

# **Columbus City Bulletin**



**Bulletin #29  
July 21, 2012**

# Proceedings of City Council

Saturday July 21, 2012



## SIGNING OF LEGISLATION

(Legislation was signed by Council President Andrew J. Ginther on the night of the Council meeting, *Monday, July 16, 2012*; by Mayor, Michael B. Coleman on *Tuesday, July 17, 2012*; and attested by the City Clerk, prior to Bulletin publishing.)

### **The City Bulletin Official Publication of the City of Columbus**

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

Council Journal  
(minutes)



# City of Columbus

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

## Minutes - Final Columbus City Council

***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.***

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Monday, July 16, 2012

5:00 PM

City Council Chambers, Rm 231

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### **REGULAR MEETING NO. 39 OF COLUMBUS CITY COUNCIL, MONDAY, JULY 16, 2012 at 5:00 P.M. IN COUNCIL CHAMBERS.**

#### **ROLL CALL**

**Absent** 1 - Priscilla Tyson

**Present** 6 - Hearcel Craig Zachary Klein A. Troy Miller Michelle Mills Eileen Paley Andrew Ginther

#### **READING AND DISPOSAL OF THE JOURNAL**

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

#### **COMMUNICATIONS AND REPORTS RECEIVED BY CITY CLERK'S OFFICE**

- 1 C0027-2012** THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING COMMUNICATIONS AS OF, WEDNESDAY, JULY 11, 2012:

New Type: D5J  
To: New Tap Easton LLC  
DBA World Of Beer  
3934 Townsfair Way  
Columbus OH 43219  
Permit #6368860

New Type: C1, C2  
To: M&M Beverage Inc  
DBA Metro Beer & Wine Drive Thru  
2157 Hilliard Rome Rd  
Columbus OH 43026  
Permit #5383430

New Type: D1  
To: House Beer LLC  
843 N High St  
Columbus OH 43215  
Permit #4004573

New Type: D5  
To: Mozarts Inc  
DBA Mozarts Café  
Bsmt 1 & 2 1st Fl & Patios  
2885 N High St  
Columbus OH 43202  
Permit #62078090020

Transfer Type: C1, C2, D6  
To: Capital City Beverage Inc  
DBA Metro Beer & Wine Drive Thru  
2157 Hilliard Rome Rd  
Columbus OH 43026  
From: 2157 Hilliard Rome Inc  
DBA Metro Beer & Wine Drive Thru  
2157 Hilliard Rome Rd  
Columbus OH 43026  
Permit #12385320060

Advertise Date: 07/21/12  
Agenda Date: 07/16/12  
Return Date: 07/26/12

Read and Filed

## **ADDITIONS OR CORRECTIONS TO THE AGENDA**

**THE FOLLOWING ORDINANCE WAS REMOVED FROM THE CONSENT PORTION OF THE AGENDA AND VOTED ON LATER IN THE MEETING.**

**Finance Committee: Ordinance # 1536-2012**

## **FR FIRST READING OF 30-DAY LEGISLATION**

**A MOTION WAS MADE BY PRESIDENT PRO TEM MILLER, SECONDED BY COUNCILMEMBER CRAIG TO WAIVE THE READING OF THE TITLES OF FIRST READING LEGISLATION. THE MOTION CARRIED THE FOLLOWING VOTE: AFFIRMATIVE: 6 NEGATIVE: 0**

**FINANCE: TYSON, CHR. MILLER PALEY GINTHER**

- FR-1 1440-2012** To amend the 2012 Capital Improvement Budget; to authorize the City Auditor to transfer \$140,247.00 between projects within the Gov'l SuperB.A.B.'s (Build America Bonds) Fund and the Gov'l B.A.B.'s (Build America Bonds) Fund; to authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with HKI Associates for professional engineering services for demolition of the 109 North Front Street building; and to authorize the expenditure of \$140,247.00 from the Capital Improvement Funds. (\$140,247.00)

Read for the First Time

**HEALTH & HUMAN SERVICES: TYSON, CHR. MILLS PALEY GINTHER**

- FR-2 1447-2012** To authorize and direct the Board of Health to modify a revenue contract from the Ohio Department of Health awarded to conduct investigations of smoking complaints, in an amount not to exceed \$37,875.00. (\$37,875.00)

Read for the First Time

**DEVELOPMENT: KLEIN, CHR. TYSON CRAIG GINTHER**

- FR-3 1534-2012** To authorize the Director of the Department of Development to enter into a Jobs Growth Incentive Agreement with Oxford Consulting Group, Inc. equal to twenty-five percent (25%) of the amount of new income tax withheld on new employees for a term of two (2) years in consideration of the company's proposed creation of 45 new full-time permanent positions.

Read for the First Time

**RECREATION & PARKS: KLEIN, CHR. TYSON MILLS GINTHER**

- FR-4 1498-2012** To authorize the City Auditor to set up a certificate in the amount of \$50,000.00 for various expenditures for labor, material and equipment in conjunction with golf course improvements; and to authorize the expenditure of \$50,000.00 from the Voted Recreation and Parks Bond Fund 702. (\$50,000.00)

Read for the First Time

**PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER**

**FR-5 1453-2012** To authorize the Director of Public Utilities to modify and increase the engineering services agreement with Stantec Consulting Services, Inc. for Phase 4 of the Geographical Information System (GIS) Conversion Services Project; to authorize the transfer of \$124,397.52 within the Electric Permanent Improvement Fund, Fund 565; to authorize an amendment to the 2012 Capital Improvements Budget; and to authorize an the appropriation and expenditure of \$124,397.52 from the Electric Permanent Improvement Fund. (\$124,397.52)

**Read for the First Time**

**FR-6 1480-2012** To authorize the Director of Finance and Management to establish blanket purchase orders for water treatment chemicals from existing Universal Term Contracts for the Division of Power and Water (W), and to authorize the expenditure of \$163,000.00 from Water Systems Operating Fund. (\$163,000.00)

**Read for the First Time**

#### **RULES & REFERENCE: GINTHER, CHR. PALEY KLEIN MILLS**

**FR-7 1321-2012** To amend Chapter 1147 of the Columbus City Code by enacting Section 1147.21 to authorize the Director of Public Utilities to promulgate a rule that allows a credit on the Clean River Sanitary Sewer Charge for any customer that exceeds the detention requirements of the Stormwater Drainage Manual.

**Read for the First Time**

**FR-8 1327-2012** To amend Chapter 1145 of the Columbus City Codes 1959, to enact new Regulation of Sewer Use to become effective October 1, 2012, and to repeal the existing Sections being amended.

**Read for the First Time**

**FR-9 1688-2012** To amend Title 5 of the Columbus City Codes by enacting new Chapter 524, entitled "Community Markets On Public Property," to establish licensing requirements for community markets operating on public property.

#### **ZONING: MILLER, CHR. CRAIG KLEIN MILLS PALEY TYSON**

**FR-10 1432-2012** To rezone 2700 BETHEL ROAD (43201), being 39.44± acres located on the north side of Bethel Road, 600± feet west of Pickforde Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z12-018).

**Read for the First Time**

**FR-11 1532-2012** To grant a Variance from the provisions of Sections 3363.01, M-manufacturing district; 3312.49(C), Minimum numbers of parking spaces required; and 3321.05(A), Vision clearance, of the Columbus City codes; for the property located at 754 BANK STREET (43206), to permit a single-unit dwelling in conjunction with an art studio and office with reduced development standards in the M, Manufacturing District (Council Variance #CV12-024).

**Read for the First Time**

**FR-12 1561-2012** To rezone 6511 EAST BROAD STREET (43213), being 5.12± acres located on the south side of East Broad Street, 480± feet east of Outerbelt Street, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z12-021).

**Read for the First Time**

**FR-13 1566-2012** To grant a Variance from the provisions of Sections 3356.03, C-4, Permitted Uses; 3309.14, Height District, 3312.03(D), Administrative requirements; 3312.49(C), Minimum number of parking spaces; 3312.53, Minimum number of loading spaces required; 3321.01, Dumpster Area; 3321.05(B)(1), Vision clearance; and 3356.11, C-4 district setback lines, of the Columbus City Codes for property located at 834 NORTH HIGH STREET (43215), to permit residential and parking uses with reduced development standards in the C-4, Commercial District. (CV12-023)

**Read for the First Time**

**FR-14 1307-2012** To rezone 5822 NORTH HAMILTON ROAD (43054), being 116.26± acres located on the east side of Hamilton Road, 670± feet north of Preserve Boulevard, From: L-AR-12, Limited Apartment Residential, PUD-8, Planned Unit Development, and L-C-4, Limited Commercial Districts; To: CPD, Commercial Planned Development and L-AR-O, Limited Apartment Office Districts.

**Read for the First Time**

**FR-15 1490-2012** To grant Variance from the provisions of Sections 3333.04, Permitted uses in AR-O apartment office district; 3333.18, Building lines; 3318.03, Requirements; 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at 5822 NORTH HAMILTON ROAD (43230), to permit commercial uses in the L-AR-O, Limited Apartment Residential District with reduced development standards. (Council Variance #CV10-021).

**Read for the First Time**

## **CA CONSENT ACTIONS**



**FINANCE: TYSON, CHR. MILLER PALEY GINTHER**

- CA-1 1336-2012** To authorize the Finance and Management Director to expend \$100,000.00 from the Construction Management Capital Improvement Fund, Gov'l SuperB.A.B.'s (Build America Bonds) Fund for various facility renovations at the Municipal Court building, 375 South High Street. (\$100,000.00)
- This item was approved on the Consent Agenda.
- CA-2 0132X-2012** To support a partnership with COTA, the City of Dublin, MORPC, Clean Fuels Ohio and other area entities for the purpose of applying for State funds through the Ohio Department of Development for the Local Government Innovation Fund (LGIF) to study and plan for Compressed Natural Gas (CNG) fueled vehicle projects and infrastructure.
- This item was approved on the Consent Agenda.
- CA-3 1484-2012** To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with J & P Paving Masonry and Sealant, Inc. for renovation of the parking garage at the Health Department, 240 Parsons Avenue; to authorize the expenditure of \$160,000.00 from the Gov'l B.A.B.'s (Build America Bonds) Fund; and to declare an emergency. (\$160,000.00)
- This item was approved on the Consent Agenda.
- CA-5 1555-2012** To authorize the Director of the Department of Finance and Management to execute, those documents necessary to enter into a license agreement by and between the City of Columbus and Robert Elmore for the retail sale of food and beverage from a concessions truck on the parking lot deck at Columbus Public Health, 240 Parsons Avenue; and to declare an emergency.
- This item was approved on the Consent Agenda.

**DEVELOPMENT: KLEIN, CHR. TYSON CRAIG GINTHER**

- CA-6 1426-2012** To authorize the Director of the Department of Development to enter into an annexation agreement with Cypress Wesleyan Church.
- This item was approved on the Consent Agenda.
- CA-7 1427-2012** To accept the application (AN12-001) of Cypress Wesleyan Church for the annexation of certain territory containing 58.1 ± acres in Prairie Township.
- This item was approved on the Consent Agenda.

- CA-8 1550-2012** To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN12-010) of 68.9 + acres in Blendon Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

This item was approved on the Consent Agenda.

#### **RECREATION & PARKS: KLEIN, CHR. TYSON MILLS GINTHER**

- CA-9 1526-2012** To authorize and direct the Director of Recreation and Parks to accept a grant from the Ohio Department of Natural Resources Division of Forestry for \$12,500.00 to address the Emerald Ash Borer infestation; to authorize the city grant match of \$12,500.00 to be transferred and appropriated to the Recreation and Parks Grant Fund; to enter into contract with the Ohio Department of Natural Resources Division of Forestry; to appropriate \$12,500.00 from the Department of the Recreation and Parks Grant Fund; and to declare an emergency. (\$25,000.00)

This item was approved on the Consent Agenda.

#### **PUBLIC SAFETY & JUDICIARY: MILLS, CHR. KLEIN CRAIG GINTHER**

- CA-10 0030-2012** To authorize the Directors of the Department of Recreation and Parks and the Department of Public Utilities to execute a Quitclaim Deed of Easement, as requested by Columbia Gas of Ohio, Inc., an Ohio corporation, necessary to grant the gas company an utility easement through certain City real property located in the vicinity of Bethel Road and Riverside Drive for the installation and operation of a natural gas pipeline.

This item was approved on the Consent Agenda.

- CA-11 1311-2012** To authorize the Columbus Fire Chief to accept a donation of lactate meters from The Ohio State University Wexner Medical Center for the Division of Fire's use in EMS transport vehicles.

This item was approved on the Consent Agenda.

- CA-12 1558-2012** To authorize the acceptance of a supplemental grant award from the State of Ohio, Office of the Attorney General, for the 11-12 VOCA Domestic Violence grant; to authorize the appropriation of said funds in the amount of Four Thousand Dollars; and to declare an emergency. (\$4,000.00)

This item was approved on the Consent Agenda.

