

Columbus City Bulletin



Bulletin #46
November 14, 2009

Proceedings of City Council

Saturday November 14, 2009



SIGNING OF LEGISLATION

Legislation was signed by Council President Michael C. Mentel on the night of the Council meeting, Monday, *November 9, 2009*; by Acting Mayor Mitchell J. Brown on Wednesday, *November 11, 2009*; and attested by the City Clerk, prior to Bulletin publishing, except for Ordinances 1338-2009, and 1393-2009, which were signed by President Pro Tem Hearcel F. Craig, on the night of the Council meeting, Monday, *November 9, 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, November 9, 2009

5:00 PM

Columbus City Council

Columbus City Council

Journal

November 09, 2009

**REGULAR MEETING NO. 50 OF COLUMBUS CITY COUNCIL, NOVEMBER 9, 2009
at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

Absent: 1 - Tyson

Present: 6 - Ginther, Ms. Tavares, Craig, 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:

Absent: 1 - Tyson

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

C0029-2009

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY NOVEMBER 4, 2009:

New Type: D5A
To: Satya and Prem LLC
DBA Comfort Suites
70 Chris Perry Ln
Columbus OH 43213
Permit # 7752623

New Type: D2, D6
TO: SSF II Inc
DBA BD S Mongolian Barbeque
& Patio
6242 Sawmill Rd
Columbus OH 43017
Permit # 84600950005

New Type: C1, C2, D6
To: Mehdi Inc
DBA Woodys Drive Thru
6733 Karl Rd

Columbus OH 43229
Permit # 58524500005

Transfer Type: D5
To: Yark LLC
954 N High St
Columbus OH 43201
From: Platinum Restaurant Group Inc
DBA Eddie Merlots
& Patio
1570 Polaris Pkwy
Columbus OH 43240
Permit # 9820540

Transfer Type: C1, C2, D6
To: Coughlin Investments Ltd
DBA Crown Beer Wine Drive Thru
1973 Hard Rd
Columbus OH 43085
From: TCK Inc
DBA P Js Drive Thru
1973 Hard Rd
Columbus OH 43085
Permit # 17717490015

Transfer Type: C1, C2
To: Waggner CRM LLC
7700 Kennedy Rd
Columbus OH 43004
From: ARC Business Development Inc
7700 Kennedy Rd
Columbus OH 43004
Permit # 9336192

Transfer Type: C1, C2, D6
To: TI Sullivant Inc
DBA Alex Market
2991 Sullivant Av
Columbus OH 43204
From: 2991 Sullivant Ave Inc
DBA Alex Market
2991 Sullivant Av
Columbus OH 43204
Permit # 8773153

Transfer Type: D1, D2, D3, D3A, D6
To: Summit Project LLC
2210-16 Summit St & Patio
Columbus OH 43201
From: Bears Like Fish Ltd
Martin Management Services Rcvr
2210-16 Summit St & Patio

Columbus OH 43201
Permit # 8693322

Transfer Type: C1, C2, D6
To: Sanz Corp
DBA Sammy Carry Out
961 Oakland Park Av
Columbus OH 43224
From: Albast Inc
DBA Sammy Carry Out
961 Oakland Park Av
Columbus OH 43224
Permit # 77372070005

Advertise: 11/14/2009
Return: 11/24/2009

Read and Filed

RESOLUTIONS OF EXPRESSION

PALEY

0171X-2009 To Celebrate The 30th Anniversary Season of Early Music in Columbus.

Sponsors: Eileen Y. Paley

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

Absent: 1 - Tyson
Affirmative: 6 - Ginther, Ms. Tavares, Craig, President Mentel, Miller and Paley

TAVARES

0172X-2009 To honor and recognize Barbara Poppe for her dedicated service to the citizens of Columbus and congratulate her on her appointment as Executive Director of the United States Interagency Council on Homelessness.

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

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

Absent: 1 - Tyson
Affirmative: 6 - Ginther, Ms. Tavares, Craig, President Mentel, Miller and Paley

ADDITIONS OR CORRECTIONS TO THE AGENDA

FIRST READING OF 30-DAY LEGISLATION

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

1475-2009 FR To accept a Deed of Easement and a Highway Easement from the Board of Park Commissioners of the Columbus and Franklin County Metropolitan

Park District, in conjunction with the redevelopment of that area identified as the Whittier Peninsula.

Read for the First Time

SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL

- 1108-2009** FR To authorize the Finance and Management Director to issue a purchase order for Video Surveillance Consultant Services with Security Risk Management Consultants Inc. per the terms and conditions of a citywide Universal Term Contract; to amend the 2009 Capital Improvement Budget; to authorize the City Auditor to transfer \$250,000.00 between projects within the Safety Voted Bond Fund; to authorize the expenditure of \$250,000.00 from the Safety Voted Bond. (\$250,000.00)

Read for the First Time

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

- 1368-2009** FR To authorize the Directors of Development and Public Service to amend the Design Agreement for the Columbus Coated Fabrics site with Wagenbrenner Development, Inc. by increasing the scope of work to include a traffic study of existing and projected conditions around the site and to increase the contract amount by \$18,700; to amend the 2009 CIB; and to authorize the expenditure of \$18,700.00 from the Development G.O. Bonds Fund. (\$18,700)

Read for the First Time

- 1510-2009** FR To amend Ordinance 1848-2008 to extend the signing deadline for the Enterprise Zone Agreement with High Street 2008, LLC.

Read for the First Time

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

- 1321-2009** FR To authorize the Director of Public Utilities to execute a contract with Miles-McClellan Construction Company, for the Southerly Wastewater Treatment Plant Support Facilities Project; to authorize the appropriation, transfer and expenditure of \$10,744,413.00 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund; for the Division of Sewerage and Drainage. (\$10,744,413.00)

Read for the First Time

- 1385-2009** FR To authorize the Director of Public Utilities to modify the contract for the purchase of wholesale electric power with American Municipal Power, Inc. for the Division of Power and Water and to authorize the expenditure of \$1,400,000.00.

Read for the First Time

- 1410-2009** FR To authorize and direct the Director of Public Utilities to modify and extend the contract for Refractory and Thermal Maintenance Services with Adrian L. Wallick Company for the Division of Sewerage and Drainage. (\$0)

Read for the First Time

- 1434-2009** FR To authorize the Finance and Management Director to enter into contracts with WESCO and ERMCO for the purchase of Transformers for the Division of Power and Water and to authorize the expenditure of \$334,244.00 from the Electricity Operating Fund. (\$334,244.00)

Read for the First Time

- 1447-2009 FR To authorize and direct the Finance and Management Director to enter into a contract for the purchase of Luminaires with General Supply and Services, Inc. dba Gexpro, on behalf of the Division of Power and Water; and to authorize the expenditure of \$92,518.65 from the Electricity Operating Fund. (\$92,518.65)

Read for the First Time**RULES & REFERENCE: MENTEL, CHR. GINTHER CRAIG PALEY**

- 1443-2009 FR To amend various code sections in Title 41, Building Code, Title 45, Housing Code, and Title 47, Nuisance Abatement Code, to correct incorrect references and typographical errors and to repeal Chapters 4119 and 4121, in Title 41, dealing with antiquated regulations for fire zones that are no longer used and have been superseded by the Ohio Fire Code and Ohio Building Code requirements.

Sponsors: Andrew Ginther

Read for the First Time**ZONING: TYSON, CHR. CRAIG GINTHER MILLER PALEY TAVARES MENTEL**

- 1401-2009 FR To rezone 1284 GEMINI PLACE (43240), being 5.99± acres located on the north side of Gemini Place, 1750± feet west of Lyra Drive, From: R, Rural District, To: L-C-4, Limited Commercial District (Rezoning # Z09-020).

Read for the First Time**CONSENT ACTIONS****RESOLUTIONS OF EXPRESSION****TAVARES**

- 0173X-2009 CA To honor Mr. Clarence Lumpkin for his dedicated service to the Linden Community and celebrate his accomplishments as he receives the Greater Linden Development Corporation "Lifetime Achievement Award"
- Sponsors: Charleta B. Tavares, Hearcel Craig, Andrew Ginther, Michael C. Mentel, A. Troy Miller, Eileen Y. Paley and Priscilla Tyson

This Matter was Adopted on the Consent Agenda.

FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY

- 1453-2009 CA To authorize and direct the Finance and Management Director to enter into four (4) contracts for the option to purchase Smith & Kennedy Hydrant Parts with Trumbull Industries, Inc., Hydraflo, Inc., Ferguson Waterworks and Site Supply, Inc., to authorize the expenditure of \$4.00 to establish the contracts from the Mail, Print Services and UTC Fund Account; and to declare an emergency. (\$4.00)

This Matter was Approved on the Consent Agenda.

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

- 1357-2009 CA To accept the plat titled "Towne Park Section 3" from M/I Homes of Central Ohio, LLC, an Ohio limited liability company, by Lloyd T. Simpson, Senior Vice President Land-Midwest Region; and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- 1358-2009 CA To accept the plat titled "The Lakes at Taylor Station Section 4" from M/I Homes of Central Ohio, LLC, an Ohio limited liability company, by Lloyd T. Simpson, Senior Vice President Land-Midwest Region; and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- 1466-2009 CA To authorize and direct the Finance and Management Director to enter into one contract for the option to purchase Winter Asphalt for the Department of Public Service with Apple Smith Corporation; to authorize the expenditure of one dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.**SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL**

- 1395-2009 CA To authorize and direct the Public Safety Director to enter into contract with CareWorks USA Ltd. for prisoner medical claim services and access to Preferred Provider Networks for the Division of Police; to authorize the expenditure of \$73,000.00 from the General Fund; and to declare an emergency. (\$73,000.00)

This Matter was Approved on the Consent Agenda.

- 1396-2009 CA To authorize and direct the Director of Public Safety, on behalf of the Division of Support Services, to enter into a contract with Motorola for backup maintenance services required for continued operation of the Police and Fire 800 MHz Radio System Infrastructure in accordance with the sole source provisions of the Columbus City Codes; to authorize the expenditure of \$52,026.72 from the General Fund; and to declare an emergency. (\$52,026.72)

This Matter was Approved on the Consent Agenda.

- 1470-2009 CA To authorize and direct the Finance and Management Director to modify and extend the contract for the Fire Division for the option to rent Linens with Buckeye Linen Service; and to declare an emergency.

This Matter was Approved on the Consent Agenda.**DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL**

- 1419-2009 CA To accept the application (AN09-003) of Garry L. and Pamela S. Rowe for the annexation of certain territory containing 4.8± acres in Plain Township.

This Matter was Approved on the Consent Agenda.**ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL**

- 1445-2009 CA To authorize and direct the Executive Director of the Civil Service Commission to modify and increase the contract with The Ohio State University for the administration of pre-employment physicals and cardiovascular stress testing of public safety applicants, to authorize the expenditure of \$41,400.00 from the General Fund; and to declare an emergency (\$41,400.00).

This Matter was Approved on the Consent Agenda.

- 1449-2009 CA To authorize the City Clerk to enter into a contract with Daystar Computer Systems, Inc., for the support and maintenance of Legistar, the City's electronic system for creating and submitting legislation in accordance with the sole source provisions of Section 329.07 of the Columbus City Codes, 1959; to authorize the expenditure of \$24,141.00 from the General Fund and to declare an emergency. (\$24,141.00)
- This Matter was Approved on the Consent Agenda.**

JUDICIARY & COURT ADMINISTRATION: PALEY, CHR. CRAIG TYSON MENTEL

- 1363-2009 CA To authorize the City Attorney to accept the 09-10 SVAA Domestic Violence Advocates grant award from the State of Ohio, Office of the Attorney General, in the amount of \$9,743.00 for the funding of the SVAA Domestic Violence Advocates program; to authorize the appropriation and expenditure of said funds; and to declare an emergency. (\$9,743.00)
- This Matter was Approved on the Consent Agenda.**

- 1365-2009 CA To authorize the City Attorney to accept the 09-10 VOCA Domestic Violence grant award from the State of Ohio, Office of the Attorney General, in the amount of \$97,422.00 for the continued funding of the VOCA Domestic Violence Advocates program; to authorize the appropriation and expenditure of said funds; to authorize the transfer and appropriation of matching funds required by the acceptance of this grant award in the amount of \$32,474.00 from the General Fund; and to declare an emergency. (\$129,896.00)
- This Matter was Approved on the Consent Agenda.**

- 1504-2009 CA To authorize the Director of the Department of Finance and Management to execute those documents necessary to purchase fee simple title to two lots owned by Lorenzo P. Baker IV located at the northwest corner of Cherry and Wall Streets, to expend \$52,000.00, from the Parking Garages Fund and to declare an emergency. (\$52,000.00).
- This Matter was Approved on the Consent Agenda.**

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

- 1338-2009 CA To authorize the Director of Public Utilities to enter into an agreement with the Ohio Wetlands Foundation for a deposit against the purchase of wetland mitigation credits for the Division of Power and Water's Upground Reservoir project site; to authorize the transfer and expenditure of \$60,000.00 within the Water Works Enlargement Voted Bonds Fund; and to amend the 2009 Capital Improvements Budget. (\$60,000.00)

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

Absent: 1 - Tyson

Abstained: 1 - President Mentel

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

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

- 1382-2009 CA To authorize the Director of Finance and Management to establish a purchase order with Trinity Biotech for the purchase of Uni-Gold HIV test kits for the Columbus Health Department in accordance with sole source provisions; to authorize the expenditure of \$28,500 from the Health Department Grants Fund; and to declare an emergency. (\$28,500)

This Matter was Approved on the Consent Agenda.

- 1413-2009 CA To authorize and direct the Board of Health to enter into a contract with Key Cleaning Connection, LLC for janitorial services at five WIC offices; to authorize the expenditure of \$28,680 from the Health Department Grants Fund; and to declare an emergency. (\$28,680)

This Matter was Approved on the Consent Agenda.

- 1414-2009 CA To authorize and direct the Board of Health to enter into a contract with Access 2 Interpreters, LLC for live interpretation and translation services at WIC offices; to authorize the expenditure of \$35,000 from the Health Department Grants Fund; and to declare an emergency. (\$35,000)

This Matter was Approved on the Consent Agenda.

- 1416-2009 CA To authorize and direct the Board of Health to accept this grant from the Columbus State Community College in the amount of \$99,719; to authorize the appropriation of \$99,719 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$99,719)

This Matter was Approved on the Consent Agenda.

- 1424-2009 CA To authorize and direct the Board of Health to enter into a contract with Community For New Direction for drug, alcohol, and violence prevention and wellness education services; to authorize the expenditure of \$46,864 from the Health Department Grants Fund; and to declare an emergency. (\$46,864)

This Matter was Approved on the Consent Agenda.

- 1425-2009 CA To authorize the Columbus Health Department to accept a grant from the Franklin County Board of Health in the amount of \$60,000 for the Project Love County Project; to authorize the appropriation of \$60,000 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$60,000)

This Matter was Approved on the Consent Agenda.

- 1432-2009 CA To authorize and direct the City Auditor to transfer \$126,718 within the Health Department Grants Fund, to properly align appropriation with projected expenses for the continued operation of the Public Health Emergency Preparedness program; and to declare an emergency. (\$126,718)

This Matter was Approved on the Consent Agenda.

- 1433-2009 CA To authorize and direct the Board of Health to accept a grant from the Homeland Security Department in the amount of \$321,421.00; to authorize the appropriation of \$321,421.00 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$321,421.00)

This Matter was Approved on the Consent Agenda.

- 1459-2009 CA To authorize the Finance and Management Director to establish a purchase order with Halifax Security, Inc., for the purchase of security cameras at the Health Department; to authorize the expenditure of \$12,000.00 from the Health G.O. Bonds Fund; and to declare an emergency. (\$12,000.00)

This Matter was Approved on the Consent Agenda.

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

- 1367-2009 CA To authorize the appropriation of \$22,000.00 from the unappropriated balance of the Recreation and Parks Private Leisure Assistance for Youth (P.L.A.Y.) Fund to the Recreation and Parks Department for scholarships for economically disadvantaged youth; and to declare an emergency. (\$22,000.00)

This Matter was Approved on the Consent Agenda.

- 1369-2009 CA To authorize and direct the Director of Recreation and Parks to submit a grant application to the Clean Ohio Conservation Fund for a grant administered by the Ohio Public Works; and to declare an emergency. (\$0.00)

This Matter was Approved on the Consent Agenda.

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:

Absent: 1 - Tyson

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

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

FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY

- 1506-2009 Authorizing the issuance of limited tax notes in the amount of not to exceed \$29,500,000 for transportation projects (\$29,500,000). Section 55(b) of the City Charter.

A motion was made by President Mentel, seconded by Ms. Tavares, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Absent: 1 - Tyson

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

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

Absent: 1 - Tyson

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

- 1507-2009 Authorizing the issuance of limited tax notes in an amount not to exceed \$8,150,000 for the purpose of providing funds to refund certain outstanding special obligation bonds of the City (\$8,150,000). Section 55(B) of the City Charter.

A motion was made by President Mentel, seconded by Ms. Tavares, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Absent: 1 - Tyson
Affirmative: 6 - Ginther, Ms. Tavares, Craig, President Mentel, Miller and Paley

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

Absent: 1 - Tyson
Affirmative: 6 - Ginther, Ms. Tavares, Craig, President Mentel, Miller and Paley

1545-2009

To decrease appropriations in the general operating fund of the City of Columbus for fiscal year 2009 by \$8,364,380, to transfer of \$2,430,409 between various objects and divisions within the general fund; to authorize the subsequent transfer from the general fund of \$368,050 to the Recreation & Parks Operating Fund, to reduce existing encumbrances for fleet maintenance, postage, unemployment and other expenses, all to allow divisions to continue to operate through the end of 2009 without interruption, and to declare an emergency (\$10,794,789)

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

Absent: 1 - Tyson
Affirmative: 6 - Ginther, Ms. Tavares, Craig, President Mentel, Miller and Paley

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

1366-2009

To authorize the Director of Public Service to enter into a reimbursement agreement with the City of Dublin up to \$650,000.00 for design and costs incurred in the acquisition of Right of Way; and to authorize the expenditure of up to \$650,000.00 to reimburse the City of Dublin from the Northland and Other Acquisitions Fund for the Emerald Parkway Improvement project for the Division of Design and Construction; and to declare an emergency. (\$650,000.00)

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

Absent: 1 - Tyson
Affirmative: 6 - Ginther, Ms. Tavares, Craig, President Mentel, Miller and Paley

1477-2009

To vacate those public rights-of-way located on the Whittier Peninsula that are no longer necessary for public ingress and egress to this site; to retain a general utility easement in, over, across, on and through said public rights-of-way; to the extent they may apply to waive the competitive bidding provisions and the Land Review Commission requirements of Columbus City Codes; and to declare an emergency.

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

Absent: 1 - Tyson
Affirmative: 6 - Ginther, Ms. Tavares, Craig, President Mentel, Miller and Paley

SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL**1454-2009**

To authorize and direct the Mayor of the City of Columbus to accept a FY2009 Forensic DNA Backlog Reduction Program award from the National Institute of Justice; to authorize the Crime Lab Manager as the official city representative to act in connection with this grant; to authorize an appropriation of \$215,461.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the cost of the FY2009 Forensic DNA Backlog Reduction Grant Program activities and expenditures; and to declare an emergency. (\$215,461.00)

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

Absent: 1 - Tyson

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

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL**0162X-2009**

A Resolution of support for MORPC's application for funding to facilitate the development of a balanced growth plan for the Olentangy River Watershed; and further to express the City's intention to participate actively in the Watershed Planning Partnership.

Sponsors: Andrew Ginther, Eileen Y. Paley and Priscilla Tyson

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

Absent: 1 - Tyson

Abstained: 1 - Ms. Tavares

Affirmative: 5 - Ginther, Craig, President Mentel, Miller and Paley

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL**1259-2009**

To authorize the Director of Finance and Management, on behalf of the Department of Technology, to establish a purchase order with IBM Corporation for the acquisition of software licenses, support and maintenance, training, and other associated services from a State Contract; to waive the provisions of competitive bidding of the Columbus City Codes; to authorize the expenditure of \$181,834.56 from the Information Services Fund; and to declare an emergency. (\$181,834.56)

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

Absent: 1 - Tyson

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

1305-2009

To authorize the Finance and Management Director to extend the existing service agreement with Lease Harbor LLC, under the same terms and conditions for the first of two (2) additional one (1) year renewal terms, for the provision of web-based database management software, support, and related services for the administration of the City's real property and lease portfolio; and to authorize the expenditure of \$23,000.00 from the General Fund. (\$23,000)

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

Absent: 1 - Tyson
Affirmative: 6 - Ginther, Ms. Tavares, Craig, President Mentel, Miller and Paley

1444-2009

To authorize and direct the Executive Director of the Civil Service Commission to modify and increase the contract with the Association for Psychotherapy, Inc. for the psychological screening of Department of Public Safety applicants, to authorize the expenditure of \$31,800.00 from the General Fund; and to declare an emergency (\$31,800.00).

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

Absent: 1 - Tyson
Affirmative: 6 - Ginther, Ms. Tavares, Craig, President Mentel, Miller and Paley

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

1335-2009

To authorize the City Auditor to transfer \$3,257,113.00 between Object Levels within the Water System Operating fund; to authorize the Director of Finance and Management to establish Blanket Purchase Orders for water treatment chemicals from established Universal Term Contracts with Shannon Chemical, Bonded Chemical, US Aluminate, Pain Enterprises, Lucier Chemical, Univar USA, and Carmeuse Lime & Stone for the Division of Power and Water; to authorize the expenditure of \$3,410,237.19 from Water Systems Operating Fund; and to declare an emergency. (\$3,410,237.19)

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

Absent: 1 - Tyson
Affirmative: 6 - Ginther, Ms. Tavares, Craig, President Mentel, Miller and Paley

HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. TYSON MILLER MENTEL

1330-2009

To adopt the Consolidated Submission for Community Planning and Development Programs including the Consolidated Plan, the related Citizen Participation Plan, and the Action Plan; to authorize the filing of the Consolidated Submission with the U.S. Department of Housing and Urban Development; and to declare an emergency.

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

Absent: 1 - Tyson
Affirmative: 6 - Ginther, Ms. Tavares, Craig, President Mentel, Miller and Paley

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

Absent: 1 - Tyson
Affirmative: 6 - Ginther, Ms. Tavares, Craig, President Mentel, Miller and Paley

1429-2009

To authorize and direct the Board of Health to accept grant funds from the

Ohio Department of Health in the amount of \$1,941,141; to authorize the appropriation of \$1,941,141 from the Health Department Grants Fund; and to declare an emergency. (\$1,941,141)

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

Absent: 1 - Tyson

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

1461-2009

To authorize and direct the Board of Health to enter into contract with the Franklin County Board of Health, to authorize the expenditure of \$1,277,514 from the Health Department Grants Fund; and to declare an emergency. (\$1,277,514)

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

Absent: 1 - Tyson

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

ADJOURNMENT

ADJOURNED: 6:17 P.M.

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

Absent: 1 - Tyson

Affirmative: 6 - Ginther, Ms. Tavares, Craig, 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, November 9, 2009

6:30 PM

Zoning Committee

Zoning Committee

Journal

November 09, 2009

**REGULAR MEETING NO. 51 OF CITY COUNCIL (ZONING), NOVEMBER 9, 2009
AT 6:30 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

Absent: Tyson

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

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:

Absent: Tyson

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

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).

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

Absent: Tyson

Abstained: Mentel

Affirmative: Miller, Paley, Ginther, Tavares and Craig

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

Absent: Tyson

Abstained: Mentel

Affirmative: Miller, Paley, Ginther, Tavares and Craig

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).

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

Absent: Tyson

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

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

Absent: Tyson

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

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

Absent: Tyson

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

ADJOURNED: 6:39 P.M.

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

Absent: Tyson

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

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: 0162X-2009

Drafting Date: 10/20/2009

Version: 1

Current Status: Passed

Matter Type: Resolution

Explanation

Background: The Mid-Ohio Regional Planning Commission (MORPC) is applying for a grant from the Ohio Lake Erie Commission to develop a balanced growth plan for the Olentangy River Watershed, a portion of which lies within Columbus. If MORPC receives the grant, it will form a Watershed Planning Partnership (WPP) of jurisdictions with planning authority within the Olentangy River Watershed. The WPP will then work collaboratively to develop a plan for the Olentangy River Watershed. The balanced growth plan would identify Priority Conservation Areas and Priority Development Areas within the watershed. The plan would also identify a tools and programs through which Priority Conservation Areas can be protected and enhanced while sustainable development can be driven to Priority Development Areas. The balanced growth plan would contain recommendations rather than mandated requirements however its success will depend on the active participation of the jurisdictions within the watershed. This resolution is intended to confirm that should MORPC be awarded a grant to facilitate the process, Columbus will participate in the balanced growth plan. Resolutions of support from participating communities are due by November 30, 2009 and grant awards are scheduled to be announced in mid December. No City funds are obligated by this resolution and the project budget does not contemplate contributions from Columbus or other partner jurisdictions.

Fiscal Impact: No funds are obligated or implied by this resolution.

Title

A Resolution of support for MORPC's application for funding to facilitate the development of a balanced growth plan for the Olentangy River Watershed; and further to express the City's intention to participate actively in the Watershed Planning Partnership.

Body

WHEREAS, the Mid-Ohio Regional Planning Commission (MORPC) is applying for a grant from the Ohio Lake Erie Commission to develop a balanced growth plan for the Olentangy River Watershed, a portion of which lies within Columbus; and

WHEREAS, should MORPC receive said grant, it will form a Watershed Planning Partnership (WPP) of jurisdictions with planning authority within the watershed to work collaboratively to seek broad public input and develop a balanced growth plan for the Olentangy River Watershed based on that input; and

WHEREAS, the balanced growth plan would identify Priority Conservation Areas within the watershed to protect important ecological, recreational, agricultural, heritage, public access, and other areas, the preservation of which would enhance the quality of life of the citizens of Columbus; and

WHEREAS, the balanced growth plan would also identify Priority Development Areas within the watershed, which will be areas in which growth or redevelopment should especially be promoted and through which the economy of the region encompassed by the watershed will be enhanced; and

WHEREAS, the balanced growth plan would also identify a variety of recommended tools and programs through which Priority Conservation Areas can be protected and enhanced while sustainable development can be driven to Priority Development Areas; and

WHEREAS, while the final balanced growth plan would contain recommendations only, and would not impose any mandatory requirements or limitations on Columbus, its effectiveness in influencing future growth and development in the Olentangy River Watershed will depend on the active participation of the jurisdictions within the watershed in the process of developing the balanced growth plan, and in attempting to implement those recommendations; and

WHEREAS, no City funds are obligated or implied by this resolution and the project budget does not contemplate contributions from Columbus or other partner jurisdictions; and

WHEREAS, should MORPC be awarded a grant to facilitate a balanced growth plan for the Olentangy River Watershed, Columbus desires to participate in the process; **Now Therefore**,

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

Section 1. That this Council, with the full support of the Mayor of the City of Columbus, does hereby support MORPC's application for funding to facilitate the development of a balanced growth plan for the Olentangy River Watershed.

Section 2. That if MORPC receives the requested grant, Columbus will participate actively in the Watershed Planning Partnership that will develop a balanced growth plan for the Olentangy River Watershed, and will make best faith efforts to implement applicable recommendations of the balanced growth plan in accordance with the laws of the State of Ohio and the wishes of its own citizens.

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

Legislation Number: 0171X-2009

Drafting Date: 10/28/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To Celebrate The 30th Anniversary Season of Early Music in Columbus.

Body

WHEREAS, Early Music in Columbus is a concert series dedicated to the music of the Medieval, Renaissance, and Baroque periods; and

WHEREAS, since 1980, Early Music in Columbus has featured some of the finest national and international artists who specialize in the music of these periods; and

WHEREAS, the concert series has made a significant contribution to the cultural life of Columbus, bringing to the city music that many people would never otherwise hear; and

WHEREAS, the 2009-2010 season marks the thirtieth anniversary of Early Music in Columbus; and

WHEREAS, Early Music in Columbus plans a successful thirtieth season with a strong slate of performers, including Anonymous 4, Apollo's Fire, and The Early Interval; and

WHEREAS, the series is supported by a dedicated nonprofit organization - Friends of Early Music, Inc. - that takes very seriously its charge to bring unique cultural experiences to the residents of Columbus; now, therefore

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

That this Council recognizes Early Music in Columbus and the Friends of Early Music, Inc. for their cultural contribution to the city, and celebrates the thirtieth anniversary season of Early Music in Columbus.

