and

WHEREAS, the School Travel Plan incorporated the preferred student walking route as developed cooperatively by the City and Columbus City Schools, entitled Walk Smart routes; and

WHEREAS, the construction of the project contributes to safe mobility options for pedestrians under the guidance of Complete Streets principles; and

WHEREAS, the Department of Public Service plans on submitting an application for the project to build curb extensions and textured crosswalks on Town Street at the intersections of Avondale Avenue and Hawkes Avenue and on Dana Avenue between Sullivant Avenue and Rich Street; and

WHEREAS, the Ohio Department of Transportation requires that an official be designated on behalf of the LPA to prepare and execute applications for SRTS funds; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Service in that it is immediately necessary to authorize the Director of Public Service to execute an application for federal grant funding for the Safe Routes to Schools program through the Ohio Department of Transportation in order to submit an application by

the November 2, 2009 deadline and to maintain an active application for a March, 2010 award and to execute project agreement forms for approved projects on behalf of the City of Columbus 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 Service be and is hereby authorized to prepare, execute and submit applications for SRTS funds for the above described project to the State of Ohio, Department of Transportation.

Section 2. That the Director of Public Service be and is hereby authorized to execute project agreements for the approved projects.

Section 3. That if awarded the funds, the City of Columbus agrees to pay one hundred percent (100%) of the construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation.

Section 4. That upon completion of the described Projects, and unless otherwise agreed, the City of Columbus shall: (1) provide adequate maintenance for the described Projects in accordance with all applicable state and federal laws, including but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Projects; (3) if necessary, maintain the right-of-way within the City of Columbus, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

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 ten days after its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1383-2009

Drafting Date: 10/13/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation**1.BACKGROUND**

Safe Routes to Schools (SRTS) is a federal program, which provides limited funds to states including Ohio. These funds are available to municipalities as grants to be used to improve the ability of elementary and middle school students to walk and bicycle to school safely.

The Ohio Department of Transportation (ODOT) requires that a designated official be authorized to submit said applications and execute agreements for approved projects. Additionally, ODOT requires that the City of Columbus act as the Local Public Agency (LPA) to manage the project. This is a reimbursement program, meaning that if funds are awarded the LPA must agree to pay one hundred percent (100%) of the construction cost over and above the maximum amount provided by ODOT in order to actually receive the funding.

With City Council authorization, the Department of Public Service intends to apply for a SRTS grant to make infrastructure improvements along Hague Avenue and Valleyview Drive. The scope of projects must be covered by a School Travel Plan approved by ODOT. A School Travel Plan, which includes these projects, for Valleyview Elementary and Westmoor Middle School was approved by ODOT in 2009. The School Travel Plan was developed as a component of the Hilltop Community Mobility Plan.

For the 2009 SRTS funding cycle the City will apply for funds to cover the cost of environmental clearance, design, construction and inspection of an at-grade pedestrian crossing and fencing at the railroad crossing on Hague Avenue south of Valleyview Drive, shared use path on the west side of Hague Avenue from Valleyview Drive south to the railroad and a shared use path on the south side of Valleyview Drive from Valleyview Elementary School and Westmoor Middle School

to Hague Avenue. The shared use path provides a route for walking and biking to and from the target schools and adjacent recreational facilities. Depending on the amount of the grant awarded, design may be provided by City staff, an ODOT consultant contract or through a City consultant contract. Construction is expected to occur in 2011. No right-of-way acquisition is anticipated, although sidewalk easements may be required.

This legislation will authorize the Director of Public Service to prepare and execute applications and any consequential project agreements for approved projects. The legislation will also enable the City of Columbus to act as the LPA for the designated SRTS project.

2. FISCAL IMPACT

Approval of this legislation will provide an opportunity to secure federal funds for a pedestrian safety improvement project. From the 2008 SRTS funding cycle, the Ohio Department of Transportation awarded \$234,812 to the City of Columbus to construct a sidewalk on Rich Street between Central Avenue and Yale Avenue. Overall, for the 2008 funding cycle ODOT awarded \$3.7 million in Safe Routes to School funding to 13 Ohio communities for infrastructure improvement projects. The maximum SRTS amount available for an infrastructure application in 2009 is \$500,000. This money will be awarded in the form of a federal grant. The City will apply up to the maximum amount of \$500,000, which includes environmental clearance, design, construction and inspection. Any costs of the project not covered by the SRTS program will be borne by the City of Columbus. If deemed essential to the project, those extra costs will be requested with future legislation.

No financial participation or local match by the City is required at this time.

3. EMERGENCY DESIGNATION

The deadline for submission of the application to ODOT is November 2, 2009. Acceptance of a signed application by ODOT is contingent upon passage of this legislation. Therefore, emergency action is requested in order to submit an active application for the November 2009 funding application deadline.

Title To authorize the Director of Public Service to prepare and execute an application for federal grant funding to improve portions of Valleyview Drive and Hague Avenue for the Safe Routes to Schools (SRTS) program through the Ohio Department of Transportation (ODOT) for the Division of Mobility Options; and to declare an emergency. (\$-0-)

Body **WHEREAS**, the United States Congress has set aside monies for Safe Routes to School (SRTS) Projects through the State of Ohio, Department of Transportation; and

WHEREAS, Local Public Agencies (LPAs) can apply for these monies and be selected for funding by the State of Ohio, Department of Transportation; and

WHEREAS, A School Travel Plan for Valleyview Elementary School and Westmoor Middle School was developed as part of the Hilltop Community Mobility Plan; and

WHEREAS, the Ohio Department of Transportation has approved a School Travel Plan in accordance with Safe Routes to Schools guidelines; and

WHEREAS, the project along Hague Avenue and Valleyview Drive is included in the approved Valleyview Elementary School and Westmoor Middle School Travel Plan and is eligible to receive federal funding; and

WHEREAS, the construction of the project contributes to safe mobility options for pedestrians under the guidance of Complete Streets principles; and

WHEREAS, the Department of Public Service plans on submitting an application for the project to fund and construct an at-grade pedestrian crossing with fencing at the railroad crossing on Hague Avenue south of Valleyview Drive, shared use path on the west side of Hague Avenue from Valleyview Drive south to the railroad and a shared use path on the south side of Valleyview Drive from Valleyview Elementary School and Westmoor Middle School to Hague Avenue; and

WHEREAS, the Ohio Department of Transportation requires that an official be designated on behalf of the LPA to

prepare and execute applications for SRTS funds; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Service in that it is immediately necessary to authorize the Director to execute an application for federal grant funding for the Safe Routes to Schools program through the Ohio Department of Transportation in order to submit an application by the November 2, 2009 deadline and to maintain an active application for a March 2010 award and to execute project agreement forms for approved projects on behalf of the City of Columbus 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 Service be and is hereby authorized to prepare, execute and submit applications for SRTS funds for the above described project to the State of Ohio, Department of Transportation.

Section 2. That the Director of Public Service be and is hereby authorized to execute project agreements for the approved projects.

Section 3. That if awarded the funds, the City of Columbus agrees to pay one hundred percent (100%) of the construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation.

Section 4. That upon completion of the described Projects, and unless otherwise agreed, the City of Columbus shall: (1) provide adequate maintenance for the described Projects in accordance with all applicable state and federal laws, including but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Projects; (3) if necessary, maintain the right-of-way within the City of Columbus, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

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 ten days after its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1386-2009

Drafting Date: 10/13/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: Ordinance 1150-2009, passed September 21, 2009, authorized the Director of the Department of Development to modify and increase contracts with various contractors for additional grass mowing and litter control services during the 2009 season as part of the Weed Abatement Program. It has since been determined that one contractor, EJ Lawn Service, is unable to provide the additional services. Higher Ground Commercial Maintenance, an established contractor currently working in the Weed Abatement Program, has been selected to replace EJ Lawn Service as a contracting entity to receive additional work. This ordinance amends Ordinance 1150-2009 by removing EJ Lawn Service and adding Higher Ground Commercial Maintenance LLC.

FISCAL IMPACT: No additional funds are required for this amendment.

Emergency action is required so that grass mowing and litter control services will not be interrupted.

Title

To amend Ordinance 1150-2009, passed September 21, 2009, for the purpose of replacing EJ Lawn Service with Higher

Ground Commercial Maintenance LLC to provide additional grass mowing and litter control services as part of the Weed Abatement Program; and to declare an emergency.