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

**CA-13 0006-2012** To authorize the Director of Public Service to enter into agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for this interchange reconstruction on the interchange at Roberts Road and I-270. (\$0.00)

**This item was approved on the Consent Agenda.**

**CA-14 1361-2012** To authorize the Director of Public Service to enter into contract with Nickolas Savko & Sons, and to provide for the payment of construction administration and inspection services, in connection with the Pedestrian Safety Improvements-North Broadway Sidewalks project and the Pedestrian Safety Improvements-South High Street Sidewalks-Highview to Williams project; to amend the 2012 C.I.B; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; to appropriate and authorize the expenditure of \$407,012.64 from the Streets and Highways G.O. Bonds Fund for the Division of Design and Construction; and to declare an emergency. (\$407,012.64)

**This item was approved on the Consent Agenda.**

**CA-15 1392-2012** To authorize the Director of Finance and Management to enter into contracts for the purchase of traffic analyzing equipment with M.H. Corbin Inc. and Jamar Technologies Inc.; to amend the 2012 CIB; to authorize the transfer of monies within the Street and Highway Improvement Non-Bond Fund for the Division of Planning and Operations; to authorize the expenditure of \$33,695.00 from the Street and Highway Improvement Non-Bond Fund; and to declare an emergency. (\$33,695.00)

**This item was approved on the Consent Agenda.**

**CA-16 1394-2012** To authorize the Director of Finance and Management to establish purchase orders with Ennis Paint, Inc., Flint Trading, Inc., and Potters Industries, Inc. for the purchase of Thermoplastic Pavement Marking Material, Preformed Thermoplastic Marking Materials, and Reflective glass spheres per terms and conditions of existing universal term contracts for the Division of Planning and Operations; to amend the 2012 CIB; to authorize the appropriation and transfer of monies within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of \$500,000.00 from the Streets and Highways G.O. Bonds Fund for this purpose; and to declare an emergency. (\$500,000.00)

**This item was approved on the Consent Agenda.**

- CA-17 1396-2012** To authorize the Finance and Management Director to establish purchase orders with Baldwin & Sours, Inc. and General Supply & Services, Inc. for the purchase of school flashers and accessories per the terms and conditions of an existing citywide universal term contract for the Division of Planning and Operations; to amend the 2012 C.I.B; to authorize the transfer of monies within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of \$148,524.00 from the Streets and Highways G.O. Bonds Fund for this purpose; and to declare an emergency. (\$148,524.00)

**This item was approved on the Consent Agenda.**

- CA-18 1402-2012** To authorize the Director of Public Service to enter into contract with Columbus Asphalt Paving, Inc. for construction of the Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed project for the Division of Mobility Options; to amend the 2012 C.I.B; to authorize the transfer of monies within the Streets and Highways G.O. Bonds Fund, the Build America Bond Fund, and the Street and Highway Improvement Fund; to appropriate funds within the Street and Highway Improvement Fund; to authorize the expenditure of \$373,300.74 within the Streets and Highways G.O. Bonds Fund, the Build America Bond Fund, and the Street and Highway Improvement Fund for the Division of Mobility Options; and to declare an emergency. (\$373,300.74)

**This item was approved on the Consent Agenda.**

- CA-19 1444-2012** To authorize the Director of Public Service to enter into contract with Conie Construction Co. for the Bridge Rehabilitation - Marland Drive Over Stream South of Meadowview Drive project; to provide for the payment of inspection services in connection with the project; to amend the 2012 C.I.B; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of up to \$227,359.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$227,359.00)

**This item was approved on the Consent Agenda.**

- CA-20 1448-2012** To authorize the Director of Public Service to reimburse the Street Construction Maintenance and Repair Fund and Construction Inspection Fund for labor and equipment costs; to authorize the expenditure of \$200,000.00 from the Streets and Highways G.O. Bonds Fund for reimbursement to the Street Construction Maintenance and Repair Fund and Construction Inspection Fund; and to declare an emergency. (\$200,000.00)

**This item was approved on the Consent Agenda.**

- CA-21 1543-2012** To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant an encroachment easement for existing retaining wall within those public rights-of-way needed for the Arterial Street Rehabilitation - Parsons/Livingston Improvement project and to declare an emergency.
- This item was approved on the Consent Agenda.**
- CA-22 0138X-2012** To declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Karl Road/SR161 - Schrock Road project; and to declare an emergency.

**This item was approved on the Consent Agenda.**

### **PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER**

- CA-23 0621-2012** To authorize the Director of Public Utilities to enter into contract planned contract modification with Rama Consulting Group for Employee Mentoring Program Design and Services for the Department of Public Utilities, to authorize the expenditure of \$12,200.00 from the Electricity Operating Fund, \$77,600.00 from the Water Operating Fund, \$87,000.00 from the Sewer System Operating Fund and \$23,200.00 from the Stormwater Operating Fund (\$200,000.00).
- This item was approved on the Consent Agenda.**
- CA-24 1012-2012** To authorize the Director of Public Utilities to enter into a planned contract modification with 360water, Inc. for the Facilities and Safety Training Management and Documentation Services; to authorize the expenditure of \$311,200.00 from the Sewer System Operating Fund; and \$187,880.00 from the Water Systems Operating Fund. (\$499,080.00).
- This item was approved on the Consent Agenda.**
- CA-25 1034-2012** To authorize the Director of Public Utilities to continue funding of a joint agreement with the US Geological Survey, United States Department of the Interior for a study to provide Microbial Source Tracking host-associated marker data of select sources of contamination, to authorize the expenditure of \$16,041.00 from the Sewerage System Operating Fund. (\$16,041.00)
- This item was approved on the Consent Agenda.**
- CA-26 1152-2012** To authorize the Director of Public Utilities to modify an existing contract with Asplundh Tree Expert Co. for tree removal services for the Division of Power and Water; to authorize the expenditure of \$10,000.00 from the Water Operating Fund. (\$10,000.00)

**This item was approved on the Consent Agenda.**

- CA-27 1251-2012** To authorize the Director of Finance and Management to establish a purchase order with Brown Enterprise Solutions for the purchase of Dell Power Edge R710 Servers for the Division of Sewerage and Drainage, and to authorize the expenditure of \$48,961.50 from the Sewerage System Operating Fund. (\$48,961.50)

**This item was approved on the Consent Agenda.**

- CA-28 1294-2012** To authorize the Director of Finance and Management to enter into a purchase order with PS Analytical, Inc. for a Millennium Merlin System for low level mercury determination in accordance with Sole Source provisions of the Columbus City Code for the Division of Sewerage and Drainage, and to authorize the expenditure of \$17,500.00 from the Sewerage System Operating Fund. (\$17,500.00)

**This item was approved on the Consent Agenda.**

- CA-29 1305-2012** To authorize the Director of Public Utilities to enter into an agreement with ADS LLC for flow meter wireless fees in accordance with Sole Source provisions of the Columbus City Code for the Division of Sewerage and Drainage, and to authorize the expenditure of \$34,500.00 from the Sewerage System Operating Fund. (\$34,500.00).

**This item was approved on the Consent Agenda.**

- CA-30 1319-2012** To authorize the Director of Public Utilities to execute a construction contract with Conie Construction Co.; to encumber funds to provide for payment of inspection, material testing and related services to the Design and Construction Division; to authorize the transfer of \$20,290.00 within the Storm Build America Bonds Fund; to authorize an amendment to the 2012 Capital Improvements Budget; and to authorize the expenditure of \$830,290.00 for the Weisheimer Road Stormwater System Improvements Project, for the Divisions of Sewerage and Drainage from the Storm Build America Bonds Fund. (\$830,290.00)

**This item was approved on the Consent Agenda.**

- CA-31 1323-2012** To authorize the Director of Public Utilities to enter into a planned contract modification with Stantec Consulting Services, Inc. for professional engineering services for the Skyline Drive Sanitary Sewer Assessment Project; to authorize a transfer within and expenditure of \$32,253.72 from the Sanitary Sewer General Obligation Bond Fund; and to amend the 2012 Capital Improvements Budget. (\$32,253.72)

**This item was approved on the Consent Agenda.**

- CA-32 1445-2012** To authorize the Director of Public Utilities to enter into an agreement

with GS&P/OH, Inc. for environmental management system support and support in the EMS certification process for the Department of Public Utilities, to authorize the expenditure of \$175,000.00 from the Sewerage System Operating Fund and \$175,000.00 from the Power and Water Operating Fund and to declare an emergency. (\$350,000.00)

**This item was approved on the Consent Agenda.**

- CA-33 1446-2012** To authorize the Director of Public Utilities to execute a planned contract modification of the Construction Administration and Construction Inspection Services agreement with DLZ Ohio, Inc.; for the Cooke Road 20" Water Line Improvements Project; for the Division of Power and Water; to authorize a transfer and expenditure up to \$103,355.00 from the Water Works Enlargement Voted Bonds Fund; and to declare an emergency. (\$103,355.00)

**This item was approved on the Consent Agenda.**

- CA-34 1462-2012** To authorize the Finance and Management Director to contract for the option to purchase various types of Topsoil for pick up or delivery on an as needed basis with Jones Fuel DBA Jones Topsoil and Kurtz Brothers of Central Ohio, LLC; to authorize the expenditure of Two dollars from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$2.00)

**This item was approved on the Consent Agenda.**

- CA-35 1497-2012** To authorize the Director of Public Utilities to modify and increase the construction contract with Kokosing Construction Company, Inc., for the Dublin Road Water Plant Low Service Pump Replacement, Phase I Project; for the Division of Power and Water; to authorize a transfer and expenditure up to \$197,658.55 within the Water Works Enlargement Voted Bonds Fund; to amend the 2012 Capital Improvements Budget; and to declare an emergency. (\$197,658.55)

**This item was approved on the Consent Agenda.**

- CA-36 1512-2012** To modify the Water Plant Process Control Computer Maintenance Universal Term Contract with Telvent USA, LLC to add upgraded equipment maintenance services to the contract; and to declare an emergency.

**This item was approved on the Consent Agenda.**

## **APPOINTMENTS**

- CA-37 A0131-2012** To appoint Joel Diaz to the Community Relations Commission for a term expiring on December 31, 2013 (resume attached).

This item was approved on the Consent Agenda.

**CA-38 A0132-2012** To appoint Christopher Corso to the Vehicle for Hire Board for a term expiring on December 31, 2012 (resume attached).

This item was approved on the Consent Agenda.

**CA-39 A0133-2012** To appoint Tracey Pomeroy to the Vehicle for Hire Board for a term expiring on December 31, 2012 (resume attached).

This item was approved on the Consent Agenda.

### Approval of the Consent Agenda

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

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

### **FINANCE: TYSON, CHR. MILLER PALEY GINTHER**

**1536-2012** To authorize the Finance and Management Director to modify and extend the Universal Term Contract for the option to purchase Fuel Card Services with US Bank Voyager Fleet Systems Inc.; and to declare an emergency.

*TABLED UNTIL 7/30/2012*

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

**Absent:** 1 - Priscilla Tyson

**Abstained:** 1 - Michelle Mills

**Affirmative:** 5 - Hearcel Craig, Zachary Klein, A. Troy Miller, Eileen Paley, and Andrew Ginther

### **ADMINISTRATION: CRAIG, CHR. MILLER PALEY GINTHER**

**SR-1 1470-2012** 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 recruits, and to authorize the expenditure of \$47,000.00 from the General Fund; and to declare an emergency (\$47,000.00).



**A motion was made by Craig, seconded by Klein, that this Ordinance be Approved. The motion carried by the following vote:**

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

## **DEVELOPMENT: KLEIN, CHR. TYSON CRAIG GINTHER**

**SR-2 1423-2012** To authorize the Director of the Department of Development to execute any and all necessary agreements, as approved by the Department of Law, Real Estate Division, for conveyance of real property formerly known as Woodland Meadows and to authorize the Mayor and the Clerk of City Council to execute a quit claim deed conveying title; and to accept in exchange title to the real property formerly known as Reeb Elementary.

**A motion was made by Klein, seconded by Craig, that this Ordinance be Approved. The motion carried by the following vote:**

**Absent:** 1 - Priscilla Tyson

**Abstained:** 1 - Michelle Mills

**Affirmative:** 5 - Hearcel Craig, Zachary Klein, A. Troy Miller, Eileen Paley, and Andrew Ginther

**SR-3 1428-2012** To authorize the Director of the Department of Development to enter into a Job Creation Tax Credit Agreement of sixty-five percent (65%) for a period of seven (7) years with Allied Mineral Products, Inc. in consideration of the company's proposed investment of \$5.0 million, the creation of 39 new full-time permanent positions and the retention of 225 full-time jobs.

**A motion was made by Klein, seconded by Craig, that this Ordinance be Approved. The motion carried by the following vote:**

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-4 1481-2012** To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement with Amamata, LLC for a tax abatement of seventy-five percent (75%) for a period of ten (10) years on real property improvements in consideration of a proposed total investment of approximately \$4.5 million.

**A motion was made by Klein, seconded by Craig, that this Ordinance be Approved. The motion carried by the following vote:**

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-5 1482-2012** To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement with Tower 10, LLC for a tax abatement of seventy-five percent (75%) for a period of ten (10) years on real property improvements in consideration of a proposed total capital investment of \$27.6 million.

**A motion was made by Klein, seconded by Craig, that this Ordinance be Approved. The motion carried by the following vote:**

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-6 1580-2012** To authorize the Director of Development to enter into a Tax Increment Financing and Cooperative Agreement with the Columbus-Franklin County Finance Authority, E.W. High Street, LLC and E.W. Hubbard High, LLC and a Tax Lien Agreement with the Franklin County Treasurer to provide for the construction of a 250 space public parking garage benefiting and serving the Short North Incentive District; and to declare an emergency.

**A motion was made by Klein, seconded by Craig, that this Ordinance be Approved. The motion carried by the following vote:**

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-7 1581-2012** To authorize the provision of certain tax exemptions within the Short North Community Reinvestment Area for the purpose of encouraging economic development and development of a 250 space public parking garage within the area; to authorize the execution of a Community Reinvestment Area Agreement necessary to grant those exemptions; and to declare an emergency.

**A motion was made by Klein, seconded by Craig, that this Ordinance be Approved. The motion carried by the following vote:**

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

## **TECHNOLOGY: MILLER, CHR. KLEIN MILLS GINTHER**

**SR-8 1687-2012** To authorize Columbus City Council to expend \$7,000.00 from the Jobs Growth Fund to enter into an agreement with Sinclair Media II for sponsorship of WSYX ABC 6's July and October 2012 Job Boot

Camp, and to declare an emergency. (\$7,000.00)

**A motion was made by Miller, seconded by Klein, that this Ordinance be Approved.  
The motion carried by the following vote:**

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

## **PUBLIC SAFETY & JUDICIARY: MILLS, CHR. KLEIN CRAIG GINTHER**

**SR-9 1474-2012** To authorize the Finance and Management Director to enter into contract for the option to purchase Road Flares with Comade, Inc.; to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00).