Legislation Number: 0172X-2009

Drafting Date: 11/02/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To honor and recognize Barbara Poppe for her dedicated service to the citizens of Columbus and congratulate her on her appointment as Executive Director of the United States Interagency Council on Homelessness.

Body

WHEREAS, Barbara Poppe began her mission to end homelessness in Columbus and Franklin County more than 20 years ago; and

WHEREAS, From 1990 to 1995, Barbara Poppe served as the Executive Director of Friends of the Homeless, Inc.; and

WHEREAS, In October 1995, Barbara Poppe was named the Executive Director of the Community Shelter Board, a nationally recognized non-profit organization that creates collaborations, innovates solutions and invests in quality programs to end homelessness in our community; and

WHEREAS, Each year, the Community Shelter Board allocates over \$12 million in funding for homelessness prevention initiatives, emergency shelters, housing services, and supportive housing helping over 7,500 people each year; and

WHEREAS, Barbara Poppe was instrumental in securing a \$3.3 million federal grant to fund the Rebuilding Lives PACT Team Initiative (RLPTI), a nationally recognized program to combat homelessness; and

WHEREAS, Barbara Poppe has been honored and recognized by many organizations including the National Coalition for the Homeless and the National Alliance to End Homelessness for her outstanding efforts in Columbus and Franklin County; and

WHEREAS, Barbara Poppe is active in the Columbus community and continues to serve as a board member and advisory group member of many organizations including the National Alliance to End Homelessness, the Independent Housing Committee of the Ohio Department of Rehabilitation and Correction, and the national organizing committee of the Corporation for Supportive Housing; and

WHEREAS, In 2007, Governor Strickland appointed Barbara Poppe to the Ohio Interagency Council on Homelessness and Affordable Housing; and

WHEREAS, Barbara Poppe has recently been appointed as the Executive Director of the United States Interagency Council on Homelessness; now, therefore

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

That we do hereby honor and recognize Barbara Poppe for her dedicated service to the citizens of Columbus and Franklin County and congratulate her on her appointment as Executive Director of the United States Interagency Council on Homelessness

Legislation Number: 0173X-2009

Drafting Date: 11/06/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Explanation

TitleTo honor Mr. Clarence Lumpkin for his dedicated service to the Linden Community and celebrate his accomplishments as he receives the Greater Linden Development Corporation "Lifetime Achievement Award"

Body

WHEREAS, Clarence D. Lumpkin was born in 1925 to a family of sharecroppers, forsaking a formal education until the age of twelve to care for his dying mother; and

WHEREAS, Mr. Lumpkin served his country admirably in World War II, being discharged in 1945 after serving in New Guinea; and

WHEREAS, upon his arrival in Columbus, Mr. Lumpkin entered the local workforce as a head spotter and cleaner for Swan Cleaners, leaving in 1969 to become a Columbus Contract Compliance Officer for the federal Model Cities program; and

WHEREAS, two years later, he took a job with the State of Ohio and in December 1992, he retired as Chief of the Enforcement Division in the Department of Highway Safety's Bureau of Motor Vehicles; and

WHEREAS, The mission of Greater Linden Development Corporation is to improve the quality of life in the Greater Linden community through housing and economic development, planning, coordinating of services, and other community-building activities; and

WHEREAS, from its creation, the GLDC has continuously worked to revitalize the Linden community and improve the quality of life for area residents and businesses; and

WHEREAS, for over 40 years, Clarence Lumpkin has exemplified the high ideals of service to the Linden Community by helping form the Community Development Block Grant Task Force (CDBG), working with the City to separate storm and sanitation sewers to stop basement flooding, leading anti-drug marches throughout Columbus; and

WHEREAS, Mr. Lumpkin has been instrumental in making Linden the first inner-city community with lights on every residential street, guiding the South Linden Area Commission, the South Linden Leadership Group and the Greater Linden Development Corporation as well as sharing a vision to improve the Linden area - including the Point of Pride concept that was first shared with City leaders in a speech given in 1974; now, therefore

BE IT RESOLVED BY THE COLUMBUS CITY COUNCIL:

That we honor Clarence Lumpkin for his dedicated service to the Linden Community and celebrate his accomplishments as he receives the Greater Linden Development Corporation "Lifetime Achievement Award".

Legislation Number: 1259-2009

Drafting Date: 09/18/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation**Background:** This legislation authorizes the Director of Finance and Management, on behalf of the Department of Technology, to create a purchase order with IBM Corporation, a vendor selected from a State of Ohio - State Contracts (STS-033, #533276-2 expiration 9/30/2012), for licenses, software, maintenance, support and other associated services, per the terms and conditions of the State Term Contract. Also, this ordinance will allow the

Department of Technology to continue with annual future maintenance and support (associated with the license purchase) contingent upon approval of both parties, funding, and a certified purchase order.

This acquisition will allow the Department of Technology the ability to link business process and IT activity to capture, prioritize, monitor and track projects and related activities; link project activities with related assets for project team update; simplify and automate changes and updates related to business process and or projects; increase productivity; allow for the use of web-based tools; track and report impact of any changes to documented projects; provide project documentation, activity measurement and dashboard indicators and gauges that will point out potential bottlenecks and align resources; offers web-based training; automates and simplifies change management; combine data and information; identify risks; will flag the project manager when change has occurred to a high priority project; along with many other features and communication components.

There is a need to have the licenses installed in November 2009, as they are needed to help track, monitor and produce reports related to time lines and milestones directly related to technology projects. The installation process will begin upon approval and passage of this ordinance and associated certified purchase order; and the support and first year license usage will continue for twelve months after the approval of the associated purchase order.

In 2008, ordinance #0746-2008, in the amount of \$44,746.00 approved the purchase of a software bundle that consisted of software license, maintenance, support and other associated services, from IBM Corporation. Since this acquisition, there was a re-assessment of the technology needs and requirements in addition to IBM changes to the IBM solution bundling that affected the purchased software bundle. In order to synchronize the current needs of the City and maximize the value of the IBM bundle, along with allowing for an expansion of functionality and user base within the bundled software, both IBM and the City reviewed the situation. Both parties developed a road map for achieving better quality and efficiency to meet the needs and requirements of the City, by upgrading the original purchase. To facilitate the current upgrade, a credit on the original purchase will be applied to the purchase of the upgrade solution. This purchase allows the Department of Technology in the best interest of the city to leverage the previous purchase and meet current needs and requirements. The current software bundle cost is \$226,580.56 less the original purchase credit of \$44,746.00 brings the associated upgrade cost to \$181,834.56.

Due to the immediate need to install software and to allow for the associated training, maintenance/support, and to facilitate meeting deadlines and timelines, this legislation request approval to waive the competitive bid process, waiver of Columbus City Code Section 329. Waiving the bid process will allow the Department of Technology to make the necessary purchase from a State Term Contract, for City use, and purchase two software licenses (IBM Rational SoDA Floating License and IBM Rational Quality Manager Express Edition 3) from IBM Corporation, which are currently in process of being added to the State Term Schedule. These two software licenses are necessary components that will work in conjunction with other licenses that are listed within the State Term Schedule (STS-033 #533276-2 expiration date 9/30/2012) and will be acquired upon approval of this ordinance. IBM Corporation is extending the government pricing that will be listed within the State Term schedule for the two software licenses (IBM Rational SoDA Floating License and IBM Rational Quality Manager Express Edition 3).

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

Fiscal Impact: In 2008, the Department of Technology expended through the passage of ordinance #0746-2008 the amount of \$44,746.00 for software license, maintenance, support and other associated services with IBM Corporation. This purchase cost of \$226,580.56 will be reduced by a \$44,746.00 credit bringing the total acquisition cost to be \$181,834.56. This amount of \$181,834.56, is for an upgrade consisting of software licenses, training, maintenance and support, and other related services with IBM Corporation. Funding was identified with the within the 2009 budget for the Department of Technology's Information Services Fund.

Emergency: Emergency legislation is required to meet time lines and milestones associated with installation and utilization of this acquisition with projects already in progress.

Contract Compliance: 130871985 Expiration Date: 04/30/2010 - PHC

TitleTo authorize the Director of Finance and Management, on behalf of the Department of Technology, to establish a purchase order with IBM Corporation for the acquisition of software licenses, support and maintenance, training, and other associated services from a State Contract; to waive the provisions of competitive bidding of the Columbus City Codes; to authorize the expenditure of \$181,834.56 from the Information Services Fund; and to declare an emergency. (\$181,834.56)

Body

WHEREAS, this legislation authorizes the Director of Finance and Management, on behalf of the Department of Technology, to create a purchase order with IBM Corporation, a vendor selected from a State of Ohio - State Contracts (STS-033, #533276-2 expiration 9/30/2010), for user software licenses, maintenance and support, and training per the terms and conditions of the State Term Contract and will allow the Department of Technology to continue with annual future maintenance and support (associated with the licenses), contingent upon approval of both parties, funding and a certified purchase order; and

WHEREAS, the user licenses will provide the Department of Technology the ability to link business process and IT activity by allowing the Department to capture, prioritize, monitor and track projects and related activities; link project activities with related assets for project team update; simplify and automate changes and updates related to business process and or projects; and

WHEREAS, allow for the use of web-based tools; track and report impact of any changes to documented projects; provide project documentation, activity measurement and dashboard indicators and gauges; offers web-based training; combine data and information; identify risks; will flag the project manager when change has occurred to a high priority project; along with many other features and communication components; and

WHEREAS, also, these licenses need installed by November 2009, as they are needed to help track, monitor and produce reports related to various technology projects already in progress; and

WHEREAS, this legislation request approval to waive the competitive bid process, waiver of Columbus City Code Section 329, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology in that it is necessary for the Finance and Management Director on behalf of the Department of Technology to establish a purchase order with IBM Corporation, for software licenses, training, maintenance and support, and other related services to meet time lines and milestones associated with installation and utilization of this acquisition with projects already in progress; thereby preserving the public health, peace, property, safety, and welfare; now, therefore

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

SECTION 1: That the Director of Finance and Management, on behalf of the Department of Technology, is authorized to create a purchase order with IBM Corporation for software licenses, training, maintenance and support (for twelve months commencing upon approval of a certified purchase order) , and other related services per the terms of conditions established within the State of Ohio - State Contract (STS-033, #533276-2 expiration 9/30/2010); in the amount of \$181,834.56 which is the net of a total purchase cost of \$226,580.56 less a \$44,746.00 credit IBM will apply from the purchase approved by ordinance #0746-2008.

SECTION 2: That the expenditure of \$181,834.56 or so much thereof as may be necessary is hereby authorized to be expended from:

Div.: 47-02|**Fund:** 514|**SubFund:** 001|**OCA Code:** 280735|**Obj. Level 1:** 03|**Obj. Level 3:** 3331|**Amount:** \$21,980.00

Div.: 47-02|**Fund:** 514|**SubFund:** 001|**OCA Code:** 470202|**Obj. Level 1:** 03|**Obj. Level 3:** 3358|**Amount:** \$85,142.45

Div.: 47-02|Fund: 514|SubFund: 001|OCA Code: 470202|Obj. Level 1: 03|Obj. Level 3: 3369|Amount: \$32,472.11

Div.: 47-02|Fund: 514|SubFund: 001|OCA Code: 470202|Obj. Level 1: 03|Obj. Level 3: 3336|Amount: \$42,240.00

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 this ordinance request to waive the competitive bidding provisions of the Columbus City Codes (Section 329).

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 passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1305-2009

Drafting Date: 09/30/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This legislation authorizes the Finance and Management Director to extend the existing service agreement for the Real Estate Management Office with Lease Harbor LLC, under the same terms and conditions, for the first of two (2) additional one (1) year renewal terms for the provision of web-based database management software, support, and related services for the administration of the City's real property and lease portfolio. The Lease Harbor software continues to be the best and most cost effective system to meet the City's requirements for inventory management, lease tracking, report generation, and security, at a set price schedule, to efficiently and accurately manage the City's Real Estate assets.

Ordinance No. 1756-2008, passed by City Council on November 25, 2008 authorized the Director of Finance and Management to enter into Amendment #1 of a Service Agreement dated December 15, 2006 to extend the agreement for an additional term (Amendment Term) and provided for two (2) additional one (1) year terms, under the same rates, terms, and conditions as the Amendment Term. The current contract term is December 15, 2008 through December 14, 2009. The amount of this first of two (2) additional one (1) year renewals of the service agreement is \$23,000.00 and will extend the contract through December 14, 2010. The total amount for this Amendment #1 of the contract including this renewal is \$46,000.00.

Lease Harbor LLC has Contract Compliance #36-4352999 with an expiration date of 10/16/2011.

Fiscal Impact: Funds were budgeted and are available within the Finance and Management 2009 General Fund Budget.

Title

To authorize the Finance and Management Director to extend the existing service agreement with Lease Harbor LLC, under the same terms and conditions for the first of two (2) additional one (1) year renewal terms, for the provision of web-based database management software, support, and related services for the administration of the City's real property and lease portfolio; and to authorize the expenditure of \$23,000.00 from the General Fund. (\$23,000)

Body

WHEREAS, the Finance and Management Director wishes to renew the existing service agreement with Lease Harbor

LLC, authorized by Columbus City Council on November 11, 2008 by Ordinance No. 1756-2008; and

WHEREAS, the Finance and Management Director wishes to extend the existing service agreement with Lease Harbor LLC, under the same terms and conditions, for the provision of web-based database management software, support, and related services for the administration of the City's real property and lease portfolio for the first of two (2) additional one (1) year renewal terms beginning December 15, 2009; and

WHEREAS, it is necessary to authorize the expenditure of \$23,000.00; now therefore:

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

SECTION 1. That Finance and Management Director be and is hereby authorized to extend the existing service agreement with Lease Harbor LLC for the first of two (2) additional one (1) year renewal terms commencing December 15, 2009 and ending December 14, 2010 for the provision of web-based database management software, support, and related services for the administration of the City's real property and lease portfolio.

SECTION 2. That the expenditure of \$23,000.00 or so much thereof as may be necessary is hereby authorized to be expended from the Department of Finance and Management, Administrative Division, Division No. 45-51, Fund 010, OCA 450037, Object Level One 03, Object Level Three 3367.

SECTION 3. That the City Auditor is authorized to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial record. The City Auditor is authorized to make any changes to revise the funding source for any contract or contract modification associated with this ordinance.

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

Legislation Number: 1330-2009

Drafting Date: 10/06/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This ordinance presents the five year Consolidated Submission for Community Planning and Development Programs. The Consolidated Submission consists of the Consolidated Plan, the Citizen Participation Plan, and the Action Plan.

The Consolidated Plan and related components consolidate into a single submission the planning and application aspects of the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), Emergency Shelter Grant (ESG) and Housing Opportunities for Persons with Aids (HOPWA) programs. This plan represents a continued commitment to providing decent housing and suitable living environments and expanding economic opportunities.

The plans and documents can be reviewed as follows:

2010-2014 Consolidated Plan - internet access @ <http://communityresearchpartners.org/14651.cfm?action=detail&id=139>

2010-2014 Citizen Participation Plan - attachment ORD1330-2009CITPART

2010 Action Plan Budget - attachment ORD1330-2009BUDGET

This ordinance is submitted as an emergency to ensure the timely submission of the application to HUD.

FISCAL IMPACT: Total revenues for the 2010 Action Plan budget are estimated to be \$15,239,351.

To adopt the Consolidated Submission for Community Planning and Development Programs including the Consolidated Plan, the related Citizen Participation Plan, and the Action Plan; to authorize the filing of the Consolidated Submission with the U.S. Department of Housing and Urban Development; and to declare an emergency.

Body

WHEREAS, under the provisions as set forth in the various federal statutes authorizing the above programs, the City of Columbus is required to file a five year Consolidated Plan application with the Department of Housing and Urban Development to be used for community development activities; and

WHEREAS, the City is also required to submit to the Department of Housing and Urban Development a Citizen Participation Plan which specifies the methods by which the public interacts in the Consolidated Plan and Action Plan processes; and

WHEREAS, in conjunction with the Consolidated Plan, the City is required to submit a one year Action Plan detailing the various programs to be funded under the plan; and

WHEREAS, an emergency exists in the usual daily operation of the city in that it is immediately necessary to authorize the filing of the aforesaid plan applications to the U.S. Department of Housing & Urban Development by the November 15, 2009 deadline, thereby preserving the public peace, health, safety, and welfare; Now, Therefore,

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

SECTION 1. That the City of Columbus hereby adopts the recommended 2010-2014 Consolidated Plan.

SECTION 2. That the City of Columbus hereby adopts the recommended 2010-2014 Citizen Participation Plan.

SECTION 3. That the City of Columbus hereby adopts the recommended 2010 Action Plan.

SECTION 4. That the application for said plans as provided for in the federal statutes authorizing the Consolidated Plan Programs is hereby adopted, and that the Mayor, acting on behalf of the City of Columbus, is hereby authorized and directed to file such applications with the U.S. Department of Housing and Urban Development.

SECTION 5. That for the 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: 1335-2009

Drafting Date: 10/07/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The Purchasing Office has established Universal Term Contracts for water treatment chemicals with the companies listed below. The Division of Power and Water needs to establish Blanket Purchase Orders, based on these current contracts, for the purchase of water treatment chemicals during 2009.

This legislation also transfers a total of \$3,257,113.00 from Object Level One 01 and 06 to Object Level One 02 and 03 within the Division of Power and Water (W). The need to transfer funding within the operating budget was identified in the third quarter budget review, and is necessary in order to align budget authority with projected expenditures. The following changes are requested within Water System Operation Fund 600.

See Attachment: DOWP(W) Transfer.xls

Vendor Contract # Contract Compliance #

Shannon Chemical (zinc orthophosphate)	FL003481	23-1856793
Bonded Chemical (liquid caustic soda)	FL003909	61-1162384
US Aluminate (aluminum sulfate)	FL004279	38-2359435
Pain Enterprises (carbon dioxide)	FL004280	35-1178215
Lucier Chemical (hydrofluosilicic acid)	FL004283	13-3158103
Univar USA (liquid chlorine)	FL004284	91-1347935
Carmeuse Lime & Stone (quicklime)	FL004282	25-1254420

Contract Compliance Exp. Date

Shannon Chemical	January 12, 2011
Bonded Chemical	August 18, 2010
US Aluminate	January 29, 2010
Pain Enterprises	June 3, 2011
Lucier Chemical	February 20, 2011
Univar USA	April 04, 2010
Carmeuse Lime & Stone	August 14, 2010

FISCAL IMPACT: There is sufficient budget authority available in the 2009 Water System Operating Fund's Budget to fund this purchase which totals \$3,410,237.19. It is also necessary to transfer funds between Object Levels, to accommodate expenditures identified in the third quarter budget review.

\$ 14,180,166.32 was expended for chemicals during 2008.

\$ 12,394,189.00 was expended for chemicals during 2007.

Title

To authorize the City Auditor to transfer \$3,257,113.00 between Object Levels within the Water System Operating fund; to authorize the Director of Finance and Management to establish Blanket Purchase Orders for water treatment chemicals from established Universal Term Contracts with Shannon Chemical, Bonded Chemical, US Aluminate, Pain Enterprises, Lucier Chemical, Univar USA, and Carmeuse Lime & Stone for the Division of Power and Water; to authorize the expenditure of \$3,410,237.19 from Water Systems Operating Fund; and to declare an emergency. (\$3,410,237.19)

Body

WHEREAS, the Purchasing Office has established Universal Term Contracts for water treatment chemicals, and

WHEREAS, the Division of Power and Water has a need to transfer \$3,257,113.00 between Object Levels in the 2009 Water System Operating Fund's Budget. Funds for this transfer have been identified in the third quarter review and are available in Object Level One: 01 and 06; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to authorize the Director of Finance and Management to establish Blanket Purchase Orders for water treatment chemicals, based on the above mentioned current Universal Term Contracts, now, therefore,

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

Section 1. That the City Auditor be and is hereby authorized and directed to transfer \$3,257,113.00 between object levels within the 2009 Water System Operating Fund's Budget as follows:

See Attachment: DOWP(W) Transfer.xls

Section 2. That the Director of Finance and Management be and is hereby authorized to establish Blanket Purchase

Orders, for water treatment chemicals, from current Universal Term Contracts, for the Division of Power and Water, Department of Public Utilities.

Section 3. That the expenditure of \$3,410,237.19 or as much thereof as may be needed, is hereby authorized from Water Works Fund 600, Department 60-09, Object Level One 02, Object Level Three numbers, vendors, contract numbers with expiration dates, OCA Codes, and amounts listed below, to pay the cost thereof.

<u>Vendor/</u> <u>Chemical</u>	<u>OCA</u>	<u>UTC #</u>	<u>Code</u>	<u>OBL 3</u>	<u>Amount</u>
Shannon Chemical	FL003481	602417	2204		\$213,642.66
Zinc Orthophosphate	602474	2204			<u>\$151,301.86</u>
Exp. March 31, 2010					\$364,944.52
Bonded Chemical	FL003909	602417	2189		\$115,683.98
Liquid Caustic Soda	602532	2189			<u>\$194,670.00</u>
Exp. March 31, 2011					\$310,353.98
US Aluminate	FL004279	602417	2204		\$800,690.57
Aluminum Sulfate	602474	2204			<u>\$549,067.70</u>
Exp. March 31, 2012					\$1,349,758.27
Pain Enterprises	FL004280	602417	2204		\$101,100.00
Carbon Dioxide	602474	2204			<u>\$16,800.00</u>
Exp. March 31, 2012					\$117,900.00
Lucier Chemical	FL004283	602417	2204		\$64,400.00
Hydrofluosilicic Acid	602474	2204			<u>\$119,700.00</u>
Exp. March 31, 2010					\$184,100.00
Univar USA	FL004284	602532	2190		\$4,505.22
Liquid Chlorine	602474	2190			<u>\$70,081.20</u>
Exp. March 31, 2012					\$74,586.42
Carmeuse Lime & Stone	FL004282	602417	2191		\$549,781.00
Quicklime	602532	2191			\$34,113.00
Exp. March 31, 2012	602474	2191			<u>\$424,700.00</u>
					\$1,008,594.00

Grand Total \$3,410,237.19

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: 1338-2009

Drafting Date: 10/07/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background: The discharge of dredged or fill material into waters of the State of Ohio, including wetlands and streams, is regulated pursuant to Section 404 of the Clean Water Act. Entities planning to place dredged or fill material into these waters must comply with standards and conditions imposed by the Army Corps of Engineers and/or the Ohio Environmental Protection Agency including, in many cases, the mitigation of impacts to wetlands and streams.

The City is obligated to mitigate for impacts to at least 7.433 acres of wetlands for the Division of Power and Water's Upground Reservoir project site. The City and the Ohio Wetlands Foundation agree that they will comply with guidelines and procedures by which the City will fund, through payment to Ohio Wetlands, the restoration of wetlands at the Kuhlwein Road Site (northeast corner of the intersection of Darby Creek Drive and Kuhlwein Road in Prairie Township, Franklin County, Ohio) which will be permanently maintained and will serve to mitigate wetland impacts permitted under Sections 404 and 401 of the Clean Water Act and in accordance with ORC Chapter 6111.

The Ohio Wetlands Foundation will provide 11.3 acres of wetlands mitigation credit at the Kuhlwein Road site for the City in the amount of \$460,000.00. The OEPA requires 11.3 acres of wetlands mitigation credits to offset the 7.433 acres of disturbed wetlands (150% of impacted acreage). Ohio Wetlands has indicated they will reserve the 11.3 acres of wetland mitigation credit upon receipt of a signed copy of an agreement and a deposit payment of \$60,000.00. The remaining balance of \$400,000.00 will be legislated once funds from the upcoming Bond Sale are made available. The balance of the payment will be due in full prior to June 30, 2010 or the commencement of construction, whichever event occurs first. In the event the City is unable to make the full payment by this schedule other partial payments and fees have been negotiated to continue reserving the mitigation credits thru June 30, 2011.

Contract Compliance Information: 31-1357624 (exp. 9/28/11, non-profit)

FISCAL IMPACT: This legislation includes a transfer of funds within the Water Works Enlargement Voted Bonds Fund and an amendment to the 2009 Capital Improvements Budget.

Title

To authorize the Director of Public Utilities to enter into an agreement with the Ohio Wetlands Foundation for a deposit against the purchase of wetland mitigation credits for the Division of Power and Water's Upground Reservoir project site; to authorize the transfer and expenditure of \$60,000.00 within the Water Works Enlargement Voted Bonds Fund; and to amend the 2009 Capital Improvements Budget. (\$60,000.00)

Body

WHEREAS, entities planning to place dredged or fill material into Ohio waters must comply with standards and conditions imposed by the Army Corps of Engineers and/or the Ohio Environmental Protection Agency including the mitigation of impacts to wetlands and streams; and

WHEREAS, the City is obligated to mitigate for impacts to at least 7.433 acres of wetlands for the Division of Power and Water's Upground Reservoir project site; and

WHEREAS, the City and the Ohio Wetlands Foundation (OWF) agree that they will comply with guidelines and procedures by which the City will fund, through payment to Ohio Wetlands, the restoration of wetlands at the Kuhlwein Road Site; and

WHEREAS, the Ohio Environmental Protection Agency, requires 11.3 acres of wetlands mitigation credits to offset the 7.433 acres of disturbed wetlands (150% of impacted acreage) as part of the 401 Water Quality Certification, and US Army Corps of Engineers Section 404 Permit; and

WHEREAS, the Ohio Wetlands Foundation (OWF) will provide 11.3 acres of wetlands mitigation credit at the Kuhlwein

Road site for the City in the amount of \$460,000.00 and will reserve them upon receipt of a signed copy of an agreement and a deposit payment of \$60,000.00; and

WHEREAS, once funds from the upcoming bond sale are available, legislation will be processed in order to pay the remaining balance of \$400,000.00; and

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

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

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Power and Water; to authorize the Director of Public Utilities to enter into an agreement with the Ohio Wetlands Foundation for a deposit against the purchase of wetland mitigation credits for the Division of Power and Water's Upground Reservoir project site; for the preservation of the public health, peace, property, and safety; now, therefore

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

SECTION 1. That the Director of Public Utilities be and hereby is authorized to enter into an agreement with the Ohio Wetlands Foundation for a deposit against the purchase of wetland mitigation credits for the Division of Power and Water's Upground Reservoir project site; in the amount of \$60,000.00; in accordance with the terms and conditions of the agreement on file in the Office of the Division of Power and Water.

SECTION 2. That the City Auditor is hereby authorized to transfer \$93,059.72 within the Division of Power and Water, Dept/Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Object Level One 06, Object Level Three 6621, as follows:

Project No. | Project Name | OCA Code | change

690443-100000 (carryover) | HCWP Basin Imp's | 606443 | -\$33,059.72 (to correct Reserve expenditure on 690236-100017)

690236-100017 (carryover) | Rosehill Rd. W.L. Imp's | 642900 | +\$33,059.72 (to correct Reserve expenditure)

690480-100000 (carryover) | Morse/Hamilton Booster Station | 606480 | -\$60,000

690370-100000 (carryover) | Upground Reservoir | 606370 | +\$60,000

SECTION 3. That the 2009 Capital Improvements Budget is hereby amended as follows:

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

690443-100000 (carryover) | HCWP Basin Imp's | \$0 | \$108,783 | +\$108,783 (for balance after transfer)

690236-100017 (carryover) | Rosehill Rd. W.L. Imp's | \$71,820 | \$104,879 | +\$33,059

690236-100017 (New) | Rosehill Rd. W.L. Imp's | \$104,879 | \$0 | \$104,879

690480-100000 (carryover) | Morse/Hamilton Booster Sta. | \$147,862 | \$87,862 | -\$60,000

690370-100000 (carryover) | Upground Reservoir | \$0 | \$60,000 | +\$60,000

SECTION 4. That the expenditure of \$60,000.00 is hereby authorized for the Upground Reservoir Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690370-100000 (carryover), Object Level Three 6621, OCA Code 606370.