Body

WHEREAS, Ordinance 1150-2009, passed September 21, 2009, authorized the Director of the Department of Development to modify and increase contracts with various contractors for grass mowing and litter control services during the 2009 season as part of the Weed Abatement Program; and

WHEREAS, it has since been determined that one contractor, EJ Lawn Service, is unable to provide the additional services; and

WHEREAS, Higher Ground Commercial Maintenance, an established contractor currently working in the Weed Abatement Program, has been selected to replace EJ Lawn Service as a contracting entity to receive additional work; and

WHEREAS, this ordinance amends Ordinance 1150-2009 by removing EJ Lawn Service and adding Higher Ground Commercial Maintenance LLC; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Building Services Division, in that it is immediately necessary to authorize the amendment of Ordinance 1150-2009 to avoid an interruption in program services, all 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 Section 1 of Ordinance 1150-2009 is hereby amended to read as follows:

Section 1. That the Director of the Department of Development is hereby authorized to modify and increase contracts with the vendors listed below in accordance with Columbus City Code for grass mowing and litter control services for the Department of Development, Building Services Division.

Vendor

Cut it Now Lawn Care & Hauling Service
Higher Ground Commercial Maintenance LLC
Greater Linden Development Corp
Lyles Landscape & Maintenance
Martha Walker Garden Club
Nowlin & Sons Lawn Care

Section 2. That for the reasons stated in the preamble thereto, which is hereby made a part hereof, this ordinance is 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: 1392-2009

Drafting Date: 10/14/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Proline Electric, Inc. for the installation of an ice melt system for the Jerry Hammond Center, 1111 East Broad Street. This project is necessary to prevent dangerous icicles and destructive ice dams from forming on the roof. The system will melt falling snow and keep gutters clear to help preserve the integrity of the roof, preventing interior water damage, and eliminating the potential danger associated with falling icicles.

The work shall include, but is not limited to, the selective demolition of the existing cabling and installation of all new components for an ice melt system.

Formal bids were solicited and three companies submitted bids on October 5, 2009 as follows (0 FBE, 0 MBE):

| | |
|---------------------------------|-------------|
| Proline Electric, Inc. | \$78,550.00 |
| TMS 1Source, LLC. | \$86,929.00 |
| Atlas Industrial Holdings, LLC. | \$91,457.00 |

The Office of Construction Management recommends the bid award be made to the most responsive and responsible bidder, Proline Electric, Inc.

Emergency action is requested so the work can commence before the onset of winter weather.

Proline Electric, Inc. Contract Compliance No. 31-1487377 Expiration date November 11, 2010.

Fiscal Impact: Funding is available in the 1111 East Broad Street Operations Fund. The total amount authorized in this ordinance is \$78,550.00.

Title

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Proline Electric, Inc. for the installation of an ice melt system for the Jerry Hammond Center, 1111 East Broad Street; to authorize the expenditure of \$78,550.00 from the 1111 East Broad Street Operations Fund; and to declare an emergency. (\$78,550.00)

Body

WHEREAS, it is necessary to install an ice melt system at the Jerry Hammond Center, 1111 East Broad St; and

WHEREAS, formal bids were solicited and three companies responded; and

WHEREAS, Proline Electric, Inc. was the most responsive, responsible and best bidder to complete the installation; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that is immediately necessary to authorize the Finance and Management Director to enter into a contract for the installation of an ice melt system for the Jerry Hammond Center, 1111 East Broad Street, so the work can commence before the onset of winter 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 for the Office of Construction Management for the installation of an ice melt system for the Jerry Hammond Center, 1111 East Broad Street.

SECTION 2. That the expenditure of \$78,550.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Dept/Division: 45-07
Fund: 294
Subfund: 001
OCA: 294001
Object Level 1: 03
Object Level 3: 3370
Amount: \$78,550.00

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be in force and after its passage and approved by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1420-2009

Drafting Date: 10/19/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The Board of Health was awarded \$2,236,216 in grant monies through the Ohio Department of Health, Centers for Disease Control for the Public Health Emergency Preparedness program.

This ordinance is needed to authorize various community contracts for \$279,149 for the time period October 31, 2009 through August 9, 2010.

The purpose of these contracts is to provide staffing and services to operate ongoing H1N1 vaccination clinics.

Emergency action is requested to facilitate and expedite H1N1 clinics in the central Ohio area.

FISCAL IMPACT: The Public Health Emergency Preparedness grant budget provides \$279,149 for various community contracts to support H1N1 clinics in the central Ohio area.

Title

To authorize and direct the Board of Health to enter into various community contracts to support H1N1 vaccination clinics; to authorize the expenditure of \$279,149 from the Health Department Grants Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$279,149)

Body

WHEREAS, various community contracts will provide staffing and services to support ongoing H1N1 vaccination clinics in the central Ohio area; and,

WHEREAS, these contracts are necessary per the requirements of the Ohio Department of Health, Public Health Emergency Preparedness program; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately

necessary to authorize various community contracts to support ongoing H1N1 vaccination clinics 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 Board of Health is hereby authorized and directed to enter into various community contracts for the period October 31, 2009 through August 9, 2010.

SECTION 2. That to pay the cost of said contract the expenditure of \$223,547 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department No. 50, Grant Number 509075, OCA 509076, Object Level One 03, Object Level Three 3336.

SECTION 3. That to pay the cost of said contract the expenditure of \$55,602 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department No. 50, Grant Number 509075, OCA 509077, Object Level One 03, Object Level Three 3336.

SECTION 4. That in accordance with 329.27 of the Columbus City Code, this Council finds the best interest of the City is served by waiving, and does hereby waive Section 329.06 (Competitive Sealed Bidding) of the Columbus City Code.

SECTION 5. That the City Auditor is authorized to make any accounting changes necessary to ensure that these contracts are properly accounted for and recorded accurately on the City's financial records.

SECTION 6. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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: 1456-2009

Drafting Date: 10/22/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Finance and Management Director to modify a contract with Kone, Inc. for the maintenance and service of elevators in various City facilities under the purview of the Facilities Management Division. The original contract was authorized by City Council through Ordinance No. 1230-2008 on July 21, 2008, in the amount of \$141,000.00. Ordinance No. 0848-2009, passed on June 22, 2009, in the amount of \$156,800.00 authorized the first of five renewal options, for the period of August 1, 2009 to June 31, 2010.

The proposed contract modification provides funding for emergency elevator repairs to the North West elevator at City Hall, 90 West Broad Street. The work is to include, but is not limited to, obtaining a State of Ohio elevator work permit, dismantling the existing machine motor and components, removing existing machine motor and components from City Hall, mounting and assembly of the new machine, a new motor, installation of new hoist cables, installation of rope proper to meet current code requirements, testing, and return to service.

These problems were not foreseen in awarding the original contract to Kone, Inc. Kone, Inc. was chosen to perform this work because it is the Facilities Management Division's contractor for normal elevator maintenance. Kone, Inc. has been the elevator maintenance and service provider for the last six years. Therefore, it would not be in the best interests of the City to bid this equipment. Awarding it to another elevator provider could cause a conflict with the current provider's ability to maintain the equipment. This ordinance will allow the Finance and Management Director to modify and increase the contract with Kone, Inc. by \$78,003.00 so that other necessary services within the contract are not delayed. A contingency of \$15,000.00 is being included in the event that wall sections need to be removed in order for the technicians

to reach the equipment. The price of this modification was negotiated between the City and Kone, Inc.

Emergency action is requested so that required maintenance and services on this elevator is not delayed, thereby protecting the safety of elevator users.

Fiscal Impact: The cost of this modification is \$63,003.00, plus \$15,000.00 contingency for any unforeseen conditions for a total of \$78,003.00, thereby increasing the total contract to \$375,803.00. Funding is available in the Capital Improvements Budget in the Facility Renovations - Various Projects fund.

Kone, Inc. Contract Compliance No. 36-235742. Expiration date July 15, 2010.

Title

To authorize the Finance and Management Director to modify and increase a contract with Kone, Inc. for emergency repairs to the North West elevator at City Hall, 90 West Broad Street; to authorize the expenditure of \$78,003.00 from the Capital Improvements Budget in the Facility Renovations - Various Projects fund; and to declare an emergency. (\$78,003.00)

Body

WHEREAS, Ordinance No. 1230-2008, passed on July 21, 2008, in the amount of \$141,000.00 authorized the original elevator maintenance and service contract and Ordinance No. 0848-2009, passed June 22, 2009, in the amount of \$156,800.00 authorized the renewal of the contract; and

WHEREAS, it is necessary for the Finance and Management Director to modify and increase said contract with Kone, Inc. for emergency repairs to the North West elevator at City Hall, 90 West Broad Street; and

WHEREAS, an emergency exists in the usual daily operations of the Finance and Management Department, Facilities Management Division, in that it is immediately necessary to authorize the Finance and Management Director to modify and increase a contract with Kone, Inc. for emergency repairs to the North West elevator at City Hall, 90 West Broad Street, so that required maintenance and service on elevators is not delayed, thereby protecting the safety of elevator users thereby preserving the public health, 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 modify and increase a contract with Kone, Inc. for elevator maintenance and service, in accordance with the provisions of Columbus City Codes 329.16.