**A motion was made by Mills, seconded by Craig, that this Ordinance be Approved.  
The motion carried by the following vote:**

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-10 1478-2012** To authorize and direct the Finance and Management Director to establish a purchase order with Arrow Energy, Inc. for the purchase of jet fuel for the Division of Police from an existing universal term contract, to authorize the expenditure of \$208,000.00 from the General Fund; and to declare an emergency. (\$208,000.00)

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-11 1509-2012** To authorize the City Attorney to enter into a contract with West Publishing Corporation dba Elite, A Thomson Reuters business, for the purchase of a legal case/matter management software system and associated services; to authorize the expenditure of up to One Hundred Fifty Thousand Dollars from Auditor Bond Fund 783; and, to declare an emergency. (\$150,000.00)

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

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

**SR-12 1401-2012** To authorize the Director of Public Service to enter into contract with Columbus Asphalt Paving, Inc. and to provide for the payment of construction administration and inspection services, in connection with the Roadway Improvements-Fodor Road improvement project; to authorize the Director of Public Service, in place of the Director of Development, to enter into a three party agreement with The Kroger Co. and New Albany Company LLC to provide for contribution and reimbursement of a portion of the costs of construction of the improvement at the intersection of New Albany Road and Fodor Road; to authorize the expenditure of \$1,173,311.29 from the Street and Highway Improvement Fund for the Division of Design and Construction; and to declare an emergency.(\$1,173,311.29)

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-13 1452-2012** To authorize the Director of Public Service to make payment to the Mid-Ohio Regional Planning Commission for staff support services rendered in connection with the State Capital Improvement Program and Local Transportation Improvement Program for the Division of Design and Construction; to amend the 2012 Capital Improvement Budget; to authorize and direct the City Auditor to appropriate and transfer \$7,163.07 within the Street and Highway Improvement Fund; to authorize the transfer of funds between the Street and Highway Improvement Fund and the Local Transportation Improvement Fund and to appropriate and expend \$7,163.07 from the Local Transportation Improvement Fund for this purpose; and to declare an emergency. ( \$7,163.07)

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-14 1460-2012** To authorize the Director of Public Service to enter into contract for the design of the Roadway Improvements - Taylor Avenue project for the Division of Planning and Operations; to waive the competitive bidding provisions of the Columbus City Code regarding professional services contracts; to authorize the expenditure of \$100,000.00 within the Streets and Highways G.O. Bonds Fund; and to declare an

emergency. (\$100,000.00)

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

## **PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER**

**SR-15 1320-2012** To authorize the Director of Public Utilities to execute a construction contract with Allard Excavation, LLC; to encumber funds to provide for payment of inspection, material testing and related services to the Design and Construction Division; to authorize the transfer of \$483,404.63 within the Storm Build America Bonds Fund; to authorize an amendment to the 2012 Capital Improvements Budget; and to authorize the expenditures of \$2,627,703.03 from the Storm Build America Bonds Fund and \$1,355,695.97 from the Storm Recovery Zone Super Build America Bonds Fund for the Maryland Avenue / Denver Avenue Stormwater System Improvements Project, for the Divisions of Sewerage and Drainage. (\$3,983,399.00)

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-16 1412-2012** To authorize the Director of Public Utilities to enter into a construction administration and inspection services agreement with DLZ Ohio, Inc. for the 5th Ave Dam Removal and Lower Olentangy River Ecosystem Restoration Project; and to provide a continuation of services for the 2010 General Construction Contract and the 2010 Annual Lining Contract; to authorize a transfer within and expenditure of up to \$950,000 from the Sanitary Sewer General Obligation Bond Fund; to amend the 2012 Capital Improvements Budget; and to declare an emergency. (\$950,000.00)

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-17 1419-2012** To authorize the Director of Public Utilities to enter into a construction contract with Trucco Construction Company for the Cooke Road 20" Water Line Improvements Project; to amend the 2012 Capital

Improvements Budget; to authorize a transfer and expenditure up to \$1,506,397.31 from the Water Works Enlargement Voted Bonds Fund; for the Division of Power and Water; and to declare an emergency. (\$1,506,397.31)

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-18 1420-2012** To authorize the Director of Public Utilities to enter into a planned modification of a professional engineering services agreement with Stantec Consulting Services Inc., for the Lower Olentangy River Ecosystem Restoration Project (5th Ave. Dam); to transfer within the G.O. Bond Fund for the expenditure of \$278,168.03; and to amend the 2012 Capital Improvements Budget, for the Division of Sewerage and Drainage; and to declare an emergency. (\$278,168.03)

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-19 1443-2012** To authorize the Director of Public Utilities to execute a construction contract with Underground Utilities, Inc. for the East 25th Avenue/Joyce Avenue Stormwater System and Water Line Improvements Project; to encumber funds for inspection, material testing, and related services to the Division of Design and Construction; to authorize the transfer of \$132,753.94 within the Storm Recovery Zone Super Build America Bonds Fund and the transfer of \$341,505.74 within the Water Works Enlargement Voted Bonds Fund; to authorize an amendment to the 2012 Capital Improvements Budget; to authorize the expenditure of \$1,232,753.94 from the Storm Recovery Zone Super Build America Bonds Fund, and to authorize the expenditure of \$341,505.74 from the Water Works Enlargement Voted Bonds Fund. (\$1,574,259.68)

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-20 1461-2012** To authorize the Director of Public Utilities to execute a construction contract with George J. Igel & Company, Inc.; to encumber funds to provide for payment of inspection, material testing and related services

to the Design and Construction Division; to authorize the transfer of \$72,170.00 within the Storm Recovery Zone Super Build America Bonds Fund; to authorize an amendment to the 2012 Capital Improvements Budget; and to authorize the expenditure of \$1,072,170.00 for the Southwesterly Compost Facility Stormwater Diversion Swale Improvements Project, for the Divisions of Sewerage and Drainage from the Storm Recovery Zone Super Build America Bonds Fund. (\$1,072,170.00)

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

**Absent:** 1 - Priscilla Tyson

**Abstained:** 1 - Michelle Mills

**Affirmative:** 5 - Hearcel Craig, Zachary Klein, A. Troy Miller, Eileen Paley, and Andrew Ginther

**SR-21 1487-2012** To authorize the Director of Public Utilities to modify and increase the agreement with URS Corporation - Ohio for Professional Construction Management Services; for the Division of Power and Water; to authorize a transfer and an expenditure up to \$6,875,740.00 within the Water Works Enlargement Voted Bonds Fund; and to authorize an amendment to the 2012 Capital Improvements Budget. (\$6,854,740.00)

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

## **RULES & REFERENCE: GINTHER, CHR. PALEY KLEIN MILLS**

**SR-22 1149-2012** To amend Section 3357.01 of the Columbus City Codes regarding uses in the C-5 Commercial District to remove a provision that is inconsistent with other zoning code sections.

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-23 1386-2012** To enact Chapter 906 of the Columbus City Code, 1959, to regulate the use of public rights-of-way for non commercial events. and to declare an emergency.

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

**SR-24 1465-2012** To amend Chapter 2151 and Chapter 2150 for consideration of preserving the condition of public streets and greater bikeway connectivity and safety.

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther

## **ADJOURNMENT**

*ADJOURNED AT 6:47 PM*

**A motion was made by Craig, seconded by Paley, that this be adjourn this Regular Meeting. The motion carried by the following vote:**

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther





# City of Columbus

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

## Minutes - Final Zoning Committee

*A. Troy Miller, Chair  
All Members*

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Monday, July 16, 2012

6:30 PM

City Council Chambers, Rm 231

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### REGULAR MEETING NO.40 OF CITY COUNCIL (ZONING), JULY 16, 2012 AT 6:30 P.M. IN COUNCIL CHAMBERS.

#### ROLL CALL

**Absent** 1 - Priscilla Tyson

**Present** 6 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, and Andrew Ginther

#### READING AND DISPOSAL OF THE JOURNAL

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, and Andrew Ginther

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

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

**1129-2012** To rezone 2455 BILLINGSLEY ROAD (43235), being 8.0± acres located on the south side of Billingsley Road, 500± feet west of Dunsworth Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z12-011).

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, and Andrew Ginther

**1451-2012** To rezone 2435 BILLINGSLEY ROAD (43235), being 3.04± acres located on the south side of Billingsley Road, 5± feet east of Dunsworth Drive, From: L-C-4, Limited Commercial District, To: CPD, Commercial Planned Development District and to declare an emergency (Rezoning # Z12-015).

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, and Andrew Ginther

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, and Andrew Ginther

**1468-2012** To rezone 415 NORTH REYNOLDSBURG-NEW ALBANY ROAD (43004), being 0.65± acres located on the west side of North Reynoldsburg-New Albany Road, 44± feet south of Stone Shadow Drive, From:R, Rural District, To: C-2, Commercial District and to declare an emergency (Rezoning # Z12-019).

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, and Andrew Ginther

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, and Andrew Ginther

## **ADJOURNMENT**

*ADJOURNED AT 6:52 PM*

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

**Absent:** 1 - Priscilla Tyson

**Affirmative:** 6 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, and Andrew Ginther

# Ordinances and Resolutions

**City of Columbus**  
**City Bulletin Report**

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

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**Legislation Number:** 0006-2012

**Drafting Date:** 12/30/2011

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

## **1. BACKGROUND**

This ordinance authorizes The Director of Public Service to enter into an agreement with the Ohio Department of Transportation (ODOT) for an interchange reconstruction project on the interchange at I-270 and Roberts Road on the West side of Columbus.

This project will require coordination with the City for maintenance of traffic analysis and for future pedestrian and bicycle accommodations.

This project will reconfigure the 270/Roberts Road interchange from a conventional diamond interchange to a diverging diamond interchange. The project will also replace the Roberts Road bridge deck over I-270. The project is estimated to begin construction in the summer of 2013 and be completed in fall of 2014. (FRA-270-10.16 PID 84506)

## **2. FISCAL IMPACT**

The estimated construction cost of this project is \$4,400,000.00 which will be funded by ODOT. There is no cost to the City for this project.

To authorize the Director of Public Service to enter into agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for this interchange reconstruction on the interchange at Roberts Road and I-270. (\$0.00)

The following ordinance enacted by the City of Columbus, Ohio, hereinafter referred to as the Legislative Authority or Local Public Agency or "LPA", in the matter of the stated described project.

**WHEREAS**, the State has identified the need for the described project:

Reconfigure the 270/Roberts Road interchange from a conventional diamond interchange to a diverging diamond interchange. This project will also replace the Roberts Road bridge deck over I-270; now, therefore

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

### **SECTION 1. Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

### **SECTION 2. Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio

Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director.

The Ohio Department of Transportation shall assume and bear one hundred percent of the necessary costs of the State's highway improvement project.

In the event that the City requests certain features or appurtenances be included within the highway improvement project's design and construction, and which features and appurtenances are determined by the State and the Federal Highway Administration to be not necessary for the State's highway improvement project, the City shall, prior to the project being advertised for construction contract bidding purposes, provide appropriate documentation that its Council has appropriated, and its Auditor has certified as being available for such specific purposes, funds sufficient in amount to cover one hundred percent (100%) of the costs of incorporating such additional features or appurtenances within the State's project, including preliminary engineering, final design, right-of-way, construction and construction engineering expenses as may be directly related thereto.

**SECTION 3 - Utilities and Right-of-Way Statement**

LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. LPA also understands that right-of-way costs include eligible utility costs.

LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION 4 - Maintenance**

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions, and (4) hold said right-of-way inviolate for public highway purposes.

**SECTION 5 - Authority to Sign**

The Director of Public Service of said City is hereby empowered on behalf of the City of Columbus to enter into contracts with the Director of Transportation necessary to complete the above described project.

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

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**Legislation Number:** 0030-2012

**Drafting Date:** 1/4/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

The City of Columbus, Ohio ("City"), for good and valuable consideration desires to quitclaim to Columbia Gas of Ohio, Inc., an Ohio corporation, a perpetual non-exclusive easement in, under, across, over, and through certain City owned property. The easement is to be located in the vicinity of Bethel Road and Riverside Drive, more fully described in the body of this legislation, and necessary to the installation, construction,

reconstruction, operation, maintenance, repair, and removal a natural gas pipeline. After investigation, it has been determined that the conveyance of the easement will not adversely affect the City and should be granted. The Department of Law, Real Estate Division, has determined a value of \$30,066.00 for the easement. The following legislation authorizes the Director of the Department of Recreation and Parks and the Director of the Department of Public Utilities to execute those instruments necessary to grant the requested quitclaim easement through certain City owned real property.

Fiscal Impact: The City shall receive \$30,066.00 to be received as consideration for the granting of the requested easement right, shall be deposited in the proper City fund, as determined by the City Auditor.

Emergency Justification: N/A

To authorize the Directors of the Department of Recreation and Parks and the Department of Public Utilities to execute a Quitclaim Deed of Easement, as requested by Columbia Gas of Ohio, Inc., an Ohio corporation, necessary to grant the gas company an utility easement through certain City real property located in the vicinity of Bethel Road and Riverside Drive for the installation and operation of a natural gas pipeline.

**WHEREAS,** the City of Columbus, Ohio ("City"), for good and valuable consideration desires to quitclaim to Columbia Gas of Ohio, Inc., an Ohio corporation, a perpetual non-exclusive easement in, under, across, over, and through certain City owned property; and

**WHEREAS,** the property, more fully described in the body of this legislation, is located in the vicinity of Bethel Road and Riverside Drive; and;

**WHEREAS,** "Columbia Gas", proposes to install, construct, reconstruct, operate, maintain, repair, and remove a natural gas pipeline; and

**WHEREAS,** after investigation, by the Departments of Public Service and Public Utilities, it has been determined that the quitclaim easement will not adversely affect the City and should be granted; and

**WHEREAS,** the Department of Law, Real Estate Division, has determined a value of \$30,066.00 for the easement; and

**WHEREAS,** the following legislation authorizes the Director of the Department of Recreation and Parks to execute those instruments necessary to grant the requested quitclaim easement through certain City owned real property, more fully described within the body of this ordinance; now, therefore:

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

**Section 1.** That the Director of the Department of Recreation and Parks, and the Director of the Department of Public Utilities, severally, be and hereby are authorized to execute those documents as prepared by the Department of Law, Real Estate Division, necessary to quitclaim unto Columbia Gas of Ohio, Inc., an Ohio corporation, certain easements in, under, across, over and through the following described City owned real property:

0.799 Acre

Situated in the State of Ohio, County of Franklin, and in the City of Columbus. And being a part of Section Number 3, Township 2, Range 19 of the United States Military Lands, as conveyed to The City of Columbus, (Hereon referred to as Grantor) as recorded in Deed Book 314, Page 548 of the Franklin County Recorders Office, Columbus, Ohio and being more particularly described as follows:

Commencing for reference at the centerline intersection of Bethel Road and Riverside Drive. Thence N-14°14'48"-W with the centerline of Riverside Drive, for a distance of 24.26 feet to a point. Thence S-75°44'39"-W leaving said centerline, for a distance of 30.00 feet to the Point of Beginning of the non-exclusive strip easement hereon described:

Thence S-01°56'47"-W through the Grantors property, for a distance of 8.22 feet to a point.

Thence S-10°48'02"-E continuing through the Grantors property, for a distance of 208.60 feet to a point.