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

Legislation Number: 1357-2009

Drafting Date: 10/08/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

M/I Homes of Central Ohio, LLC, an Ohio limited liability company, by Lloyd T. Simpson, Senior Vice President Land-Midwest Region, has submitted the plat titled "Towne Park Section 3" to the City Engineer's Office for review and approval. This plat has been reviewed and approved by the City Engineer. The following legislation allows the City to accept said plat for property located south of McCutcheon Road and east of Stelzer Road.

Emergency Justification: Emergency action is requested to allow development of this subdivision to proceed as currently scheduled.

Title

To accept the plat titled "Towne Park Section 3" from M/I Homes of Central Ohio, LLC, an Ohio limited liability company, by Lloyd T. Simpson, Senior Vice President Land-Midwest Region; and to declare an emergency.

Body

WHEREAS, the plat titled "Towne Park Section 3" (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, M/I Homes of Central Ohio, LLC, an Ohio limited liability company, by Lloyd T. Simpson, Senior Vice President Land-Midwest Region, owner of the platted land, desires to dedicate to the public use all or such parts of the easements shown on said plat and not heretofore so dedicated; and

WHEREAS, after examination, it has been found to be in the best interest of the City to accept said plat; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Division of Planning and Operations, in that it is immediately necessary to authorize the acceptance of this plat so development of this subdivision can proceed as currently scheduled 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 plat titled "Towne Park Section 3" on file in the office of the City Engineer, Division of Planning and Operations, be and the same is hereby accepted.

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1358-2009

Drafting Date: 10/08/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

M/I Homes of Central Ohio, LLC, an Ohio limited liability company, by Lloyd T. Simpson, Senior Vice President Land-Midwest Region, has submitted the plat titled "The Lakes At Taylor Station Section 4" to the City Engineer's Office for review and approval. This plat has been reviewed and approved by the City Engineer. The following legislation allows the City to accept said plat for property located north of East Broad Street and west of Taylor Station Road.

Emergency Justification: Emergency action is requested to allow development of this subdivision to proceed as currently scheduled.

Title

To accept the plat titled "The Lakes at Taylor Station Section 4" from M/I Homes of Central Ohio, LLC, an Ohio limited liability company, by Lloyd T. Simpson, Senior Vice President Land-Midwest Region; and to declare an emergency.

Body

WHEREAS, the plat titled "The Lakes at Taylor Station Section 4" (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, M/I Homes of Central Ohio, LLC, an Ohio limited liability company, by Lloyd T. Simpson, Senior Vice President Land-Midwest Region, owner of the platted land, desires to dedicate to the public use all or such parts of the easements shown on said plat and not heretofore so dedicated; and

WHEREAS, after examination, it has been found to be in the best interest of the City to accept said plat; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Division of Planning and Operations, in that it is immediately necessary to authorize the acceptance of this plat so development of this subdivision can proceed as currently scheduled 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 plat titled "The Lakes at Taylor Station Section 4" on file in the office of the City Engineer, Division of Planning and Operations, be and the same is hereby accepted.

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1363-2009

Drafting Date: 10/08/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

This legislation will authorize the City Attorney to accept a grant award from the State of Ohio, Office of the Attorney General, for the funding of the SVAA Domestic Violence Advocates program within the City Attorney's Office. The Domestic Violence Unit of the City Attorney's Office assists witnesses and victims of domestic violence through the legal process and provides counseling, referrals, and linkage with agencies and community resources. This ordinance will further authorize the appropriation and expenditure of the funds.

Emergency action is requested to allow for the uninterrupted continuation of this grant program.

Fiscal Impact:

There are no matching funds required and therefore no cost to the general fund by accepting this grant.

Title

To authorize the City Attorney to accept the 09-10 SVAA Domestic Violence Advocates grant award from the State of Ohio, Office of the Attorney General, in the amount of \$9,743.00 for the funding of the SVAA Domestic Violence Advocates program; to authorize the appropriation and expenditure of said funds; and to declare an emergency. (\$9,743.00)

Body

WHEREAS, the State of Ohio, Office of the Attorney General, has awarded the Columbus City Attorney's Office a grant in the amount of Nine Thousand Seven Hundred Forty-three Dollars (\$9,743.00) for the 09-10 SVAA Domestic Violence Advocates Grant No. 2010-SA-DOME-537 for the grant period of October 1, 2009 through September 30, 2010; and

WHEREAS, there is no required match for this grant; and

WHEREAS, an emergency exists in the daily operation of the Columbus City Attorney's Office in that it is necessary to immediately accept, appropriate and authorize expenditure of the grant award in order that the services supported may continue uninterrupted and 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, OHIO

SECTION 1. That the Columbus City Attorney is hereby authorized to accept a grant award from the State of Ohio, Office of the Attorney General, in the amount of Nine Thousand Seven Hundred Forty-three Dollars (\$9,743.00) for the 09-10 SVAA Domestic Violence Advocates Grant No. 2010-SA-DOME-537.

SECTION 2. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project award period the sum of Nine Thousand Seven Hundred Forty-three Dollars (\$9,743.00) is appropriated and authorized to be expended as follows: department 2401, 09-10 SVAA Domestic Violence Advocates Grant, grant number 249018, fund number 220, organizational cost account 249018, object level three 1000, \$8,243.00 and object level three 3000 \$1,500.00.

SECTION 3. That the funds appropriated in the foregoing Section 2 shall be paid upon order of the Columbus City Attorney and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the Columbus 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: 1365-2009

Drafting Date: 10/08/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

This legislation will authorize the City Attorney to accept a grant award from the State of Ohio, Office of the Attorney General, for the funding of the VOCA Domestic Violence Advocates program within the City Attorney's Office. The Domestic Violence unit of the City Attorney's Office assists witnesses and victims of domestic violence through the legal process and provides counseling, referrals and linkage with agencies and community resources. This ordinance will further authorize the appropriation and expenditure of the grant funds and the transfer and appropriation of the matching funds required by the grant award.

Emergency action is requested to allow for the uninterrupted continuation of this grant program.

Fiscal Impact:

The Grant award is as follows:

Grant Period: 10/01/09 - 09/30/10

State Share: \$97,422.00

Matching funds: \$32,474.00

Total Grant: \$129,896.00

Title

To authorize the City Attorney to accept the 09-10 VOCA Domestic Violence grant award from the State of Ohio, Office of the Attorney General, in the amount of \$97,422.00 for the continued funding of the VOCA Domestic Violence Advocates program; to authorize the appropriation and expenditure of said funds; to authorize the transfer and appropriation of matching funds required by the acceptance of this grant award in the amount of \$32,474.00 from the General Fund; and to declare an emergency. (\$129,896.00)

Body

WHEREAS, the State of Ohio, Office of the Attorney General, has awarded the City of Columbus, City Attorney's Office, a grant in the amount of Ninety-seven Thousand Four Hundred Twenty-two Dollars (\$97,422.00) for the 09-10 VOCA Domestic Violence Advocates Grant, 2010-VA-DOME-537, for the period October 1, 2009 through September 30, 2010; and

WHEREAS, the acceptance of this grant requires the City Attorney to supply matching funds in the amount of Thirty-two Thousand Four Hundred Seventy-four Dollars (\$32,474.00); and

WHEREAS, an emergency exists in the daily operation of the City Attorney's Office in that it is necessary to immediately accept, appropriate and authorize expenditure of the grant funds and transfer and appropriate the matching funds in order that the services supported may continue uninterrupted and 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, OHIO

SECTION 1. That the amount of Thirty-two Thousand Four Hundred Seventy-four Dollars (\$32,474.00) is hereby transferred from the General Fund of the City Attorney's Office as follows:

FROM: department 2401, general fund, fund number 010, organizational cost account 240564, object level three 1000.

TO: department 2401, general fund, fund number 010, organizational cost account 240564, object level three 5501.

FROM: department 2401, general fund, fund number 010, organizational cost account 240564, object level three 5501.

TO: department 2401, general government grant fund, fund number 220, 09-10 VOCA Domestic Violence Advocates Grant, grant number 249019, organizational cost account 249019, object level three 0886.

SECTION 2. That the City Attorney is hereby authorized to accept a grant award from the State of Ohio, Office of the Attorney General, in the amount of Ninety-seven Thousand Four Hundred Twenty-two Dollars (\$97,422.00) for the 09-10 VOCA Domestic Violence Advocates Grant No. 2010-VA-DOME-537.

SECTION 3. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project award period the sum of One Hundred Twenty-nine Thousand Eight Hundred Ninety-six Dollars (\$129,896.00) is appropriated and authorized to be expended as follows: department 2401, fund number 220, 09-10 VOCA Domestic Violence Advocates Grant, grant number 249019, organizational cost account 249019, object level three 1000.

SECTION 4. That the funds appropriated in the foregoing Section 3 shall be paid upon order of the City Attorney 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 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 passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1366-2009

Drafting Date: 10/08/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into a reimbursement agreement with the City of Dublin for an amount up to \$650,000.00 for Right of Way and design costs associated with the construction of the Emerald Parkway project.

This project involves improvements to Emerald Parkway from Rings Road southerly and easterly approximately 2,500 feet to Tuttle Crossing Boulevard. The improvements shall include widening Emerald Parkway to 5 lanes at intersections with 4 lanes and a median between intersections, curb and gutter, sidewalks, shared use paths, traffic signals, street lighting, regulatory road signage, pavement markings, storm drainage, utility relocation, and landscaping, all in compliance with the Americans with Disabilities Act (A.D.A.) criteria.

One half mile of 5 foot wide sidewalk (minimum) will be added or reconstructed in this project on the East side of the road and one half mile of shared-use path will be added or reconstructed in this project on the West side of the road. 31 ADA ramps will be added or reconstructed in this project. There is 1 bus stop and 1 transit route within the limits of the project.

This project complies with the recommendation of the Pedestrian Thoroughfare Plan by maximizing sidewalk width and lateral separation from traffic and within the constraints of the ROW limits. Pedestrian generators and destinations impacting the proposed project include Sterling Software and numerous apartment buildings. Pedestrian Quality of Service analyses show a marked improvement in the score by making passable sidewalks for all users. Environmental "Green" materials or processes associated with this project include the encouragement of pedestrian and bicycle travel with the installation of sidewalks, curb ramps and shared-use path.

2. FISCAL IMPACT

Funding for this project is available within the Northland and Other Acquisitions Fund in the Miscellaneous Economic Development Project.

3. EMERGENCY DESIGNATION

Emergency Action is requested to provide for reimbursement to the City of Dublin at the earliest possible time so this project can proceed on schedule.

TitleTo authorize the Director of Public Service to enter into a reimbursement agreement with the City of Dublin up to \$650,000.00 for design and costs incurred in the acquisition of Right of Way; and to authorize the expenditure of up to \$650,000.00 to reimburse the City of Dublin from the Northland and Other Acquisitions Fund for the Emerald Parkway Improvement project for the Division of Design and Construction; and to declare an emergency. (\$650,000.00)

Body**WHEREAS**, the City of Columbus has identified the need for widening and providing improvements for Emerald Parkway from Rings Road to Tuttle Crossing Boulevard; and

WHEREAS, the City of Dublin will provide design and right of way acquisition services which will be reimbursed by the City of Columbus for the project; and

WHEREAS, the Department of Public Service, Division of Design has determined that it is in the City's best interest to enter into a reimbursement agreement with the City of Dublin for costs incurred for design and right of way acquisition costs for this project; now, therefore

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Service in that it is necessary to provide for reimbursement to Dublin for project activities at the earliest time so this project can maintain the established schedule; now, therefore

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

Section 1. That the Director of Public Service be and hereby is authorized to enter into a reimbursement agreement with the City of Dublin for design and Right of Way acquisition services up to \$650,000.00 or so much thereof as may be needed in conjunction with the Emerald Parkway Improvement project.

Section 2. That for the purpose of paying the cost of said reimbursement the sum of \$650,000.00, or so much thereof as may be needed, is authorized to be expended from the Northland and Other Acquisitions Fund, Fund 735, Department No. 44-01, Object Level One Code 06, Object Level Three Code 6631, OCA Code 440735 and Project 590415.

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 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: 1367-2009

Drafting Date: 10/08/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background:

This ordinance provides for the appropriation of funds from the unappropriated balance of the Recreation and Parks Private Leisure Assistance for Youth (P.L.A.Y.) Fund for scholarships utilized by the Community Recreation Section.

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 legislation is required to have funding available for necessary expenditures.

Fiscal Impact will be to reduce the Recreation and Parks Private Leisure Assistance for Youth (P.L.A.Y.) program unappropriated balance by \$22,000.00.

Title

To authorize the appropriation of \$22,000.00 from the unappropriated balance of the Recreation and Parks Private Leisure Assistance for Youth (P.L.A.Y.) Fund to the Recreation and Parks Department for scholarships for economically disadvantaged youth; and to declare an emergency. (\$22,000.00)

Body

WHEREAS, the P.L.A.Y. Fund was established in order to provide scholarships for economically disadvantaged youth so that they can participate in fee-based programs at our Recreation Centers; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department, in that it is immediately necessary to appropriate funds to have funding available for necessary expenditures, 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 from the unappropriated monies in the Recreation and Parks Private Leisure Assistance for Youth (P.L.A.Y.) Fund No. 233, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose, the sum of \$22,000.00. is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

<u>Project Title</u>	<u>Fund No.</u>	<u>O. C. A.</u>	<u>O. L. 3</u>	<u>Amount</u>
P.L.A.Y. Prog. Donation Expend.	233	233001	3385	\$22,000.00

SECTION 2. That the monies in the foregoing Section 1 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 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this legislation.

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

Legislation Number: 1369-2009

Drafting Date: 10/09/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background:

This ordinance will authorize the Director of Recreation and Parks to submit a grant application to the Clean Ohio Conservation Fund for a grant administered by the Ohio Public Works Commission. The grant program requires a 25% local match. The total amount of the project is \$460,283.00. The grant amount is \$340,607.00

The Grant for the acquisition of property in the Big Walnut Creek corridor to preserve high quality habitat, vernal pools, and preserve the Natural buffer in the floodplain to aid in flood abatement. This parcel is adjacent to parkland and a continuation of the Big Walnut Creek Corridor located on the Mason Run tributary and the main stem of Big Walnut near Lockbourne.

The floodplain is maintained for no loss of flood storage function, habitat, particularly forested vernal pools are preserved, and the wooded buffer/trees are preserved to assist in air filtration and flooding. The Corridor acquisition supports trail development, which had the highest rating of recreational activity in the CRPD 2003 survey. The Clean Ohio grant program preserves valuable greenspace in communities and aids sustainability.

A subsequent ordinance to authorize the grant is required before the City will obligate its funds.

Emergency Justification

The Resolution of Support is required to be submitted with the grant application. The Deadline for the application is October 30, 2009.

Fiscal Impact

N/A

Title

To authorize and direct the Director of Recreation and Parks to submit a grant application to the Clean Ohio Conservation Fund for a grant administered by the Ohio Public Works; and to declare an emergency. (\$0.00)

Body

WHEREAS, the Ohio Public Works Commission, District 3, is accepting applications for grant funding from the Clean Ohio Conservation Fund; and

WHEREAS, the Department of Recreation and Parks desires to submit a grant application to the Clean Ohio Conservation Fund for a grant administered by the Ohio Public Works Commission; and

WHEREAS, said grant is for the acquisition of property in the Big Walnut Creek corridor to preserve high quality habitat, vernal pools, and preserve the Natural buffer in the floodplain to aid in flood abatement; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that is immediately necessary to apply for said grant 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 is hereby authorized and directed to submit a grant application to the Clean Ohio Conservation Fund for a grant for the acquisition of property in the Big Walnut Creek corridor to preserve high quality habitat, vernal pools, and preserve the Natural buffer in the floodplain to aid in flood abatement.

Section 2. That this ordinance authorized an application only and is not a commitment to expend City funds. A second ordinance to authorize the grant is required before the City will obligate its funds.

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: 1382-2009

Drafting Date: 10/13/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department provides HIV/AIDS testing for patients of the STD Clinic and HIV Counseling and Testing Site. The Health Department uses Uni-Gold HIV test kits, a rapid HIV test. It is highly accurate and provides results in 10 minutes. It is the only FDA approved, CLIA waived, rapid HIV test with a 10 minute turn-around time. The CDC recommends that the rapid HIV test be used to better ensure that all patients receive their results. Trinity Biotech is the sole manufacturer/distributor of these rapid HIV tests in the U.S.A.

The Columbus Health Department, as a public health agency, receives discounted pricing for the Uni-Gold test kits.

Emergency action is requested to ensure a sufficient supply of test kits for testing of patients.

Trinity Biotech's Contract Compliance No. is 161614982.

FISCAL IMPACT: Funding for this purchase is budgeted in the 2009 Health Department Grants Fund.

Title

To authorize the Director of Finance and Management to establish a purchase order with Trinity Biotech for the purchase of Uni-Gold HIV test kits for the Columbus Health Department in accordance with sole source provisions; to authorize the expenditure of \$28,500 from the Health Department Grants Fund; and to declare an emergency. (\$28,500)

Body

WHEREAS, the Columbus Health Department provides HIV testing for patients of the STD Clinic in the City of Columbus; and,

WHEREAS, the Columbus Health Department is in need of rapid HIV test kits to provide the testing; and,

WHEREAS, Trinity Biotech is the sole supplier of Uni-Gold test kits; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to enter into a contract with Trinity Biotech for the immediate preservation of the public health, peace, property, safety and welfare, and to ensure a sufficient supply of test kits for testing of patients; Now, therefore,

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

SECTION 1. That the Director of Finance and Management is hereby authorized to establish a purchase order with Trinity Biotech for the purchase of rapid HIV test kits.

SECTION 2. That the total expenditure of \$28,500 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Department No. 50, Object Level One 02, Object Level Three 2293, OCA Code 509203, Grant No. 509203.

SECTION 3. That this purchase is in accordance with the provisions of the Columbus City Code, Section 329.07(e), "Sole Source Procurement."

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.

Legislation Number: 1393-2009

Drafting Date: 10/14/2009

Version: 2

Current Status: Passed

Matter Type: Ordinance

Explanation

Council Variance: CV09-011

APPLICANT: Skilken Development LLC; c/o Rebecca Egelhoff, Atty.; 175 South Third Street, Suite 800; Columbus, OH 43215.

PROPOSED USE: Motor vehicle fuel sales and a car wash in conjunction with convenience retail sales.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a vacant automobile dealership zoned in the C-4, Commercial District. The applicant requests a Council variance to allow fuel sales and a car wash in conjunction with convenience retail sales. The variance is being requested instead of a rezoning to allow for a quicker sale of the property as the owner has filed for bankruptcy. The site is located in Area 20 within the planning area of the *Northland Plan Volume I* (2001). The Plan does not offer specific land use guidance for this site, although it does contain recommendations concerning the long-term viability and stabilization of this commercial corridor, and Staff has determined that the proposed commercial uses are appropriate. The site will be designed to include applicable *Northland Development Standards* (1992) as they apply to landscaping and screening and will comply with Regional Commercial Overlay provisions except to allow additional parking spaces. The applicant has committed to filing a follow-up rezoning application within eighteen (18) months to rezone the fuel station site and the property to the immediate west to the CPD, Commercial Planned Development District. The applicant has also committed to service station abandonment provisions and additional development standards for the proposed car wash.

Title

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).

Body

WHEREAS, by application No. CV09-011, the owner of property at **1953 MORSE ROAD (43229)**, is requesting a Council Variance 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; and

WHEREAS, Section 3356.03, C-4 permitted uses, does not permit motor vehicle fuel sales or car washes, while the applicant proposes to develop a motor vehicle fuel sales station and a car wash in conjunction with convenience retail sales; and

WHEREAS, Section 3372.809 A., Parking and circulation, allows an increase in the required number of parking spaces by 5%, increasing the required spaces from 18 to 19, while the applicant proposes an increase in the maximum number of required parking spaces by ~~45~~ **22**%, providing a total of ~~26~~ **22** parking spaces; and

WHEREAS, the subject site is within the Regional Commercial Overlay and is subject to compliance with Sections 3372.80-3372.809 except as varied above; and

WHEREAS, the Columbus Public Health Healthy Places program reviews applications for active living features and recognizes this development has a centrally located bike rack for employees or customers that ride their bike by choice or because of limited alternatives; and

WHEREAS, City Departments recommend approval because Staff has determined that the proposed commercial uses are acceptable. The site will be designed to include applicable *Northland Development Standards* (1992) as they apply to

landscaping and screening and will comply with Regional Commercial Overlay provisions except to allow additional parking spaces. The applicant has committed to filing a follow-up rezoning application within eighteen (18) months to rezone the fuel station site and the property to the immediate west to the CPD, Commercial Planned Development District; 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 **1953 MORSE ROAD (43229)**, in using said property as desired; now, therefore:

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

SECTION 1. That a variance is granted from the provisions of Section 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 commercial motor vehicle fuel sales and a car wash in the C-4, Commercial District with **8 4** more parking spaces than what is required by the Regional Commercial Overlay provisions; said property being more particularly described as follows:

1953 MORSE ROAD (43229), being 5.77± acres located on the south side of Morse Road, 376± feet west of Fountain Square Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Quarter Township 1, Township 1 North, Range 18 West, United States Military District and being a 5.774 acre parcel of land comprised of a 4.761 acre parcel (PARCEL 1 - 5.002 acres minus exception) and a 1.013 acre parcel (PARCEL 2) conveyed to Chrysler Realty Corporation, in a Deed of Record, in Official Record Volume 7057G07, all record references cited herein being to records of the Franklin County Recorder's Office, Columbus, Ohio, unless otherwise specified, and said 5.774 acre parcel being more particularly bounded and described as follows:

Beginning for reference at an uncapped 5/8 inch iron pipe found, at grade, at the northeasterly corner of a 0.280 acre parcel described as "Reserve A" as delineated and defined on the record plat of Fountain Square, a subdivision of record in Plat Book 43, Page 87, said iron pipe found also being on the southerly right-of-way line to Morse Road (C.R. 17 ~ variable right-of-way);

Thence N 86° 22'27" W, along the southerly right-of-way line to said Morse Road, and the southerly line of a 0.103 acre parcel (TRACT 2) conveyed to the City of Columbus, Ohio in Deed Book 3021, Page 442, and along the northerly line of said "Reserve A", and along the northerly termination line of Fountain Square Drive (64' R/W), as said drive is defined on said Fountain Square Subdivision Plat, and along the northerly line of a 0.01 acre, 1 foot wide strip of land, described as "Reserve B", on said subdivision plat, and passing a 3/4 inch solid iron rod found, at grade, 0.18 feet south of said line, at 17.60 feet, a total distance of 103.69 feet to a point at the northwesterly corner of said "Reserve B", and on the easterly line of a 3.823 acre parcel conveyed to 1959 - 2007 Morse Road Co., Ltd., in Instrument Number 200009060179813, said point also being on the southwest corner of said 0.103 acre City of Columbus, Ohio parcel;

Thence N 03° 40'45" E, along the southerly right-of-way line to Morse Road and along the easterly line of said 3.823 acre parcel and the westerly line of said 0.103 acre parcel, a distance of 2.00 feet to a point at the northeasterly corner of said 3.823 acre parcel, said point also being at the southeasterly corner of a 0.45 acre parcel conveyed to the City of Columbus, Ohio, in Deed Book 2927, Page 338;

Thence N 86° 50'07" W, along the southerly right-of-way line to Morse Road, the southerly line of said 0.45 acre City of Columbus parcel and the northerly line of said 3.823 acre parcel, a distance of 375.47 feet to an uncapped 5/8 inch iron pin found, at grade, at the northwesterly corner of said 3.823 acre parcel, said iron pin found also being at the northeasterly corner of said 1.013 acre parcel, and being the true point of beginning of the parcel herein described;

Thence leaving the southerly right-of-way line to Morse Road, S 03° 37'33" W, along the westerly line of said 3.823 acre parcel and the easterly line of said 1.013 acre parcel, a distance of 441.60 feet to a railroad spike set in asphalt pavement at the southwesterly corner of said 3.823 acre parcel and the southeasterly corner of said 1.013 acre parcel, said railroad spike set also being on a northerly line of said 4.761 acre parcel;

Thence S 86° 10'18" E, along the southerly line of said 3.823 acre parcel and a northerly line of said 4.761 acre parcel, a distance of 182.93 feet to a railroad spike set in asphalt pavement at a northeasterly corner of said 4.761 acre parcel, said railroad spike set also being at the northwesterly corner of Lot 5 of said Fountain Square Subdivision, said Lot 5 being a 0.784 acre parcel (PARCEL TWO) conveyed to the State of Ohio, Department of Natural Resources, in Official Record Volume 11889C20;

Thence S 03° 35'18" W, along the westerly line of said Lot 5 and said 0.784 acre parcel, and along an easterly line of said 4.761 acre parcel, a distance of 185.00 feet to a railroad spike set in asphalt pavement at the southwesterly corner of said Lot 5 and 0.784 acre parcel, and the southeasterly corner of said 4.761 acre parcel, said railroad spike set also being on the northeasterly corner of a 0.02 acre, 2 foot wide strip of land, described as "Reserve D" on said Fountain Square Subdivision Plat;

Thence N 86° 09'50" W, along a southerly line of said 4.761 acre parcel, and along the northerly line of said "Reserve D", a distance of 431.67 feet to an iron pin set at a southwesterly corner of said 4.761 acre parcel, and the northwesterly corner of said "Reserve D", said iron pin set also being at a southeasterly corner of a 1.464 acre parcel (FOUNTAIN SQUARE IV) conveyed to the State of Ohio, Department of Natural Resources, in Official Record Volume 11889C20, said iron pin set also being on an easterly line of Lot 1 of said Fountain Square Subdivision;

Thence N 03° 35'18" E, along a westerly line of said 4.761 acre parcel and the easterly line of said 1.464 acre parcel and said Lot 1, a distance of 185.08 feet to a railroad spike set in asphalt pavement at an internal corner of said 4.761 acre parcel, the northeasterly corner of said 1.464 acre parcel, and a northeasterly corner of said Lot 1;

Thence N 86° 12'27" W, along a southerly line of said 4.761 acre parcel, and the northerly line of said 1.464 acre parcel and said Lot 1, a distance of 150.00 feet to a railroad spike set in asphalt pavement at a southwesterly corner of said 4.761 acre parcel, said railroad spike set also being at the southeasterly corner of Lot 3 of said Fountain Square Subdivision, said Lot 3 being a 1.049 acre parcel conveyed to Cardinal Investment Properties, LLC, in Instrument Number 200506070109735;

Thence N 03° 29'23" E, along a westerly line of said 4.761 acre parcel, and along the easterly line of said 1.049 acre parcel and said Lot 3, a distance of 426.20 feet to a point on the southerly right-of-way line to Morse Road, said point being at the northeasterly corner of said 1.049 acre parcel and said Lot 3, and the northwesterly corner of said 4.761 acre parcel, said point also being at the southeasterly corner of a 0.086 acre parcel conveyed to the City of Columbus, Ohio, in Deed Book 2940, Page 334, and the southwesterly corner of a 0.241 acre parcel conveyed to the City of Columbus, Ohio, in Deed Book 2928, Page 470, and said point being S 07° 55'07" W, a distance of 2.17 feet from an uncapped 5/8 inch iron pin found, 0.4 feet below grade;

Thence S 86° 12'27" E, along the southerly right-of-way line to Morse Road, the southerly line of said 0.241 acre parcel, and the northerly line of said 4.761 acre parcel, a distance of 299.75 feet to an iron pin set at the southeasterly corner of said 0.241 acre parcel and the northeasterly corner of said 4.761 acre parcel, said iron pin set also being on the westerly line of said 1.013 acre parcel;

Thence N 03° 37'33" E, along the southerly right-of-way line to Morse Road, the easterly line of said 0.241 acre parcel,

and the westerly line of said 1.013 acre parcel, a distance of 14.01 feet to a railroad spike set at the northwesterly corner of said 1.013 acre parcel, said railroad spike set also being at the southwesterly corner of said 0.45 City of Columbus right-of-way parcel;

Thence S 86° 50'07" E, along the northerly line of said 1.013 acre parcel, the southerly line of said 0.45 acre parcel, and the southerly right-of-way line to Morse Road, a distance of 100.00 feet to the true point of beginning, containing 5.774 acres, more or less, and being subject to all rights-of-way, easements, restrictions and covenants of record.