SECTION 2. That the expenditure of \$78,003.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 45-50
Fund: 733
Project: 570030
OCA Code: 733000
Object Level 1: 06
Object Level 3: 6620
Amount: \$78,003.00

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 ordinance.

SECTION 4. That for 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 361.34 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.

DELINQUENT PERSONAL PROPERTY TAX: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

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 - November 3, 2009 2:00 pm

SA003420 - Mailroom Equipment and Operations

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

It is the intent of the City of Columbus, Franklin County Municipal Court, Clerk of Court to obtain formal bids to establish a purchase order for the purchase of Mailroom Equipment and Operations for the Administration Division, 375 South High Street, 4th Floor, Columbus, Ohio 43215.

Minimum requirements:

This section includes the minimum requirements for providing Mailroom Operational and Material Support.

Service requirements:

Provide workflow and business rules (business process) for operation of internal mailroom services as outlined in the RFP. Provide business process for applying and tracking postage. It will be necessary that the Clerk's office prepare all mailing for delivery by USPS. Provide business process for leveraging the Electronic Return Receipt service of the USPS in its entirety.

Service options:

The Clerk seeks as an option the ability to transfer source documents electronically to a Vendor Managed service provider for mail processing.

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: October 21, 2009

BID OPENING DATE - November 4, 2009 3:00 pm

SA003419 - RECONDITION HIGH SERVICE PUMP MOTOR

1.1 Scope: It is the intent of the City of Columbus, Division of Power & Water, Dublin Road Water Plant (DRWP) to obtain formal bids to establish a contract for the purchase of reconditioning services of high service pump motor.

1.2 Classification: #1 - Formal bid #2 - Reconditioning of high service pump motor at DRWP. #3 - No bonds required.

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: October 16, 2009

SA003418 - MARKISON AVE AREA WATER LINE IMP

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 Markison Avenue Area Water Line Improvements Project. The work for which proposals are invited consists of the installation of 12-inch, 6-inch and 2 inch water lines and appurtenances and service transfers and such other work as may be necessary to complete the contract in accordance with the plans (C-1109) and specifications. All work shall be completed within 270 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 after October 18, 2009. The Bid Date for the project is November 4, 2009.

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: October 15, 2009

BID OPENING DATE - November 5, 2009 11:00 am

SA003428 - MOTOROLA REPLACEMENT PARTS UTC

Scope: It is the intent of the City of Columbus to obtain formal bids to establish an option contract(s) with a "Catalog" firm offer for of various Motorola radio and electronic replacement parts. The City may purchase any item(s) or group of like item(s) in the catalog and/or price list from the successful bidder after a purchase order for the listed items is issued. The City estimates it will spend approximately nine hundred thousand dollars (\$ 100,000) annually under the terms of the resulting contract(s). The proposed contract(s) may potentially extend through September 30, 2013.

Classification: The bidder shall submit its standard published catalog(s) and/or website which must identify Motorola replacement parts with a price lists. The contract(s) resulting from this bid proposal will provide for the option of the purchase and delivery of various Motorola radio and electronic replacement parts for various City radios.

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: October 24, 2009

SA003426 - I3 SOFTWARE AND SUPPORT UTC

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Scope: This proposal is to provide the City of Columbus, Department of Technology (DoT) with a Universal Term Contract (blanket type) for engineering services, platform support, hardware and software purchases, annual license renewal and other related telecommunication needs for the City's current Interactive Intelligence (I3) VoIP/IVR telephone platform. The proposed contract may potentially be in effect through March 31, 2013.

Classification: This contract will provide including but not limited to: hardware and software installation services, design, analysis, project management and maintenance of various items as specified herein. Offerors are required to show experience in providing these types of services and installations as well as meet or exceed the personnel requirements as detailed in these specifications.

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: October 22, 2009

SA003427 - CISCO EQUIPMENT AND SMARTNET MAINTENANCE

Scope: This proposal is to provide the City of Columbus, Department of Technology (DoT) with a Universal Term Contract (UTC) to purchase Cisco hardware, software, parts, and Smartnet maintenance. The proposed contract will provide for the purchase of Cisco Catalog listed items and Cisco Smartnet maintenance for the City of Columbus network infrastructure equipment. The City may purchase any item(s) or group of like item(s) in the catalog and/or price list from the successful bidder after a purchase order for the listed items is issued. The proposed contract can potentially be in place through June 30, 2013.

Classification: The City is looking for offerors with a Cisco certified reseller partnership. The bidder shall submit its standard published catalog(s) and/or website which must identify available equipment and maintenance with a price list(s). The contract(s) resulting from this bid proposal will provide for the option of the purchase and delivery of Cisco hardware, software, parts, and Smartnet maintenance.

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: October 23, 2009

BID OPENING DATE - November 6, 2009 5:00 pm

SA003414 - CIP 650704 OSIS Augmentation & Relief Se

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

2009 SEWER SYSTEMS ENGINEERING SECTION
CIP 650704 - OSIS AUGMENTATION AND RELIEF SEWER FROM THE HENRY STREET
REGULATOR TO THE JACKSON PIKE WASTEWATER TREATMENT PLANT - PHASES I AND II
REQUEST FOR PROPOSAL
PROFESSIONAL CONSTRUCTION MANAGEMENT (PCM) SERVICES
PROPOSAL DUE DATE: November 6, 2009

Proposal Requirements:

The Division of Sewerage and Drainage is seeking proposals for the subject Capital Improvement Project. Copies of the RFP CD are on file at the Division of Sewerage and Drainage, Sewer System Engineering Section, 1250 Fairwood Avenue, Room No. 1021, Columbus, Ohio 43206, 614-645-3756. CDs will be available beginning Tuesday, October 13, 2009. There is no fee for this CD.

General Requirements:

The cover of the Proposal should state:

Proposal for Professional Construction Management Services
OSIS Augmentation and Relief Sewer, CIP 650704, Phases I and II

Submission of Proposals:

Each Offeror should submit five copies of their proposal, each in an appropriately sized three-ring binder, to the City by 5:00 p.m. on Friday, November 6, 2009, to: James M. Gross, P.E., SSES Manager, 1250 Fairwood Avenue, Room 1021, Columbus, Ohio 43206.

The body of the Proposal shall follow the format described in the RFP, separated by a tabbed divider.

Minimum Qualifications:

The Construction Manager Team Leader and Field Project Representation personnel shall not be an employee of the firms of the Engineer of Record or who prepared and stamped any of the projects' design.

The Construction Manager Team Leader has to demonstrate over 5 years of successful experience in managing construction of large diameter tunnel projects over \$50 million in total cost.

General Information:

Please be advised that proposals submitted to the City are subject to applicable federal, state, and local public information disclosure regulations. Requests to view a proposal will be arranged only upon receipt by the City of a written request for such; therefore, any proposal may be subject to viewing by the public. If any information contained in the documents submitted is deemed proprietary in nature, the offeror is required to defend the City concerning any litigation arising from the offeror's request for confidentiality.

Any questions regarding this request for proposal shall be directed to John Newsome at jnewsome@columbus.gov.

ORIGINAL PUBLISHING DATE: October 10, 2009

BID OPENING DATE - November 9, 2009 2:00 pm

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003423 - Banking Services

It is the intent of the City of Columbus, Franklin County Municipal Court, Clerk of Court to obtain formal bids to establish a purchase order for the purchase of Banking Services for use by the Accounting/Finance Division, 375 South High Street, 3rd Floor, Columbus, Ohio 43215.

This contract is for one (1) year and six (6) renewable option years.

Minimum Eligibility Requirements for Banking Institutions

1. To be eligible for consideration, all Banking Institutions must meet the following qualifications:

2. General Qualifications

- i. Federally or State of Ohio Chartered;
- ii. Must be Federally insured;
- iii. State, National Bank, or domestic Savings and Loan Association.

3. Financial Qualifications:

- i. Must currently have and maintain a minimum Sheshunoff "CAMEL" rating of thirty (30).
- ii. The Bank's parent company must have a minimum Sheshunoff "CAMEL" rating of 30.