Thence S-63°48'24"-W continuing through the Grantors property, for a distance of 467.18 feet to a point in the centerline of the Scioto River.

Thence N-04°11'14"-W with said centerline, for a distance of 53.93 feet to a point.

Thence N-63°48'24"-E leaving said centerline, for a distance of 408.88 feet to a point.

Thence N-10°48'02"-W for a distance of 176.09 feet to a point.

Thence N-01°56'47"-E for a distance of 82.67 feet to a point.

Thence S-86°32'36"-E for a distance of 30.24 feet, to a point on the west right-of-way of Riverside Drive.

Thence S-14°14'48"-E with said right-of-way, for a distance of 70.88 feet to the Point of Beginning of the herein described non-exclusive strip easement. Said easement containing 0.799± acres of land.

Tract 2:  
0.454 Acre

Situated in the State of Ohio, County of Franklin, and in the City of Columbus. And being a part of Survey Number 4854 of the Virginia Military Lands, as conveyed to The City of Columbus, (Hereon referred to as Grantor) as recorded in Deed Book 314, Page 631 of the Franklin County Recorders Office, Columbus, Ohio and being more particularly described as follows:

Commencing for reference at the southeast corner of Lot Number 11 and the northeast corner of Lot Number 12 as referenced on Plat Book 46, Page 85 of Shire Cove Subdivision. Thence N-08°46'14"-W with the east property line of Lot Number 11, for a distance of 107.11 feet to a point. Said point being the Point of Beginning of the non-exclusive strip easement hereon described:

Thence N-08°46'14"-W continuing with the east property line of Lot Number 11 and the Grantors west property line, for a distance of 51.24 feet to a point.

Thence N-68°36'39"-E through the Grantors property, for a distance of 397.23 feet to a point in the centerline of the Scioto River.

Thence S-04°11'14"-E with said centerline, for a distance of 52.34 feet to a point.

Thence S-68°36'39"-W leaving said centerline, for a distance of 392.94 feet to the Point of Beginning of the herein described non-exclusive strip easement. Said easement containing 0.454± acres of land.

**Section 2.** That the City Auditor is hereby authorized and directed to deposit the Thirty Thousand Sixty Six Dollars (\$30,066.00), to be received by the City as consideration for the granting of the subject quitclaim easement, in the appropriate City fund.

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

law.

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**Legislation Number:** 0132X-2012

**Drafting Date:** 6/25/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

Local governments are eligible to participate in a grant opportunity with the Ohio Department of Development. This funding opportunity is available through the Local Government Innovation Fund (LGIF) and was established to encourage communities to partner with each other to find creative solutions to share in the delivery of services.

As many Central Ohio communities are exploring the benefits of alternatively-fueled vehicles to save money and clean up the environment, partners have found a need to participate in collaborative discussions around the installation or acquisition of infrastructure necessary to directly support alternatively-fueled fleet vehicles and equipment.

The City of Columbus, COTA, MORPC, Clean Fuels Ohio and other area entities would like to pursue an application for a grant to the LGIF, with MORPC as the lead applicant. The maximum award for the grant is \$100,000 and can be used for planning, feasibility studies and other "soft costs." If awarded the grant, MORPC will lead an effort to engage a consultant to achieve two goals. First, to conduct a market survey of public and private fleet managers in the region to determine their short and long term needs for CNG fueling and vehicles. Second, based on results of the market survey, the consultant(s) will help the consortium develop a plan for location of CNG stations and other infrastructure.

**FISCAL IMPACT:** There is no immediate fiscal impact anticipated for the City of Columbus. A cash match is not required; however, we must be willing to commit staff time as part of the planning effort. If awarded, monies will be granted to MORPC for the purpose of seeking a vendor to conduct the feasibility study.

To support a partnership with COTA, the City of Dublin, MORPC, Clean Fuels Ohio and other area entities for the purpose of applying for State funds through the Ohio Department of Development for the Local Government Innovation Fund (LGIF) to study and plan for Compressed Natural Gas (CNG) fueled vehicle projects and infrastructure.

**WHEREAS,** the City of Columbus, in partnership with COTA, the City of Dublin, MORPC, Clean Fuels Ohio and other area entities, is eligible to apply for a grant through the Ohio Department of Development for the Local Government Innovation Fund (LGIF); and

**WHEREAS,** the grant requires that local governments collaborate in order to apply for funding; and

**WHEREAS,** the Mid Ohio Regional Planning Commission (MORPC) has agreed to serve as the lead applicant on this application, with support from the City of Columbus and other partners; and

**WHEREAS,** funding through the LGIF grant would enhance Columbus' alternatively-fueled vehicles and CNG infrastructure projects by providing valuable planning and policy information through a feasibility study;



and

**WHEREAS**, the proposed projects would reduce the consumption of petroleum and reduce vehicle emissions; Now, therefore,

**BE IT FURTHER RESOLVED BY THE CITY OF COLUMBUS:**

**SECTION 1.** That Columbus City Council supports the city's efforts to collaborate with COTA, the City of Dublin, MORPC, Clean Fuels Ohio and other area entities to apply for a Local Government Innovation Fund (LGIF) grant through the Ohio Department of Development to study and plan for Compressed Natural Gas (CNG) fueled vehicle projects and infrastructure.

**SECTION 2.** This resolution shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 0138X-2012

**Drafting Date:** 7/3/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

Background: The City of Columbus is engaged in the Karl Road/SR161 - Schrock Road project. In the usual daily operation of the Department of Public Service, Division of Design and Construction, in that it is necessary to declare the necessity and intent to appropriate certain construction easements necessary for the Karl Road/SR161 - Schrock Road project. The following is a resolution to declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Karl Road/SR 161 - Schrock Project.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested to allow for the acquisition of the parcels necessary for this project, thus facilitating the commencement of construction necessary and allowing the project to proceed without delay.

To declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Karl Road/SR161 - Schrock Road project; and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the Karl Road/SR161 - Schrock Road project; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, in that it is necessary to appropriate such real property interests so that there will be no delay in the aforementioned project, and for the immediate preservation of the public peace, property, health and safety; now, therefore:

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

Section 1. That this Council hereby declares the necessity and intent to appropriate construction easements

in, over, under and through the following listed parcels of real estate more fully described in Exhibits A through H attached hereto and made a part hereof as though fully written herein, necessary for the Karl Road/SR161 - Schrock Road project, Project # 530103-100015 pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

EXHIBIT/PARCEL NUMBER/OWNER(S)

A/10T  
B/12T  
C/14T  
D/24T  
E/25T  
F/31T  
G/32T  
H/33T

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

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

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**Legislation Number:** 0621-2012

**Drafting Date:** 3/12/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

The Department of Public Utilities entered into a contract modification with RAMA Consulting Group, Inc. to provide Employee Mentoring Program Design and Services for the Department of Public Utilities. The contract augments city-wide training opportunities and enhances the employee experience through the development and implementation of a department-wide mentoring program. The Employee Mentoring Program (EMP) employs the most effective, "best practices", approach to peer-to-peer, as well as group, mentoring that extends learning opportunities, facilitates diverse leadership development; engages cross-functional relationships; and fosters a culture of diversity and collaboration which improves employee satisfaction, growth and retention.

This contract is the result of a Request for Proposal received on April 29, 2011. The original contract covers a three-year period with each phase subject to review and approval by the City Council, the Mayor, and the Auditor's certification of funds. Phases are to be funded on a year to year basis. This is the first modification of the contract. This phase will cover the costs associated with Phase 2 as defined in the original proposal. All terms and conditions of the original agreement remain in full force and effect. Phase 2 will be in effect from September 1, 2012 through August 31, 2013.

**SUPPLIER: RAMA Consulting Group, Inc.** 20-4647970, expires April 29, 2013

RAMA Consulting Group, Inc. holds MBE status.

1. Amount of additional funds: The amount of additional funds needed for Phase 2 is \$200,000.00. The original contract ("Phase 1") was established for \$200,000.00. The total cost of the original contract ("Phase 1") and this modification ("Phase 2") is \$400,000.00. The modification of the maximum monetary obligation under this contract represents funding added during the contract period for costs related to the services provided. The need for increased funding is to cover anticipated contract billings September 1, 2012 through August 31, 2013.

2. Reason additional needs were not foreseen: The need for additional funds was foreseen and is outlined in the original agreement and identified as Phase 2. This legislation is to encumber the funds required for Phase 2.

3. Reason other procurement processes not used: The same exact service is required as originally proposed. No lower pricing/more attractive terms and conditions are anticipated at this time.

4. How cost was determined: The cost, terms and conditions are in accordance with the original agreement.

**FISCAL IMPACT:** \$200,000.00 is needed and budgeted for this service.

The following amounts were encumbered for similar services:

2011: \$89,800.00 Division of Power and Water; \$110,200.00 Division of Sewerage and Drainage

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

**WHEREAS**, the Department of Public Utilities has a contract with RAMA Consulting Group, Inc., for Employee Mentoring Program Design and Services, and

**WHEREAS**, the Department of Public Utilities has identified the need to employ the most effective, "best practices", approach to peer-to-peer, as well as group, mentoring that extends learning opportunities, facilitates diverse leadership development; engages cross-functional relationships; and fosters a culture of diversity and collaboration which improves employee satisfaction, growth and retention, and

**WHEREAS**, the vendor has agreed to provide these additional services as part of the Phase 2 modification as outlined under the terms of the original contract, and

**WHEREAS**, these services are necessary to continue EMS development this year and are for the preservation of public health, peace, property and safety; now, therefore,

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

**Section 1.** That the Public Utilities Director be and is hereby authorized and directed to modify and increase

EL012015 in order to implement this modification with RAMA Consulting Group, Inc. Total amount of this modification is ADD \$200,000.00. Total contract amount including all modifications is \$400,000.00

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

**Section 3.** That the expenditure of \$200,000.00 or so much thereof as may be needed, be and the same hereby is authorized as follows:

Fund No. 550-Electricity  
OCA 600700  
Object Level 1: 03  
Object Level 03: 3336  
Amount: \$12,200.00

Fund No. 600-Water  
OCA 601849  
Object Level 1: 03  
Object Level 03: 3336  
Amount: \$77,600.00

Fund No. 650-Sewers  
OCA 605006  
Object Level 1: 03  
Object Level 03: 3336  
Amount: \$87,000.00

Fund No. 675-Stormwater  
OCA 675002  
Object Level 1: 03  
Object Level 03: 3336  
Amount: \$23,200.00

**TOTAL: \$200,000.00**

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

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**Legislation Number:** 1012-2012

**Drafting Date:** 5/2/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

This legislation authorizes the Director of Public Utilities to enter into a planned contract modification (Mod #5) with 360water, Inc. for the purposes of providing on-going Facilities and Safety Training Management and

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

The contract allows for the on-going safety training including General Illness and Illness Response for Employees Training, Laboratory Safety and Inspections, Scissors and Aerial Lifts, Welding/Cutting Safety, Inspection and Maintenance for Eye Wash and Shower Stations, General Housekeeping, Construction Safety, Hand and Body Positioning, Watershed SPCC Training, 910 Dublin Road SPCC Training, Crane Safety. Furthermore the contract includes a continuation of Process Courseware for the WWTPs, Maintenance Tool Training, DPU server maintenance, JPWWTP server maintenance, and the Integrated Contingency Plan updates for the Division of Sewerage and Drainage, a regulatory USEPA requirement. New training includes Red Flag Rule Training, Risk Management Plan, Emergency Overflow Response and Notification Plan Training.

The fifth modification is part of the planned scope of services included in the contract. The original language allowed for five (5) planned modifications. The funding is for approximately one (1) year or until the scope of work is completed and funds are exhausted; this will most likely extend into the first quarter of 2013. It is a logical extension of the original contract and expands the training and documentation to include training staff of the Division of Sewerage and Drainage and Division of Power and Water. The Department of Public Utilities will re-bid this contract after this 5th and final modification.

**Amount of additional funds to be expended: \$499,080.00**

Original Contract	\$ 150,000.00
Modification # 1 (2007)	\$ 364,345.25
Modification # 2 (2008)	\$ 318,625.00
Modification # 3 (2009)	\$ 280,125.00
Modification # 4 (2011)	\$ 290,775.00
<u>Modification # 5 (2012) Current</u>	<u>\$ 499,080.00</u>
Current Proposed Total	\$1,902,950.25

**Reasons additional goods/services could not be foreseen:**

This Contract Modification No. 5 was planned and anticipated, and so stated in the original contract's legislation. It is a planned continuation of the services originally included within the existing contract's scope of service.

**Reason other procurement processes are not used:**

The funding provided by this contract modification is for continuation of the existing work of the contract. In so much as the majority of this work was planned for and anticipated within the original procurement, it is not reasonable or cost effective to undertake a new procurement to acquire these services.

**How cost of modification was determined:**

The cost of this contract modification is consistent with the direct labor, overhead, and profit rates established within the original proposal. The estimate of the quantity of labor required to provide the scope of services for this modification is consistent with the anticipated level of work required for these tasks and is within the anticipated level of funding originally forecast.

**SUPPLIER:** 360water, Inc. (31-1704111), Expires 05/31/2013  
360water, Inc. holds FBE status.

The company is not debarred according to the Excluded Party Listing System of the Federal Government or

prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

**FISCAL IMPACT:** \$499,080.00 is budgeted and available for this planned modification. \$311,200.00 is from the Sewerage System Operating Fund and \$187,880.00 is from the Water Systems Operating Fund.

To authorize the Director of Public Utilities to enter into a planned contract modification with 360water, Inc. for the Facilities and Safety Training Management and Documentation Services; to authorize the expenditure of \$311,200.00 from the Sewer System Operating Fund; and \$187,880.00 from the Water Systems Operating Fund. (\$499,080.00).