The bearings as described herein are based upon a southerly right-of-way line bearing to Morse Road, being S 86° 12'27" E, as calculated through observation of found Morse Road right-of-way monumentation, and GPS control points set for the Morse Road Improvement Project, said plan being of record in FRA-Morse Road Improvements - Phase 2, City of Columbus, Ohio, Department of Public Service, Transportation Division, Drawer E drawing 2137, last revised 11-06-08. Bearings are based upon the Ohio State Plane Coordinate System, Ohio South Zone, NAD 83.

The "iron pins set", as described herein, are 30 inches in length, 3/4 inch inside diameter, hollow iron pipes, with yellow plastic caps stamped "P & L Syst."

This description was prepared by William Weber, Ohio Registered Surveyor Number PS-7808, of P & L Systems, Inc., from record information and from information obtained from an actual field survey of the premises conducted in June, and July, 2009.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for commercial motor vehicle fuel sales in conjunction with convenience retail use with or without a car wash, or those uses permitted in the C-4, Commercial District on this site.

SECTION 3. That this ordinance is further conditioned on substantial compliance with the registered site plan titled, "**SITE PLAN FOR COUNCIL VARIANCE APPROVAL**," drawn by P & L Systems, Inc., and signed on October 5, 2009, by Rebecca Egelhoff, Attorney for the Applicant. Any slight adjustments to said site plan are 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 by the requirement that the applicant file an application to rezone the subject site to the CPD, Commercial Planned Development District, said application to be filed within eighteen (18) months of the date that this Council variance becomes effective.

SECTION 5. That this ordinance is further conditioned on the following:

A. Compliance with the provisions of Section 3357.18, Abandoned service stations.

B. Carwash Development Standards:

1. There shall be at least one (1) employee attendant on duty and working at this location at all times that the carwash is open for business.
2. The carwash shall operate only as an automatic wash with an attendant on duty. There shall be no self-serve washing facilities, although vacuum stations may be available on a self-serve basis.
3. All car washing and car drying equipment shall be completely contained within the carwash building, enclosed storage facility or underground.
4. Only vacuum equipment shall be permitted outside of the carwash building or storage facility above grade.
5. No on-site parking space shall be used of any purpose other than incidental use related to the carwash and/or retail gas filling station, including but not limited to parking of vehicles and vacuuming of vehicles while the vehicles are on the premises for the carwash. No parking space shall be rented, leased or in any way offered for use or be allowed to be used for storage or parking of vehicles unrelated to the carwash and/or retail gas filling station.

C. A centrally located bike rack will be provided for employee or customer bicycle parking.

D. Outside display areas are limited to along the four foot wide sidewalk surrounding the retail building and on the ends of the pump islands not facing Morse Road not to exceed a footprint of 2' x 2' and not to exceed four feet in height.

E. Maximum lot coverage shall be 80%.

F. The Site Plan does not reflect stacking or by-pass lanes for the proposed car wash. The applicant shall comply with the stacking and by-pass requirements or seek variances from the Board of Zoning Adjustment.

SECTION 6. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1394-2009

Drafting Date: 10/14/2009

Current Status: Passed

Version: 3

Matter Type: Ordinance

Explanation

Rezoning Application Z09-030

APPLICANT: Wagbros Co., Ltd; c/o David Hodge, Atty.; Smith & Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: To construct a four story building containing retail and restaurant uses and 39 multi-family dwelling units.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (2-1-1) on October 8, 2009.

FIFTH BY NORTHWEST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicants are requesting a rezoning to the CPD, Commercial Planned Development District to replace a two story mixed use building destroyed by fire with a four story building containing retail and restaurant uses on the first floor and 39 multi-family dwelling units on the top three floors. A similar application, Z09-012, by the same applicant was approved by City Council on July 27, 2009. Since then, an agreement to share parking between applicant and an adjacent property owner that the Division of Planning & Operations conditioned their approval on has fallen through. Therefore that plan could not be approved for construction. The applicants have revised their proposal to account for their inability to use adjacent parking places by eliminating 2,565 square feet of space allocated for restaurant use. The applicants may or may not have a penthouse as part of the application and thus are asking approval of this proposal with or without said penthouse. The plan approved in the Z09-012 application had a parking variance of 224 spaces while the revised plan would have a parking variance of 190 or 194 parking spaces depending on whether the penthouse is built. The requested CPD, Commercial Planned Development District would provide for a mixed use building consistent with the *Fifth by Northwest Neighborhood Plan* (2009), zoning and development patterns of the area. The only aspects that have changed from Z09-012 is the parking ratio and the addition of the Penthouse. The Division of Planning and Operations supports the revision reducing the amount of space devoted to restaurant use in order to make up for the lost parking.

Title

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 **and to declare an emergency** (Rezoning # Z09-030).

Body

WHEREAS, application #Z09-030 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.81± acres from the CPD, Commercial Planned Development 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 Columbus Public Health Healthy Places program reviews applications for active living features and recognizes this development is very pedestrian friendly and has bike racks for customers and employees who chose an active living lifestyle and for those that have no other alternative; and

WHEREAS, the City Departments recommend approval because the applicants have revised their proposal to account for their inability to use adjacent parking places by eliminating 2565 square feet of space allocated for restaurant use. The applicants may or may not have a penthouse as part of the application and thus are asking approval of this proposal with or without said penthouse. The plan approved in the Z09-012 application had a parking variance of 224 spaces while the revised plan would have a parking variance of 190 or 194 parking spaces depending on whether the penthouse is built. The requested CPD, Commercial Planned Development District would provide for a mixed use building consistent with the *Fifth by Northwest Neighborhood Plan* (2009), zoning and development patterns of the area. The only aspects that have changed from Z09-012 is the parking ratio and the addition of the Penthouse. The Division of Planning and Operations supports the revision reducing the amount of space devoted to restaurant use in order to make up for the lost parking, 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:

1382 GRANDVIEW AVENUE (43212), being 0.81± acres located on the east side of Grandview Avenue, 125± feet north of Third Avenue, and being more particularly described as follows:

Subarea A

Legal Description

0.571 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, being Lots 84, 85, 86, 87, 88, 89 90 and 91 of Ricketts and Ady's Fairday Addition, as same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 278, Recorder's Office, Franklin County, Ohio, and being all of the land conveyed to Wabros Company, Ltd., as shown of record in Instrument Number 200112210299110, said Recorder's Office, and being more particularly described as follows:

Beginning at the northwest corner of said Lot 84, being the intersection of the east line of Grandview Avenue (60 feet

wide) with the south line of a 30' wide alley;

Thence, along the north line of said Lot 84 and the south line of said alley, **North 89° 12' 40" East, 99.00 feet** to the northeast corner of said Lot 84, being the intersection of the south line of said alley with the west line of a 12' wide alley;

Thence, along the east line of said Lots 84, 85, 86, 87, 88, 89, 90 and 91, and the west line of said alley, **South 00° 30' 45" East, 248.57 feet** to the southeast corner of said Lot 91, being the intersection of the west line of said alley with the north line of a 15.5 wide alley;

Thence, along the south line of said Lot 91 and the north line of said alley, **South 89° 25' 50" West, 101.22 feet** to the southwest corner of said Lot 91, being the intersection of the north line of said alley with the east line of said Grandview Avenue;

Thence, along the west line of said Lots 91, 90, 89, 88, 87, 86, 85 and 84, and said east line of Grandview Avenue, **NORTH, 248.20 feet** to the place of beginning **CONTAINING 0.571 ACRES** (24,865 Square Feet). Bearing are based on the east line of Grandview Avenue held as NORTH.

To Rezone From: CPD, Commercial Planned Development District,

To: CPD, Commercial Planned Development District.

Subarea B

Legal Description

0.240 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, being Lots 71, 72 and 73 of Ricketts and Ady's Fairday Addition, as same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 278, Recorder's Office, Franklin County, Ohio, and being part of the land conveyed to Wabros Company, Ltd., as shown of record in Instrument Number 200112210299110, said Recorder's Office, and being more particularly described as follows:

Beginning at a point in the west line of Hollywood Place (45 feet wide) at the southeast corner of said Lot 71, (northeast corner of Lot 70 of said addition) being North 00° 30' 45" West, 59.15 feet from the intersection of the west line of said Hollywood Place with the north line of a 15.5' wide alley;

Thence, along the south line of said Lot 71, (north line of said Lot 70) **South 89° 06' 40" West, 108.00 feet** to the southwest corner of said Lot 71, (northwest corner of said Lot 70) being the intersection of the south line of said Lot 71 with the east line of a 12' wide alley;

Thence, along the west line of said Lots 71, 72 and 73, and the east line of said alley **North 00° 30' 45" West, 97.03 feet** to the northwest corner of said Lot 73, (southwest corner of Lot 74 of said addition);

Thence, along the north line of said Lot 73 (south line of said Lot 74), **North 89° 09' 42" East, 108.00 feet** to the northeast corner of said Lot 73, (southeast corner of said Lot 74) being the intersection of the north line of said Lot 73 with the west line of said Hollywood Place;

Thence, along the east line of said Lots 73, 72 and 71, and said west line of Hollywood Place, **South 00° 30' 45" East, 96.94 feet** to the place of beginning **CONTAINING 0.240ACRES** (10,474 Square Feet). Bearing are based on the east line of Grandview Avenue held as **NORTH**.

To Rezone From: CPD, Commercial Planned Development District,

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of Sixty (60) 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, "**GRANDVIEW AVENUE DEVELOPMENT 1368-1400 GRANDVIEW AVENUE (SHEETS 1.01, 4.01 and 4.02)**" all signed by Jeffrey L. Brown, Attorney for the Applicant, and dated October 13, 2009, and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT GRANDVIEW AVENUE,**" signed by Jeffrey L. Brown, Attorney for the Applicant, and dated September 17, 2009, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

GRANDVIEW AVENUE

PROPOSED DISTRICT: CPD

PROPERTY ADDRESS: 1382 Grandview Avenue

OWNER: Wagbros Co., Ltd.

APPLICANT: Wagbros Co., Ltd.

DATE OF TEXT: September 17, 2009

APPLICATION NUMBER: Z09-030

INTRODUCTION:

This summer City Council passed Z09-012 which permitted the redevelopment of this block along Grandview Avenue. The applicant's proposal was based partly on some off site parking being provided by an adjacent property owner. Those parking spaces are no longer available. This application reduces the permitted amount of restaurant square footage to correspond to the reduction of those parking spaces. The applicant still provides an appropriate amount of parking for the revised development.

Subarea A

1. INTRODUCTION: The subject property is located along the east side of Grandview Avenue, north of its intersection with Third Avenue. The majority of the buildings on this property were recently destroyed by fire. This property has long been a major and integral part of the vitality of this neighborhood by providing convenient neighborhood retail and restaurant uses in this walkable neighborhood. The applicant seeks approval of this rezoning request from the, L-P-1, Limited Private Parking District and C-4, Regional Scale Commercial Development District to the CPD, Commercial Planned District to restore and continue the commercial retail and restaurant usage on the first floor of a new building and to further the mixed use potential by providing residential uses to young professionals and seniors on floors above. Subarea A of this rezoning request is to provide for redevelopment of the portion of the site with frontage along Grandview Avenue.

2. PERMITTED USES: Those uses permitted by Section 3356.03, C-4, Commercial of the Columbus City Code

excepting therefrom: Building Material and Supplies, drive-throughs, pick up windows, all automotive uses, boat dealers, Truck, Utility Trailer, and RV (Recreational Vehicle) Sales, Rental and Leasing, Warehouse Clubs and Super Centers, Automotive Maintenance and Repair, Drive-In Motion Picture Theaters, Farm Equipment and Supply Stores, Hospitals, Spectator Sports and Related Industries, and crematory.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated in the written text, the applicable development standards shall be those standards contained in Chapter 3356, C-4 Regional Scale Commercial Development.

A. Density, Height, Lot and / or Setback commitments.

1. Building setbacks shall be zero from both Grandview Avenue and the right-of-way to the north.
2. Parking setbacks shall be zero from both Grandview Avenue and the right-of-way to the north.
3. Height district shall be sixty (60) feet.

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

1. Seventeen (17) new parking spaces shall be provided along the east side of the building to be accessed from the alley. These parking spaces, except for the ADA spaces, shall be for the exclusive use of the residential dwelling units. No stacked parking shall be permitted in Subarea A.

C. Buffering, Landscaping, Open space and / or Screening commitments.

1. Storefront glass to be clear low-e to allow visibility into the storefront.

D. Building design and / or Interior - Exterior treatment commitments.

1. Rooftop Mechanicals Screening: Any mechanical equipment or utility hardware on the roof of a building shall be screened from view to prevent the equipment from being visible from the adjacent street or alley. The total height of the building including any rooftop mechanicals and screening walls shall not exceed 60 feet. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing materials that are comparable and compatible to the building materials.

E. Dumpsters, Lighting, Outdoor display areas and / or other environmental commitments.

1. All dumpsters shall be screened on four sides to a minimum height of six (6) feet utilizing materials that are comparable and compatible to the building materials.
2. Lighting shall be wall mounted and have fully shield, recessed lamps directed downward to prevent glare and shine above the horizontal plan or downlight design, mounted or constructed so that glare into residential areas is avoided.
3. All exterior lighting fixtures shall be the same or similar manufacturer's type and color to insure aesthetic compatibility.
4. To the extent permitted by the city and the utility companies all on site new power lines shall be underground.

F. Graphics and Signage commitments.

All signage shall conform to Article 15, Title 33, of the Columbus City Code, as applied to the C-4, Commercial District. Any variance from these requirements will be submitted to the City of Columbus Graphics Commission for consideration.

G. Miscellaneous commitments.

1. The property shall be developed in accordance with the submitted site plan. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data, developed at the time of development or when engineering plans are

completed. Any slight adjustments to the site plan or building elevations shall be reviewed and may be approved by the Director of the Department of Development, or his / her designee, upon submission of appropriate data regarding the proposed adjustment.

2. The building shall be developed in accordance with the submitted elevation drawings. The elevation drawings may be slightly adjusted to reflect architectural, engineering, and topographical or other site data developed at the time that architectural, development and engineering plans are completed including altering window size and location. Any slight adjustment to the elevations shall be reviewed and may be approved by the Director of Development or his designee upon the submission of the appropriate data regarding the proposed adjustment.

3. A public bike rack shall be installed along Grandview Avenue.

H. Variances.

1. Columbus City Code Section 3342.28 to permit a reduction in the minimum number of parking spaces required to permit 41 parking spaces where 235 are required.
2. Columbus City Code Section 3356.11 to permit a reduction in the minimum building setback requirement to permit a building setback of zero where twenty-five (25) feet is required.
3. Columbus City Code Section 3342.15 to permit a reduction in the maneuvering area to zero along the alley.
4. Columbus City Code Section 3342.17 to eliminate the parking lot screening along the alley.
5. Columbus City Code Section 3342.29 to eliminate the loading space for a tenant in excess of 5,000 sq.ft.

Subarea B

1. INTRODUCTION: This property was rezoned in 1996 to the L-P-1, Limited-Private Parking District, to provide a private parking lot to serve the development referred to in this text as Subarea 'A'. This property is incorporated into this CPD rezoning request due to the fact that it is an integral part of the development and to provide for the amendment of limitation text language included in the 1996 rezoning.

2. PERMITTED USES: All P-1 Private Parking District uses as set forth in Columbus City Code, Section 3371.01, provided, however, that use of the premises shall be for the private parking of the residential tenants occupying and using the Subarea 'A' property.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated in the written text, the applicable development standards shall be those standards contained in Chapter 3371, Private Parking District.

A. Density, Height, Lot and / or Setback commitments.

Not applicable.

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

1. No curb cuts shall be permitted on Hollywood Place.
2. Access to the parking lot shall be limited to the alley west of the property.
3. The maximum number of parking spaces permitted shall be 24 spaces. These parking spaces shall be for the exclusive use of the residential dwelling units on Subarea A.
4. No stacked parking shall be permitted on the lot.

5. The parking lot shall be designed such that it will function as a one way circulation with a designated point of entrance and exit off the alley. Maneuvering in the alley to the parking lot shall be permitted. Entrance and exit points shall be clearly designated by painting the word "ENTRANCE" and "EXIT" at the appropriate location.

C. Buffering, Landscaping, Open space and / or Screening commitments.

1. A 25 foot landscaped area shall be created west of Hollywood Place, in accordance with the submitted site plan. Additionally, there shall be landscaped areas on the north and south property lines in accordance with the submitted site plan. Along Hollywood Place, a six foot high, 100% opaque wooden fence with six foot brick piers shall be erected along the building line creating the 25 foot buffer area. Within the buffer area, grass and a minimum of four deciduous trees, not counting existing trees, of minimum caliper of one and a half inches shall be placed to maintain the residential character of Hollywood Place.

2. A side yard set back of a minimum of 13 feet for a depth of 20 feet from the building line shall be maintained to buffer the houses on each side. Within each of the two buffer areas, a minimum of two deciduous trees with a minimum of one and a half inches in caliper shall be installed. In addition, a six foot high, 100% opaque wooden fence shall be erected along the north and south sides of the property or within the buffer areas if such fence is not already existing.

3. The landscape and environmental treatment contained in this CPD Text shall count toward any buffering or landscaping required in the Columbus City Code.

4. The applicant/owner's responsibility to maintain the buffer areas, planting and fences in good condition is continual and shall be replaced with same when necessary.

5. Along the north and south five foot setback lines, concrete, blacktop or other appropriate curbing shall be installed to delineate the five foot buffer area from the blacktop parking area.

6. The brick pillars installed along Hollywood Place shall be red in color.

7. The applicant/owner shall utilize high grade pressure treated wolmanized board on board fence assembled using galvanized wood screws and one inch by six inch boards as appropriate. Along the north side of the property, the existing six foot high board on board fence shall continuously maintain 100% opacity.

8. A continuous hedge of a minimum of two feet in height, at the time of planting, shall be maintained along Hollywood Place immediately east of the proposed 100% opaque wooden fence.

9. Landscaping shall be maintained in a healthy state. Dead items shall be replaced at the next planting season or within six (6) months, whichever occurs sooner. Unless otherwise specified, minimum size of all trees at installation shall be 2 ½ inches in caliper for deciduous shade trees, five (5) feet high for evergreen trees and 1 ½ inches in caliper for ornamental trees.

D. Building design and / or Interior - Exterior treatment commitments.

Not applicable.

E. Dumpsters, Lighting, Outdoor display areas and / or other environmental commitments.

1. Any and all forms of lighting shall not be permitted on the lot.

2. No dumpsters shall be permitted on the site.

F. Graphics and Signage Commitments.

1. No signage of any form shall be permitted on the site except for:
 - a. Maximum of four directional and/or informational signs which shall not exceed six square feet each and shall be in accordance with the City of Columbus Graphic Code requirements. Towing signs shall be installed so long as such signs and other traffic control signs shall not exceed six square feet.

G. Miscellaneous Commitments.

1. The parking lot shall be developed in accordance with the submitted site plan and the applicable development standards contained in Chapters 3371 and 3342 of the Columbus City Code.
2. No structure shall be erected on the site other than the described fencing. The applicant/owner intends to develop a surface only parking lot.
3. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data, developed at the time of development or when engineering plans are completed. Any slight adjustments to the site plan or building elevations shall be reviewed and may be approved by the Director of the Department of Development, or his/her designee, upon submission of appropriate data regarding the proposed adjustment.

H. Variances

1. Columbus City Code Section 3371.01 to permit the parking lot to not be illuminated where parking lot illumination is a requirement when a parking area is to be used at times other than daylight hours.
2. Columbus City Code Section 3342.15 to permit a reduction in the maneuvering area to zero along the alley.
3. Columbus City Code Section 3342.17 to eliminate the parking lot screening along the alley.

CPD Criteria for Subarea 'A' and Subarea 'B'

1. Natural Environment. The redevelopment of these properties will be consistent with the historic development of this property. Subarea 'A' will be redeveloped with first floor retail and restaurant uses with upper story residential rather than office. Subarea 'B' will remain a private parking lot to serve Subarea 'A'.
2. Existing Land Uses.
 - a. Subarea 'A'. To the south is a restaurant zoned C-5, Commercial District to the west are a parking lot and a retail and office building all zoned in the C-4, Commercial District. To the north is a church zoned in the C-4, Commercial and R-4 Residential Districts, and to the east is a parking lot zoned L-P-1, and residential uses zoned in the R-4 Residential District.
 - b. Subarea 'B'. To the south, north, and east are residential uses zoned in the R-4 Residential District. To the west is Subarea 'A' currently zoned C-4, Commercial.
3. Transportation and Circulation. The redevelopment of this property will provide for transportation and circulation patterns consistent with the existing conditions. Additional parking spaces will be added along the east side of the building to be constructed on Subarea 'A'.
4. Visual Form of the Development. The site shall be developed in accordance with the Commercial Planned Development Text and site plan.
5. View and Visibility. In the proposed redevelopment of this property consideration has been given to aesthetics, function and current land use recommendations applicable to this property as well as visibility and safety of both motorists and pedestrians.

6. Proposed Development. First floor restaurant and retail uses with upper floor residential as well as a private parking lot.

7. Emissions. No adverse affects from emission shall result from the proposed development.

8. Behavior Patterns. The proposed development would serve the immediate neighborhood as well as the people who enjoy Grandview Avenue as a shopping and dining destination. The proposed development would further serve those who desire to reside in this mixed-use walkable neighborhood.

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: 1395-2009

Drafting Date: 10/14/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Public Safety Director to enter into a contract with CareWorks USA Ltd. to provide prisoner medical claims services as needed for the Division of Police. The scope of services outlined in the City formal request for proposal (RFP) include: the creation and maintenance of an electronic medical claims database, coordination of billing with local medical providers, medical review of claims for appropriateness of charges and the utilization of Preferred Provider Networks.

The Division of Police is obligated to enforce the criminal and traffic ordinances of the City of Columbus and laws of the State of Ohio necessitating the apprehension and incarceration of violators. The Columbus City Attorney, through memorandum to the Division of Police, has determined that the Division of Police is liable for the medical care of those injured or sick individuals who are under arrest or lawfully detained. The Division of Police continues to experience increasing costs associated with the review and payment of medical claims. The services provided by CareWorks USA Ltd. will provide greater scrutiny of medical claims submitted to the Division as well as the added benefit of cost reductions available through Preferred Provider Networks. The Division of Police anticipates that the cost reductions will be equal to or greater than the cost of the first year of this contract.

Bid Information: An evaluation committee comprised of representatives from the Department of Public Safety, Division of Police, and Department of Finance and Management completed a review of the single proposal submitted to the City in response to a formal request for proposal (RFP) SA003281 held on July 14, 2009. The committee recommended award to CareWorks USA, Ltd. The vendor was selected based upon their initial response to the defined criteria listed in the RFP, subsequent response to follow-up questions from the committee, and adherence to the Columbus City Code requirement as the best, most responsible and responsive bidder.

Contract Compliance - 31-1775640 (MAJ) expires on 10/07/2010

Emergency Designation: Emergency legislation is requested to enable the Division of Police to immediately process the necessary paperwork to secure funding prior to the expiration of the bid, and to begin project implementation, in an effort to reduce claims costs at the earliest possible time.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$73,000.00 from the General Fund and although this expenditure was not part of the Division's 2009 Operating Budget, the Division anticipates a savings in prisoner medical claim payments across the term of this contract, thereby recouping a portion, if not all, of this expenditure. The Division has identified available funds in the 2009 Operating Budget through savings in other service areas. In 2008, the Division of Police expended \$362,852.19 for said prisoner medical care. The budget for prisoner medical bills in 2009 is \$375,000 and \$270,468.69 has so far been expended.

Title

To authorize and direct the Public Safety Director to enter into contract with CareWorks USA Ltd. for prisoner medical claim services and access to Preferred Provider Networks for the Division of Police; to authorize the expenditure of \$73,000.00 from the General Fund; and to declare an emergency. (\$73,000.00)

Body

WHEREAS, the Division of Police is obligated to enforce the criminal and traffic ordinances of the City of Columbus and laws of the State of Ohio and in doing so, will continue to apprehend and incarcerate violators; and

WHEREAS, the Division of Police is liable for the medical care of injured and/or sick individuals who are under arrest or lawfully detained; and

WHEREAS, it is in the City's best interest to procure professional services to assist the Division of Police with the administration, review and payment of prisoner medical claims in the most efficient and cost-effective manner; and

WHEREAS, a formal bid, SA003281, for professional prisoner medical claims services was opened; and

WHEREAS, an evaluation committee comprised of City representatives reviewed the single proposal submitted to the City, in accordance with defined selection criteria, subsequent vendor response to follow-up questions from the committee; and Chapter 329.12 of the Columbus City Codes; and

WHEREAS, the evaluation committee recommended award to CareWorks USA, Ltd. for professional prisoner medical claims services for the Division of Police; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to enter into contract to gain access to Preferred Provider Networks which will reduce prisoner medical claims costs, 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 Public Safety Director be and is hereby authorized and directed to enter into contract with CareWorks USA Ltd. for Prisoner Medical Claims services.

SECTION 2. That the expenditure of \$73,000.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:

[DIV 30-03 | FUND 010 | OBJ LEVEL ONE 03 | OBJ LEVEL THREE 3336 | OCA 301382]

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: 1396-2009

Drafting Date: 10/14/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Director of Public Safety, on behalf of the Division of Support Services,

to enter into a contract with Motorola for backup maintenance service which is required to ensure continued operation of the Police and Fire 800 MHz Radio System Infrastructure starting **January 1, 2010 through December 31, 2010**. This agreement is being entered into under the Sole Source provision provided in Section 329.07 of the Columbus City Code. Motorola is the only known company that can provide essential backup service 24 hours a day, seven days a week, to the systems.

The City accepted the 800 MHz Radio System April 1, 1992. The new 800 MHz Infrastructure upgrade was funded by Federal Grant Money, and was installed in 2006. This contract will provide backup field engineering support from Motorola for system failures, factory repair and exchange of high tech circuit board failures, and will allow access to Motorola engineers on an around-the-clock basis. The contract covers depot level maintenance for all the fixed end components of the 800 MHz Radio Infrastructure System.

Bid Information: Motorola is the only known provider for these type of services.

Contract Compliance: Contract Compliance Number # 361115800 - Expires: March 7, 2010.

Emergency Designation: Emergency designation is requested to ensure the continued operation and maintenance of the City's 800 MHz Radio System Infrastructure.

FISCAL IMPACT: Funds for this expenditure are budgeted in the Division of Support Services' 2009 General Fund operating budget. The Support Services Division expended \$134,749.20 in 2007 for services in 2008, and \$52,026.72 in 2008 for these same services in 2009.

Title

To authorize and direct the Director of Public Safety, on behalf of the Division of Support Services, to enter into a contract with Motorola for backup maintenance services required for continued operation of the Police and Fire 800 MHz Radio System Infrastructure in accordance with the sole source provisions of the Columbus City Codes; to authorize the expenditure of \$52,026.72 from the General Fund; and to declare an emergency. (\$52,026.72)

Body

WHEREAS, the Division of Support Services is responsible for the Police and Fire communications systems; and

WHEREAS, the Division of Support Services has a need to enter into contract with Motorola for a Backup Service Maintenance Agreement for the Police and Fire 800 MHz Radio Infrastructure; and

WHEREAS, Motorola is the only known company that can provide essential backup service 24 hours a day, seven days a week, for these systems; and

WHEREAS, this agreement is being established under the Sole Source Provision provided in Section 329.07 of the Columbus City Codes; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Safety, Division of Support Services, in that it is immediately necessary to enter into contract to support the Police and Fire communications systems, thereby preserving the public peace, health, property, safety and welfare; now, therefore

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

SECTION 1. That the Director of Public Safety be and is hereby authorized and directed to enter into a Backup Service Maintenance Agreement with Motorola for the Police and Fire 800 MHz Radio Infrastructure System for the period of **January 1, 2010 through December 31, 2010**.