4. Certifications and Compliance:

- i. Must have a current "contract compliance number" approved by the City of Columbus' Equal Business Opportunity Office (The Equal Business Opportunity office can be reached at 645-4764 or online at vendorservices.columbus.com for information obtaining a "contract compliance number");
- ii. Must have a CRA rating of "satisfactory" or better on the most recent examination.

5. Experience and Location:

- i. Must have a minimum of two (2) years experience with a government or corporate account comparable to the size of the Clerk's Office;
- ii. Depositories must be located within the county limits of Franklin County, Ohio.

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: October 20, 2009

BID OPENING DATE - November 10, 2009 2:00 pm

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003412 - OCM-RENOV OF FIRE LAUNDRY FACILITY

ADVERTISEMENT FOR BIDS

RENOVATION FOR A CENTRAL LAUNDRY FACILITY,
FOR THE DIVISION OF FIRE,
3639 PARSONS AVENUE, COLUMBUS, OHIO 43207

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain formal bids to establish a contract for: RENOVATION FOR A CENTRAL LAUNDRY FACILITY, FOR THE DIVISION OF FIRE, 3639 PARSONS AVENUE, COLUMBUS, OHIO 43207 for October 19 thru November 10, 2009. Work to be completed within 75 calendar days upon notification of award of contract.

1.2 Classification: Renovation/installation for a central laundry facility. This is a single prime project. There will be a pre-bid and site walk thru on Monday, October 19, 2009 at 10:00 a.m., at the rear (northwest exterior corner) of the building at 3639 Parsons Avenue, Columbus, Ohio 43207. This is a prevailing wage project requiring bonding and insurance.

Brief description- renovation of 767 S.F. of an existing area and installation of laundry equipment. This is a single prime project requiring general trades. Construction estimate of \$230,000.00

Printing- Drawings and specifications will be available October 15, 2009 from DC Reprographics, 1072 W. Fifth Avenue, Columbus, Ohio 43212 @ (614) 297-1200 or by contacting www.dcreprographics.com for an \$80 non-refundable fee.

Addendums will be issued accordingly.

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: October 08, 2009

BID OPENING DATE - November 11, 2009 3:00 pm

SA003424 - STREET LIGHTING - NORTH 21st STREET

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: Sealed proposals will be received by the Director of Public Utilities of the City of Columbus at the office of the Director of Public Utilities, 910 Dublin Road, Room 4002, Columbus, Ohio 43215 until 3:00 p.m., Local Time on Wednesday November 11, 2009, and publicly read at that hour in Department of Public Utilities Complex 910 Dublin Road, 1st Floor Auditorium, Columbus, OH 43215 for the following project: NORTH TWENTY-FIRST STREET, STREET LIGHTING, FROM LONG STREET TO MT. VERNON AVENUE 2009.

The work for which Proposals are invited consists of furnishing all labor, material and equipment necessary to construct a pedestrian scale street lighting system with buried cable comprised of 9 fiberglass post top poles, concrete reinforced foundations, and 100 Watt, High Pressure Sodium, Acorn luminaries and such other work as may be necessary to complete the contract in accordance with the plans (2688 DR E) and specifications. All work shall be completed in 90 days from date of the Notice to Proceed.

CLASSIFICATIONS: Prevailing wage rates apply. A 10% (ten percent) proposal bond and a 100% (One hundred percent) performance 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: October 21, 2009

SA003421 - GROUP 3 WATER LINE IMPROVEMENTS C939

SCOPE: The City of Columbus, Department of Public Utilities, Division of Power and Water is receiving proposals for the Group 3 Water Line Improvements. The work for which proposals are invited consists of the installation of 12 inch, 8 inch, and 6 inch water lines and appurtenances and service transfers and such other work as may be necessary to complete the contract in accordance with the plans (C-939) and specifications. All work shall be completed within 365 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 after October 25, 2009. The Bid Date for the project is November 11, 2009.

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: October 20, 2009

BID OPENING DATE - November 12, 2009 11:00 am

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003425 - Office Papers UTC

1.1 Scope: It is the intent of the City of Columbus, Finance and Management Department, Purchasing Office to obtain formal bids to establish one or more Universal Term Contract(s) (UTC) for the purchase of office papers that are recycled with a minimum of 30% post consumer fibers in content for use by all city agencies in their digital copiers, computer printers, offset printing equipment, fax machines, etc. through April 30, 2012.

1.2 Classification: Bidders are requested to provide quotes on three different paper weights of white and various colors of paper in sizes 8 1/2" x 11", 8 1/2" x 14" and 11" x 17". Paper is to be ream wrapped and priced per carton and half carton (if available). Delivery to any City agency within Franklin County.

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: October 23, 2009

SA003430 - MOTOROLA PORTABLE RADIO BATTERIES UTC

Scope: It is the intent of the City of Columbus to obtain formal bids to establish an option contract(s) with a "Catalog" firm offer for of replacement batteries for Motorola radios. The City may purchase any batteries in the catalog and/or price list from the successful bidder after a purchase order for the listed items is issued. The City estimates it will spend approximately nine hundred thousand dollars (\$ 100,000) annually under the terms of the resulting contract(s). The proposed contract(s) may potentially extend through September 30, 2013.

Classification: The bidder shall submit its standard published catalog(s) and/or website which must identify replacement batteries for Motorola radios with a price lists. The contract(s) resulting from this bid proposal will provide for the option of the purchase and delivery of those replacement batteries for various City radios.

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: October 28, 2009

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003422 - SLUDGE SAMPLER SYSTEM PARTS UTC

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage to solicit formal bids to establish a Universal Term Contract (Blanket Type) for the purchase of Sludge Sampler System Parts for Municipal Sludge/Slurry for the Jackson Pike and Southerly Wastewater Treatment Plants. The City estimates spending annually from this contract \$35,000.00. The equipment and parts are used to monitor the sewerage sludge in the wastewater treatment process. The contract will be in effect for a period of one (1) year to an including March 31, 2011.

1.2 Classification: The resulting contract will be for the purchase and delivery of Isolok Samplers, Parts and Accessories manufactured by Sentry Equipment.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: October 20, 2009

BID OPENING DATE - November 13, 2009 4:00 pm

SA003413 - HIV PREVENTION SERVICES 2010

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus, Department of Health, to obtain formal bids to establish community-based contracts for the purchase of an array of CDC-defined Effective Behavioral Interventions for eligible persons infected with or at risk for acquiring HIV/AIDS for implementation from January 1, 2010 to December 31, 2011.

1.2 Classification: ***** (3 PARTS) *****

#1 - Very briefly describe the structure in which you are receiving bids (describe proposal page):

The City of Columbus - Columbus Public Health is announcing the availability of funds for a two (2) year competitive grant award from the Centers for Disease Control (CDC) through the Ohio Department of Health (ODH) which is awarded to Columbus, Ohio to serve Franklin County. These funds are available to eligible grant applicants that are located in and providing services to people infected with or at risk for acquiring HIV/AIDS living in the Central Ohio. The FY 2010/11 award is for \$270,000.00. The grant cycle is 1/1/2010-12/31/11, based upon the confirmed availability of federal funds, satisfactory program performance, measurable outcomes and documented continued community need. Columbus Public Health intends to make these funds available on a competitive basis. Columbus Public Health determines the final award totals of all submitted applications, based upon current, documented community need priorities. To respond to the "Request for Proposals for the 2010/11 Federal HIV Prevention Grant Funds" agencies can access the complete Request for Proposals via Vendor Services for the City of Columbus Public Health Department.

<http://vendorservices.columbus.gov> Hard copies of the RFP can be picked-up at: Columbus Public Health, 240 Parsons Avenue, 2nd floor / Room 211, Columbus, Ohio 43215 or send an e-mail to <mailto:lindal@columbus.gov> to request an electronic copy or a postal service mailed copy. Completed proposals can not be submitted online. Deliver hard copy proposals to:

Attention: Linda Laroche
Columbus Public Health Information Desk, 1st floor lobby
240 Parsons Avenue
Columbus Ohio 43215
No later than 4pm Friday, November 13, 2009

There are two (2) steps to applying for these funds; completion of the Vendor Services City of Columbus Administrative forms and the actual HIV Prevention RFP. This dual process is NEW. Applicants must do both - Apply via Vendor Services for the City of Columbus and submit a hard copy proposal. For additional information or to obtain Technical Assistance, please contact: Linda Laroche, HIV Prevention Coordinator, Columbus Public Health at 614-645-6445 or lindal@columbus.gov

#2 - List any vendor requirements to be able to bid (local place of business required, ability to service warranty, etc.).