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

**WHEREAS**, the original contract number EL006779 was authorized by Ord 1994-2006, passed December 4th, 2006, executed April 04, 2007, and signed by the City Attorney on April 18, 2007; and

**WHEREAS**, Mod #1, contract number EL007565 was authorized by Ord 1013-2007, passed November 5th, 2007, executed December 11, 2007, and signed by the City Attorney on December 17, 2007; and

**WHEREAS**, Mod #2, contract number EL008887 was authorized by Ord 0896-2008, passed September 15th, 2008, executed November 24, 2008, and signed by the City Attorney on December 05, 2008; and

**WHEREAS**, Mod #3, contract number EL009843 was authorized by Ord 1205-2009, passed October 26th, 2009, executed November 23, 2009 and signed by the City Attorney on December 04, 2009; and

**WHEREAS**, Mod #4, contract number EL12137 was authorized by Ord 0783-2011, passed July 18th, 2011, executed October 21, 2011, and signed by the City Attorney on October 25, 2011; and

**WHEREAS**, this planned modification No. 5 of the contract will continue the services provided within the Division of Sewerage and Drainage and the Division of Power and Water (Water), and

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

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

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

**SECTION 1.** That the Director of Public Utilities be, and hereby is, authorized to modify and increase

contract number EL006779 with 360water, Inc., for professional services for the Department of Public Utilities, Division of Sewerage and Drainage and Division of Power and Water (Water) Facilities and Safety Training Management & Documentation Services, in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage. Total amount of modification No. 5 is ADD \$499,080.00. Total contract amount including this modification is \$1,902,950.25.

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

**SECTION 3.** That the expenditure of \$499,080.00 or so much thereof as may be needed, be and the same hereby is authorized to pay the cost thereof as follows:

**Division of Sewerage and Drainage Fund 650**

OCA: 605006  
Object Level 1: 03  
Object Level 3: 3336  
Amount: \$311,200.00

**Division of Power and Water (Water) Fund 600**

OCA: 601849  
Object Level 1: 03  
Object Level 3: 3336  
Amount: \$187,880.00

**TOTAL REQUESTED AMOUNT: \$499,080.00**

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

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**Legislation Number:** 1034-2012

**Drafting Date:** 5/7/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

This ordinance requests authority for the Director of Public Utilities to continue funding of a joint agreement with the U.S. Geological Survey, United States Department of the Interior, for the Division Sewerage and Drainage. This agreement is to maintain cooperation for a study to provide Microbial Source Tracking (MST) host-associated marker data to help understand background levels of select sources of contamination and to characterize the temporal and spatial trends in MST marker data during dry and wet weather events.

The amount to be contributed by the Department of Public Utilities, Division of Sewerage and Drainage shall be for a total amount of \$155,336.00 and covers all the cost of the necessary field and analytical work directly related to this program for the period of May 1, 2011 to September 30, 2013. This amount will be billed quarterly and must be paid within 60 days after the billing date to avoid any interest charges at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed. The total for each billing

cycle will be \$29,946.00 for work from the date of execution to 9/30/11; \$109,349.00 for 10/1/11 - 9/30/12 and \$16,041.00 for 10/1/12 to 9/30/13.

**SUPPLIER:** U.S. Geological Survey, United States Department of the Interior. The FID # is 53-0196958 (002), Federal Agency.

**FISCAL IMPACT:** \$16,041.00 is needed for this agreement to cover the payments for work from October 1, 2012 to September 30, 2013.

\$76,503.00 was spent in 2012

\$0.00 was spent in 2011

To authorize the Director of Public Utilities to continue funding of a joint agreement with the US Geological Survey, United States Department of the Interior for a study to provide Microbial Source Tracking host-associated marker data of select sources of contamination, to authorize the expenditure of \$16,041.00 from the Sewerage System Operating Fund. (\$16,041.00)

**WHEREAS,** it is in the best interest of the City of Columbus, Department of Public Utilities to continue funding of a joint agreement with the U.S. Geological Survey, United States Department of Interior, and

**WHEREAS,** this agreement is to maintain cooperation for a study to provide Microbial Source Tracking (MST) host-associated marker data to help understand background levels of select sources of contamination and to characterize the temporal and spatial trends in MST marker data during dry and wet weather events, and

**WHEREAS,** the total amount to be contributed by the Department of Public Utilities, Division of Sewerage and Drainage shall cover all the cost of the necessary field and analytical work directly related to this program for work from October 1, 2012 to September 30, 2013, and

**WHEREAS,** the Department of Public Utilities wishes to continue funding of a joint agreement with the U.S. Geological Survey, United States Department of Interior 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 is hereby authorized to continue funding of a joint funding agreement between the U.S. Geological Survey, United States Department of Interior, and the City of Columbus, Department of Public Utilities, to maintain cooperation for a study to provide MST host-associated marker data to help understand background levels of select sources of contamination and to characterize the temporal and spatial trends in MST marker data during dry and wet weather events.

**Section 2.** That the expenditure of \$16,041.00 or so much thereof as may be necessary, be and is hereby authorized from the Sewerage System Operating Fund, Fund No. 650, OCA: 605113, Object Level One: 03, Object Level Three: 3407.

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



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**Legislation Number:** 1129-2012

**Drafting Date:** 5/17/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Rezoning Application Z12-011**

**APPLICANT:** Byers Realty LLC c/o Jeffrey L. Brown, Smith & Hale; 37 West Broad Street, Suite 725; Columbus, Ohio 43215.

**PROPOSED USE:** Modifying the CPD Text to allow building expansion at an existing auto dealership

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0-1) on April 12, 2012.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested CPD, Commercial Planned Development District would permit expansion of the existing automobile dealership consistent with established zoning and development patterns of the area. The addition of up to 3000 square feet will not impact the residential uses on the north side of Billingsley Road as the building is located toward Interstate 270.

To rezone **2455 BILLINGSLEY ROAD (43235)**, being 8.0± acres located on the south side of Billingsley Road, 500± feet west of Dunsworth Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z12-011).

**WHEREAS**, application #Z12-011 is on file with the Department of Building and Zoning Services requesting rezoning of 8.0± acres from CPD, Commercial Planned Development District, to CPD, Commercial Planned Development District; and

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

**WHEREAS**, the City Departments recommend approval of because the requested CPD, Commercial Planned Development District would permit expansion of the existing automobile dealership consistent with established zoning and development patterns of the area. The addition of up to 3000 square feet will not impact the residential uses on the north side of Billingsley Road as the building is located toward Interstate 270, 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:

**2455 BILLINGSLEY ROAD (43235)**, being 8.0± acres located on the south side of Billingsley Road, 500± feet west of Dunsworth Drive, and being more particularly described as follows:

LEGAL DESCRIPTION

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

Being Lot Number Nine (9) in Quarter Township 1, Township 2 North, Range 19 West, United States Military Lands, and being all of a 6.259 acre tract of land conveyed to Zimmerman Investment Limited Partnership by deed of record in Official Record 5954, Page H08, Recorder's Office, Franklin County, Ohio, and being a

portion of a 4.772 acre tract of land conveyed to Zimmerman Investment Limited Partnership by deed of record in Official Record 5954, Page H03, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a railroad spike set in the centerline of Billingsley Road, at the northwest corner of said 6.259 acre tract and at the northeast corner of a 5 acre tract of land conveyed as Parcel No. 2 to University Lodge #631, Free and Accepted Masons, by deeds of records in Deed Book 3168, Page 460, and Deed Book 3566, Page 659, Recorder's Office, Franklin County, Ohio, said railroad spike being S 87 degree 26' 52" E a distance of 2.94 feet from a railroad spike found at the intersection of the centerline of Billingsley Road with the center line of Shirlington Drive (50 feet wide), as shown upon the recorded plat of Summerwood Section No. 4 Part One (Dedication of Sawbury Boulevard, Shirlington Drive and Billingsley Road and Easements), of record in Plat Book 60, Page 48, Recorder's Office, Franklin County, Ohio;

thence S 87 degree 26' 52" E along the centerline of Billingsley Road and along the north line of said 6.259 acre tract a distance of 282.00 feet to a railroad spike found at the northeast corner of said 6.259 acre tract, at the northwest corner of said 4.772 acre tract and at an angle point in the centerline of Billingsley Road;

thence S 87 degree 36' 37" E along the centerline of Billingsley Road and along a portion of the north line of said 4.772 acre tract a distance of 67.85 feet to a railroad spike set;

thence S 0 degree 15' 19" E crossing said 4.772 acre tract a distance of 935.63 feet to a ¾- inch I.D. iron pipe set in the north limited access right-of-way line of Interstate Route 270 and in the south line of said 4.772 acre tract (passing a ¾-inch I.D. iron pipe set in the south right-of-way line of Billingsley Road at 20.02 feet), as said north limited access right-of-way line of Interstate Route 270 is shown upon Sheet 16 of 23 of Ohio Department of Transportation right-of-way plans for FRA-270-10.33 N;

thence S 84 degree 16' 45" W along the north limited access right-of-way line of Interstate Route 270, along a portion of the south line of said 4.772 acre tract and along a south line of said 6.259 acre tract a distance of 282.44 feet to a ¾-inch I.D. iron pipe set at a corner of said 6.259 acre tract and at the most easterly corner of a 2.100 acre tract of land conveyed as Parcel II to Storage Equities/PS Partners III-Mid-Ohio by deed of record in Official Record 5763, Page J06, Recorder's Office, Franklin County, Ohio (passing a point at the southwest corner of said 4.772 acre tract and at the southeast corner of said 6.259 acre tract at 94.35 feet);

thence N 87 degree 20' 40" W along a south line of said 6.259 acre tract and along a portion of the north line of said 2.100 acre tract a distance of 95.26 feet to a ¾-inch I.D. iron pipe found at the southwest corner of said 6.259 acre tract and at the southeast corner of said 5 acre tract;

thence N 1 degree 19' 23" E along the west line of said 6.259 acre tract and along the east line of said 5 acre tract a distance of 975.01 feet to the place of beginning (passing a ¾-inch I.D. iron pipe found not on the south right-of-way line of Billingsley Road at 954.41 feet);

Containing 8.000 acres of land more or less and being subject to all legal highways, easements and restriction of record.

Also known as Franklin County parcel numbers 010-005326 and 010-015079

**To Rezone From:** CPD, Commercial Planned Development District

**To:** CPD, Commercial Planned Development District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

**SECTION 3.** That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said change on the said original zoning map and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "**BYERS SUBURU**," dated April 20, 2012, and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," dated April 4, 2012, both signed by Jeffrey L. Brown Attorney for the Applicant, and the text reading as follows:

### **COMMERCIAL PLANNED DEVELOPMENT TEXT**

PROPOSED DISTRICT: CPD Commercial Planned Development

PROPERTY ADDRESS: 2455 Billingsley Road, Columbus, Ohio 43235

OWNER: Byers Realty LLC

APPLICANT: Same as owner

DATE OF TEXT: April 4, 2012

APPLICATION NUMBER: Z12-011

**1. INTRODUCTION:** The subject property consists of approximately 8 acres on the south side of Billingsley Road, east of Sawmill Road. The site is currently being utilized as an automobile dealership . To the west and to the east are automobile dealerships, and to the north are single family houses across from Billingsley Road.

The prior zoning limited the size of what was the used car building along I-270 to a maximum of 7,000 square feet. The applicant wants to increase the size of that building to a maximum of 10,000 square feet to better accommodate a second line of automobiles.

**2. PERMITTED USES:** Automobile and truck sales, rentals, leasing and servicing shall be permitted. Used vehicles can only be sold in connection with new vehicle sales.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated in the submitted site plan or in the written text, the applicable development standards shall be those contained in Chapter 3356, C-4, Commercial District, of the Columbus City Code.

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

1. A 40-foot setback for all buildings and parking areas shall be established along and adjacent to I-270. The western and eastern side yards shall be 5 feet for the buildings and parking areas.

2. A 200-foot setback for all parking areas (except for outdoor display areas) shall be established along and adjacent to Billingsley Road. In an area which is between 200 feet and 400 feet from Billingsley Road, a total of 7,000 square foot of building area may be constructed. This square footage maybe in one or two one story buildings. No service or body work shall be performed in that building (except that the used vehicles may be washed and detailed within said building. No overhead doors shall face Billingsley Road).

3. There are currently three buildings on the site, two buildings along I-270 (one of which is the main dealership building) and a third building located between 200 and 400 feet from Billingsley Road. The second building along I-270 shall not exceed 10,000 sq. ft. in size, while the main dealership building may be

expanded to a total maximum square footage of 50,000. No other buildings except for the one identified in Section 3 A(2) shall be constructed on the site.

B. Access, Loading, Parking and/or other Traffic related commitments.

1. Access. The subject site is currently serviced by one curb cut.

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

1. Buffering and Landscaping. Buffering and landscaping along Billingsley Road shall be maintained as currently shown on the plan. Display areas at Billingsley Road shall be flat, not raised. In addition the developer shall install street trees along its Billingsley Road frontage (one tree for every forty feet of frontage). These trees may be evenly spaced or grouped.

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

N/A

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

1. Dumpsters. All dumpsters shall be screened with opaque wood or brick or plantings which shall be a minimum of 6 feet in height and be so designed to interrupt vision into such areas from adjacent streets and properties.

2. Lighting. All external outdoor lighting shall be cutoff fixtures, not flood or spotlights. All external outdoor lighting fixtures to be used shall be from the same or a similar manufacturer's type to insure aesthetic compatibility. Parking lot lighting standards shall not exceed 33 feet in height except for an area within four hundred feet of Billingsley Road where the maximum height standard shall be 28 feet.

3. Outdoor display areas. Outdoor display areas shall be permitted within the 200-foot setback line south of Billingsley Road as shown on the submitted plan and limited to a display of a maximum of six vehicles. Lighting in the display areas shall be ground mounted downlighting with cutoff type fixtures not exceeding 4 feet in height.

4. Emissions. There will be minimal emissions of sound, smell or dust, if any.

F. Graphics and Signage commitments.

Graphics shall be in conformance with Article 15 of the Columbus Graphics Code as it applies to the C-4, Commercial classification except that no off premise nor billboards shall be permitted. Any variance to the permitted graphics shall be submitted to the Columbus Graphics Commission. Any graphic along Billingsley Road shall be a monument style sign with a maximum height of eight feet.

G. Miscellaneous commitments:

1. Utilities. All utility lines for the development shall be installed underground.

2. Storm Water. The applicant shall comply with the current City requirements regarding storm water runoff and sanitary sewers.

3. No outside speakers shall be permitted.

4. CPD Criteria:

NATURAL ENVIRONMENT: The site is developed with an existing automobile dealership.

EXISTING LAND USES: to the east and west are existing automobile dealerships; to the south is I-270 and to the north across from Billingsley Road are single family houses.

TRANSPORTATION AND CIRCULATION: Access point is shown on the submitted site plan.

VIEW AND VISIBILITY: In the development of the subject property and in the location of the buildings and access points, consideration will be given to the visibility and safety of the motorist and pedestrian.

EMISSIONS: No adverse affects from emissions shall result from the proposed development.