SECTION 2. That this agreement is made in accordance with the Sole Source provision of Section 329.07 of the Columbus City Code.

SECTION 3. That for the purpose stated in Section 1 hereof, the expenditure of \$52,026.72, or so much thereof as may be needed, is hereby authorized from:

Div. 30-02 | fund: 010 | Obj. Level 1: 03 | Obj. Level 3: 3372 | OCA: 320104 | Amount: \$52,026.72

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: 1413-2009

Drafting Date: 10/16/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Board of Health has been awarded a grant from the Ohio Department of Health to fund the Women, Infants and Children (WIC) Program for the period October 1, 2009 through September 30, 2010. The grant funds awarded provide for a janitorial service contract for an amount not to exceed \$28,680. Solicitation SA003015 was bid on the City's vendor services website. An evaluation of all bids received was performed and it was determined that Key Cleaning Connection, LLC was the lowest responsive and responsible bidder. This is the second year of a contract with the option to renew for up to four years. The contract compliance number for Key Cleaning Connection, LLC is 31-1681060. Key Cleaning Connection, LLC is contract compliant through January 20, 2011.

This contract was awarded in compliance with Section 329.11 of the Columbus City Code.

Emergency action is requested in order to avoid any delays in providing program services.

FISCAL IMPACT: The Women, Infants and Children Program is entirely funded by the Ohio Department of Health. This program does not generate any revenue or require a City match.

Title

To authorize and direct the Board of Health to enter into a contract with Key Cleaning Connection, LLC for janitorial services at five WIC offices; to authorize the expenditure of \$28,680 from the Health Department Grants Fund; and to declare an emergency. (\$28,680)

Body

WHEREAS, The Columbus Health Department WIC Program is in need of janitorial services at five WIC offices; and,

WHEREAS, solicitation SA003015 was bid on the City's vendor services website; and,

WHEREAS, an evaluation of all bids received was performed and it was determined that Key Cleaning Connection, LLC was the lowest responsive and responsible bidder; and,

WHEREAS, this ordinance is being submitted as an emergency measure so that timely procurement of needed services will allow the services to proceed without delay; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into this contract 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 a contract with Key Cleaning Connection, LLC for janitorial services at five WIC clinics for the period of October 1, 2009 through September 30, 2010, in an amount not to exceed \$28,680.

SECTION 2. That for the contract stated above, the sum of \$28,680 is hereby authorized to be expended from the Health Department Grants Fund, Fund No. 251, Grant No. 509116, Division No. 50-01, OCA Code 509116, Object Level One 03, Object Level Three 3396.

SECTION 3. That this contract is in compliance with Section 329.11 of the Columbus City Code.

SECTION 4. That the City Auditor is authorized to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records.

SECTION 5. 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.

Legislation Number: 1414-2009

Drafting Date: 10/16/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department Women, Infants, and Children (WIC) Program has a need to provide language interpretation and written translation services for persons with limited English proficiency who receive services at the Health Department WIC clinics. Solicitation SA002788 was bid on the City's vendor services website. An evaluation of all bids received was performed and it was determined that Access 2 Interpreters, LLC was the lowest responsive and responsible bidder. This is the second year of a contract with the option to renew for up to five years. The contract period is October 1, 2009 through September 30, 2010, for a contract amount not to exceed \$35,000.

The contract compliance with Access 2 Interpreters, LLC expires July 28, 2010. Their contract compliance number is 760803722.

This contract was awarded in compliance with Section 329.11 of the Columbus City Code.

Emergency action is requested in order to avoid any delays in providing program services.

FISCAL IMPACT: The Women, Infants and Children Program is entirely funded by the Ohio Department of Health. This program does not generate any revenue or require a City match.

Title

To authorize and direct the Board of Health to enter into a contract with Access 2 Interpreters, LLC for live interpretation and translation services at WIC offices; to authorize the expenditure of \$35,000 from the Health Department Grants Fund; and to declare an emergency. (\$35,000)

Body

WHEREAS, a need exists for language interpretation and written translation services for persons with limited English proficiency who receive services at the Health Department WIC clinics; and,

WHEREAS, bid SA002788 was bid on the City's vendor services website; and,

WHEREAS, an evaluation of all bids received was performed and it was determined that Access 2 Interpreters, LLC was the lowest responsive and responsible bidder; and,

WHEREAS, this ordinance is being submitted as an emergency measure so that timely procurement of needed services will allow the services to proceed without delay; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into this contract 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 to enter into contract for \$35,000 with Access 2 Interpreters, LLC to provide live interpretation and written translation services.

SECTION 2. That the expenditure of \$35,000 is hereby authorized to be expended from the Health Department Grants Fund, Fund No. 251, Grant No. 509116, Division No. 50-01, OCA Code 509116, Object Level One 03, Object Level Three 3445.

SECTION 3. That the City Auditor is authorized to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records.

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.

Legislation Number: 1416-2009

Drafting Date: 10/16/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus State Community College is the primary grantee of a federal grant from the U.S. Department of Health and Human Services for the Family and Community Violence Prevention grant program. The Columbus Health Department will partner with the Columbus State Community College as a sub-grantee to provide drug, alcohol, and violence prevention as well as wellness education. This ordinance is needed to accept and appropriate \$99,719 to fund the Family and Community Violence Prevention grant program, for the period September 1, 2009 through August 31, 2010.

The primary objective of the Family and Community Violence Prevention grant program is to provide violence, alcohol, and drug prevention as well as wellness education to youth ages 10 through 13. The emphasis will be on health and wellness to Somali Bantu youth residing in the Wedgewood Apartment Complex.

This ordinance is submitted as an emergency so as 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.

FISCAL IMPACT: The Family and Community Violence Prevention program is entirely funded by the Columbus State Community College. This program does not generate any revenue or require a City match.

Title

To authorize and direct the Board of Health to accept this grant from the Columbus State Community College in the amount of \$99,719; to authorize the appropriation of \$99,719 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$99,719)

Body

WHEREAS, \$99,719 in grant funds have been made available through the Columbus State Community College for the Family and Community Violence Prevention grant program, for the period of September 1, 2009 through August 31, 2010; and,

WHEREAS, it is necessary to accept and appropriate these funds from the Columbus State Community College for the continued support of the Family and Community Violence Prevention program; and,

WHEREAS, this ordinance is submitted as an emergency so as 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; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to accept these grant funds from the Columbus State Community College and to appropriate these funds to the Health Department 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 accept a grant award totaling \$99,719 from the Columbus State Community College for the Family and Community Violence Prevention program for the period September 1, 2009 through August 31, 2010.

SECTION 2. That from the unappropriated monies in the Health Department Grants Fund, Fund No. 251, and from all

monies estimated to come into said Fund from any and all sources during the twelve months ending August 31, 2010, the sum of \$99,719 is hereby appropriated to the Health Department, Division No. 50, as follows:

OCA:509081; Grant No.:509081; OL1:01; Amount: \$46,147
OCA:509081; Grant No.:509081; OL1:02; Amount: \$4,508
OCA:509081; Grant No.:509081; OL1:03; Amount: \$49,064

Appropriation Family and Community Violence Prevention Grant: 509081 \$99,719

SECTION 3. That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Health Commissioner and that no order shall be drawn or money paid except upon voucher, the form of which shall be approved by the City Auditor.

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.

Legislation Number: 1419-2009

Drafting Date: 10/19/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

AN09-003

BACKGROUND: This ordinance approves the acceptance of certain territory (AN09-003) by the City. The Ohio Revised Code (ORC) stipulates that the once an annexation has been approved, it must be accepted by the receiving municipality within 180 days (but not sooner than 60 days) of receipt by the City Clerk of the approval notice from the county. Should City Council not take such action, the annexation will not take place. This petition was filed with Franklin County on May 14, 2009. Franklin County approved the annexation on May 26, 2009 and the City Clerk received notice on June 2, 2009. No service ordinance was required or filed for this annexation because it was filed as a Type 1 application as defined by the Ohio Revised Code. This type of application is stipulated for annexations in Plain Township as a consequence of an annexation agreement between the City and that jurisdiction. A service statement, reflecting the City's ability to provide services for this site upon annexation is included as attachment A.

FISCAL IMPACT: Provision of municipal services does represent cost to the City, however the annexation of land also has the potential to create revenue to the city.

Title

To accept the application (AN09-003) of Garry L. and Pamela S. Rowe for the annexation of certain territory containing 4.8± acres in Plain Township.

Body

WHEREAS, a petition for the annexation of certain territory in Plain Township was duly filed on behalf of Garry L. and Pamela S. Rowe on May 14, 2009; and

WHEREAS, while a service ordinance is not required for this type of annexation, the City did conduct a review of the

proposed annexation to determine what services would be available to the site upon annexation, the results of which are reflected in attachment A; and

WHEREAS, said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated May 26, 2009; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on June 2, 2009; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; **now, therefore**,

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

Section 1. That the proposed annexation as applied for in the petition of Garry L. and Pamela S. Rowe being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio on May 14, 2009 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated May 26, 2009 be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Plain, being part of Quarter Township 3, Township 2, Range 16, United States Military Lands, being all of the 3 Acre tract conveyed to Garry L. and Pamela S. Rowe of record in Instrument Number 200010270217905 (Recorder's Office Franklin County, Ohio), being all of Auditor's Parcel Number 220-000525, and being more particularly described as follows:

Beginning at the intersection of the west line of said Rowe 3 Acre tract with the centerline of Thompson Road (Township Road # 195, 40 feet wide, Road Record 14, Page 486-491), said point of intersection being in the existing corporation line for the City of Columbus (City of Columbus Ordinance No. 1951-93 of record in Official Record Volume 24303 F-05);

Thence, in a **northerly direction approximately 1,219 feet** along the west line of said Rowe 3 Acre tract, the existing corporation line of City of Columbus (City of Columbus Ordinance No. 1951-93 of record in Official Record Volume 24303 F-05 and City of Columbus Ordinance No. 1024-98 of record in Instrument Number 199806160148683), the east lines of the Perpsi Investment II LLC 3.829 Acre tract, the CSW Hamilton LLC 1.801 Acre tract, the CSW Hamilton LLC 0.748 Acre tract, and along the proposed City of Columbus Corporation Line consisting of the east lines of the Norma F. Connett 2.00 Acre tract and 1.943 Acre tract, and the Zahra Rastegar 1.956 Acre tract to a point at the northwest corner of said 3 Acre tract and in the south line of the April Gates 2.00 Acre tract;

Thence, in an **easterly direction approximately 107 feet** along the Proposed City of Columbus Corporation Line, part of the south line of said Gates 2.00 Acre tract and the north line of said Rowe 3 Acre tract to the northeast corner of said Rowe 3 Acre tract, the southeast corner of said Gates 2.00 Acre tract and in the west line of Lot 294 of The Preserve Section 6, Part 1 (Plat Book 97, Page 71) and in the existing corporation line for the City of Columbus (City of Columbus Ordinance No. 1158-78 of record in Miscellaneous Record 170, Page 268);

Thence, in a **southerly direction approximately 1,199 feet** along the east line of said Rowe 3 Acre tract and part of the west line of said Lot 294, the west line of Lot 293 of said The Preserve Section 6, Part 1, the west line of Lots 369,368,367,366,365,364,363,362 and 361 of The Preserve Section 7, Part 1 (Plat Book 102, Page 43), the west line of

Lots 395,394,393, 392, 391 and 390 of The Preserve Section 7, Part 2 (Plat Book 102, Page 45), and along the existing corporation line for the City of Columbus (City of Columbus Ordinance No. 1158-78 of record in Miscellaneous Record 170, Page 268) to the original Right-of-Way line of said Thompson Road (40 feet wide) and in the existing City of Columbus Corporation Line (City of Columbus Ordinance No. 1158-78 of record in Miscellaneous Record 170, Page 268);

Thence, in an **easterly direction approximately 1,629 feet** along the original Right-of-Way of said Thompson Road and the existing City of Columbus Corporation Line (City of Columbus Ordinance 1158-78 Miscellaneous. Record 170, Page 268 and City of Columbus Ordinance 641-89 Official Record Volume 13292 G-18) to a point in the easterly line of said Ordinance 1158-78;

Thence, in a **southerly direction approximately 60 feet** along said Existing City of Columbus Corporation Line (Case Number 42-99) and across said Thompson Road to a point 40 feet south of said centerline;

Thence, in a **westerly direction approximately 547 feet** along said Proposed City of Columbus Corporation Line, the south line of said Thompson Road (Instrument Number 200502040022202 and Instrument Number 2003092703100616) and across the Galiardi 3.00 Acre tract (Official Record Volume 18002 02) and across the Judith A. Davis 3.00 Acre tract (Official Record Volume 30152 J-08) to a point in the west line of said Davis tract;

Thence, in a **northerly direction approximately 20 feet** along said Proposed City of Columbus Corporation Line and along part of the west line of said Davis Tract;

Thence, in a **westerly direction approximately 1,190 feet** along said Existing City of Columbus Corporation Line (City of Columbus Ordinance 642-89, Official Record Volume 13292 F-10) and the south line of said Thompson Road (Official Record Volume 22207 H-19);

Thence, in a **northerly direction approximately 20 feet** along said Existing City of Columbus Corporation Line (Ordinance 1951-83; Official Record Volume 24303 F-05) to the place of beginning **CONTAINING APPROXIMATELY 4.8 ACRES.**

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

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

Legislation Number: 1424-2009

Drafting Date: 10/19/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Board of Health has been awarded a grant from the Columbus State Community College to fund the Family and Community Violence Prevention grant program for the period September 1, 2009 through August 31, 2010. The grant funds awarded provide for a drug, alcohol, and violence prevention and wellness education service contract for an amount not to exceed \$46,864. The contract compliance number for Community For New Direction is 31-1430278. Community For New Direction is a non-profit organization.

The terms and conditions of the Family and Community Violence Prevention grant stipulate that the Columbus Health Department enter into a contract with Community For New Direction; therefore, this contract was awarded in compliance with Section 329.02 of the Columbus City Code.

Emergency action is requested in order to avoid any delays in providing program services.

FISCAL IMPACT: The Family and Community Violence Prevention Program is entirely funded by the Columbus State Community College. This program does not generate any revenue or require a City match.

Title

To authorize and direct the Board of Health to enter into a contract with Community For New Direction for drug, alcohol, and violence prevention and wellness education services; to authorize the expenditure of \$46,864 from the Health Department Grants Fund; and to declare an emergency. (\$46,864)

Body

WHEREAS, The Columbus Health Department Family and Community Violence Prevention Program is in need of drug, alcohol, and violence prevention as well as wellness education services; and,

WHEREAS, this ordinance is being submitted as an emergency measure so that timely procurement of needed services will allow the services to proceed without delay; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into this contract 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 a contract with Community For New Direction for drug, alcohol, and violence prevention and wellness education services for the period of September 1, 2009 through August 31, 2010, in an amount not to exceed \$46,864.

SECTION 2. That for the contract stated above, the sum of \$46,864 is hereby authorized to be expended from the Health Department Grants Fund, Fund No. 251, Grant No.509081, Division No. 50-01, OCA Code 509081, Object Level One 03, Object Level Three 3337.

SECTION 3. That this contract is in compliance with Section 329.02 of the Columbus City Code.

SECTION 4. That the City Auditor is authorized to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records.

SECTION 5. 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.

Drafting Date: 10/19/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department has been awarded grant funds from the Franklin County Board of Health for the Project Love County Project. This ordinance is needed to accept and appropriate \$60,000 for the period October 1, 2009 through September 30, 2010. The funds from the Franklin County Board of Health provide reimbursement to the Health Department's Immunization program for strategies developed to increase public awareness and immunization rates within Franklin County. These strategies are intended to protect against outbreaks of infectious diseases, including influenza.

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.

FISCAL IMPACT: The Project Love County Project is funded through a grant award received from the Franklin County Board of Health. No City match is required.

Title

To authorize the Columbus Health Department to accept a grant from the Franklin County Board of Health in the amount of \$60,000 for the Project Love County Project; to authorize the appropriation of \$60,000 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$60,000)

Body

WHEREAS, \$60,000 in grant funds have been made available from the Franklin County Board of Health for the Project Love County Project; and,

WHEREAS, 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; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept this grant from the Franklin County Board of Health and to appropriate these funds to the Health Department 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 Columbus Health Department is hereby authorized and directed to accept a grant award totaling \$60,000 from the Franklin County Board of Health for the Project Love County Project for the period October 1, 2009 through September 30, 2010.

SECTION 2. That from the unappropriated monies in the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said Fund from any and all sources during the twelve months ending September 30, 2010, the sum of \$60,000 is hereby appropriated to the Health Department, Division No. 50-01 as follows:

Project Love County Project

OCA: 509091 Grant: 509091 Obj. Level 01:01 Amount: \$38,000

OCA: 509091 Grant: 509091 Obj. Level 01:03 Amount: \$22,000

SECTION 3. That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Health Commission, 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 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: 1429-2009

Drafting Date: 10/20/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department has been awarded additional grant funds from the Ohio Department of Health for the Public Health Emergency Preparedness program in the amount of \$1,941,141. These additional funds will provide for H1N1 related services, staffing and supplies. The purpose of this legislation is to accept and appropriate these funds for the period ending August 31, 2010.

The primary objective of the Public Health Emergency Preparedness program is to develop an infrastructure system to address terrorism and bio-terrorism activities should they occur in central Ohio.

This ordinance is submitted as an emergency so as 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.

FISCAL IMPACT: The Public Health Emergency Preparedness program is primarily funded by the Ohio Department of Health. The program does require ancillary mileage monies from the City, which are budgeted and available.

Title

To authorize and direct the Board of Health to accept grant funds from the Ohio Department of Health in the amount of \$1,941,141; to authorize the appropriation of \$1,941,141 from the Health Department Grants Fund; and to declare an emergency. (\$1,941,141)

Body

WHEREAS, \$1,941,141 in additional grant funds have been made available through the Ohio Department of Health for the Public Health Emergency Preparedness grant program for the period ending August 31, 2010; and,

WHEREAS, it is necessary to accept and appropriate these funds from the Ohio Department of Health for the continued support of the Public Health Emergency Preparedness program; and,

WHEREAS, this ordinance is submitted as an emergency so as 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; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to accept these grant funds from the Ohio Department of Health and to appropriate these funds to the Health Department 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 accept additional grant awards totaling \$1,941,141 from the Ohio Department of Health for the Public Health Emergency Preparedness grant program for the

period ending August 31, 2010.

SECTION 2. That from the unappropriated monies in the fund known as the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the twelve months ending August 31, 2010, the sum of \$1,941,141 is hereby appropriated to the Department of Health, Department No. 50-01, as follows:

Public Health Emergency Preparedness

OCA: 509078 Grant No.: 509075 Obj. Level 01:01 Amount \$530,405.00
OCA: 509078 Grant No.: 509075 Obj. Level 01:02 Amount \$ 10,000.00
OCA: 509078 Grant No.: 509075 Obj. Level 01:03 Amount \$1,400,736.00

SECTION 3. That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Health Commissioner and that no order shall be drawn or money paid except upon voucher, the form of which shall be approved by the City Auditor.

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.

Legislation Number: 1432-2009

Drafting Date: 10/20/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department was awarded the Public Health Emergency Preparedness grant from the Ohio Department of Health through the Centers for Disease Control in the amount of \$2,236,216 in August 2009. The Ohio Department of Health has recently approved a budget revision for this program resulting in appropriation realignment to fund approved activities. This ordinance is needed to realign appropriation in the amount of \$126,718 for the time period ending August 9, 2010.

The Public Health Emergency Preparedness program established the Franklin County/City of Columbus support network that would be required in the event of bioterrorism activity in the central region of the state of Ohio. It also allocates funding for the Cities Readiness Initiative, pandemic flu planning, and H1N1 related planning and activities.

This ordinance is submitted as an emergency so as to allow the financial transactions to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

FISCAL IMPACT: The realignment of appropriation within the Health Department Grants Fund is budget neutral.

Title

To authorize and direct the City Auditor to transfer \$126,718 within the Health Department Grants Fund, to properly align appropriation with projected expenses for the continued operation of the Public Health Emergency Preparedness program; and to declare an emergency. (\$126,718)

Body

WHEREAS, the Ohio Department of Health has recently approved a budget revision for the Public Health Emergency Preparedness grant program that results in the need to realign existing appropriation; and,

WHEREAS, this ordinance is submitted as an emergency so as 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; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is necessary to realign Public Health Emergency Preparedness grant appropriation 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 City Auditor is hereby authorized and directed to transfer \$126,718 within the Health Department Grants Fund, Fund No. 251, Department of Health, Department No. 50-01, Grant No. 509075, OCA 509076, as follows:

Transfer from:

Obj. Level 1: 01|Obj. Level 3: 6600|Amount: \$80,000

Obj. Level 1: 02|Obj. Level 3: 2200|Amount: \$46,718

Transfer to:

Obj. Level 1: 03|Obj. Level 3: 3300|Amount: \$59,801

Obj. Level 1: 03|Obj. Level 3: 1100|Amount: \$66,917

SECTION 2. 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: 1433-2009

Drafting Date: 10/20/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department has been awarded a grant from the Homeland Security Department through the Ohio Emergency Management Agency. This ordinance is needed to accept and appropriate \$321,421.00 in grant money to fund the Metropolitan Medical Response System grant program for the period of September 1, 2008 through March 31, 2011.

The Metropolitan Medical Response System grant provides assistance to the Columbus area medical emergency partner network to respond to a mass casualty event in central Ohio, e.g., local airport exercises, Poison Control services, Medical Reserve Corps. services, etc.

This ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible given the grant start date of September 1, 2008. Up to date financial posting promotes accurate accounting and financial management.

FISCAL IMPACT: The program is funded by the Homeland Security Department and does not generate revenue.

Title

To authorize and direct the Board of Health to accept a grant from the Homeland Security Department in the amount of \$321,421.00; to authorize the appropriation of \$321,421.00 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$321,421.00)

Body

WHEREAS, \$321,421.00 in grant funds have been made available through the Homeland Security Department for the Metropolitan Medical Response System program; and,

WHEREAS, this ordinance is submitted as an emergency so as 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; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept this grant from the Homeland Security Department and to appropriate these funds to the Health Department 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 accept a grant award of \$321,421.00 from the Homeland Security Department for the Metropolitan Medical Response System program for the period September 1, 2008 through March 31, 2011.

SECTION 2. That from the unappropriated monies in the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said Fund from any and all sources during the twelve months ending December 31, 2009, the sum of \$321,421 is hereby appropriated to the Health Department, Division No. 50, as follows:

Metropolitan Medical Response System Grant

OCA: 509051 Grant No.: 509051 Obj. Level 01: 01 Amount \$164,119

OCA: 509051 Grant No.: 509051 Obj. Level 01: 02 Amount \$146,582

OCA: 509051 Grant No.: 509051 Obj. Level 01: 03 Amount \$ 10,720

SECTION 3. That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Health Commissioner, 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 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: 1444-2009

Drafting Date: 10/21/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Need: This ordinance is to authorize the Director of the Civil Service Commission to modify and increase the maximum authorized expenditure in the contract with the Association for Psychotherapy for psychological screening of Department of Public Safety applicants. A Police Academy class is planned for 2010.

Bid Information: In 2008, the City of Columbus Civil Service Commission published a Request for Proposals (RFP) for these services for police and fire applicants and accepted proposals through May 8, 2008. Three proposals were submitted, an evaluation committee reviewed these proposals, and the Executive Director selected the Association for Psychotherapy, Inc. (Ordinance 0914-2008).

Emergency Designation: Emergency legislation is requested in order to allow sufficient time for the Division of Police to process police officer applicants, provide notice to applicants, and schedule psychological screening appointments.

Contract Compliance Number: 311441549, expires 9/15/2011.

FISCAL IMPACT: Funding for this service is available in the Civil Service Commission's general fund budget.

Title

To authorize and direct the Executive Director of the Civil Service Commission to modify and increase the contract with the Association for Psychotherapy, Inc. for the psychological screening of Department of Public Safety applicants, to authorize the expenditure of \$31,800.00 from the General Fund; and to declare an emergency (\$31,800.00).

Body

WHEREAS, in 2008, the City of Columbus Civil Service Commission accepted proposals from qualified companies for psychological services for police and fire applicants; and

WHEREAS, the Civil Service Commission awarded the new contract to the Association for Psychotherapy; and

WHEREAS, an emergency exists in the usual daily operation of the Civil Service Commission, in that it is immediately necessary to begin scheduling police officer applicants in preparation for an upcoming police academy class in 2010, and thereby preserving the public peace, property, health, safety and welfare; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Executive Director of the Civil Service Commission be and is hereby authorized to modify and increase the contract with Association for Psychotherapy, Inc. for the purpose of administering psychological screenings to Department of Public Safety applicants.

SECTION 2. That the expenditure of \$31,800.00 or so much thereof as may be needed, be and the same is hereby authorized as follows:

DIV FUND	OBJ LEV (1)	OBJ LEV (3)	OCA NO
27-01 010	03	3336	270108

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

Legislation Number: 1445-2009

Drafting Date: 10/21/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Need: The Civil Service Commission needs to modify the contract and increase the maximum authorized expenditure in the contract with the Ohio State University for pre-employment physicals and cardiovascular stress testing of applicants in preparation for a Police Academy class in 2010.

Bid Information: In 2007, the City of Columbus Civil Service Commission published a Request for Proposals (SA002707) for medical services related to the employment of police and fire applicants and accepted proposals through December 13, 2007. Four proposals were submitted, an evaluation committee reviewed these proposals, and the Commission selected the Ohio State University (Ordinance 0536-2008).

Emergency Designation: Emergency legislation is requested in order to allow sufficient time for the Division of Police to process police officer applicants, provide notice to applicants, and schedule medical appointments.

Contract Compliance Number: 31-6025986, governmental agency, no expiration date.

FISCAL IMPACT: Funding for this service is available in the Civil Service Commission's general fund budget.

Title

To authorize and direct the Executive Director of the Civil Service Commission to modify and increase the contract with The Ohio State University for the administration of pre-employment physicals and cardiovascular stress testing of public safety applicants, to authorize the expenditure of \$41,400.00 from the General Fund; and to declare an emergency (\$41,400.00).

Body

WHEREAS, in 2007, the City of Columbus Civil Service Commission accepted proposals from qualified companies for medical services related to the employment of police and fire applicants; and

WHEREAS, the Civil Service Commission awarded the new contract to the Ohio State University; and

WHEREAS, an emergency exists in the usual daily operation of the Civil Service Commission, in that it is immediately necessary to begin scheduling police officer applicants in preparation for an upcoming police academy class in 2010, and thereby preserving the public peace, property, health, safety and welfare; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Executive Director of the Civil Service Commission be and is hereby authorized to modify and increase the contract with The Ohio State University for the purpose of administering for pre-employment physicals and cardiovascular stress tests for applicants for the Public Safety Department.

SECTION 2. That the expenditure of \$41,400.00 or so much thereof as may be needed, be and the same is hereby authorized as follows:

DIV FUND	OBJ LEV (1)	OBJ LEV (3)	OCA NO
27-01 010	03 3336	270108	

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

Legislation Number: 1449-2009

Drafting Date: 10/21/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This legislation authorizes the City Clerk to enter into a contract with Daystar Computer Systems, Inc., for the continued support and maintenance of Legistar, the City's electronic system for creating and submitting legislation.

FISCAL IMPACT: The funding for this contract is fully budgeted within the 2009 operating budget.