Eligible grant applicants include:

- ? Private, nonprofit organizations incorporated with the Ohio Secretary of State and granted 501 C (3) status by the Internal Revenue Service, including existent
- ? Project Sponsors utilizing 2005-2008 HIV Prevention Program funds;

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

? Units of local government;

? Agencies must have a City of Columbus Contract Compliance Number, register with Vendor Services to obtain a number and the agency must be "Contract Compliance in Status Active."

#3 - Add separate paragraphs if prebid exists, prevailing wage, bid bond, etc.

N/A

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: October 10, 2009

BID OPENING DATE - November 17, 2009 11:00 am

SA003429 - R&P Alum Creek Trail Sunbuty to Innis

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Director of Recreation and Parks of the City of Columbus, Ohio at the Recreation and Parks office, 1111 East Broad St., until 11:00 a.m., Local Time, on Tuesday, November 17, 2009 and publicly opened and read at that hour and place for the following project:

FRA--ALUM CREEK TRAIL --- SUNBURY ROAD TO INNIS PARK
(PID 86470) A.R.R.A. Project #E090(606)

The work for which proposals are invited consists of clearing, drainage, asphalt and concrete paving, bridges, culverts, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Note: Only bidders pre-qualified by ODOT will be eligible to submit bids.

Copies of the Contract Documents, the bid book and the plans are on file at Atlas Blueprint, 374 W. Spring Street, 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. Advertisement dates in the City Bulletin will be October 24, 31, and November 7, 2009. A pre-bid meeting is set for 2:00 p.m., Thursday, November 5, 2009. The meeting will be held at Howard Recreation Center, 2505 Cassady Avenue. Attendance is not mandatory.

Proposals must be submitted on the proper forms, pages P-1 through P-36, contained in the Project Manual/Specifications. The Proposal forms in their entirety must be submitted in a sealed envelope marked FRA--ALUM CREEK TRAIL---SUNBURY ROAD TO INNIS PARK (PID 86470).

ORIGINAL PUBLISHING DATE: October 24, 2009

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - November 18, 2009 3:00 pm

SA003431 - BROWN ROAD AREA WATERLINE IMP

SCOPE: The City of Columbus, Department of Public Utilities, Division of Power and Water is receiving proposals for the Brown Road Area Waterline Improvements. The work for which proposals are invited consists of the installation of 12 inch, 8 inch, and 6 inch water lines and appurtenances and service transfers and such other work as may be necessary to complete the contract in accordance with the plans (C-991) and specifications. All work shall be completed within 365 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 after November 1, 2009. The Bid Date for the project is November 18, 2009.

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: October 29, 2009

SA003432 - LAZELLE ROAD 2 MG STORAGE TANK

SCOPE: The City of Columbus, Department of Public Utilities, Division of Power and Water is receiving proposals for the Lazelle Road 2MG Storage Tank. The work for which proposals are invited consists of the construction of a new 2 M.G. elevated water storage tank with accessories including water lines, sanitary service, electrical, mixing system, site work, and other such work as may be necessary to complete the contract in accordance with the plans (C-1119) and specifications. All work shall be completed within 540 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 after November 1, 2009. The Bid Date for the project is November 18, 2009.

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: October 29, 2009

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: PN0002-2009

Drafting Date: 12/26/2008

Version: 1

Current Status: Clerk's Office for Bulletin

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 ON-LINE 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 <<http://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: PN0059-2009

Drafting Date: 03/02/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

**Title
Notice/Advertisement Title:** 2009 Recreation and Parks Committee Meeting Notice

Contact Name: Carl Williams

Contact Telephone Number: (614) 645-2932

Contact Email Address: CGWilliams@columbus.gov

Body

Council Member Priscilla R. Tyson will host a Recreation and Parks Committee Meeting on the dates listed below. Unless otherwise noted, the meetings will begin at 5:30 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 from 5:30 until 6:00 P.M. on the day of the meeting.

* **Thursday, October 22, 2009**

THE TIME FOR THIS MEETING HAS BEEN CHANGED TO 5:00 PM

This meeting will serve as the public hearing for the proposed "theft of free newspaper" code change ordinance that will soon be considered by Columbus City Council.

* **Thursday, November 19, 2009**

* *No December Meeting - Holiday Recess*

Meeting dates and times subject to change

Legislation Number: PN0060-2005

Drafting Date: 02/23/2005

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Published Columbus City Health Code

Contact Name: Richard Hicks

Contact Telephone Number: 654-6189

Contact Email Address: rickh@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:

<http://www.publichealth.columbus.gov/>

Legislation Number: PN0140-2009

Drafting Date: 06/08/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Health, Housing and Human Services Committee & Workforce Development Committee Meeting

Contact Name: James Ragland

Contact Telephone Number: (614) 645-8580

Contact Email Address: jragland@columbus.gov

Body

Councilmember Tavares' Health, Housing and Human Services Committee / Workforce Development Committee meeting schedule is listed below. Unless otherwise noted, meeting time and location is 5:30 p.m. in the Columbus City Council Chambers. A picture ID is needed to enter City Hall.

Meeting Chair: Councilmember Charleta B. Tavares

Agendas will be posted on the Columbus City Council Website (www.columbuscitycouncil.org) as soon as they are available.

2009

Wednesday, January 21, 2009

Wednesday, February 4, 2009

Wednesday, February 18, 2009

Wednesday, March 4, 2009

Wednesday, March 25, 2009
Wednesday, April 8, 2009
Wednesday, April 22, 2009
Wednesday, May 6, 2009
Wednesday, May 20, 2009
Wednesday, June 3, 2009
Wednesday, July 1, 2009
Wednesday, July 15, 2009
August Recess
Wednesday, September 2, 2009
Wednesday, September 16, 2009
Wednesday, October 7, 2009
Wednesday, October 21, 2009
Wednesday, November 4, 2009
Wednesday, November 18, 2009
Wednesday, December 2, 2009
Wednesday, December 16, 2009

Meeting dates and times subject to change

Legislation Number: PN0230-2009

Drafting Date: 10/16/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Livingston Ave. Area Commissioner Recruitment-11/7/09

Contact Name: Bonita Lee

Contact Telephone Number: (614) 645-7964

Contact Email Address: btleec@columbus.gov

Body

SEE ATTACHMENT

Legislation Number: PN0232-2009

Drafting Date: 10/16/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: CITY OF COLUMBUS, OHIO APPLICATION FOR DEPOSIT OF PUBLIC MONEY

Contact Name: Deborah Klie

Contact Telephone Number: 614-645-7737

Contact Email Address: dlklic@columbus.gov

Body

Notice is hereby given in accordance with Chapter 321 of the Columbus City Codes, 1959 to all banks, building and loan or savings associations or companies located in Franklin County, Ohio duly organized under the laws of the State of Ohio or of the United States, that application for deposit of public money for fiscal year 2010 will be accepted by the Columbus Depository Commission at the Office of the Columbus City

Auditor, Secretary of said Commission, until 2:00 p.m., Tuesday, December 8, 2009.

Said application shall determine the eligibility of the applicant to receive active and inactive deposits from the Columbus City Treasurer for the period beginning January 1, 2010 and ending December 31, 2010. Said application shall be in such a form prescribed by the Commission and shall contain such information, as the Commission shall require.

Applications may be obtained from the Office of: Deborah L. Klie, City Treasurer, 90 West Broad Street, Columbus, Ohio 43215, telephone 645-7737.

All information and statements contained on said application shall be verified by affidavit.

Address envelope containing application to: Hugh J. Dorrian, Secretary, Columbus Depository Commission, City Hall, 90 West Broad Street, Columbus, Ohio 43215.

By the order of the Columbus Depository Commission.

Deborah L. Klie, Chairperson
Hugh J. Dorrian, Secretary
Paul R. Rakosky, Member

Legislation Number: PN0234-2009

Drafting Date: 10/27/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

TitleCivil Service Commission Public Notice

Notice/Advertisement Title:

Civil Service Commission Public Notice

Contact Name:

Annette Bigham

Contact Telephone Number:

614-645-7531

Contact Email Address:

eabigham@columbus.gov

Body

RULE IX

CERTIFICATION

A. Notification of Vacancies

Whenever an appointing authority desires to fill a vacancy in any position in the classified service, notification shall be submitted to the Executive Secretary on a form prescribed by the Commission. The form shall include the title of the position, any condition of employment and such other pertinent information as may be required. Whenever practicable, it shall be submitted not less than fifteen calendar days before the date the vacancy is to be filled.