BEHAVIOR PATTERNS: Existing developments in the area as well as the freeway interchange have established behavior patterns for the motorist.

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

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**Legislation Number:** 1149-2012

**Drafting Date:** 5/22/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:**

Chapter 3357 of the Columbus zoning code regulates C-5, Highway-oriented commercial uses including car washes and gas stations. Section 3357.01(B)(1) specifies that C-5 uses shall be permitted only through rezoning to the C-5, Commercial District. However, in Chapter 3361, Commercial Planned Development District, C-5 uses can also be permitted in CPD zoning districts. Additionally, C-5 uses (utilizing C-5 development standards) are permitted in the M, Manufacturing District under 3363.01. Deleting Section 3357.01(B) will remove the inconsistencies in the zoning code regarding C-5 uses, while maintaining adequate development standards for such uses.

The Columbus Development Commission voted to recommend approval of this Columbus Zoning Code revision at its monthly public meeting on May 10, 2012

**FISCAL IMPACT:** No funding is required for this legislation.

To amend Section 3357.01 of the Columbus City Codes regarding uses in the C-5 Commercial District to remove a provision that is inconsistent with other zoning code sections.

**WHEREAS,** the revision to CC Section 3357.01(B) will remove language in the C-5, Commercial district

section that can be interpreted to allow C-5 uses only through rezoning to the C-5, Commercial District; and

**WHEREAS**, the City of Columbus currently allows C-5 uses not only through a rezoning to the C-5, Commercial district, but also by rezoning to a CPD, Commercial Planned Development District; an M, Manufacturing District; or by a Council variance; and

**WHEREAS**, adequate development standards for C-5 uses are applied not only by rezoning to the C-5, Commercial or M, Manufacturing Districts, but also through negotiated standards approved by City Council within a CPD, Commercial Planned Development District or a Council variance; and

**WHEREAS**, the Columbus Development Commission voted to recommend approval of this revision at its monthly public meeting on May 10, 2012; now, therefore,

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

**SECTION 1.** That existing section 3357.01 of the Columbus City Codes is hereby amended to read as follows:

**3357.01 - C-5 commercial district.**

A. Because of the peculiar operational characteristics and traffic congestion connected with automobile service stations, carry-outs, car washes, drive-ins, and fast-food business, the C-5 commercial district is established primarily for the location of such uses. Once such a district has been established, the only uses permitted on the property shall be as follows:

1. Retail fuel sales, filling stations and automobile service stations;
2. Carry-outs;
3. Car washes;
4. Drive-ins;
5. Establishments serving food or beverages to customers in their automobiles;
6. Fast-food business;

~~B. Prior to establishing a new use of the type listed in subsection (A) above the person desiring to do so shall:~~

~~1. First obtain a rezoning of the property to the C-5 commercial district. Such rezoning shall be applied for and processed in the same manner as any other rezoning; and~~

~~2. Obtain a zoning clearance and building permit in the same manner as for any other use.~~

~~C.~~ For any permitted use in a C-5 commercial district, except fuel sales, filling stations and automobile service stations that are governed by the provisions contained in C.C. Sections 3357.12 through 3357.18, the following physical characteristics of the property shall be applicable:

1. The minimum lot area shall be not less than 15,000 square feet.

2. The minimum lot width at the front building line shall be not less than 120 feet.

~~D.C.~~ For any permitted use in a C-5 commercial district, except fuel sales, filling stations and automobile service stations that are governed by the provisions contained in C.C. Sections 3357.12 through 3357.18, the yard and building line requirements in C.C.3357.04 shall be applicable with the following additional provisions:

1. Whenever any portion of the property abuts property used or zoned for any type of residential use then there shall be a landscaped yard of not less than ten feet in width provided along that portion of the property line abutting the property used or zoned for any type of residential purposes.

2. No portion of any building or structure shall be located or extend closer than 25 feet to either a front or street side property line.

~~E.D.~~ For any permitted uses in a C-5 commercial district, except fuel sales, filling stations, and automobile service stations that are governed by the provisions contained in C.C. Sections 3357.11 through 3357.18, the height of any building or structure shall not exceed 25 feet.

~~F.E.~~ In any C-5 commercial district, provisions shall be made for access, and off-street parking and loading facilities as required by the Off-street Parking and Loading chapter and the General Site Development Standards of this code.

~~G.F.~~ In addition to all other development standards specified elsewhere in this Zoning Code or in other city codes, the following requirements shall be applicable:

1. The location of all curb cuts and traffic flow patterns shall require the approval and a permit from the division of transportation prior to any curb being cut or any driveway being installed.

2. Any use, such as a car wash, that could cause a drainage problem, shall require the approval of the division of sewerage and drainage, and such uses may be required to install storm sewers as required to alleviate the problem.

3. Any use, such as a fast-food business, that could cause a traffic congestion problem shall require approval of the division of transportation, and such uses may be required to install frontage roads as required to alleviate the problem.

4. Any use, such as a fast-food business, that could create an excessive litter problem, may be required to install fences as determined by the department, and trash receptacles as may be required by the division of health and division of refuse collection, to alleviate the problem.

5. Other city departments and divisions whose operations or area of jurisdiction may be affected by the proposed use may recommend to the department of development additional requirements necessary to comply with various city codes applicable to the use and to protect and preserve the public health, safety, and welfare.

6. If, at the time of public hearings on the application for a rezoning to the C-5 commercial district, council has imposed any specific development standards or other requirements, then the site plans submitted for the zoning clearance shall show full compliance with all such standards and requirements.

**SECTION 2.** That prior existing section 3357.01(B) of the Columbus City Codes, 1959, is hereby repealed.

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

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**Legislation Number:** 1152-2012

**Drafting Date:** 5/22/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** This ordinance authorizes a modification of Contract EL011389, with Asplundh Tree Expert Co., to provide tree removal services for the Division of Power and Water. The Power Line Clearance Contract is a tree trimming service that the division continuously needs for proper maintenance and removal services as required by Parsons Avenue Water Plant (PAWP). A request for bids was advertised in the City Bulletin (SA003767) and two bids were received and opened by the Director of Public Utilities on December 1, 2010. The bids were evaluated and an award was recommended to Asplundh Tree Expert Co. as the lowest, responsive and responsible bid received. This is for the 2012 funding for the second year of the two-year contract. The sole purpose of the modification is to increase the maximum monetary obligation. All terms and conditions of the original agreement remain in full force and effect.

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

**Amount of additional funds to be expended:** The total amount of additional funds needed for Year 2, Modification #2 is \$10,000.00. The original contract EL011389 was established for \$305,000; Modification #1 was established for \$321,500.00. The total cost of the original contract with the modifications is \$636,500.00.

**Reasons additional goods/services could not be foreseen:** The need for additional funds was foreseen and is outlined in the original agreement. This legislation is to encumber the funds required for Year 2 for the PAWP.

**Reasons other procurement processes are not used:** The same exact service is required as originally proposed. No lower pricing/more attractive terms and conditions are anticipated at this time.

**How cost of modification was determined:** The cost, terms and conditions are in accordance with the original agreement.

**Contract Compliance Number:** 231277550, expires 12/14/2012

**FISCAL IMPACT:** \$291,500.00 was budgeted in the 2012 Electricity Operating Fund and \$30,000.00 was budgeted in the Water Operating Fund for this service.

2010 expenditure for this service: \$222,521.50

2011 expenditures as of November 30, 2011 for this service: \$192,177.47

To authorize the Director of Public Utilities to modify an existing contract with Asplundh Tree Expert Co. for tree removal services for the Division of Power and Water; to authorize the expenditure of \$10,000.00 from the Water Operating Fund. (\$10,000.00)



**WHEREAS**, tree removal services is required by the Division of Power and Water as may be required by the Parsons Avenue Water Plant; and

**WHEREAS**, the company has agreed to move forward with the second and final year of the contract under the terms of the original contract, and it is in the best interest of the City to exercise this option; and

**WHEREAS**, these services are used by the Department of Public Utilities, for the preservation of public health, peace, property and safety; now, therefore,

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

**SECTION 1.** That the Director of Public Utilities be and is hereby authorized to modify and increase EL011389 in order to implement Year 2 with Asplundh Tree Expert Co. Total amount of modification No. 2 is ADD \$10,000.00. Total contract amount including this modification is \$636,500.00.

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

**SECTION 3.** That to pay the cost of the aforesaid expenditure of \$10,000.00, or so much thereof as may be needed, is hereby authorized as follows:

FUND	FUND NAME	DEPT/DIV.	OCA/OL3	AMOUNT
600	Water Operating	60-09	602540/3375	10,000.00

**TOTAL REQUEST: \$10,000.00**

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

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**Legislation Number:** 1251-2012

**Drafting Date:** 5/31/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

The purpose of this legislation is to authorize the Director of Finance and Management to enter into a contract with Brown Enterprise Solutions for the purchase of five (5) Dell Power Edge R710 Servers. The Servers will replace the SCADA Servers at the Jackson Pike Wastewater Treatment Plant. The Purchasing Office opened formal bids on April 12, 2012; one hundred ninety (190) vendors (176 MAJ/4 MBR/8 M1A/ 2 F1) were solicited and five (5) bids (1 M1A/4 MAJ) were received. The bid number is SA004321. The bid tabulation is attached. The lowest bidder Impulse Technology made an error and withdrew their bid. The second low bidder, eRacks proposed an alternate that did not meet our specifications and was deemed non-responsive. The third lowest bidder was Brown Enterprise Solutions and was deemed responsive and responsible to the

specifications. Therefore the award is being made to Brown Enterprise Solutions for all bid items.

**Supplier:** Brown Enterprise Solutions (90-0353698), Expires 1-31-14

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

**Fiscal Impact:** \$48,961.50 is budgeted and needed for this purchase.

\$78,812.54 was spent in 2011.

\$7,135.20 was spent in 2010.

To authorize the Director of Finance and Management to establish a purchase order with Brown Enterprise Solutions for the purchase of Dell Power Edge R710 Servers for the Division of Sewerage and Drainage, and to authorize the expenditure of \$48,961.50 from the Sewerage System Operating Fund. (\$48,961.50)

**WHEREAS**, the Division of Sewerage and Drainage, has a need to purchase Dell Power Edge R710 Servers that will replace the SCADA Servers at the Jackson Pike Wastewater Treatment Facility, and

**WHEREAS**, the Purchasing Office opened formal bids on April 12, 2012 for the purchase of five (5) Dell Servers and five (5) bids were received for bid number SA004321, and

**WHEREAS**, the low bidder, Impulse Technology, made an error and withdrew their bid. The second low bidder, eRacks proposed an alternate that did not meet our specifications and was deemed non-responsive. The third lowest bidder was Brown Enterprise Solutions and was deemed responsive and responsible to the specifications, and

**WHEREAS**, a recommendation was made to the lowest, responsive and responsible and best bidder, Brown Enterprise Solutions for all bid items, and

**WHEREAS**, a purchase order will be issued in accordance with the terms and specifications of Solicitation Number: SA004321 on file in the Purchasing Office; now, therefore

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

**SECTION 1.** That the Director of Finance and Management be and is hereby authorized to establish a purchase order with Brown Enterprise Solutions for the purchase of five (5) Dell Servers for the Division of Sewerage and Drainage, in accordance with specifications on file in the Purchasing Office

**SECTION 2.** That the expenditure of \$48,961.50 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650, OCA 605022, Object Level 1: 02, Object Level 03: 2193.

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

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**Legislation Number:** 1294-2012

**Drafting Date:** 6/7/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

The purpose of this legislation is to authorize the Director of Finance and Management to enter into a purchase order with PS Analytical, Inc. for a Millennium Merlin System for the Department of Public Utilities, Division of Sewerage and Drainage. The PS Analytical Millennium Merlin System is the only instrument that can connect to the Surveillance Lab's existing PS Analytical 20.400 auto sampler. PS Analytical, Inc. is the manufacturer of this equipment and the sole-provider as stated in the attached sole-source letter. This ordinance is being submitted in accordance with the Sole Source provisions of Columbus City Code, 1959 Section 329.07(e).

The Division of Sewerage and Drainage has a need to purchase the Millennium Merlin system for low level mercury determination. The system includes an atomic fluorescence detector, vapour generator, integrated perma pure dryer system, Millennium windows software, interface cables, installation kit, user manuals, and installation.

**SUPPLIER:** PS Analytical, Inc. (03-0480720), expires January 27, 2014

PS Analytical, Inc. does not hold MBE/FBE status.

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

**FISCAL IMPACT:** The Division of Sewerage and Drainage has allocated \$17,500.00 for a Millennium Merlin System for low level mercury determination in the 2012 budget.

\$0.00 was spent in 2011

\$0.00 was spent in 2010

To authorize the Director of Finance and Management to enter into a purchase order with PS Analytical, Inc. for a Millennium Merlin System for low level mercury determination in accordance with Sole Source provisions of the Columbus City Code for the Division of Sewerage and Drainage, and to authorize the expenditure of \$17,500.00 from the Sewerage System Operating Fund. (\$17,500.00)

**WHEREAS**, the Surveillance Lab has a need for a Millennium Merlin System for low level mercury determination, and

**WHEREAS**, the PS Analytical Millennium Merlin System is the only instrument that can connect to the Surveillance Lab's existing PS Analytical 20.400 auto sampler, and

**WHEREAS**, PS Analytical, Inc. is the manufacturer of this equipment and the sole-provider as stated in the attached sole-source letter, and

**WHEREAS**, this ordinance is being submitted in accordance with the Sole Source provisions of Columbus City Code 1959, Section 329.07(e), and

**WHEREAS**, the Division of Sewerage and Drainage wishes to enter into a service purchase order for the purchase of the Millennium Merlin System; now, therefore

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

**SECTION 1.** That the Director of Finance and Management be and is hereby authorized to enter into a purchase order with PS Analytical, Inc. for a Millennium Merlin System for low level mercury determination in accordance with Sole Source provisions of the Columbus City Code for the Division of Sewerage and Drainage.

**SECTION 2.** That the expenditure of \$17,500.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650 as follows:

OCA: 605105  
Object Level 1: 06  
Object Level 3: 6697

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

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**Legislation Number:** 1305-2012

**Drafting Date:** 6/8/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

The purpose of this ordinance is to authorize the Director of Public Utilities to pay for wireless fees to ADS LLC for wireless flow meters.