Title

To authorize the City Clerk to enter into a contract with Daystar Computer Systems, Inc., for the support and maintenance of Legistar, the City's electronic system for creating and submitting legislation in accordance with the sole source provisions of Section 329.07 of the Columbus City Codes, 1959; to authorize the expenditure of \$24,141.00 from the General Fund and to declare an emergency. (\$24,141.00)

Body

WHEREAS, the duties of the City Clerk include responsibility for receiving, processing and maintaining all legislation submitted to her office for consideration by City Council, and

WHEREAS, the City Clerk desires to enter into this contract with Daystar Computer Systems, Inc., for the support and maintenance of Legistar, the City's electronic system for creating and submitting legislation and which is used to create and maintain Council Agendas and Journals, the recording Council votes, and assisting in the production of the City Bulletin; and

WHEREAS, entering into the said contract with Daystar will allow the City to continue to receive support and quarterly updates and/or upgrades for the Legistar software application, and

WHEREAS, this Legistar support and maintenance contract between the City and Daystar Computer Systems, Inc. will last for a 12-month period from February 1, 2010 until January 31, 2011, and

WHEREAS, the City Clerk is requesting this agreement to be established in accordance with the provisions of the sole source procurement of the Columbus City Code, Section 329.07, and

WHEREAS, the Legistar software is proprietary and requires unique support and maintenance that is offered by a sole-source provider, Daystar Computer Systems, Inc., and

WHEREAS, an emergency exists in the daily operation of the City Clerk's Office in that it is immediately necessary to enter into a service and maintenance contract with Daystar Computer Systems, Inc. to avoid interruption in services, 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 City Clerk be and is hereby authorized to enter into an agreement with Daystar Computer Systems, Inc. for the support and maintenance of Legistar.

SECTION 2. That the sum of \$24,141.00 be and hereby is authorized to be expended from City Council, Department 20-01, the General Fund, Fund 010, OCA Code 200105, Object Level One 03, Object Level Three 3336.

SECTION 3. That this service agreement is being established in accordance with the sole source provisions of Section 329.07 of the Columbus City Codes, 1959.

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.

Legislation Number: 1453-2009

Drafting Date: 10/22/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to establish four (4) UTC contracts to purchase Smith & Kennedy Hydrant Parts for the Division of Power and Water, the sole user. The parts will be used by the City's water maintenance crews to repair hydrants throughout the City of Columbus. The term of the proposed option contract is approximately two (2) years, expiring February 28, 2012, with the option to renew for one (1) additional year. The Purchasing Office opened bids on October 15, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003404). Fifty-four (54) bids were solicited: (M1A-0, F1-1, MBR-0). Four (4) bids were received.

Specifications allowed for both primary and secondary awards. The Purchasing Office is recommending award to the lowest, responsive, responsible and best bidders:

- Trumbull Industries, Inc., MAJ, CC# 34-0653551 expires 01/14/2010, Primary Award Items 2, 3, 8, 10, 14, 21, 22, 28-31, 33-36, 39, 41-43, 45, 46, 48-54, Secondary Award Items 4-7, 9, 12, 15, 18-20, 23-27, 32, 37, 38, and 44, \$1.00
- Hydrflo, Inc., MAJ, CC# 76-0138320 expires 10/20/2011, Primary Award Items 1, 10, 11, 13, 16, and 17, Secondary Award Items 2, 3, 14, 21, 22, 39, 42 and 43, \$1.00
- Ferguson Waterworks, MAJ, CC# 54-1211771 expires 08/27/2010, No Primary Award, Secondary Award Items 1, 11, 13,

16 and 17, \$1.00

Site Supply, Inc., MAJ, CC# 31-1350146 expires 02/13/2011, Primary Award Items 4-7, 9, 12, 15, 18-20, 23-27, 32, 37, 38, 40 and 44, Secondary Award Items 28-31, 33-36, and 41, \$1.00

There were no bids received on Items 47, 55-57 and Items 8, 40, 45, 46, 48-54 had no secondary bids.

Total Estimated Annual Expenditure: \$60,000.00, Division of Water, the sole user

The companies are 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. 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 Account. City Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance and Management Director to enter into four (4) contracts for the option to purchase Smith & Kennedy Hydrant Parts with Trumbull Industries, Inc., Hydrflo, Inc., Ferguson Waterworks and Site Supply, Inc., to authorize the expenditure of \$4.00 to establish the contracts from the Mail, Print Services and UTC Fund Account; and to declare an emergency. (\$4.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 15, 2009 and selected the lowest, responsive, responsible and best bidders; 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, in order to maintain a supply of Smith & Kennedy Hydrant Parts, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Smith & Kennedy Hydrant Parts, 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 be and is hereby authorized and directed to enter into the following contracts for the option to purchase Smith & Kennedy Hydrant Parts in accordance with Solicitation No. SA003404 for a term of approximately two (2) years, expiring February 28, 2012, with the option to renew for one (1) additional year, as follows:

Trumbull Industries, Inc., Primary Award Items 2, 3, 8, 10, 14, 21, 22, 28-31, 33-36, 39, 41-43, 45, 46, 48-54, Secondary Award Items 4-7, 9, 12, 15, 18-20, 23-27, 32, 37, 38, and 44, Amount \$1.00

Hydrflo, Inc., Primary Award Items 1, 10, 11, 13, 16, and 17, Secondary Award Items 2, 3, 14, 21, 22, 39, 42 and 43, Amount \$1.00

Ferguson Waterworks, No Primary Award, Secondary Award Items 1, 11, 13, 16 and 17, Amount \$1.00

Site Supply, Inc., Primary Award Items 4-7, 9, 12, 15, 18-20, 23-27, 32, 37, 38, 40 and 44, Secondary Award Items 28-31, 33-36, and 41, Amount \$1.00

SECTION 2. That the expenditure of \$4.00 is hereby authorized from 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 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: 1454-2009

Drafting Date: 10/22/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The Division of Police was awarded funding through the FY2009 Forensic DNA Backlog Reduction Program from the National Institute of Justice. This federally supported program seeks to improve the infrastructure and analysis capacity of existing state and local crime laboratories that conduct DNA analysis so they can process DNA samples efficiently and cost effectively. Funds have been awarded for DNA analysis supplies, overtime for current analysts to work on casework, salary and fringe benefits for one year for hiring a new Forensic Scientist and funds for training the current and new DNA analysts in the latest technologies in this ever-evolving field. The cost breakdown for this grant award is: personnel base pay, overtime and fringe benefits = \$80,277.00, DNA testing supplies = \$124,684.00 and training = \$10,500.00.

These grant funds will help the Division of Police Crime Lab to process DNA samples efficiently and reduce the wait time for DNA case analysis. The official city program contact authorized to act in connection with this \$215,461.00 grant is Crime Lab Manager, Jami St. Clair.

Emergency Designation: Emergency legislation is needed to complete the acceptance and make the awarded funds available as soon as possible to begin the hiring and purchasing processes. The grant award period start date is October 1, 2009.

FISCAL IMPACT: This ordinance authorizes an acceptance of the \$215,461.00 grant award and the appropriation of those funds from the National Institute of Justice to improve DNA analysis. There is no fiscal impact on the General Fund budget. No matching funds are required and all grant expenditures will be reimbursed by the grant awarded funding.

Title

To authorize and direct the Mayor of the City of Columbus to accept a FY2009 Forensic DNA Backlog Reduction Program award from the National Institute of Justice; to authorize the Crime Lab Manager as the official city representative to act in connection with this grant; to authorize an appropriation of \$215,461.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the cost of the FY2009 Forensic DNA Backlog Reduction Grant Program activities and expenditures; and to declare an emergency. (\$215,461.00)

Body

WHEREAS, The Division of Police has been awarded funding through a FY2009 Forensic DNA Backlog Reduction Program Grant from the National Institute of Justice for DNA supplies, training and overtime funds for Crime Lab DNA analysts, and funding for the salary and fringe benefits for a newly hired Forensic Scientist for one year; and

WHEREAS, the Columbus Police Crime Lab needs supplies, training and staff to aid in processing DNA samples more efficiently and cost effectively; and

WHEREAS, Crime Lab Manager Jami St. Clair has been identified as the official city representative to act in connection with this FY2009 Forensic DNA Backlog Reduction Program Grant and to provide information as required; and

WHEREAS, the grant award period begins on October 1, 2009 and completion of the city legislative processes are

necessary to begin the grant funded activities; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to authorize and direct the Mayor of the City of Columbus to accept a FY2009 Forensic DNA Backlog Reduction Program award, to authorize Crime Lab Manager Jami St. Clair as the official city representative for the grant and authorize an appropriation for the grant, thereby preserving the public peace, property, health, safety and welfare; now, therefore

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

SECTION 1. That the Mayor of the City of Columbus is hereby authorized and directed to accept a FY2009 Forensic DNA Backlog Reduction Program Grant for DNA supplies, training, and DNA analyst personnel costs for the Columbus Police Crime Lab.

SECTION 2. That Crime Lab Manager Jami St. Clair is designated as the official city program contact, is authorized to act in connection with the FY2009 Forensic DNA Backlog Reduction Program Grant, and is to provide any additional information required.

SECTION 3. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purposes during the grant period the sum of \$215,461.00 is appropriated as follows:

<u>DIV</u>	<u>FUND</u>	<u>OBJ LEVEL (1)</u>	<u>OBJ LEVEL (3)</u>	<u>OCA</u>	<u>GRANT</u>	<u>AWARD</u>
30-03	220 01	1101	339039 338039		\$ 44,408.00	
30-03	220 01	1102	339039 339039		\$ 8,195.00	
30-03	220 01	1121	339039 339039		\$ 5,260.00	
30-03	220 01	1150	339039 339039		\$ 11,162.00	
30-03	220 01	1160	339039 339039		\$ 7,364.00	
30-03	220 01	1171	339039 339039		\$ 763.00	
30-03	220 01	1173	339039 339039		\$ 3,125.00	
30-03	220 02	2203	339039 339039		\$124,684.00	
30-03	220 03	3330	339039 339039		\$ 8,000.00	
30-03	220 03	3331	339039 339039		\$ 2,500.00	

SECTION 4. That the monies appropriated on the foregoing Section 3 shall be paid upon order of the Director of Public Safety; 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 5. 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.

Drafting Date: 10/23/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Need: The Columbus Health Department has a need to purchase replacement security cameras that are part of the existing building security system at Health's 240 Parsons Avenue facility. On September 29, 2009, Solicitation No. SO032584 was placed on the City of Columbus Vendor Services website for seven days. All vendors registered with the City were solicited for bids.

The solicitation stated that during the year Columbus Public Health needs to purchase new Bosch security cameras for integration into an existing system, on an as needed basis. Four different types of cameras are utilized within the security network, two interior and two exterior types. The bid also solicited quotes for a time server that is needed to synchronize the timers for the six digital recorders that are part of the security system. The estimated dollar amount to be spent is \$12,000.

Twelve bids were received and Halifax Security, Inc., was determined to be the lowest, responsive, responsible bidder in accordance with Section 329.06 of the Columbus City Code. Halifax Security, Inc., is a female-owned business in New Jersey, with no Local office and they have no employees in Columbus. Their contract compliance number is 421715805 and it expires on October 8, 2011.

Emergency Designation: Emergency legislation is necessary to provide for the purchase as soon as possible.

Fiscal Impact: This capital improvement project expenditure is budgeted within the Health G.O. Bonds Fund, Fund No. 706.

Title

To authorize the Finance and Management Director to establish a purchase order with Halifax Security, Inc., for the purchase of security cameras at the Health Department; to authorize the expenditure of \$12,000.00 from the Health G.O. Bonds Fund; and to declare an emergency. (\$12,000.00)

Body WHEREAS, the Health Department's security system has four types of cameras, two interior and two exterior types, on their network that are aged and failing; and

WHEREAS, an emergency exists because this equipment needs to be available for purchase when a camera is no longer operational and is compromising security operations; and

WHEREAS, bids were sought through the City's Vendor Services webpage, Solicitation No. SO032584, and bids were received from twelve vendors with Halifax Security, Inc., being the lowest and best bidder; and

WHEREAS, an emergency exists in the daily operations of the Department of Health in that it is immediately necessary that a purchase order be created for the purchase of security cameras for the Health Department's 240 Parsons Avenue facility for the immediate preservation of the public peace, property, health, safety and welfare, now therefore

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

SECTION 1. That the Director of Finance and Management is hereby authorized to establish a purchase order with Halifax Security, Inc., for the purchase of security cameras and equipment for the security system at the Health Department's 240 Parsons Avenue facility.

SECTION 2. That the expenditure of \$12,000.00 is hereby authorized from the Health G.O. Bonds Fund, Fund No. 706, Project No. 570053-100000, Department of Health, Division No. 50-01, Object Level One 06, Object Level Three 6644, OCA No. 501713.

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 and to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records.

SECTION 4. That for reasons stated in the preamble hereto, which is hereby made a part thereof, 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: 1461-2009

Drafting Date: 10/23/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Board of Health was awarded \$4,160,043 in grant monies from the Ohio Department of Health, Centers for Disease Control for the Public Health Emergency Preparedness program. This ordinance is needed to authorize a contract with the Franklin County Board of Health for \$1,277,514 for the time period August 10, 2009 through August 9, 2010.

The purpose of the contract is to maintain a Public Health Emergency Preparedness/Emergency Response system in the event of the spread of H1N1 and bioterrorism activities in Franklin County. This contract is necessary per the requirements of the Ohio Department of Health, Public Health Emergency Preparedness proposal.

Emergency action is requested to facilitate and expedite the Franklin County component of maintaining a public health emergency preparedness and emergency H1N1 response in central Ohio.

FISCAL IMPACT: The Public Health Emergency Preparedness grant budget provides \$1,277,514 for a contract with the Franklin County Board of Health.

Title

To authorize and direct the Board of Health to enter into contract with the Franklin County Board of Health, to authorize the expenditure of \$1,277,514 from the Health Department Grants Fund; and to declare an emergency. (\$1,277,514)

Body

WHEREAS, the Franklin County Board of Health will establish a public health emergency H1N1 response and emergency preparedness structure; and,

WHEREAS, this contract is necessary per the requirements of the Ohio Department of Health, Public Health Emergency Preparedness proposal; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to authorize this contract 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 contract with the Franklin

County Board of Health for the period August 10, 2009 through August 9, 2010.

SECTION 2. This ordinance is in accordance with Section 329.02 of the Columbus City Code.

SECTION 3. That to pay the cost of said contract the expenditure of \$313,936 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department No. 50, Grant Number 509075, OCA 509075, Object Level One 03, Object Level Three 3337.

SECTION 4. That to pay the cost of said contract the expenditure of \$310,534 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 3337.

SECTION 5. That to pay the cost of said contract the expenditure of \$40,786 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 3337.

SECTION 6. That to pay the cost of said contract the expenditure of \$612,258 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department No. 50, Grant Number 509075, OCA 509078, Object Level One 03, Object Level Three 3337.

SECTION 7. 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: 1466-2009

Drafting Date: 10/23/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Winter Asphalt for the Department of Public Service, Division of Planning and Operations. Winter Asphalt is used for repairing streets and roadways in the City of Columbus during the cold weather months. The term of the proposed option contract would be through April 30, 2010. The Purchasing Office opened formal bids on October 8, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003386). Twenty-four bids were solicited (MAJ: 19, F1:1, M1A: 4); Three bids were received (MAJ: 3).

Three bids were received. The bids were for 4 different materials (Items 1, 2, 3 and 4); and for delivery of items 3 and 4. Kokosing Materials was the low bidder on the only item they bid, Item 3, but did not meet the specifications and are not recommended for a contract award. Items 3 and 4 were solicited on this bid to identify a supplier who could provide delivery of the material. The City has an existing contract for these two items but it only allows for the pick-up of the materials. These items will continue to be purchased from the existing contract, as needed.

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

The Apple Smith Corporation, CC#311012654, exp. 7/08/2011
Total Estimated Expenditure: \$50,000.00

This company is not debarred according to the Excluded Parties listing of the Federal Government and is not listed in the

Auditor of States database for Findings for Recovery.

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. Public Service will be required to obtain approval to expend from their own appropriations.

TitleTo authorize and direct the Finance and Management Director to enter into one contract for the option to purchase Winter Asphalt for the Department of Public Service with Apple Smith Corporation; to authorize the expenditure of one dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 8, 2009 and selected the lowest, responsive, responsible and best bid; and

WHEREAS, this ordinance addresses the 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 contract for the Department of Public Service to efficiently maintain its supply chain and service to the public; and

WHEREAS, in order to ensure Winter Asphalt is supplied without interruption to enable the maintenance and repair of city roadways and streets during the cold weather months, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service/Division of Planning and Operations in that it is immediately necessary to enter into a contract for an option to purchase Winter Asphalt 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 be and is hereby authorized and directed to enter into the following contract for the option to purchase Winter Asphalt for the term ending April 30, 2010 in accordance with Solicitation No. SA003386 as follows:

Apple Smith Corporation. Items: 1 and 2: Amount \$1.00

SECTION 2. That the expenditure of \$1.00 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: 1470-2009

Drafting Date: 10/26/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: To modify and extend the existing contract for the option to rent Linens for the Public Safety Department, Fire Division, to and including November 30, 2010. The Universal Term Contract has a final one-year

extension available, subject to mutual agreement and City Council approval. Formal bids were opened by the Purchasing Office on January 12, 2006. The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06. (Solicitation #SA001879). The following contract was established in accordance with bids received:

FL003038 with Buckeye Linen Service, 31-0999310.

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

1. Amount of additional funds: The estimated annual expenditure for the contract is \$70,000.00. The Fire Division must obtain approval to expend from their own budgeted funds for their estimated expenditures.
2. Reason additional needs were not foreseen: The need was foreseen. An extension is provided for in the original contract, but requires City Council approval.
3. Reason other procurement processes not used: No better pricing, terms or conditions are expected by re-bidding at this time.
4. How cost was determined: The cost, terms and conditions are in accordance with the original agreement.

FISCAL IMPACT: No funding is required to extend the option contract. The Fire Division must set aside their own funding for their estimated expenditures.

To keep interrupted supply of service to the City Agencies using the Universal Term Contract at a minimum, this ordinance is be submitted as an emergency.

Title

To authorize and direct the Finance and Management Director to modify and extend the contract for the Fire Division for the option to rent Linens with Buckeye Linen Service; and to declare an emergency.

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, the vendor has agreed to extend FL003038 at current prices to and including November 30, 2010, and it is in the best interest of the City to exercise this option; and

WHEREAS, in order to avoid an extended lapse in our ability to provide Linens to Fire Division employees at the Fire Houses, this is being submitted for approval as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Fire Division in that it is immediately necessary to extend FL003038 for an option to rent Linens for the Fire Division thereby preserving the public and Fire Division 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 be and is hereby authorized and directed to modify and extend FL003038 with Buckeye Linen Service, to and including November 30, 2010.

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

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: 1477-2009

Drafting Date: 10/26/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. Background:

As a part of the Whittier Peninsula Redevelopment project, the City of Columbus desires to vacate those public rights-of-way located within that area identified as the Whittier Peninsula that are no longer necessary for public ingress and egress. The public rights-of-way to be vacated are more fully described as 1) River Street, from Furnace Street to the westerly terminus of said River Street; 2) a portion of Furnace Street from the southerly limited access line of Interstate 70 to the southerly terminus of said Furnace Street; 3) all those publicly dedicated alleys within that strip of land bounded on the west by the Scioto River, on the east by the ingress/egress easement granted to the City by virtue of a deed of easement of record in the Franklin County, Ohio, Recorder's office as instrument number 200808290131765 and that portion of Maier Place dedicated to the City by Ordinance 0617-2008, on the north by that portion of Maier Place dedicated to the City by Ordinance 91-90 and extending approximately 2500 feet in a southerly direction.

After review by the Department of Public Service, it has been determined that redevelopment potential within the area designated as the Whittier Peninsula will be enhanced as a result of these vacations.

2. Fiscal Impact:

N/A

3. Emergency Justification:

Emergency action is requested so proposed redevelopment contracts can be issued by the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District ("Metro Parks") yet this year and work on the Whittier Peninsula site can continue throughout this fall and winter.

Title

To vacate those public rights-of-way located on the Whittier Peninsula that are no longer necessary for public ingress and egress to this site; to retain a general utility easement in, over, across, on and through said public rights-of-way; to the extent they may apply to waive the competitive bidding provisions and the Land Review Commission requirements of Columbus City Codes; and to declare an emergency.

Body

WHEREAS, after review it has been determined that the redevelopment potential for that area designated as the Whittier Peninsula Redevelopment project area will be enhanced as a result of the vacation of those public rights-of-way located within this area that are no longer necessary for public ingress and egress; and

WHEREAS, as a part of this redevelopment project, the City of Columbus desires to vacate those public rights-of-way more fully described as 1) River Street, from Furnace Street to the westerly terminus of said River Street; 2) a portion of Furnace Street from the southerly limited access line of Interstate 70 to the southerly terminus of said Furnace Street; 3) all those publicly dedicated alleys within that strip of land bounded on the west by the Scioto River, on the east by the ingress/egress easement granted to the City by virtue of a deed of easement of record in the Franklin County, Ohio, Recorder's office as instrument number 200808290131765 and that portion of Maier Place dedicated to the City by Ordinance 0617-2008, on the north by that portion of Maier Place dedicated to the City by Ordinance 91-90 and extending approximately 2500 feet in a southerly direction; and

WHEREAS, after investigation it was determined there are no objections to the vacation of these unimproved rights-of-way subject to the retention of a general utility easement for the utilities currently located within them; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to vacate these rights-of-way so redevelopment contracts can be issued by the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District ("Metro Parks") yet this year and work on the Whittier Peninsula site can continue throughout this fall and winter 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 public rights-of-way more fully described as 1) River Street, from Furnace Street to the westerly terminus of said River Street; 2) a portion of Furnace Street from the southerly limited access line of Interstate 70 to the southerly terminus of said Furnace Street; 3) all those publicly dedicated alleys within that strip of land bounded on the west by the Scioto River, on the east by the ingress/egress easement granted to the City by virtue of a deed of easement of record in the Franklin County, Ohio, Recorder's office as instrument number 200808290131765 and that portion of Maier Place dedicated to the City by Ordinance 0617-2008, on the north by that portion of Maier Place dedicated to the City by Ordinance 91-90 and extending approximately 2500 feet in a southerly direction be and hereby are vacated.

Section 2. That a general utility easement in, on, over, across and through the above described rights-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said rights-of-way.

Section 3. That upon notification and verification of the relocation of all utilities located within the retained general utility easement the Director of the Department of Public Service is hereby authorized to execute those documents necessary to release the retained general utility easement with no additional compensation due to the City and with no further legislative action required by the City.

Section 4. That this Council has determined it is in the best interest of the City of Columbus to allow these rights-of-way to be vacated without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.29 with regards to the vacation of these rights-of-way.

Section 5. That this Council has determined it is in the best interest of the City of Columbus to allow these rights-of-way to be vacated without requiring a recommendation from Land Review Commission and hereby waives the Land Review Commission provision of Columbus City Codes (1959) Revised, Section 328.01 with regards to the vacation of these rights-of-way.

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: 1504-2009

Drafting Date: 10/29/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: The City of Columbus (hereinafter "City") desires to purchase real property for the parking garage located at Front and Rich Streets. The property is owned by Lorenzo Baker IV and is leased to Riversouth Holdings LLC under a 99-year lease. Riversouth acquired the stores lease as part of its purchase of the Federated properties. Riversouth Holdings LLC has granted the City temporary possession under its leasehold rights until the City is able to acquire fee simple title. At that time Riversouth Holdings will release its leasehold interest to the City. This legislation authorizes the Director of the Department of Finance and Management to execute those documents necessary to purchase the aforementioned real property and to expend \$52,000 for cost relevant to its acquisition.

Fiscal Impact: The Department of Finance and Management has determined that the expenditure for this

purchase will come from the Parking Garages Fund.

Emergency Justification: Emergency action is requested to allow the purchase of the subject real property without delay in order to comply with the terms of the purchase agreement.

Title

To authorize the Director of the Department of Finance and Management to execute those documents necessary to purchase fee simple title to two lots owned by Lorenzo P. Baker IV located at the northwest corner of Cherry and Wall Streets, to expend \$52,000.00, from the Parking Garages Fund and to declare an emergency. (\$52,000.00).

Body

WHEREAS, the City of Columbus (hereinafter "City") desires to purchase real property for fee simple title to two lots located at the northwest corner of the intersection of Cherry and Wall Streets; and

WHEREAS, it is necessary to expend \$52,000.00 from the Parking Garages Fund in order to purchase the subject real property; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to authorize the Director of the Department of Finance and Management to execute those documents necessary for the purchase of said real property for the immediate preservation of the public health, peace, property and safety; now, therefore:

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

Section 1. That the Director of the Department of Finance and Management be, and hereby is, authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary for the purchase of fee simple title to the following described real property:

First Tract:

Situate in the County of Franklin in the State of Ohio and in the City of Columbus and bounded and described as follows:

Being the east one-fourth part of Inlot Number Two Hundred Fourteen (214) in said City of Columbus, as said Inlot is designated on the recorded plat of said City in Deed Book F, Page 332, in the Office of the Recorder of Franklin County, Ohio.

Second Tract:

Situate in the County of Franklin in the State of Ohio and in the City of Columbus and bounded and described as follows:

Part of said Inlot Number Two Hundred and Fourteen (214) bounded and described as follows, to wit: Beginning at a point in the north line thereof Forty-seven (47) feet from the northeast corner; thence west with the said north line Forty-five (45) feet; thence south on a line parallel with the east line of said Inlot No. 214, Sixty-two and one-half (62 ½) feet; thence east with the south line of said Inlot Forty-five (45) feet; thence north on a line parallel with the east line of said Inlot Number Two Hundred and Fourteen (214), Sixty-two and one-half (62 ½) feet to the place of beginning. Parcel No. 010-021387

Section 2. That the expenditure of \$52,000.00, or so much thereof as may be necessary, from the Parking Garages Fund, be and hereby is authorized as follows: OCA: 630103; Fund 630; Sub Fund 003, Object Level Three: 6601; Dept./Div.

45-01, for the aforesaid purpose is hereby authorized.

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 its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1506-2009

Drafting Date: 10/29/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This ordinance authorizes the issuance of limited tax notes in the amount of not to exceed \$29,500,000.00 for transportation projects. This note sale will be conducted on a competitive basis and is a cooperative effort of the Department of Finance and Management and the City Auditor's Office.

Title

Authorizing the issuance of limited tax notes in the amount of not to exceed \$29,500,000 for transportation projects (\$29,500,000). Section 55(b) of the City Charter.

Body

WHEREAS, pursuant to Ordinance No. 1879-2008, duly adopted by the City Council (the "Council") for the City of Columbus, Ohio (the "Municipality" or the "City") on November 24, 2008, notes in the principal amount of \$24,225,000 (the "Outstanding Notes") dated December 16, 2008 were issued in anticipation of the issuance of bonds for the purpose of widening, opening, extending, constructing, paving, repaving, improving and changing the line of expressways, freeways, roads, highways, bikeways, streets, alleys, bridges, viaducts, overpasses, underpasses, grade crossing eliminations, service and access roads, and sidewalks, including development of off-street parking facilities, the acquisition and installation of parking meters, traffic control systems, equipment and signs and related appurtenances thereto, the acquisition of real estate and interests in real estate and related equipment, and landscaping and making site improvements (the "Project"), and such notes mature December 16, 2009; and

WHEREAS, it appears advisable in lieu of issuing bonds at this time to issue new notes in anticipation of the issuance of bonds; and

WHEREAS, it is now deemed necessary to issue and sell up to \$29,500,000 of notes in anticipation of the issuance of bonds under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, to provide for the payment of a portion of the Outstanding Notes and to provide for additional costs of the Project; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above

which is to be financed from the proceeds of bonds and notes hereinafter referred to exceeds five (5) years, the maximum maturity of bonds being twenty-five (25) years and notes being nineteen (19) years.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO THAT:

Section 1. It is hereby declared necessary to issue bonds (the "Bonds") of the City, in the maximum principal sum of \$29,500,000 or such lesser amount as shall be determined by the Director of Finance and Management and certified to this Council, for the purpose of refunding a portion of the Outstanding Notes and providing for additional costs of the Project and the cost of advertising, printing and legal services and other costs incidental thereto.

Section 2. The Bonds shall be dated prior to the maturity date of the Notes (as defined herein), shall bear interest at the maximum average annual interest rate presently estimated to be five and one-half per centum (5.50%) per annum, payable semiannually until the principal sum is paid or provision has been duly made therefor and shall mature in twenty-five (25) annual installments.