B. Termination of Provisional Employment

When a position in a class is occupied by a person serving in a provisional appointment and an appropriate competitive eligible list is established for that class, the Executive Director shall proceed to certify the appropriate number of eligibles without notification from the appointing authority. The certification shall specify the position(s) in the class for which the certification was issued. If the provisional employee's name is certified, then the employee may be appointed to the position, in accordance with the provisions of these Rules, at the discretion of the appointing authority. If the provisional employee's name is not certified or the provisional employee is not appointed, then the employee must be terminated no later than thirty calendar days from date of certification and a new appointment made from the list. If an appointing authority decides not to fill the vacated position due to budgetary constraints, pending reorganization or a comparable reason, notice to this effect must be provided to the Executive Director, in writing, within the applicable thirty calendar day period.

C. Certification of Eligibles on Competitive Lists

1. Whenever a vacancy in the competitive class is to be filled, and an appropriate eligible list for the class exists, the Executive Director shall certify names to the appointing authority according to the method listed on the examination announcement used to establish the eligible list.

2. Individuals whose names are placed on an eligible list as a result of Reinstatement [Rule VIII(C)] or Layoffs [Rule XII(C)] shall not be counted in determining the number of eligibles to be certified, or in determining whether the eligible list contains a sufficient number of names to require appointment.

3. Rule of Three Method.

a. If the eligible list contains fewer than three eligibles, the eligibles on the list shall be certified to the appointing authority; however, the appointing authority shall not be required to appoint from the eligible list.

b. The number of eligibles to be certified shall be determined in the following manner:

(1) for 1 through 4 vacancies, add 2 to the number vacancies;

(2) for 5 through 8 vacancies, add 4 to the number vacancies;

(3) for 9 through 12 vacancies, add 6 to the number vacancies; etc.

To expedite the process of certification, the Executive Secretary may include additional eligibles on a certification provided that the additional names shall be considered for appointment only if one or more of the individuals on the original certification, decline appointment, waive consideration for appointment or fail to appear at the interview.

c. Except as provided in Rule VIII(C) (Reinstatements) and XII(C) (Layoffs), each appointment shall be made from a group of three eligibles certified from those standing highest on the eligible list and one of said group must be appointed. If an eligible is certified to or considered by an appointing authority four times, and is not appointed, the name of the eligible shall not be certified to said appointing authority during the life of the eligible list. Upon application of the eligible and the appointing authority, the name of such eligible may be certified for one additional certification.

d. When an eligible's name is included on a certification to an appointing authority, notice shall be sent to the eligible. Unless the Executive Secretary deems that a shorter time period is necessary, an eligible shall be given four work days in which to arrange for an interview for the position.

e. If the name of an eligible is certified to an appointing authority and that individual fails to appear for an interview or if the individual appears for the interview but declines the appointment, the name of that eligible shall not be certified to that appointing authority for filling any vacancy in that

department during the life of the competitive eligible list or noncompetitive certification list. However, upon request of the appointing authority, the name of such eligible may be restored to the list.

4. Fixed Band Method.

- a. If the eligible list contains fewer than five eligibles, the eligibles on the list shall be certified to the appointing authority; however, the appointing authority shall not be required to appoint from the eligible list.
- b. The Executive Director shall certify all names in the highest band from the appropriate list so that in making appointments to a position in the class, the appointing authority has a choice of at least five individuals. If fewer than five names appear in the highest band, the Executive Director shall certify names from subsequent bands so that at least five individuals are certified. In the event the highest band may be exhausted prior to the completion of the appointment process, the Executive Director may certify additional names from subsequent bands as necessary to insure that the appointing authority may select from among at least five individuals.
- c. The appointing authority shall appoint to the vacant position one of the individuals whose name is certified.
 - d. For each four appointments made from an eligible list, an appointing authority may request that the Commission omit from future certifications to such appointing authority up to two individuals who have been considered four or more times, but not appointed. For each four conditional offers made from an eligible list, an appointing authority may request that the Commission omit from future certifications to such appointing authority up to four individuals who have been considered four or more times, but not selected. Upon application of the eligible and the appointing authority, the name of an eligible removed due to four considerations may be certified for one additional certification.
- e. Eligibles who are certified to an appointing authority for consideration for appointment shall be notified in writing by the Commission.

D. Certification of Eligibles on Promotional Lists

1. When a certification is made in accordance with Section(C) for a promotional appointment, the appointing authority may consider departmental personnel records of efficiency, character, conduct and seniority for each eligible when making a selection determination.

2. In the event the appointing authority determines that departmental personnel records are insufficient for making a selection determination, Civil Service Commission records may be requested and considered as part of the selection process.

E. Certification of Noncompetitives

Whenever a position in a noncompetitive class is to be filled, the Executive Secretary shall certify, to the requesting appointing authority, a list with the names of all applicants who met the minimum requirements and passed the qualifying tests, if any, for the class. The appointing authority shall appoint a person whose name appears on the certification list regardless of the order in which the names appear. In the event an applicant does not meet a license requirement at the time of filing but whose application is accepted in accordance with Rule VI(D)(3), such applicant may be conditionally certified to the appointing authority. No person who is conditionally certified may be appointed until the appropriate license has been received and is approved.

F. Canvassing Competitive Eligible Lists

1. When a position is to be filled which requires a qualification not required of all positions in the classification or when a position is to be filled by appointments with part-time, limited or seasonal employment conditions, a canvass shall be conducted of the eligible list, when authorized by the Executive Director. The canvass shall determine whether eligibles possess the needed qualification or would accept appointments for particular shifts or in particular departments.

2. In the event five or more names of eligibles result from such a canvass, the appointing authority shall make appointments from the resulting list of names in accordance with the Rule IX.

3. In the event fewer than five names of eligibles result from the canvass, the appointing authority may request additional candidates be tested pursuant to Rule VI. In the event that additional testing can not be conducted, the appointing authority may make provisional appointments to the positions which are subject to the canvass.

4. An eligible appointed as a result of a canvass shall receive an original or promotional appointment as defined in Rule X.

G. Certification to a Lower Class

Upon request, the Executive Secretary may deem a higher eligible list to be appropriate for a lower class provided no list exists for the lower class and the duties and responsibilities are similar. An appointment may be made to a position in the lower class from such eligible list but the acceptance of the lower position shall not forfeit such person's right to be certified to a position in the higher class.

H. Charter Certification

1. Automatic Certification. The Executive Secretary shall automatically certify as a permanent appointee any employee for whom the following conditions are met:

- a. On July 16, 1994, the employee held provisional status in a competitive class;
- b. The employee successfully completed two years of full-time service in that class on or before July 16, 1996;
- c. No Civil Service test for that class was administered during the two-year period qualifying the employee for certification; and
- d. At the time of certification, the employee holds provisional status in the same class.

2. Certification by Petition. Any individual who was a City employee on or before July 16, 1994, and who is not automatically granted permanent status pursuant to subsection 1, may file a petition for certification with the Commission. Except as otherwise provided in subsection 5, all petitions for certification must be filed no later than July 31, 1996. The Executive Secretary shall grant the petition of any employee for whom the conditions in subsection 1, (a) through (d), are met. The Commission will notify employees in writing whether their petition for certification has been granted or denied. No petition for certification will be denied prior to an employee being given an opportunity to appear before the Commission in person and be heard.

3. Part-time Service. For purposes of subsection 1(b), part-time employees shall be deemed to have completed two years of full-time service upon completion of four years of service in part-time status or upon completion of 4,160 hours of service, whichever occurs earlier.

4. Effect of Certification. Any employee receiving a Charter certification as a permanent appointee, pursuant to this Rule, shall be considered as having received an original appointment in accordance with Rule X(A). Except as otherwise provided in subsection 5, all such Charter certifications shall have the effective date of July 17, 1994, or of the first day of the next pay period following completion of the two-year qualifying period, whichever is later.

5. Eligibility for Promotional Exams. Any employee who is not eligible for automatic Charter certification, solely

because of acceptance of another appointment prior to certification, may file a petition for certification at any time during the filing period for a promotional exam, if the class qualifying the employee for Charter certification is an eligible class for promotion. If the employee meets all of the conditions set out in subsection 1, (a) through (c), the employee shall be deemed to have permanent status for purposes of determining eligibility for the test pursuant to Rule VII(B)(2).

6. Certification Upon Reappointment. Any employee who is not eligible for automatic Charter certification in a particular class, solely because that individual had accepted an appointment to another class prior to certification, may file a petition for certification at any time. If certification is granted, the effective date shall be as set out in subsection 4 unless the employee was not in the class on the date so determined in which case the effective date shall be the date upon which the employee returns to the class.