Flow meters are used to monitor flows through sanitary and combined sewer lines throughout the City. The information allows the Division of Sewerage and Drainage to track development and the capacity of the system and is instrumental in the development and on-going Wet Weather Management Program. Since June of 2006 the Division of Sewerage and Drainage has purchased meters that are LAN line capable. Through various CIP projects mostly Inflow and Infiltration (I&I) studies, contractors purchased wireless meters through ADS LLC. It has now become necessary for the Division of Sewerage and Drainage to take ownership and become responsible for the payment of the monthly wireless fees for 115 meters. The cost per month is \$25.00 per meter. The agreement is for one (1) year from January 1, 2013 through December 31, 2013.

ADS LLC has negotiated a custom level service with AT&T for the wireless technology for the flow meters to perform. This process includes a fixed IP address for each SIM card within the flow meter. Assigning individual meters with a fixed IP address allows the Division of Sewerage and Drainage to call individual meters any time to collect data or perform diagnostics. Furthermore, ADS has developed flow meter communication hardware and software around this technology and the flow meters will not function under any other system. Having said that, this ordinance is being submitted in accordance with the Sole Source provisions of Columbus City Code, 1959 Section 329.07 (e).

**SUPPLIER:** ADS LLC (80-0355805), Expires 4/2/14

**FISCAL IMPACT:** \$34,500.00 is needed for these payments.

\$31,500.00 was spent for 2012 fees.  
\$39,900.00 was spent for 2011 fees.

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

To authorize the Director of Public Utilities to enter into an agreement with ADS LLC for flow meter wireless fees in accordance with Sole Source provisions of the Columbus City Code for the Division of Sewerage and Drainage, and to authorize the expenditure of \$34,500.00 from the Sewerage System Operating Fund. (\$34,500.00).

**WHEREAS**, the Division of Sewerage and Drainage has taken ownership of 115 wireless flow meters and is now responsible for the payment of monthly fees of \$25.00 per month per meter, and

**WHEREAS**, the agreement is for one (1) year from January 1, 2013 through December 31, 2013, and

**WHEREAS**, flow meters are used to monitor flows through sanitary and combined sewer lines throughout the City. The information allows the Division of Sewerage and Drainage to track development and the capacity of the system and is instrumental in the development and on-going Wet Weather Management Program, and

**WHEREAS**, since June of 2006 the Division of Sewerage and Drainage has purchased meters that are LAN line capable. Through various CIP projects mostly I&I studies and Model Update studies, contractors purchased wireless meters through ADS LLC as part of those studies, and

**WHEREAS**, ADS LLC has negotiated a custom level service with AT&T for the wireless technology for the flow meters to perform. This process includes a fixed IP address for each SIM card within the flow meter, and

**WHEREAS**, assigning individual meters with a fixed IP address allows the Division of Sewerage and Drainage to call individual meters any time to collect data or perform diagnostics. Furthermore, ADS has developed a flow meter communication hardware and software around this technology and the flow meters will not function under any other system, and

**WHEREAS**, this ordinance is being submitted in accordance with the provisions of Columbus City Code 1959, Section 329.07 (e); now, therefore

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

**SECTION 1.** That the Director of Public Utilities be and is hereby authorized to enter into an agreement with ADS LLC for flow meter fees in accordance with Sole Source provisions of the Columbus City Code for the Division of Sewerage and Drainage.

**SECTION 2.** That the expenditure of \$34,500.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650 as follows:

OCA: 605113  
Object Level 1: 03  
Object Level 03: 3321

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

law.

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**Legislation Number:** 1311-2012

**Drafting Date:** 6/11/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** The Ohio State University Wexner Medical Center has indicated their desire to donate thirty-two (32) lactate meters to the Columbus Fire Division. The Columbus Fire Division desires to accept this equipment, which will improve the safety of the citizens of the City of Columbus. Currently, when transporting patients to the hospital, the Fire Division has no equipment to prescreen patients for Sepsis, a potentially deadly disease caused by an infection of the blood. These lactate meters will assist paramedics in detecting and treating Sepsis during transport and will in turn potentially save lives and improve the safety of the community at large.

**Bid Information:** N/A

**Contract Compliance:** N/A

**FISCAL IMPACT:** This is an equipment donation and there is no fund match from the General Fund required. The total value of this equipment donation is \$15,582.40.

To authorize the Columbus Fire Chief to accept a donation of lactate meters from The Ohio State University Wexner Medical Center for the Division of Fire's use in EMS transport vehicles.

**WHEREAS,** The Ohio State University Wexner Medical Center has indicated their desire to donate thirty-two (32) lactate meters to the Division of Fire for use in prescreening patients for Sepsis during an EMS transport; and

**WHEREAS,** the Columbus Fire Division desires to accept this equipment which will improve the safety of patients, and the community at large; and

**WHEREAS,** it is now necessary to authorize the Columbus Fire Chief to accept this donation of equipment from the Ohio State University Wexner Medical Center; now, therefore

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

**SECTION 1.** That the Fire Chief of the City of Columbus be and he is hereby authorized and directed to accept a donation of lactate meters from The Ohio State University Wexner Medical Center.

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

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**Legislation Number:** 1319-2012

**Drafting Date:** 6/11/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction

contract with Conie Construction Co. in the amount of \$721,122.00; to encumber funds with the Design and Construction Division for inspection, testing, and prevailing wage coordination services in the amount of \$109,168.00; all in connection with the Weisheimer Road Stormwater System Improvements Project.

This project involves the construction of improvements to the existing stormwater conveyance system along Weisheimer Road between North High Street and Starret Road. This project will mitigate street and yard flooding, and reduce roadside drainage problems along Weisheimer Rd. in Clintonville, west of High Street.

This project includes \$830,290.00 for Stormwater System Improvements as directed by the Project Engineer, which will be paid from the Storm Build America Bonds Fund.

**2. CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened nine (9) bids on May 9, 2012. These bids were received from: Conie Construction-\$721,122.00, Trucco Construction - \$774,777.86, Nickolas Savko - \$794,514.60, Columbus Asphalt Paving - \$803,876.88, Danbert - \$820,276.20, Storts Excavation - \$823,106.40, John Eramo - \$834,328.68, Darby Creek Excavating - \$834,607.20, and McDaniel's Construction - \$899,041.20.

The lowest and best bid was from Conie Construction Co, for \$721,122.00. Additional information regarding each bidder, description of work, contract timeframe, detailed amounts and sub-contractors can be found on the attached Legislation Information Form.

**Contract Compliance Information:** 31-0800904, expires 11/16/2012, Majority

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Conie Construction Co.

**3. FISCAL IMPACT:** A transfer of \$20,290.00 is needed to provide sufficient cash for this project in the Storm Build America Bonds Fund. An amendment to the 2012 Capital Improvements Budget will also be necessary.

To authorize the Director of Public Utilities to execute a construction contract with Conie Construction Co.; to encumber funds to provide for payment of inspection, material testing and related services to the Design and Construction Division; to authorize the transfer of \$20,290.00 within the Storm Build America Bonds Fund; to authorize an amendment to the 2012 Capital Improvements Budget; and to authorize the expenditure of \$830,290.00 for the Weisheimer Road Stormwater System Improvements Project, for the Divisions of Sewerage and Drainage from the Storm Build America Bonds Fund. (\$830,290.00)

**WHEREAS**, nine (9) bid proposals were received and publicly opened in the offices of the Director of Public Utilities on May 9, 2012 for the construction of the Weisheimer Road Stormwater System Improvements Project; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of inspection, testing and prevailing wage coordination services costs associated with the Weisheimer Road Stormwater System Improvements Project.

**WHEREAS**, it is necessary to authorize a transfer of \$20,290.00 within the Storm Build America Bonds Fund for the purpose of providing sufficient funding for the aforementioned project expenditure; and

**WHEREAS**, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for the

purpose of providing sufficient authority for the aforementioned project expenditure; and

**WHEREAS**, this project will mitigate poor drainage along Weisheimer Road.

**WHEREAS**, in the usual daily operation of the Department of Public Utilities, Divisions of Sewerage and Drainage it is necessary to enter into a construction contract with Conie Construction Company for the Weisheimer Road Stormwater System Improvements Project 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 Public Utilities be, and hereby is, authorized to award and execute a contract for construction of the Weisheimer Road Stormwater System Improvements Project with the lowest and best bidder, Conie Construction Co., 1340 Windsor Ave, Columbus, OH; in the amount of \$721,122.00 in accordance with the terms and conditions of the contract on file in the Office of the Division of Sewerage and Drainage; and to obtain the necessary inspection, testing and prevailing wage coordination services from the Design and Construction Division; and to pay up to a maximum amount of \$109,168.00

**SECTION 2.** That the City Auditor is hereby authorized to transfer \$20,290.00 within the Division of Sewerage and Drainage, Dept/Div. No. 60-15, Storm Build America Bonds Fund, Fund No. 676, Object Level One 06, Object Level Three 6621, as follows:

<u>Project No.</u>	<u>Project Name</u>	<u>OCA Code</u>	<u>change</u>
611009-100000	Terrace/Broad SSI	685009	-\$20,290.00
610784-100000	Weisheimer SSI	676784	+\$20,290.00

**SECTION 3.** That the 2012 Capital Improvements Budget is hereby amended as follows:

<u>Proj. No.</u>	<u>Proj. Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Change</u>
611009-100000	Terrace Broad SSI	\$50,000	\$29,710	-\$20,290
610784-100000	Weisheimer SSI	\$810,000	\$830,290	+\$20,290

**SECTION 4.** That for the purpose of paying the cost of the construction contract, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm Build America Bonds Fund, Fund No. 676, Project 610784-100000, Object Level Three 6621, OCA Code 676784, Amount \$721,122.00.

**SECTION 5.** That for the purpose of paying the cost of inspection, testing and prevailing wage coordination services, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm Build America Bonds Fund, Fund No. 676, Project 610784-100000, Object Level Three 6687, OCA Code 676784, Amount \$109,168.00.

**SECTION 6.** That the said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrators of the Division of Sewerage and Drainage

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



more than one source.

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

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

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

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**Legislation Number:** 1320-2012

**Drafting Date:** 6/11/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Allard Excavation, LLC. in the amount of \$3,461,898.84; to encumber funds with the Design and Construction Division for inspection, testing, and prevailing wage coordination services in the amount of \$521,500.16; all in connection with the Maryland Avenue / Denver Avenue Stormwater System Improvements Project.

This project includes \$3,983,399.00 for Stormwater System Improvements as directed by the Project Engineer, which will be paid from the Storm Build America Bonds Fund and the Storm Recovery Zone build America Bonds Fund.

**2. CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened eleven (11) bids on May 9, 2012. These bids were received from: Allard Excavation - \$3,461,898.84, Elite Excavating - \$3,545,981.80, Conie Construction - \$3,804,833.20, Schaffer Excavating - \$3,948,688.14, George J Igel - \$4,066,744.22, Underground Utilities - \$4,354,343.77, Trucco Construction - \$4,407,383.40, Nicholas Savko - \$4,447,510.96, McDaniel's Construction - \$4,543,760.68, Complete General - \$4,734,500.60, and John Eramo - \$4,759,089.99.

The lowest and best bid was from Allard Excavation, LLC, for \$3,461,898.84. Additional information regarding each bidder, description of work, contract timeframe, detailed amounts and sub-contractors can be found on the attached Legislation Information Form.

**Contract Compliance Information:** 45-4040618, expires 02/27/2014, Majority

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

**3. FISCAL IMPACT:** A transfer of \$483,404.63 is needed to provide sufficient cash for this project in the Storm Build America Bonds Fund. An amendment to the 2012 Capital Improvements Budget will also be necessary.

To authorize the Director of Public Utilities to execute a construction contract with Allard Excavation, LLC; to encumber funds to provide for payment of inspection, material testing and related services to the Design and Construction Division; to authorize the transfer of \$483,404.63 within the Storm Build America Bonds Fund; to authorize an amendment to the 2012 Capital Improvements Budget; and to authorize the expenditures of \$2,627,703.03 from the Storm Build America Bonds Fund and \$1,355,695.97 from the Storm Recovery Zone Super Build America Bonds Fund for the Maryland Avenue / Denver Avenue Stormwater System Improvements Project, for the Divisions of Sewerage and Drainage. (\$3,983,399.00)

**WHEREAS,** nine (11) bid proposals were received and publicly opened in the offices of the Director of Public Utilities on May 9, 2012 for the construction of the Maryland Avenue / Denver Avenue Stormwater System

Improvements Project; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of inspection, testing and prevailing wage coordination services costs associated with the Maryland Avenue / Denver Avenue Stormwater System Improvements Project.

**WHEREAS**, it is necessary to authorize a transfer of \$483,404.63 within the Storm Build America Bonds Fund for the purpose of providing sufficient funding for the aforementioned project expenditure; and

**WHEREAS**, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for the purpose of providing sufficient authority for the aforementioned project expenditure; and

**WHEREAS**, this project will mitigate poor drainage along Maryland and Denver Avenues.

**WHEREAS**, in the usual daily operation of the Department of Public Utilities, Divisions of Sewerage and Drainage it is necessary to enter into a construction contract with Allard Excavation, LLC. for the Maryland Avenue / Denver Avenue Stormwater System Improvements Project 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 Public Utilities be, and hereby is, authorized to award and execute a contract for construction of the Maryland Avenue / Denver Avenue Stormwater System Improvements Project with the lowest and best bidder, Allard Excavation, LLC, 8336 Bennett School House Rd., South Webster, OH; in the amount of \$3,461,898.84 in accordance with the terms and conditions of the contract on file in the Office of the Division of Sewerage and Drainage; and to obtain the necessary inspection, testing and prevailing wage coordination services from the Design and Construction Division; and to pay up to a maximum amount of \$521,500.16

**SECTION 2.** That the City Auditor is hereby authorized to transfer \$483,404.63 within the Division of Sewerage and Drainage, Dept/Div. No. 60-15, Storm Build America Bonds Fund, Fund No. 676, Object Level One 06, Object Level Three 6621, as follows:

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

610759-100000 | Northeast Neighborhood SSI | 676759 | -\$483,404.63

610976-100000 | Maryland/Denver SSI | 676976 | +\$483,404.63

**SECTION 3.** That the 2012 Capital Improvements Budget is hereby amended as follows:

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

610759-100000 | Northeast Neighborhood SSI | \$1,000,000 | \$516,595 | -\$483,405

610976-100000 | Maryland/Denver SSI | \$2,144,299 | \$2,627,704 | +\$483,405

**SECTION 4.** That for the purpose of paying the cost of the construction contract, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm Build America Bonds Fund, Fund No. 676, Project 610976-100000, Object Level Three 6621, OCA Code 676976, Amount \$2,106,202.87

**SECTION 5.** That for the purpose of paying the cost of the construction contract, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm Recovery Zone

Build America Bonds Fund, Fund No. 677, Project 610976-100000, Object Level Three 6621, OCA Code 677776, Amount \$1,355,695.97

**SECTION 6.** That for the purpose of paying the cost of inspection, testing and prevailing wage coordination services, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm Build America Bonds Fund, Fund No. 676, Project 610976-100000, Object Level Three 6687, OCA Code 676976, Amount \$521,500.16.