Section 3. It is necessary to issue and this Council hereby determines that notes shall be issued in anticipation of the issuance of the Bonds.

Section 4. Such anticipatory notes (the "Notes") shall be in the amount of \$29,500,000 or such lesser amount as shall be determined by the Director of Finance and Management or City Auditor and certified to this Council, which sum does not exceed the amount of the Bonds. The Notes shall be dated the date established by the City Auditor and certified to this Council and shall mature on such date as shall be determined by the City Auditor and certified to this Council, provided that such date shall not be later than one year after the date of issuance of the Notes. The Notes shall be issued as fully registered notes in book entry form only, in such denominations as shall be determined by the City Auditor and shall be numbered as determined by the City Auditor.

Section 5. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Notes are outstanding, in an amount which is sufficient to provide, funds to pay interest upon the Notes as and when the same fall due and to provide a fund for the repayment of the principal of the Notes at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 6. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Notes and Bonds when and as the same fall due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Notes in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Notes and Bonds in accordance with law.

Section 7. The Notes shall be the full general obligation of the Municipality, and the full faith, credit and revenue of the Municipality are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the Notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity, together with interest thereon, and is hereby pledged for such purpose.

Section 8. The Notes shall be designated "City of Columbus, Ohio Transportation Projects Limited Tax Notes, Series 2009-1", or as otherwise provided in the Certificate of Award hereinafter identified.

It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Notes with other bond anticipation notes of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Notes and such other notes will be jointly referred to herein as the "Combined Notes". The Combined Notes shall be designated "City of Columbus, Ohio Various Purpose Limited Tax Notes, Series 2009-1" or as otherwise provided in the Certificate of Award hereinafter defined.

Section 9. The Combined Notes shall bear interest at such rate per annum as shall be determined by the City Auditor and certified to this Council, provided that such rate shall not exceed five per centum (5.00%) per annum, based on a 360-day year of twelve 30-day months, payable at maturity. The sale and award of the Combined Notes shall be evidenced by a Certificate of Award to be signed by the Director of Finance and Management or the City Auditor setting

forth and determining such terms and other matters pertaining to the Combined Notes, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance (the "Certificate of Award"). The Certificate of Award shall identify the original purchaser of the Combined Notes (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Form of Notice of Limited Tax Note Sale attached hereto as Exhibit A, with such changes as the City Auditor shall approve, not inconsistent with this Ordinance. The Certificate of Award shall state the aggregate principal amount of the Combined Notes to be issued, the dated date of the Combined Notes, the maturity date of the Combined Notes, the purchase price of the Combined Notes and the specified interest rate of the Notes and shall include such additional information as shall be required by the terms of this Ordinance and the Certificate of Award.

Section 10. The Combined Notes shall be executed by the City Auditor and the Mayor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile, shall be payable as to both principal and interest upon presentation and surrender of the Combined Notes at the office of the Note Registrar, and shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance. No Note shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Note, is signed by the Note Registrar (as defined in Section 11 hereof) as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Combined Note so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and interest on the Combined Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. The principal of and interest on the Combined Notes shall be payable upon presentation and surrender of the Combined Notes at their maturity at the office of the Note Registrar.

Section 11. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, note registrar, transfer agent and paying agent (collectively, the "Note Registrar") for the Combined Notes. So long as any of the Combined Notes remain outstanding, the Municipality will cause to be maintained and kept by the Note Registrar, at the office of the Note Registrar, all books and records necessary for the registration, exchange and transfer of the Combined Notes as provided in this Section (the "Note Register"). Subject to the provisions of Section 12 hereof, the person in whose name any Combined Note shall be registered on the Note Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Notes shall be made only to or upon the order of that person. Neither the Municipality nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Notes, including the interest thereon, to the extent of the amount or amounts so paid.

Any Note may be transferred only on the Note Register upon presentation and surrender thereof at the office of the Note Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar. Upon that transfer, the Note Registrar shall complete, authenticate and deliver a new Note or Combined Notes of any authorized denomination or denominations equal in the aggregate to the unmaturing principal amount of the Combined Note surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Note Registrar shall not be required to transfer or exchange any Note for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Notes are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Note Registrar shall authenticate and deliver Combined Notes in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and the Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Note Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Notes. All Notes issued upon any transfer or exchange shall be valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Notes surrendered upon that transfer or exchange.

Section 12. The Combined Notes shall be initially issued to a Depository (as defined herein) for use in a book entry system (each as hereinafter defined), and the provisions of this Section shall apply notwithstanding any other

provision of this Ordinance: (i) there shall be a single Note, (ii) the Note shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Note in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on the Notes in book entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each Interest Payment Date, and (ii) in all other cases, upon presentation and surrender of Notes as provided in this Ordinance.

The Note Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Note in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Note, upon any conditions which shall be satisfactory to the Note Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Note Registrar will furnish a copy of each of these agreements, certified to be correct by the Note Registrar, to other paying agents for Notes and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance and Management of the Municipality, is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, the letter agreement among the Municipality, the Note Registrar and The Depository Trust Company, as Depository, to be delivered, in connection with the issuance of the Combined Notes to a Depository for use in a book entry system in substantially the form submitted to this Council.

If any Depository determines not to continue to act as a depository for the Combined Notes for use in a book entry system, the Municipality and the Note Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Note Registrar do not or are unable to do so, the Municipality and the Note Registrar, after the Note Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Notes from the Depository, and authenticate and deliver Note certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Notes), if the event is not the result of action or inaction by the Municipality or the Note Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest and premium, if any, on the Combined Notes may be transferred only through a book entry and (ii) physical Combined Notes in fully registered form are issued only to a Depository or its nominee as registered owner, with the Combined Notes "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Notes.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Notes, and to effect transfers of Notes, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 13. The sale and award of the Combined Notes shall be evidenced by the Certificate of Award signed by the Director of Finance and Management or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Notes (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Form of Notice of Limited Tax Note Sale attached hereto as Exhibit A, with such changes as the City Auditor shall

approve, not inconsistent with this Ordinance. The Certificate of Award shall also state the aggregate principal amount of the Combined Notes as well as the aggregate principal amount of the Combined Notes to be issued, the dated date of the Combined Notes, the Purchase Price, the Specified Interest Rate, the Maturity Date, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance and the Certificate of Award.

As used in this Section 13 and Section 9 hereof:

"Certificate of Award" means the certificate authorized by this Section 13 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Notes, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Maturity Date" means the maturity date for the Combined Notes as set forth in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Notes, together with accrued interest on the Combined Notes from their date to the date of their delivery and payment therefor.

"Specified Interest Rate" means the interest rate at which the Combined Notes bear interest, which rate is to be determined in the Certificate of Award.

The Director of Finance and Management, the City Auditor and the City Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Notes to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Notes under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Notes is hereby authorized, and the Director of Finance and Management and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Notes, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Notes as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance and Management, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

Section 14. The proceeds from the sale of the Combined Notes, except accrued interest, premium, if any, or costs of issuance, allocable to the Notes (to wit: \$29,500,000) shall be deposited in the City Treasury and allocated to the following fund and subfund in the amounts set forth below:

<u>Fund</u>	<u>Subfund</u>	<u>An Amount Not To Exceed</u>	<u>Description</u>
630	630003	\$1,100,000	Front Street Garage
630	630004	4,200,000	Fourth Street Garage
630	630006	4,200,000	Parking Garage expenses to be allocated between the Front Street and
Fourth Street Garages as determined by the City Auditor			
630	630008	<u>20,000,000</u>	Deposit to Bond Retirement Fund to retire Outstanding Notes
Total		<u>\$29,500,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Combined Notes to another fund and project consistent with the purpose for which the Combined Notes are issued, and the City Auditor may reallocate amounts between the Subfunds indicated above.

Any accrued interest or premium received from the sale of the Combined Notes shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

To provide for the payment of the costs of issuance of the Combined Notes, which shall include, but shall not be limited to, the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with the sale of the Combined Notes and printing fees, the Municipality is hereby authorized to expend a sum not to exceed One Hundred Thousand Dollars (\$100,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

This Council hereby declares that the Combined Notes are "obligations" within the meaning of Section 323.07(a) (7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data that will constitute the "annual information" for purposes of said Section 323.07.

Section 15. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Notes is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Combined Notes so that the Combined Notes will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Notes in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, the Deputy Auditor and the Director of Finance and Management, or any other officer of the Municipality, including the City Clerk, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the Municipality with respect to the Combined Notes as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, the Deputy Auditor or the Director of Finance and Management, which action shall be in writing and signed by the City Auditor, the Deputy Auditor or the Director of Finance and Management, or any other officer of the Municipality, including the City Clerk, on behalf of the Municipality; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the Municipality, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Combined Notes; and (c) to give an appropriate certificate on behalf of the Municipality, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the Municipality pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the Municipality regarding compliance by the Municipality with sections 141 through 150 of the Code and the Regulations.

Break1The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Notes sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Notes which limits the amount of Combined Note proceeds which may be invested on an unrestricted yield or requires the Municipality to rebate arbitrage profits (or penalties in lieu thereof) to the United States Department of the Treasury. The City Auditor of the Municipality is hereby authorized and directed to file such reports with, and rebate arbitrage profits (or penalties in lieu thereof) to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Notes requires any such reports or rebates. Moneys necessary to make such rebates are hereby appropriated for such purpose.

Section 16. It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Notes in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the full faith, credit and revenue

of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Notes.

Section 17. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 18. The City Clerk is hereby directed to forward certified copies of this ordinance to the Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 19. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

FORM OF
NOTICE OF LIMITED TAX NOTE SALE

CITY OF COLUMBUS, OHIO

\$37,650,000

Various Purpose Limited Tax Notes, Series 200-1

Notice is hereby given that electronic bids will be received via **PARITY®** until 11:00 am, Columbus, Ohio time, on December 1, 2009 for the purchase of an issue of City of Columbus, Ohio, Various Purpose Limited Tax Notes, Series 2009-1 aggregating \$37,650,000 (the "Notes"). Bids may be submitted electronically via **PARITY®** pursuant to this Notice until 11:00 am, Columbus, Ohio time, on December 1, 2009, but no bid will be received after that time. To the extent any instructions or directions set forth in **PARITY®** conflict with this Notice, the terms of this Notice shall control. For further information about **PARITY®**, potential bidders may contact **PARITY®** at (212) 404-8102.

The Notes will be dated the date of their delivery (which is expected to be December 10, 2009) and will be payable as to principal and interest, at stated maturity. The Notes are not "qualified tax exempt obligations" within the meaning of Section 265(b) of the Internal Revenue Code of 1986, as amended. The Notes are further described in the Preliminary Official Statement of the City dated November 23, 2009 (the "Preliminary Official Statement").

For purposes of compliance with Rule 15c2-12 of the Securities and Exchange Commission, the Preliminary Official Statement may be treated as an Official Statement with respect to the Notes that is deemed final by the City.

Continuing Disclosure

In order to assist bidders in complying with Rule 15c2-12(b)(5) of the United States Securities and Exchange Commission, the City has undertaken, pursuant to the ordinances authorizing the Notes, to provide annual financial information and notice of certain events. The City's undertaking is described under the caption "CONTINUING DISCLOSURE" in the Preliminary Official Statement.

Types of Bids

Bidders must bid for the Notes at not less than the aggregate par value (\$37,650,000) with interest thereon accrued to the date of delivery, and premium, if any. Bids for less than all of the Notes will not be considered. Each bid must specify an interest rate to be borne by the Notes, which interest rate must be an integral multiple of 1/8 of 1% or 1/20 of 1% and may not exceed 5.00%. Bidders shall not be required to submit any bid security.

Method of Award

It is contemplated that the Director of Finance and Management or the City Auditor will award the Notes, by

certificate, at or before 2:00 p.m. on December 1, 2009. The Notes will be awarded to the bidder offering the interest rate and premium resulting in the lowest true interest cost to the City. If two or more bids offer the lowest true interest cost, the Notes will be awarded to one of said bidders, chosen by lot. The cost of delivery in the State of Ohio will not be considered in determining the best bid.

Book Entry

The Notes will be issued in book entry form only (with no distribution of Notes to the ultimate purchasers) registered in the name of The Depository Company, New York, New York (DTC), or its nominee and immobilized in DTC's custody.

Legal Opinion and Transcript

The approving legal opinion of Bricker & Eckler LLP, Bond Counsel for the Notes, will be furnished by the City without expense to the successful bidder. The complete transcript of proceedings will also be furnished by the City, together with the usual closing papers and a certificate of the Director of Finance and Management, the City Auditor and the City Attorney relating to the Official Statement prepared and furnished by the City in connection with the sale of the Notes. The City will also furnish up to fifty (50) copies of the Official Statement to the successful bidder, if so desired, FOB Columbus, Ohio, within seven (7) business days after award of the Notes. All copies in excess of fifty (50) will be at the expense of the successful bidder. The Official Statement will constitute a final Official Statement for the Notes as that term is defined in Rule 15c2-12 of the Securities and Exchange Commission.

Place of Delivery, Settlement and Expenses

The Notes, in manuscript form, will be delivered to DTC, for the account of and against payment by the successful bidder, without charge. If the successful bidder requests that settlement occur at a place outside of Ohio, the successful bidder shall pay expense of settlement at that place, including travel expenses of City officials and Bond Counsel. The successful bidder shall bear the costs of the CUSIP registration and any fees imposed by DTC. The successful bidder shall be responsible for paying all fees imposed by the Ohio Municipal Advisory Council on the sale.

Delivery

Payment for the Notes shall be made on the delivery date in immediately available funds in Columbus, Ohio. It is contemplated that the Notes will be delivered through DTC on December 10, 2009. The City will give at least five days prior written notice to the successful bidder of the date selected by the City for tendering the Notes at the place of delivery; provided, however, that nothing herein contained shall prevent the making of a mutually agreeable arrangement for the delivery of the Notes either at the place fixed for delivery or elsewhere. If such notice has not been given or waived by the successful bidder and the Notes, transcript, no litigation certificate and approving legal opinion are not available for delivery to the successful bidder at such place of delivery within thirty (30) days after the day fixed for the receipt of bids, and the successful bidder shall not be in default of any of its obligations, it shall have the right thereafter and so long as no such tender by the City shall yet have been made to cancel the contract of purchase, such right to be exercised by delivering to the undersigned, at the address set forth below, written notice of such cancellation.

Change in Tax Exempt Status

In the event that, prior to their delivery, the interest on the Notes should by act of Congress or otherwise become included in gross income for purposes of federal income taxation, or Congress should enact any law which provides that the interest on the Notes shall be so included at a future date, whether directly or indirectly, the successful bidder may refuse to accept delivery of the Notes.

Miscellaneous

Copies of the Preliminary Official Statement may be obtained in electronic format at www.i-dealprospectus.com or at www.tm3.com.

Neither the City nor Bond Counsel shall be responsible for, and each bidder expressly assumes the risk of, any incomplete, inaccurate or untimely bid submitted through *PARITY*® by such bidder, including, without limitation, by

reason of garbled transmissions, mechanical failure, engaged telephone or telecommunication lines or any other cause arising from delivery through **PARITY®**.

Payments of interest on tax-exempt obligations, including the Notes, are generally subject to IRS Form 1099-INT information reporting requirements. If a Note owner is subject to backup withholding under those requirements, then payments of interest will also be subject to backup withholding. Those requirements do not affect the exclusion of such interest from gross income for federal income tax purposes.

The original purchaser of the Notes, by submitting its proposal, agrees to provide promptly and timely information as to bona fide initial offering prices to the public and sales of the Notes appropriate for the determination of the issue price of, and the yield on, the Notes to the City and Bond Counsel, as requested by Bond Counsel.

The City reserves the right to reject any or all bids.

Dated: December 1, 2009

CITY OF COLUMBUS, OHIO
Paul R. Rakosky
Director of Finance and Management
90 West Broad Street
Columbus, Ohio 43215

Legislation Number: 1507-2009

Drafting Date: 10/29/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This ordinance authorizes the issuance of limited tax notes in the amount of not to exceed 8,150,000.00 for the purpose of providing funds to refund certain outstanding special obligation bonds of the City . This note sale will be conducted on a competitive basis and is a cooperative effort of the Department of Finance and Management and the City Auditor's Office.

Title

Authorizing the issuance of limited tax notes in an amount not to exceed \$8,150,000 for the purpose of providing funds to refund certain outstanding special obligation bonds of the City (\$8,150,000). Section 55(B) of the City Charter.

Body

WHEREAS, pursuant to a Trust Agreement (the "Original Trust Agreement"), dated as of October 1, 2004, between the City of Columbus, Ohio (the "Municipality" or the "City") and The Bank of New York Mellon Trust Company, N.A. (the "Trustee"), as successor to J.P. Morgan Trust Company, National Association, as supplemented and amended by a First Supplement to Trust Agreement (the "First Supplement" and, together with the Original Trust Agreement, the "Trust Agreement"), dated as of May 1, 2005, between the Municipality and the Trustee, as authorized by Ordinance No. 0745-2004, duly adopted by the City Council (the "Council") of the Municipality on April 19, 2004, the City issued bonds designated the City of Columbus, Ohio Subordinated Tax Increment Financing Bonds, Series 2005A (Polaris Project) in the maximum authorized amount of \$15,000,000, dated May 3, 2005 (the "Series 2005A Subordinated Bonds"), issued for the purpose of providing a portion of the funds required to pay for the costs of the Series 2004A Project (as defined in the

Trust Agreement) and, to the extent there are any proceeds remaining from the Series 2005A Subordinated Bonds, to pay costs of other Public Improvements (as defined in the Trust Agreement); and

WHEREAS, \$8,150,000 of the Series 2005A Subordinated Bonds remains currently outstanding (the "Outstanding Obligations"); and

WHEREAS, the Municipality can achieve a reduction in the debt service associated with the Outstanding Obligations by providing for the refunding of such Outstanding Obligations; and

WHEREAS, due to current market conditions, this Council believes that it is in the best interest of the Municipality to refund the Outstanding Obligations using the proceeds of refunding notes, authorized pursuant to Section 133.34(A)(1) of the Ohio Revised Code, together with other moneys available for that purpose, if any; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of the notes hereinafter referred to exceeds five (5) years, the maximum maturity of bonds being May 3, 2035, which date is thirty (30) years following the date of the original issuance of the Outstanding Obligations (determined in accordance with Section 133.34(A)(1), of the Ohio Revised Code), and notes being twenty (20) years;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. It is hereby declared necessary to issue bonds (the "Bonds") of the City, in the maximum principal sum of \$8,150,000 or such lesser amount as shall be determined by the Director of Finance and Management and certified to this Council, for the purpose of refunding the Outstanding Obligations and for paying the cost of advertising, printing and legal services and other costs incidental thereto (the "Project").

Section 2. The Bonds shall be dated prior to the maturity date of the Notes (as defined herein), shall bear interest at the maximum average annual interest rate presently estimated to be five and one-half per centum (5.50%) per annum, payable semiannually until the principal sum is paid or provision has been duly made therefor and shall mature no later than May 3, 2035, which date is thirty (30) years following the date of the original issuance of the Outstanding Obligations.

Section 3. It is necessary to issue and this Council hereby determines that notes shall be issued in anticipation of the issuance of the Bonds.

Section 4. Such anticipatory notes (the "Notes") shall be in the amount of \$8,150,000 or such lesser amount as shall be determined by the Director of Finance and Management or City Auditor and certified to this Council, which sum does not exceed the amount of the Bonds. The Notes shall be dated the date established by the City Auditor and certified to this Council and shall mature on such date as shall be determined by the City Auditor and certified to this Council, provided that such date shall not be later than one year after the date of issuance of the Notes. The Notes shall be issued as fully registered notes in book entry form only, in such denominations as shall be determined by the City Auditor and shall be numbered as determined by the City Auditor.

Section 5. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Notes are outstanding, in an amount which is sufficient to provide, funds to pay interest upon the Notes as and when the same fall due and to provide a fund for the repayment of the principal of the Notes at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Notes and Bonds when and as the same fall due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Notes in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Notes and Bonds in accordance with law.

Section 6. The Notes shall be the full general obligation of the Municipality, and the full faith, credit and revenue of the Municipality are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the Notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity, together with interest thereon, and is hereby pledged for such purpose.

Section 7. The Notes shall be designated "City of Columbus, Ohio Polaris Tax Increment Financing Limited Tax Refunding Notes, Series 2009-2" or as otherwise provided in the Certificate of Award hereinafter defined.

It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Notes with other limited tax note issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Notes and such other notes will be jointly referred to herein as the "Combined Notes". The Combined Notes shall be designated "City of Columbus, Ohio Various Purpose Limited Tax Notes, Series 2009-1" or as otherwise provided in the Certificate of Award hereinafter defined.

Section 8. The Combined Notes shall be issued only as one fully registered note, in the principal amount of the Combined Notes; shall be dated as set forth in the Certificate of Award to be signed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Notes, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance (the "Certificate of Award"). The Combined Notes shall bear interest as such rate per annum as shall be determined by the City Auditor and certified to this Council, provided that such rate shall not exceed five per centum (5.00%) per annum, based on a 360-day year of twelve 30-day months, payable at maturity. The Certificate of Award shall identify the original purchaser of the Combined Notes (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Form of Notice of Limited Tax Note Sale attached hereto as Exhibit A, with such changes as the City Auditor shall approve, not inconsistent with this Ordinance. The Certificate of Award shall state the aggregate principal amount of the Combined Notes to be issued, the dated date of the Combined Notes, the maturity date of the Combined Notes, the purchase price of the Combined Notes and shall include such additional information as shall be required by the terms of this Ordinance and the Certificate of Award.

Section 9. The Combined Notes shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance, and shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile. No Note shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Note, is signed by the Note Registrar (as defined in Section 6 hereof) as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Combined Note so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Combined Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. The principal of and interest on the Combined Notes shall be payable upon presentation and surrender of the Combined Notes at their maturity at the office of the Note Registrar.

Section 10. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, Note Registrar, transfer agent and paying agent (collectively, the "Note Registrar") for the Combined Notes. So long as any of the Combined Notes remain outstanding, the Municipality will cause to be maintained and kept by the Note Registrar, at the office of the Note Registrar, all books and records necessary for the registration, exchange and transfer of Combined Notes as provided in this Section (the "Note Register"). Subject to the provisions of Section 5 hereof, the person in whose name any Combined Notes shall be registered on the Note Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Note shall be made only to or upon the order of that person. Neither the Municipality nor the Note Registrar shall be affected by

any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Notes, including the interest thereon, to the extent of the amount or amounts so paid.

Any Note may be transferred only on the Note Register upon presentation and surrender thereof at the principal office of the Note Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar. Upon that transfer, the Note Registrar shall complete, authenticate and deliver a new Note or Combined Notes of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Notes surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Note Registrar shall not be required to transfer or exchange any Note for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Notes are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Note Registrar shall authenticate and deliver Combined Notes in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Note Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Notes. All Combined Notes issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Notes surrendered upon that transfer or exchange.

Section 11. The Combined Notes shall be initially issued to a Depository (as defined herein) for use in a book entry system (each as hereinafter defined), and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) there shall be a single Note, (ii) the Note shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Note in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on the Notes in book entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (a) in the case of interest, on each Interest Payment Date, and (b) in all other cases, upon presentation and surrender of Combined Notes as provided in this Ordinance.

The Note Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Note in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Note, upon any conditions which shall be satisfactory to the Note Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Note Registrar will furnish a copy of each of these agreements, certified to be correct by the Note Registrar, to other paying agents for Combined Notes and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance and Management of the Municipality is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Note Registrar and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Combined Notes to a Depository for use in a book entry system.

If any Depository determines not to continue to act as a depository for the Combined Notes for use in a book entry

system, the Municipality and the Note Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Note Registrar do not or are unable to do so, the Municipality and the Note Registrar, after the Note Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Notes from the Depository, and authenticate and deliver Note certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Combined Notes), if the event is not the result of action or inaction by the Municipality or the Note Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Combined Notes may be transferred only through a book entry and (ii) physical Combined Notes in fully registered form are issued only to a Depository or its nominee as registered owner, with the Combined Notes "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Notes.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of bonds, and to effect transfers of bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 12. The sale and award of the Combined Notes shall be evidenced by the Certificate of Award signed by the Director of Finance and Management or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Notes (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Form of Notice of Limited Tax Note Sale attached hereto as Exhibit A, with such changes as the City Auditor shall approve, not inconsistent with this Ordinance. The Certificate of Award shall also state the aggregate principal amount of the Combined Notes as well as the aggregate principal amount of the Combined Notes to be issued, the dated date of the Combined Notes, the Purchase Price, the Specified Interest Rate, the Maturity Date, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance and the Certificate of Award.

As used in this Section 12 and Section 8 hereof:

"Certificate of Award" means the certificate authorized by this Section 12 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Notes, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Maturity Date" means the maturity date for the Combined Notes as set forth in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Notes, together with accrued interest on the Combined Notes from their date to the date of their delivery and payment therefor.

"Specified Interest Rate" means the interest rate at which the Combined Notes bear interest, which rate is to be determined in the Certificate of Award.

The Director of Finance and Management, the City Auditor and the City Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Notes to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Notes under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Notes is hereby authorized, and the Director of Finance and Management and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the

Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Notes, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Notes as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance and Management, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

Section 13. The Municipality shall deposit the proceeds of the Notes (except accrued interest, if any, received from the sale of the Notes, which shall be deposited in the City Treasury and credited to the proper Bond Retirement Fund to be applied to the payment of the principal of and interest on general obligation bonds of the Municipality in the manner provided by law) into Fund 402 (Subfund 402999) and shall subsequently transfer such proceeds, and any additional monies as may be necessary to pay the outstanding principal amount and accrued interest with respect to the Outstanding Obligations, to the Trustee for deposit into the appropriate funds under the Trust Agreement as shall be appropriate in order to provide for the redemption of the Outstanding Obligations at their earliest optional redemption date, and such monies shall be applied by the Trustee in accordance with the terms of the Trust Agreement. Any proceeds of the Notes in excess of the amount necessary to provide for the redemption of the Outstanding Obligations shall be applied by the Trustee toward the payment of any other obligations outstanding under the Trust Agreement. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Combined Notes, which shall include, but shall not be limited to, the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with the sale of the Combined Notes and printing fees, the Municipality is hereby authorized to expend a sum not to exceed One Hundred Thousand Dollars (\$100,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

All moneys necessary to carry out the purpose of this Ordinance, including all principal of and interest on the Combined Notes, are hereby deemed appropriated.

This Council hereby declares that the Combined Notes are "obligations" within the meaning of Section 323.07(a) (7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data that will constitute the "annual information" for purposes of said Section 323.07.

Section 14. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Notes is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Combined Notes so that the Combined Notes will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Notes in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder or (the "Regulations").

The City Auditor or the Director of Finance and Management, or any other officer, including the City Clerk, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the Municipality with respect to the Combined Notes as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor or the Director of Finance and Management, which action shall be in writing and signed by the City Auditor or the Director of Finance and Management, or any other officer, including the City

Clerk, on behalf of the Municipality; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the Municipality, as may be appropriate to assure such exclusion of interest from gross income and the intended tax status of the Combined Notes; and (c) to give an appropriate certificate on behalf of the Municipality, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the Municipality pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the Municipality regarding compliance by the Municipality with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Notes sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Notes which limits the amount of Combined Note proceeds which may be invested at an unrestricted yield or requires the Municipality to rebate arbitrage profits (or penalties in lieu thereof) to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits (or penalties in lieu thereof) to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Notes requires any such reports or rebates, and moneys necessary to make such rebates are hereby appropriated for such purpose.

Section 15. The Director of Finance and Management and the City Auditor and each of them, acting alone, are hereby authorized and directed, for and in the name of the Municipality and on its behalf, to give, or cause to be given, such notices as may be required in order to effect the refunding of a portion of the Outstanding Obligations, including, but not limited to, giving such notices of redemption as may be necessary to redeem a portion of the Outstanding Obligations on their first optional redemption dates.

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Section 16. It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Notes in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the full faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Notes.

Section 17. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 18. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditor of Franklin, Fairfield and Delaware Counties, Ohio.