I. Conditional Certifications

In the event medical and/or psychological examinations of applicants are required in order for the applicants to be appointed to the position of employment, the Commission Executive Director shall issue a conditional certification to the appointing authority. This certification list shall consist of the names of the eligible applicants who have successfully completed all phases of the selection process except the medical and/or psychological examination(s). Conditional offers of employment shall be made in accordance with the procedures set forth in these Rules for appointments. Those applicants who received conditional offers shall then complete the required examination(s). When the required examination(s) are complete, the Commission Executive Director shall issue a final certification of those who received conditional offers of employment and who successfully passed the required examination(s).

Legislation Number: PN0235-2009

Drafting Date: 10/28/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Property Maintenance Appeal Board Agenda-November 9, 2009

Contact Name: Toni Boehm

Contact Telephone Number: (614) 645-5884

Contact Email Address: tgboehm@columbus.gov

Body

PROPERTY MAINTENANCE APPEALS BOARD

Monday, November 9, 2009

1:00 PM - 757 Carolyn Avenue

Hearing Room

1. Approval of prior meeting minutes

2. Case Number PMA-193

Appellant: Lake Eden Apts. & Destiny Reed
Property: 5231 Dempster Drive #C
Inspector: Mike O'Keefe
Order #: 09440-02980

3. Case Number PMA-194

Appellant: Michael Morrill
Property: 1299 Sullivant Avenue
Inspector: Bob Burns
Order #: 09440-03254

NOTE: A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Regulations Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call Toni Gillum at 645-5884 or TDD 645-3293.

Legislation Number: PN0236-2009

Drafting Date: 10/28/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: COLUMBUS CITY TREASURER 2010-11 BROKER/DEALER QUESTIONNAIRE AND CERTIFICATION

Contact Name: Patricia VanDyke

Contact Telephone Number: 614-645-8192

Contact Email Address: PJVanDyke@Columbus.gov

Body

The Columbus City Treasurer will be accepting applications from the Securities Brokers/Dealers to be certified as an approved Broker/Dealer for the City of Columbus for the period ending December 31, 2011. Interested parties may obtain an application at the Columbus City Treasurer's Office located at 90 West Broad Street, Room 111, Columbus, Ohio 43215 or by calling Ms. Patricia VanDyke at 614-645-8192. Interested parties must have an office located in the State of Ohio. Deadline for submission of an application is December 1, 2009.

Legislation Number: PN0237-2009

Drafting Date: 10/28/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: City Council Zoning Agenda for 11/09/2009

Contact Name: Shezronne Zaccardi

Contact Telephone Number: 614-645-1695
Contact Email Address: sezaccardi@columbus.gov

Body

REGULAR MEETING NO. 51
CITY COUNCIL (ZONING)
NOVEMBER 9, 2009
6:30 P.M.
COUNCIL CHAMBERS

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: TYSON, CHR. CRAIG GINTHER MILLER PALEY TAVARES MENTEL

1393-2009

To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; and 3372.809 A., Parking and circulation, of the Columbus City Codes; for the property located at 1953 MORSE ROAD (43229), to permit motor vehicle fuel sales and a car wash in conjunction with convenience retail sales with an increase in the maximum number of required parking spaces in the C-4, Commercial District (Council Variance CV09-011).

1394-2009

To rezone 1382 GRANDVIEW AVENUE (43212), being 0.81± acres located on the east side of Grandview Avenue, 125± feet north of West Third Avenue, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z09-030).

Legislation Number: PN0238-2009

Drafting Date: 10/29/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Public Service Director's Orders - Placement of Traffic Control Devices as Recommended by the Transportation Division - Effective Date: October 29, 2009

Contact Name: Patricia Rae Grove

Contact Telephone Number: (614) 645-7881

Contact Email Address: prgrove@columbus.gov

Body

Please see Public Service Director's Orders - Placement of Traffic Control Devices as Recommended by the Transportation Division - Effective Date: October 29, 2009

Legislation Number: PN0239-2009

Drafting Date: 10/29/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Public Service Director's Orders - Placement of Traffic Control Devices as Recommended by the Transportation Division - Effective Date: October 22, 2009

Contact Name: Patricia Rae Grove
Contact Telephone Number: (614) 645-7881
Contact Email Address: prgrove@columbus.gov

Body

Please see Public Service Director's Orders - Placement of Traffic Control Devices as Recommended by the Transportation Division - Effective Date: October 22, 2009

Legislation Number: PN0240-2009

Drafting Date: 10/29/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Public Service Director's Orders - Placement of Traffic Control Devices as Recommended by the Transportation Division - Effective Date: October 22, 2009

Contact Name: Patricia Rae Grove
Contact Telephone Number: (614) 645-7881
Contact Email Address: prgrove@columbus.gov

Body

Please see Public Service Director's Orders - Placement of Traffic Control Devices as Recommended by the Transportation Division - Effective Date: October 22, 2009

Legislation Number: PN0307-2008

Drafting Date: 12/22/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: 2009 REGULAR MEETINGS OF COLUMBUS RECREATION AND PARKS COMMISSION

Contact Name: Chris Snyder
Contact Telephone Number: 645-7468
Contact Email Address: crsnyder@columbus.gov

Body

EXHIBIT A

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):

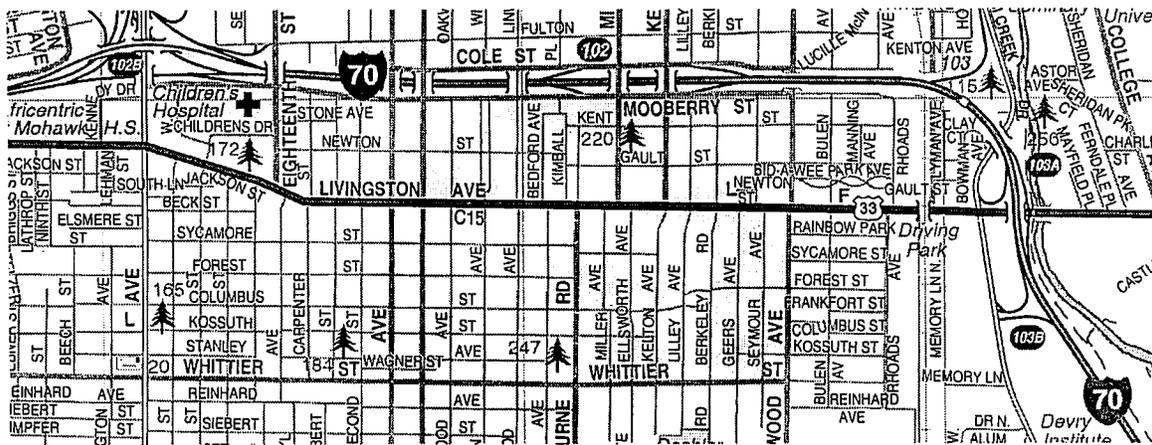
Wednesday, January 14, 2009 -1111 East Broad Street, 43205
Wednesday, February 11, 2009 -1111 East Broad Street, 43205
Wednesday, March 11, 2009 -- 1111 East Broad Street, 43205
Wednesday, April 8, 2009 -- 1111 East Broad Street, 43205
Wednesday, May 13, 2009 - 1111 East Broad Street, 43205
Wednesday, June 10, 2009 - Gillie Recreation Center, 4625 Morse Centre Drive, 43229
Wednesday, July 8, 2009 - Westgate Shelterhouse, 3271 Wicklow Road, 43204
August Recess - No meeting
Wednesday, September 9, 2009 - Schiller Recreation Center, 1069 Jaeger Street, 43206
Wednesday, October 14, 2009 - Mentel Golf Course, 6005 Alkire Road, Galloway, 43119
Wednesday, November 11, 2009 - 1111 East Broad Street, 43205
Wednesday, December 9, 2009 - 1111 East Broad Street, 43205

We Want You!

Livingston Avenue Area Commission Is Seeking Area Commissioners



Help Us Make The Livingston Avenue Corridor A
Better Place to Live, Work and Play!



WWW.LIVINGSTONAVE.COM

Must be 18 years of age or older

Must be a resident of LAAC for at least 30 days prior to running

Must be a registered voter

If these 3 conditions are met, a petition can be obtained by contacting Commissioner Donna Shephard at 253-6421 or at dcshep50@aol.com.

The deadline for returning properly executed petitions is October 23 rd.

The election will be held November 7th from 10.00 am to 2.00 pm at 640 S. Ohio Ave St John's Learning Center.

PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMMENDED BY THE
TRANSPORTATION DIVISION
EFFECTIVE DATE: OCTOBER 29, 2009

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that based on studies conducted by and recommendations made by the Transportation Division, that the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

SECTION 2105.09 TURNS AT INTERSECTIONS

Mandatory turn lanes shall be removed as follows:

CONSUMER SQUARE DRIVEWAY at TUSSING RD

The eastbound traffic in the lane second from the SC curb shall no longer be required to turn left.

FREEDOM TRAIL at TUSSING RD

The eastbound traffic in the lane Second from the SC curb shall no longer be required to turn left.

PARKING REGULATIONS

The parking regulations on the 241 foot long block face along the N side of HUY RD from HOMESTEAD DR extending to MEDINA AVE shall be

| Range in feet | Code Section | Regulation |
|------------------|-----------------|--------------------------------|
| 0 - 51 | 2105.17 | NO STOPPING ANYTIME |
| 51 - 186 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 186 - 241 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 245 foot long block face along the N side of HUY RD from MEDINA AVE extending to NORWOOD ST shall be

| Range in feet | Code Section | Regulation |
|------------------|-----------------|--------------------------------|
| 0 - 126 | 2105.17 | NO STOPPING ANYTIME |
| 126 - 197 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 197 - 245 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 386 foot long block face along the E side of MAIZE RD from ZEBULON AVE extending to ACTON RD shall be

| Range in feet | Code Section | Regulation |
|------------------|-----------------|---------------------|
| 0 - 110 | 2105.14 | BUS STOP ONLY |
| 110 - 386 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 526 foot long block face along the E side of MAIZE RD from NORTHRIDGE RD extending to ELMORE AVE shall be

| Range in feet | Code Section | Regulation |
|------------------|-----------------|--------------------------------|
| 0 - 88 | 2105.14 | BUS STOP ONLY |
| 88 - 252 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 252 - 525 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 273 foot long block face along the W side of MAIZE RD from BLENHEIM RD extending to HIDDEN ACRES CT shall be

| Range in feet | Code Section | Regulation |
|------------------|-----------------|---------------------|
| 0 - 273 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 654 foot long block face along the W side of MAIZE RD from MOON RD extending to NORTHRIDGE RD shall be

| Range in feet | Code Section | Regulation |
|------------------|-----------------|--------------------------------|
| 0 - 180 | 2105.14 | BUS STOP ONLY |
| 180 - 584 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 584 - 654 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 1215 foot long block face along the W side of MAIZE RD from NORRIS RD extending to COOKE RD shall be

| Range in feet | Code Section | Regulation |
|------------------|-----------------|--------------------------------|
| 0 - 95 | 2105.14 | BUS STOP ONLY |
| 95 - 160 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 160 - 1215 | 2105.17 | NO STOPPING ANYTIME |

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: MARK KELSEY, PUBLIC SERVICE DIRECTOR

PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMMENDED BY THE
TRANSPORTATION DIVISION
EFFECTIVE DATE: OCTOBER 22, 2009

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that based on studies conducted by and recommendations made by the Transportation Division, that the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

SECTION 2105.09 TURNS AT INTERSECTIONS

Mandatory turn lanes shall be established as follows:

GEORGESVILLE GREEN DR at HALL RD

The southbound traffic in the lane First from the west curb shall turn right.

Restrictions applied: All Times- All Days

PARKING REGULATIONS

The parking regulations on the 326 foot long block face along the N side of BROAD ST from WESTMOOR AVE extending to HURON AVE shall be

| Range in feet | Code Section | Regulation |
|------------------|-----------------|--------------------------------|
| 0 - 110 | 2105.14 | BUS STOP ONLY |
| 110 - 296 | 2105.17 | NO STOPPING 4PM - 6PM WEEKDAYS |
| 294 - 326 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 857 foot long block face along the W side of BROADVIEW AVE from THIRD AVE extending to IDA AVE shall be

| Range in feet | Code Section | Regulation |
|------------------|-----------------|--------------------------------|
| 0 - 48 | 2105.17 | NO STOPPING ANYTIME |
| 48 - 559 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 559 - 579 | 2105.03 | HANDICAPPED PARKING ONLY |
| 579 - 827 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 827 - 857 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 623 foot long block face along the E side of CHAMPION AVE from MARKISON AVE extending to JENKINS AVE shall be

| Range in feet | Code Section | Regulation |
|------------------|-----------------|--------------------------------|
| 0 - 30 | 2105.17 | NO STOPPING ANYTIME |
| 30 - 554 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 554 - 623 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 492 foot long block face along the N side of FULTON ST from FOURTH ST extending to FIFTH ST shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|--|
| 0 - 112 | 2105.17 | NO STOPPING ANYTIME |
| 112 - 467 | 2155.03 | 12 HR PARKING METERS 6AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS |
| 112 - 467 | 2105.17 | NO STOPPING 3AM - 6PM WEEKDAYS |
| 467 - 492 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 344 foot long block face along the W side of GEORGESVILLE GREEN from HALL RD extending to SWITHCBACK TR shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|--------------------------------|
| 0 - 108 | 2105.17 | NO STOPPING ANYTIME |
| 108 - 344 | | (STATUTORY RESTRICTIONS APPLY) |

The parking regulations on the 774 foot long block face along the N side of MAYNARD AVE from NEIL AVE extending to HIGH ST shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|--------------------------------|
| 0 - 52 | 2105.17 | NO STOPPING ANYTIME |
| 52 - 335 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 335 - 364 | 2105.17 | NO STOPPING ANYTIME |
| 364 - 576 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 576 - 596 | 2105.17 | NO STOPPING ANYTIME |
| 596 - 611 | | NAMELESS ALLEY |
| 611 - 630 | 2105.17 | NO STOPPING ANYTIME |
| 630 - 679 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 679 - 699 | 2105.17 | NO STOPPING ANYTIME |
| 699 - 735 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 735 - 774 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 556 foot long block face along the W side of MOHAWK ST from FRANKFORT ST extending to SYCAMORE ST shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|---|
| 0 - 58 | 2105.17 | NO STOPPING ANYTIME |
| 58 - 500 | 2105.17 | NO STOPPING 12AM - 6AM TUESDAYS FOR STREET SWEEPING |
| 58 - 500 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 500 - 556 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 294 foot long block face along the W side of REIS AVE from EDDYSTONE AVE extending to NORTH BROADWAY shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|----------------------------------|
| 0 - 50 | 2105.17 | NO STOPPING ANYTIME |
| 50 - 185 | 2105.17 | NO PARKING 8AM - 4PM SCHOOL DAYS |
| 185 - 294 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 207 foot long block face along the S side of TWELFTH AVE from HIGH ST extending to PEARL ST shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|---|
| 0 - 38 | 2105.17 | NO STOPPING ANYTIME |
| 38 - 80 | 2155.03 | 1 HR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS |

| | | |
|-----------|---------|--|
| 38 - 80 | 2105.17 | NO STOPPING 10AM - 8PM FOOTBALL DAYS 4PM - 1AM FOOTBALL NIGHTS |
| 38 - 80 | 2105.17 | NO PARKING 8AM - 2PM 2ND FRI APR 1 - NOV 1 FOR STREET CLEANING |
| 80 - 131 | 2105.17 | NO STOPPING ANYTIME |
| 131 - 171 | 2105.03 | HANDICAPPED PARKING ONLY |
| 171 - 207 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: MARK KELSEY, PUBLIC SERVICE DIRECTOR

PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMMENDED BY THE
TRANSPORTATION DIVISION
EFFECTIVE DATE: OCTOBER 22, 2009

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that based on studies conducted by and recommendations made by the Transportation Division, that the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

PARKING REGULATIONS

The parking regulations on the 408 foot long block face along the S side of DOMINION BLVD from INGHAM AVE extending to SCHREYER PLACE shall be

| Range in feet | Code Section | Regulation |
|------------------|-----------------|-----------------------------------|
| 0 - 30 | 2105.17 | NO STOPPING ANYTIME |
| 30 - 408 | 2105.17 | NO STOPPING 2PM - 3PM SCHOOL DAYS |

The parking regulations on the 141 foot long block face along the E side of SHARON AVE from SCHREYER PLACE extending to DOMINION BLVD shall be

| Range in feet | Code Section | Regulation |
|------------------|-----------------|-----------------------------------|
| 0 - 64 | 2105.17 | NO STOPPING ANYTIME |
| 64 - 141 | 2105.17 | NO STOPPING 2PM - 3PM SCHOOL DAYS |

The parking regulations on the 541 foot long block face along the E side of SHARON AVE from DOMINION BLVD extending to WEISHEIMER RD shall be

| Range in feet | Code Section | Regulation |
|------------------|-----------------|-----------------------------------|
| 0 - 541 | 2105.17 | NO STOPPING 2PM - 3PM SCHOOL DAYS |

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: **MARK KELSEY, PUBLIC SERVICE DIRECTOR**