Section 19. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

FORM OF

NOTICE OF LIMITED TAX NOTE SALE

CITY OF COLUMBUS, OHIO

\$37,650,000

Various Purpose Limited Tax Notes, Series 2009-1

Notice is hereby given that electronic bids will be received via **PARITY**® until 11:00 am, Columbus, Oh time, on

December 1, 2009 for the purchase of an issue of City of Columbus, Ohio, Various Purpose Limited Tax Notes, Series 2009-1 aggregating \$37,650,000 (the "Notes"). Bids may be submitted electronically via **PARITY**® pursuant to this Notice until 11:00 am, Columbus, Ohio time, on December 1, 2009, but no bid will be received after that time. To the extent any instructions or directions set forth in **PARITY**® conflict with this Notice, the terms of this Notice shall control. For further information about **PARITY**®, potential bidders may contact **PARITY**® at (212) 404-8102.

The Notes will be dated the date of their delivery (which is expected to be December 10, 2009) and will be payable as to principal and interest, at stated maturity. The Notes are not "qualified tax exempt obligations" within the meaning of Section 265(b) of the Internal Revenue Code of 1986, as amended. The Notes are further described in the Preliminary Official Statement of the City dated November 23, 2009 (the "Preliminary Official Statement").

For purposes of compliance with Rule 15c2-12 of the Securities and Exchange Commission, the Preliminary Official Statement may be treated as an Official Statement with respect to the Notes that is deemed final by the City.

Continuing Disclosure

In order to assist bidders in complying with Rule 15c2-12(b)(5) of the United States Securities and Exchange Commission, the City has undertaken, pursuant to the ordinances authorizing the Notes, to provide annual financial information and notice of certain events. The City's undertaking is described under the caption "CONTINUING DISCLOSURE" in the Preliminary Official Statement.

Types of Bids

Bidders must bid for the Notes at not less than the aggregate par value (\$37,650,000) with interest thereon accrued to the date of delivery, and premium, if any. Bids for less than all of the Notes will not be considered. Each bid must specify an interest rate to be borne by the Notes, which interest rate must be an integral multiple of 1/8 of 1% or 1/20 of 1% and may not exceed 5.00%. Bidders shall not be required to submit any bid security.

Method of Award

It is contemplated that the Director of Finance and Management or the City Auditor will award the Notes, by certificate, at or before 2:00 p.m. on December 1, 2009. The Notes will be awarded to the bidder offering the interest rate and premium resulting in the lowest true interest cost to the City. If two or more bids offer the lowest true interest cost, the Notes will be awarded to one of said bidders, chosen by lot. The cost of delivery in the State of Ohio will not be considered in determining the best bid.

Book Entry

The Notes will be issued in book entry form only (with no distribution of Notes to the ultimate purchasers) registered in the name of The Depository Company, New York, New York (DTC), or its nominee and immobilized in DTC's custody.

Legal Opinion and Transcript

The approving legal opinion of Bricker & Eckler LLP, Bond Counsel for the Notes, will be furnished by the City without expense to the successful bidder. The complete transcript of proceedings will also be furnished by the City, together with the usual closing papers and a certificate of the Director of Finance and Management, the City Auditor and the City Attorney relating to the Official Statement prepared and furnished by the City in connection with the sale of the Notes. The City will also furnish up to fifty (50) copies of the Official Statement to the successful bidder, if so desired, FOB Columbus, Ohio, within seven (7) business days after award of the Notes. All copies in excess of fifty (50) will be at the expense of the successful bidder. The Official Statement will constitute a final Official Statement for the Notes as that term is defined in Rule 15c2-12 of the Securities and Exchange Commission.

Place of Delivery, Settlement and Expenses

The Notes, in manuscript form, will be delivered to DTC, for the account of and against payment by the successful bidder, without charge. If the successful bidder requests that settlement occur at a place outside of Ohio, the successful bidder shall pay expense of settlement at that place, including travel expenses of City officials and Bond Counsel. The successful bidder shall bear the costs of the CUSIP registration and any fees imposed by DTC. The successful bidder shall be responsible for paying all fees imposed by the Ohio Municipal Advisory Council on the sale.

Delivery

Payment for the Notes shall be made on the delivery date in immediately available funds in Columbus, Ohio. It is contemplated that the Notes will be delivered through DTC on December 10, 2009. The City will give at least five days prior written notice to the successful bidder of the date selected by the City for tendering the Notes at the place of delivery; provided, however, that nothing herein contained shall prevent the making of a mutually agreeable arrangement for the delivery of the Notes either at the place fixed for delivery or elsewhere. If such notice has not been given or waived by the successful bidder and the Notes, transcript, no litigation certificate and approving legal opinion are not available for delivery to the successful bidder at such place of delivery within thirty (30) days after the day fixed for the receipt of bids, and the successful bidder shall not be in default of any of its obligations, it shall have the right thereafter and so long as no such tender by the City shall yet have been made to cancel the contract of purchase, such right to be exercised by delivering to the undersigned, at the address set forth below, written notice of such cancellation.

Change in Tax Exempt Status

In the event that, prior to their delivery, the interest on the Notes should by act of Congress or otherwise become included in gross income for purposes of federal income taxation, or Congress should enact any law which provides that the interest on the Notes shall be so included at a future date, whether directly or indirectly, the successful bidder may refuse to accept delivery of the Notes.

Miscellaneous

Copies of the Preliminary Official Statement may be obtained in electronic format at www.i-dealprospectus.com or at www.tm3.com.

Neither the City nor Bond Counsel shall be responsible for, and each bidder expressly assumes the risk of, any incomplete, inaccurate or untimely bid submitted through **PARITY®** by such bidder, including, without limitation, by reason of garbled transmissions, mechanical failure, engaged telephone or telecommunication lines or any other cause arising from delivery through **PARITY®**.

Payments of interest on tax-exempt obligations, including the Notes, are generally subject to IRS Form 1099-INT information reporting requirements. If a Note owner is subject to backup withholding under those requirements, then payments of interest will also be subject to backup withholding. Those requirements do not affect the exclusion of such interest from gross income for federal income tax purposes.

The original purchaser of the Notes, by submitting its proposal, agrees to provide promptly and timely information as to bona fide initial offering prices to the public and sales of the Notes appropriate for the determination of the issue price of, and the yield on, the Notes to the City and Bond Counsel, as requested by Bond Counsel.

The City reserves the right to reject any or all bids.

Dated: December 1, 2009

CITY OF COLUMBUS, OHIO
Paul R. Rakosky
Director of Finance and Management
90 West Broad Street
Columbus, Ohio 43215

Legislation Number: 1545-2009

Drafting Date: 11/05/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation**BACKGROUND AND FISCAL IMPACT:**

As part of the 2009 third quarter financial review, the Department of Finance and Management identified surpluses and deficits in various objects in several divisions. This ordinance will reduce appropriation authority in the general fund to that which is needed, and will transfer funds among divisions and object level ones in the general fund to properly align appropriations with projected expenditures.

Object level one surpluses and deficits were projected as part of the third quarter financial review. This ordinance makes reductions and transfers to reflect these projections. The amounts do not mirror the third quarter review exactly, due to transfers that have occurred in the interim as well as adjustments made in projections since the release of the review.

This ordinance also provides for a supplemental appropriation to the Recreation and Parks Operating Fund.

This ordinance is submitted as an emergency so as to allow these financial transactions to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

This ordinance decreases general fund appropriations for fiscal year 2009 by \$8,264,380 and transfers \$2,430,409.

TitleTo decrease appropriations in the general operating fund of the City of Columbus for fiscal year 2009 by \$8,364,380, to transfer of \$2,430,409 between various objects and divisions within the general fund; to authorize the subsequent transfer from the general fund of \$368,050 to the Recreation & Parks Operating Fund, to reduce existing encumbrances for fleet maintenance, postage, unemployment and other expenses, all to allow divisions to continue to operate through the end of 2009 without interruption, and to declare an emergency (\$10,794,789)

Body

WHEREAS, the third quarter financial review conducted by the Department of Finance and Management identified surpluses and deficits in the various objects of several general fund divisions; and

WHEREAS, it is desirable to reduce general fund appropriations and necessary to transfer funds between objects and divisions to allow divisions to continue to operate through the end of 2009; and

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible, promoting accurate accounting and financial management.

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary transfer funds 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 appropriations currently authorized in the general operating fund, fund 010, in the following departments/ divisions are hereby decreased by the following amounts:

See attachment 1

SECTION 2. That the City Auditor is hereby authorized and directed to transfer \$2,430,409 between various divisions and objects within the general fund, fund 010, as follows:

See Attachment 2

SECTION 3. That the City Auditor is hereby authorized and directed to transfer \$368,050 from the general fund, Recreation & Parks, Division 51-01, OCA 900050, Object Level One 10, Object Level Three 5501 to the unappropriated balance of Fund 285.

SECTION 4. That the City Auditor is hereby authorized and directed to unencumber a total of \$1,456,771.90 in OL3 3380, fleet maintenance encumbering documents as follows:

<u>Doc. No.</u>	<u>OCA</u>	<u>Amount</u>
EA007401/008	320104	11,123.75
EA007401/009	301580	1,070,554.70
EA007401/010	301531	371,569.26
EA007401/012	440307	1,910.03
EA007528/001	446930	1,614.16

SECTION 5. That the City Auditor is hereby authorized and directed to unencumber a total of \$109,539.10 in OL3 3387, postage encumbering documents as follows:

<u>Doc. No.</u>	<u>OCA</u>	<u>Amount</u>
EA007403/008	260117	\$73,522.00
EA007403/009	270108	2,320.29
EA007403/010	270165	1,200.00
EA007403/013	300368	27,308.14
EA007530/001	499036	5,188.67

SECTION 6. That the City Auditor is hereby authorized and directed to unencumber a total of \$37,960 OL3 1160, unemployment compensation encumbering documents as follows:

<u>Doc. No.</u>	<u>OCA</u>	<u>Amount</u>
EA007397/030	440306	\$9,490
EA007945/001	499036	18,980
EA007945/002	446930	4,745
EA007945/003	499046	4,745

SECTION 7. That the City Auditor is hereby authorized and directed to unencumber a portion of AC029576 within the Department of Finance and Management, Division of Fleet Management, general fund, fund 010, OCA 451201 in the amount of \$195,492.

SECTION 8. That the City Auditor is hereby authorized and directed to unencumber a portion of DE082182 within the Department of Finance and Management, Division of Facilities Management, general fund, fund 010, OCA 450043 in the amount of \$180,000.

SECTION 9. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

City RFPs, RFQs, and Bids

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED DAILY AT:
<http://vendorservices.columbus.gov/e-proc/venSolicitationsAll.asp?link=Open+Solicitations&cboType=B>

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE: Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 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 17, 2009 11:00 am

SA003429 - R&P Alum Creek Trail Sunbuty to Innis

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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

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

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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

SA003434 - SOUTH WELLFIELD EXPANSION - CIP 690359

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, Ohio at the office of the Director of Public Utilities, 4th Floor, 910 Dublin Road, Columbus, Ohio 43215, until 3:00 P.M. local time, on November 18, 2009 and publicly opened and read at the hour and place for construction of the South Wellfield Expansion, Collector Well Site CW-120 Phase 1A, Contract No. 1000, Project No. 690359.

Previous bids opened on Wednesday, October 28, 2009 were invalid due to an omission and are being rebid. The Division of Power and Water has recently completed construction of a new horizontal collector well in Phase 1 of this project. The work for which proposals are invited consists of furnishing, as appurtenant structures for this well, all materials; equipment and labor necessary to provide a new pump building, pumps, raw waterline, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. The plans are separated into two parts. Part 1 of this Contract consists of the collector well pump building and pumps and Part 2 consists of the raw waterline. All work not specifically addressed in the detailed specifications will be covered by the latest version of City of Columbus CMS and the Drawings. Copies of the Contract Documents are on file in the office of the Water Supply & Treatment Coordinator, Water Supply, Utilities Complex, 2nd Floor, 910 Dublin Road, Columbus, Ohio 43215, Phone (614-645-7100) and at the office of URS Corporation, 277 W. Nationwide Blvd., Columbus, Ohio 43215 (614-464-4500) and are available there on or after November 4, 2009. Copies of the Contract Documents are available to prospective bidders through the office of URS Corporation upon payment of \$150.00 per set, none of which will be refunded. Checks for Contract Documents shall be made payable to "URS Corporation". Previous bidders will receive a revised set at no cost.

CLASSIFICATION: Prevailing wage rates apply to this project. 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. From the solicitation listing, click on the box marked "continue" and open the Bidder's Guide for this additional information.

ORIGINAL PUBLISHING DATE: November 04, 2009

BID OPENING DATE - November 19, 2009 11:00 am

SA003435 - PURCHASE OF BARRACUDA EMAIL ARCHIVER

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Scope: The City of Columbus, Division of Police is seeking bids for the immediate purchase and delivery of a Barracuda Email Archiving Solution.

Classification: Specifications of various Barracuda components are contained herein. Suppliers are required to supply and provide inside delivery to the City of Columbus, Division of Police for these products.

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: November 05, 2009

BID OPENING DATE - November 24, 2009 11:00 am

SA003439 - R&P Linden Shelter House Improvements

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 1111 E Broad Street, until 11:00 a.m. on Tuesday, November 24, 2009, and publicly opened and read immediately thereafter for:

Linden Park Shelter Improvements

The work for which proposals are invited consists of a concrete shelter pad, masonry repairs, truss / beam replacements, roof replacement including underlayment felt, sheathing, fascia, soffit, tuck pointing, fiberglass/metal roof, site furnishings, siding, vents, signage and seeding and any items necessary to complete the project in accordance with plans and specifications.

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders on 11/10/09 at Atlas Blueprint, 374 W. Spring St., Columbus, Ohio 43215, (614) 224-5149, www.atlasblueprint.com upon a non-refundable payment per bid set. Contact Atlas Blueprint for the cost. Payment shall be made payable to Atlas Blueprint.

Questions about the project should be directed to Kathy Spatz at 614-645-0487 or kaspatz@columbus.gov. Proposals must be submitted on the proper forms, P-1 through P-37, contained in the Project Manual/Specifications. The Proposal section in its entirety must be submitted in a sealed envelope marked "Linden Park Shelter Improvements".

ORIGINAL PUBLISHING DATE: November 10, 2009

BID OPENING DATE - November 25, 2009 11:00 am

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003436 - AUTOMATED VEHICLE LOCATION SYSTEM RFP

The intent of this Request for Proposal (RFP) is to search for qualified offerors to provide Professional Services to the City of Columbus, Ohio, Department of Technology, and on behalf of the Department of Public Utilities for assessment, implementation, training and installation of an automated vehicle location system.

ORIGINAL PUBLISHING DATE: November 06, 2009

BID OPENING DATE - November 30, 2009 11:00 am

SA003433 - PUBLIC SAFETY/POLICE CRUISERS

1.1 Scope: It is the intent of the City of Columbus, Division of Police to obtain formal bids to establish a contract for the purchase of seventy five (75) to one hundred fifty (150) 2010 model year, or most current available model year, Ford Crown Victoria Police Interceptors, to be used as patrol and/or freeway patrol vehicles. The City of Columbus, Division of Police further intends to obtain pricing of specific equipment and/or installation herein listed as, "Optional" and / or "Additional".

1.2 Classification: The contract(s) resulting from this bid proposal will provide for the purchase and delivery of seventy five (75) to one hundred fifty (150) 2010 model year or most current available model year, Ford Crown Victoria Police Interceptors for use as patrol vehicles and/or freeway patrol vehicles. Manufacturers must have a fully franchised dealer located in Franklin County, Ohio, or one contiguous to Franklin County, Ohio, to supply O.E.M. parts and provide warranty service.

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: November 03, 2009

SA003437 - R&P Cultural Arts Center Lighting

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Professional Services
REQUEST FOR PROPOSAL
Columbus Recreation & Parks Department

Proposals will be received at the Columbus Recreation and Parks Department Administrative Office, 1111 E. Broad Street, Columbus, OH 43205, until 5:00 P.M., Monday, November 30, 2009 for:

CULTURAL ARTS CENTER LIGHTING IMPROVEMENTS

Six (6) copies of each proposal are required for submittal.

Consultant shall provide architectural & engineering services to prepare plans and specifications for bidding for lighting improvements to The Cultural Arts Center, 139 W. Main Street, Columbus, Ohio (43215). Work is to include interior lighting and electrical improvements and renovations to include; gallery, studio, office lighting replacement and electrical wiring work with an emphasis on gallery and studio lighting . Services shall include the necessary building inventories, energy analysis, program development in conjunction with Department staff, reports, proposals, cost estimates, bid documents and construction administration services.

Project Budget: \$200,000, including consultant fees.

The format for procurement of these services will be per Section 329.12 of the Columbus City Code.
ORIGINAL PUBLISHING DATE: November 06, 2009

BID OPENING DATE - December 16, 2009 3:00 pm

SA003438 - CIP 650252 JPWWTP New Headworks, Berline

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CONTRACT J208: JACKSON PIKE WASTEWATER TREATMENT PLANT, NEW HEADWORKS, BERLINER SITE DECOMMISSIONING AND NEW GRIT PAD

SCOPE: The City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage is receiving proposals for Jackson Pike Wastewater Treatment Plant, New Headworks, Berliner Site Decommissioning and New Grit Pad. The work for which proposals are invited consist of the following at three sites:

1. Berliner Site Decommissioning

Decommissioning of existing facilities, modification of the existing grit tanks to route 108-inch OSIS through the tanks, demolition of the concrete grit pad and various site work.

2. Harmon Avenue/Emig Road

Construction of a new grit pad, storage building, a new gate and various miscellaneous site work.

3. Jackson Pike WWTP

Replacement of two chain link fence gates and operators, replacement of operator for a third gate, security system and associated electrical work, minor concrete work and minor miscellaneous site work.

Copies of the Bidding Documents may be purchased by prospective bidders through the office of Burgess & Niple, Inc., 5085 Reed Road, Columbus, Ohio 43220. Payment for Bidding documents is non-refundable, no partial sets or individual drawing sheets/document pages will be issued and payment arrangements are required before documents are issued. Checks are to be made payable to Burgess & Niple, Inc. Bidding Documents will be available as of November 10, 2009. Please see Bidder's Guide for more details.

Sealed bids will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities, 910 Dublin Road, Room 4015, until 3:00 p.m., Local Time, on Wednesday, December 16, 2009, and publicly opened and read at the Department of Public Utilities Complex, 910 Dublin Road, 1st Floor Auditorium, Columbus, OH 43215.

CLASSIFICATION: There is a Pre-Bid Conference for this bid. Prevailing wage rates apply. A 10% (ten percent) proposal bond and a 100% (One hundred percent) performance bond and payment bond will be required for the making of a contract.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: November 07, 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**

THE TIME FOR THIS MEETING HAS BEEN CHANGED TO 4:30 PM

* *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: 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: dlklie@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: 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: PN0241-2009

Drafting Date: 10/29/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Board of Zoning Adjustment-Appeals Agenda Nov. 17, 2009

Contact Name: David Reiss

Contact Telephone Number: (614) 645-7973

Contact Email Address: djreiss@columbus.gov

Body

APPEALS AGENDA

BOARD OF ZONING ADJUSTMENT

CITY OF COLUMBUS

NOVEMBER 17, 2009

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, NOVEMBER 17, 2009 at 6:00 P.M.** in the First Floor Hearing Room of the Building Services Division Offices, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Building and Development Services Section, 757 Carolyn Avenue, 645-7314.

SPECIAL NOTE TO THE APPLICANT: It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

SIGN LANGUAGE INTERPRETER: An interpreter to "Sign" this meeting will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours prior to the scheduled meeting time. To schedule an interpreter, please contact the City of Columbus, Human Resources Department at 645-6373 or TDD 645-3293.

THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M.:

1. 09312-00150
3040 SOUTH HIGH STREET
Far South Columbus Area Commission
C-4, Commercial

To Appeal Zoning Code Violation Order No. 09440-01425 issued on 5/8/2009 for:

1. 3392.10, Performance requirements.
2. 3305.01, Certificate of zoning clearance.

City Staff: Edgar Dillon

City Staff Phone: 645-0659

Appellant: Mullens Brothers, Inc.; Lloyd & Barbara Mullens, 3040 S. High St., Columbus, Ohio 43207

Owner: Same as appellant

Legislation Number: PN0243-2009

Drafting Date: 10/29/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Graphics Commission Public Hearing Agenda 11-17-09

Contact Name: David J. Reiss

Contact Telephone Number: (614) 645-7973

Contact Email Address: djreiss@columbus.gov

Body

SEE ATTACHMENT

Legislation Number: PN0244-2009

Drafting Date: 11/03/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Building Commission Agenda Nov. 17, 2009

Contact Name: Pam Dawley

Contact Telephone Number: (614) 645-2204

Contact Email Address: pjdawley@columbus.gov

Body

AGENDA
COLUMBUS BUILDING COMMISSION
November 17, 2009 - 1:00 p.m.
757 CAROLYN AVENUE
HEARING ROOM - LOWER LEVEL

1. **ROLL CALL**
2. **APPROVAL OF OCTOBER 20, 2009 MEETING MINUTES**
3. **ADJUDICATION ORDER #A/O2009-023TJM**
1936 GENESSEE AVENUE
4. **ITEMS FROM THE FLOOR (as approved by the Board)**

A sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call 645-6079 or TDD 645-3293. Should you have any questions regarding this policy, please contact the City of Columbus, Human Resources Department, at 645-6373.

Legislation Number: PN0245-2009

Drafting Date: 11/03/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Art Commission-Public Meetings (Nov. 11 and 19)

Contact Name: Lori Baudro

Contact Telephone Number: (614) 645-6986

Contact Email Address: lsbaudro@columbus.gov

Body

Public Meeting -- Columbus Art Commission

The Columbus Art Commission is scheduled to hold two meetings in November 2009:

- Ø Business Meeting
 - 8:30 to 10:00 a.m. on Wednesday, November 11, 2009

At the King Arts Complex, 867 Mt. Vernon Avenue

Ø Regular Commission Meeting (Hearing)

- 6:00 p.m. on Thursday, November 19, 2009
- At the Columbus Health Department, 240 Parsons Avenue, room 119C**

** Meeting may be canceled if there are no applications.

For more information and to confirm the meetings will take place, contact: Lori Baudro at (614) 645-6986 or lsbaudro@columbus.gov

A sign language interpreter will be made available provided the Planning Division has at least 48 hours notice before the meeting. Call 645-8036 to make arrangements.

Legislation Number: PN0246-2009

Drafting Date: 11/04/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: City Council Zoning Agenda for 11/16/2009

Contact Name: Shezronne Zaccardi

Contact Telephone Number: 614-645-1695

Contact Email Address: sezaccardi@columbus.gov

Body

REGULAR MEETING NO. 53

CITY COUNCIL (ZONING)

NOVEMBER 16, 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

1401-2009

To rezone 1284 GEMINI PLACE (43240), being 5.99± acres located on the north side of Gemini Place, 1750± feet west of Lyra Drive, From: R, Rural District, To: L-C-4, Limited Commercial District (Rezoning # Z09-020).

0672-2009

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3332.27, Rear yard; 3332.28, Side or rear yard obstruction; 3342.12, Lighting; 3342.15, Maneuvering; Section 3342.17, Parking lot screening; 3342.26, Wheel stop device and 3372.521(B), Supplemental parking requirements, of the Columbus City Codes for the property located at 35 & 37 WEST OAKLAND AVENUE (43201), to develop a 25 space parking lot with reduced development standards in the R-2F, Residential District. (Council Variance #CV08-027).

(TABLED 6/01/09)

Legislation Number: PN0251-2009

Drafting Date: 11/06/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title Councilmember Paley to hold Public Hearing on proposed 2010 Utilities Rate Adjustments.

Notice/Advertisement Title: Public Hearing on 2010 Proposed Utilities Rate Adjustments.

Contact Name: Kathy Owens

Contact Telephone Number: 645-8559

Contact Email Address: kaowens@columbus.gov

Body

Columbus City Councilmember Eileen Paley, Chair of the Utilities Committee, will hold a public hearing to discuss a proposed 2010 Utilities rate adjustment.

Date: Tuesday, November 17th

Time: 5:30 P.M.

Location: Columbus City Council Chambers

90 West Broad Street, 2nd floor

Columbus, OH 43215

1st Reading of the proposed legislation will be Monday, November 16th

2nd Reading on Monday, November 23.

Legislation Number: PN0252-2009

Drafting Date: 11/11/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Uiversity Area Review Board Meeting Nov. 19, 2009

Contact Name: Daniel Ferdelman

Contact Telephone Number: (614) 645-6096

Contact Email Address: dbferdelman@columbus.gov

Body

University Area Review Board November Meeting Announcement

The UARB will be meeting November 19, 2009 beginning at 6:30pm at the Northside Library (1423 N. High St.). For more information contact Daniel Ferdelman, AIA at (614) 645-6096 or dbferdelman@columbus.gov

<mailto:dbferdelman@columbus.gov>

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

AGENDA**GRAPHICS COMMISSION
CITY OF COLUMBUS, OHIO
NOVEMBER 17, 2009**

The Columbus Graphics Commission will hold a public hearing on the following applications on **TUESDAY, NOVEMBER 17, 2009 at 4:15 p.m.** in the First Floor Hearing Room of the Building Services Division, 757 Carolyn Avenue.

The Graphics Commission hears requests for Variances, Special Permits, Appeals, Graphics Plans and certain Miscellaneous Graphics, as provided by the Columbus Graphics Code, Title 33, Article 15, of the Columbus City Code. Specific case information may be obtained by contacting the Building Services Division, 757 Carolyn Avenue, 645-4522.

SPECIAL NOTE TO APPLICANT: YOU OR YOUR REPRESENTATIVE MUST ATTEND THIS MEETING. It is the rule of the Commission to withdraw an application when a representative is not present.

SIGN LANGUAGE INTERPRETER: An interpreter will be made available for anyone in need of this service. To request an interpreter, please contact the City of Columbus, Building Services Division at 645-4522 at least four (4) hours before the scheduled meeting time.

1. **Application No.:** **09320-00240**
 Location: **5411 WEST BROAD STREET (43228)**, located on the south side of W. Broad St., approximately 490 ft. east of Westwoods Blvd. at Rome-Hilliard R_g.
 Area Comm./Civic: Westland Area Commission
 Existing Zoning: C.P.D., Commercial Planned Development District
 Request: Variance(s) to Section(s):
 3377.08, Special effects.
 To allow an automatic changeable-copy sign to be erected in a C.P.D. zoning district.
 Proposal: To replace an existing ground sign with a new ground sign containing an electronic, changeable-copy element.
 Applicant(s): Elro Signs
 400 W. Walnut St.
 Gardena, California 90248
 Property Owner(s): U-STORE-IT
 460 Swedesford 3000
 Wayne, Pennsylvania 19081
 Attorney/Agent: Sign Vision
 987 Claycraft Rd.
 Columbus, Ohio 43230
 Case Planner: Dave Reiss, 645-7973
 E-mail: DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#
-

2. **Application No.:** 09320-00250
Location: 1434 WEST 5TH AVENUE (43212), located on the north side of W. 5th Ave., approximately 154 ft. west of Grandview Ave.
Area Comm./Civic: 5th by Northwest Area Commission
Existing Zoning: C-4, Commercial District
Request: Variance(s) to Section(s):
3377.03, Permanent on-premises signs.
To allow the installation of more than one wall sign on a side wall of a building on a wall which does not enclose all of the uses and on a wall that does not face a street.
3377.20, Permanent on-premises wall and window signs.
To allow the installation of wall signs which are not on a wall enclosing the use or activity and which do not face upon a public street.
3377.24, Wall signs for individual uses.
To allow the display of wall signs on a side wall of a building which does not have a public entrance for four of the five uses on the same wall.
Proposal: To install five (5) wall signs on a side wall of a building, four of which are for tenants not occupying the space behind the wall.
Applicant(s): Bruce Sommerfelt; c/o Signcom, Inc.
527 W. Rich St.
Columbus, Ohio 43215
Property Owner(s): Kohr-Royer-Griffith
1480 Dublin Rd.
Columbus, Ohio 43215
Attorney/Agent:
Case Planner: Dave Reiss, 645-7973
E-mail: DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#