**SECTION 7.** That the said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrators of the Division of Sewerage and Drainage

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

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

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

**SECTION 11.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 1323-2012

**Drafting Date:** 6/11/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**1. BACKGROUND:**

**Need.** This legislation authorizes the Director of Public Utilities to modify the professional engineering services agreement with Stantec Consulting Services, Inc. for the Skyline Drive Sanitary Sewer Assessment Project. This modification is required to revise construction plans and easement descriptions to reflect easement negotiation results and updated design standards. The additional funds are also needed to address increased OEPA Permit To Install (PTI) fees and increased consultant labor costs due to hourly rates increases since the Mod. 1 initiated in 2002. It was not known in 2008, when Modification No. 3 was executed, that the construction on the project would be delayed until 2012 due to easement acquisition delays and assessment project procedural issues.

**Amount of additional funds to be expended: \$32,253.72**

Original Contract	\$ 111,025.35
Modification No. 1	\$ 81,650.36
Modification No. 2	\$ 30,020.92
Modification No. 3	\$ 20,000.00
<b>Modification No. 4 (current)</b>	<b>\$ 32,253.72</b>

<u>Modification No. 5 (future - estimate)</u>	<u>\$ 50,000.00</u>
CURRENT PROPOSED TOTAL	\$ 324,950.35

**Reasons additional goods/services could not be foreseen:**

This modification is required to revise construction plans and easement descriptions to reflect easement negotiation results and updated design standards. The additional funds are also needed to address increased OEPA Permit To Install (PTI) fees and increased consultant labor costs due to hourly rates increases since the Mod. 1 initiated in 2002.

**Reason other procurement processes are not used:**

It was not known in 2008, when Modification No. 3 was executed, that the construction on the project would be delayed until 2012 due to easement acquisition delays and assessment project procedural issues.

**How cost of modification was determined:**

The relatively minor nature of changes, and also a need to address increased labor rates for the consultant make bidding this Modification out impractical.

B. **Contract Compliance No.:** 11-2167170 | 12/21/2013 | MAJ

This company is not listed on the Federal Exclusion database nor is it been debarred by the State of Ohio's Auditor of State.

C. **Emergency Designation:** Emergency designation is not requested.

2. **Fiscal Impact:** This legislation authorizes the transfer and expenditure of funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664, and an amendment to the 2012 Capital Improvement Budget.

To authorize the Director of Public Utilities to enter into a planned contract modification with Stantec Consulting Services, Inc. for professional engineering services for the Skyline Drive Sanitary Sewer Assessment Project; to authorize a transfer within and expenditure of \$32,253.72 from the Sanitary Sewer General Obligation Bond Fund; and to amend the 2012 Capital Improvements Budget. (\$32,253.72)

**WHEREAS,** The original contract EL002095 with FMSM, Inc. (Stantec's predecessor) was to provide detailed design services needed for stormwater improvements in connection with the Skyline Drive Area Assessment sewer Project, was authorized by Ordinance No. 1723-2001, and was executed February 12, 2002; and

**WHEREAS,** Modification No. 1, contract number EL002608 was authorized by Ord No. 0912-2002 ; executed on September 10, 2002; and signed by the Attorney on September 13, 2002; to provide funds for preparation of the construction plans, specifications and easement descriptions which were required to complete the sanitary sewer assessment project; and

**WHEREAS,** Modification No. 2 to Contract EL005394 was authorized by Ord No. 0198-2005 passed by Columbus City Council on February 28, 2005; executed on June 24, 2005; and signed by the Attorney on June 29, 2005; to provide funds for plan preparation for existing water line relocation along Skyline Drive, to compensate FMSM for project delays associated with reconnections of county Home Septic Disposal Systems (HSDS) into the new storm sewer system, and to design additional storm sewers along both sides of Skyline

Drive; and

**WHEREAS**, Modification No. 3 to Contract EL008014 was authorized by Ord No. 0043-2008 passed by Columbus City Council on April 14, 2008; executed on May 5, 2008; and signed by the Attorney on May 9, 2008; to provide funds for coordination between the stormwater and sanitary sewer assessment projects resulted in a need to revise and update easements and construction plans, and also for dealing with the Home Septic Disposal System (HSDS) issues; and

**WHEREAS**, it is necessary to authorize the transfer within and expenditure of monies from the Sanitary Sewer General Obligation Bond Fund, Fund 664 to provide sufficient funding for the aforementioned project; and

**WHEREAS**, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, it is necessary to authorize the Director of Public Utilities to modify the aforementioned professional engineering services contract with Stantec Consulting Services, Inc. to provide additional funding to address increased OEPA Permit To Install (PTI) fees and increased consultant labor costs due to hourly rates increases since the Mod. 1 initiated in 2002, pursuant to the proper management and timely completion of the project; at the earliest practical date **Now, Therefore,**

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

**SECTION 1.** That the Director of Public Utilities be, and hereby is, authorized to modify a professional engineering services agreement with Stantec Consulting Services, Inc., 1500 Lake Shore Drive, Suite 500, Columbus, Ohio, 43204, in connection with the Skyline Drive Area Assessment sewer Project, in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage.

**SECTION 2.** That the City Auditor is hereby authorized to transfer \$32,253.72 within the Sanitary Sewer General Obligation Fund, Fund 664 | Division of Sewerage and Drainage | Div. 60-05 | Obj Lvl 3 6676;

**FROM:**

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

664 | 650033-100000 | Big Walnut Trunk Sewer 6F | 650033 | -\$32,253.72

**TO:**

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

664 | 650688-100000 | Skyline Drive Sanitary Sewer Assessment | 664688 | +\$32,253.72

**SECTION 3.** That the 2012 Capital Improvements Budget Ordinance No. 0368-2012 is hereby amended as follows, to provide sufficient budget authority for the award of the agreement stated herein.

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

664 | 650033-100000 | Big Walnut Trunk Sewer 6F | \$0 | \$2,203,552 | + \$2,203,552 (from cancellation)

664 | 650033-100000 | Big Walnut Trunk Sewer 6F | \$2,203,552 | \$2,171,299 | -\$32,254

664 | 650688-100000 | Skyline Drive Sanitary Sewer Assessment | \$0 | \$32,254 | (+\$32,254)

**SECTION 4.** That for the purpose of paying the cost of the professional engineering services contract modification, the following expenditure, or as much thereof as may be needed, be and the same is hereby authorized as follows: Division 60-05 | Fund 664 | Olentangy Scioto Interceptor Sewer - Downtown Odor

Control Project | Project No. 650688-100000 | Obj Lvl 3 6676 | 664688 | Amount \$32,253.72

**SECTION 5.** That the said firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

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

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

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

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

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**Legislation Number:** 1336-2012

**Drafting Date:** 6/12/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** This legislation authorizes the Finance and Management Director to make various expenditures for labor, materials, and equipment in conjunction with various minor facility improvements that are unplanned but will be necessary for the proper operation of the Municipal Court Building, located at 375 South High Street. These minor renovations are not part of the phased major renovation project to implement the Municipal Court Master Space Plan that are projected to begin sometime in 2013. Work may include any type of minor renovation including but not limited to upgrades of electrical service, HVAC systems, and plumbing. All work undertaken will be based on three estimates.

**Fiscal Impact:** This legislation authorizes the expenditure of \$100,000.00. Sufficient funding is available in the Construction Management Capital Improvement Fund, Gov'l SuperB.A.B.'s (Build America Bonds) Fund.

To authorize the Finance and Management Director to expend \$100,000.00 from the Construction Management Capital Improvement Fund, Gov'l SuperB.A.B.'s (Build America Bonds) Fund for various facility renovations at the Municipal Court building, 375 South High Street. (\$100,000.00)

**WHEREAS,** various unexpected facility renovations will likely become necessary at the Municipal Court building, 375 South High Street; and

**WHEREAS,** an Auditor's Certificate is necessary to provide funding for these renovations; and

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

**SECTION 1.** That the purchase of labor, materials, and equipment will likely become necessary for facility

renovations to ensure proper operation of the Municipal Court Building located at 375 South High Street.

**SECTION 2.** That the expenditure of \$100,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Construction Management Capital Improvement Fund No. 707 to pay the cost thereof. All work will be based on three estimates. City Council recognizes this ordinance does not identify the contractor(s) to whom the contract(s) will be awarded and understand its passage will give the Finance and Management Director the final decision in determination of the lowest best responsive and responsible bidder for such contract(s). This Council is satisfied it is in the best interests of the City to delegate this contracting decision.

<u>Fund Type</u>	<u>Dept. No.</u>	<u>Fund</u>	<u>Project No.</u>	<u>Title</u>	<u>Level 3</u>	<u>Code</u>	<u>Amount</u>
Cap. Proj.	45-07	707	570043- 100001	Facility Renovations	6601	774301	\$100,000.00

**SECTION 3.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 4.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

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**Legislation Number:** 1361-2012

**Drafting Date:** 6/13/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **1. BACKGROUND:**

This legislation authorizes the Director of Public Service to enter into the Pedestrian Safety - North Broadway and South High Street Sidewalks - Highview to Williams contract for the Division of Mobility Options. These projects are for new sidewalk construction on the south side of North Broadway between the Upper Arlington Corp Line and Shattuck Ave., the north side of North Broadway between the Upper Arlington Corp Line and the COTA bus stop 300' west of the Riverside Hospital entrance, and on both sides of High St between Highview Blvd and Williams Rd.

There are six bus stops within the North Broadway project limits and three bus stops within the South High St. project limits. Sidewalk construction will improve pedestrian safety and access to transit.

These projects comply with the recommendation of the Pedestrian Thoroughfare Plan because it constructs curb ramps, sidewalks and a share use path. Pedestrian Quality of Service analyses show a marked improvement in the score by the addition of the sidewalk and shared use path on these projects.

The estimated Notice to Proceed date August 3, 2012. The project was let by the Office of Support Services through Vendor Services and Bid Express. Seven (7) bids were received on June 12, 2012 (7 majority) and tabulated on June 13, 2012 as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Nickolas Savko & Sons	\$339,176.97	Columbus, OH	Majority

G & G Cement Contractors, LLC.	\$342,066.18	Columbus, OH	Majority
Kokosing Construction Company, Inc.	\$354,741.20	Columbus, OH	Majority
Decker Construction Company	\$367,788.50	Columbus, OH	Majority
Newcomer Concrete Services, Inc.	\$398,995.99	Norwalk, OH	Majority
Columbus Asphalt Paving, Inc.	\$418,835.70	Gahanna, OH	Majority
Double Z Construction Company	\$454,152.28	Columbus, OH	Majority

Award is to be made to Nickolas Savko & Sons as the lowest, responsive, responsible and best bidder. Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Complete General Construction.

## 2. CONTRACT COMPLIANCE

The contract compliance number for Nickolas Savko & Sons is 310907362 and expires 04/26/2014.

## 3. FISCAL IMPACT

Funds are available within the Streets and Highways G.O. Bonds Fund. C.I.B. amendment to the 2012 Capital Improvements Budget is necessary to establish sufficient cash and authority in the proper project.

## 4. EMERGENCY DESIGNATION.

Emergency action is requested in order to allow this project to begin at the earliest possible time this construction season and to allow the sidewalks and improved access to be available to the public for the highest provision of pedestrian safety.

To authorize the Director of Public Service to enter into contract with Nickolas Savko & Sons, and to provide for the payment of construction administration and inspection services, in connection with the Pedestrian Safety Improvements-North Broadway Sidewalks project and the Pedestrian Safety Improvements-South High Street Sidewalks-Highview to Williams project; to amend the 2012 C.I.B; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; to appropriate and authorize the expenditure of \$407,012.64 from the Streets and Highways G.O. Bonds Fund for the Division of Design and Construction; and to declare an emergency. (\$407,012.64)

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the Pedestrian Safety Improvements-North Broadway Sidewalks project and the Pedestrian Safety Improvements-South High Street Sidewalks-Highview to Williams project; and

**WHEREAS**, these projects are for new sidewalk construction on the south side of North Broadway between the Upper Arlington Corp Line and Shattuck Ave., the north side of North Broadway between the Upper Arlington Corp Line and the COTA bus stop 300' west of the Riverside Hospital entrance, and on both sides of High St between Highview Blvd and Williams Rd.

**WHEREAS**, bids were received on June 12, 2012 and tabulated on June 13, 2012; and

**WHEREAS**, Nickolas Savko & Sons will be awarded the Pedestrian Safety Improvements-North Broadway Sidewalks project and the Pedestrian Safety Improvements-South High Street Sidewalks-Highview to Williams project; and

**WHEREAS**, it is necessary to provide for construction inspection; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Division of



Design and Construction in order to maintain the project schedule and provide the sidewalks and improved access planned in this project to provide the highest level of pedestrian safety possible thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

**SECTION 1.** That the Director of Public Service be and is hereby authorized to enter into contract with Nickolas Savko & Sons, 4636 Shuster Rd. Columbus, OH 43214(mailing address) for the Pedestrian Safety Improvements-North Broadway Sidewalks project and the Pedestrian Safety Improvements-South High Street Sidewalks-Highview to Williams project in the amount of \$339,176.97 or so much thereof as may be needed, for the Division of Design and Construction in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$67,835.67.

**SECTION 2.** That the 2011 Capital Improvement Budget be amended to due to encumbrance cancellations for this project as follows:

Fund / Project / Project Name / Current C.I.B. / Amendment / C.I.B. as amended

704 / 590105-100034 / Pedestrian Safety Improvements - Valleyview (Carryover) / \$1,578.00 / \$21,164.00 / \$22,742.00

704 / 590105-100004 / Pedestrian Safety Improvements - Linden Area Traffic Management Plan (Carryover) / \$95.00 / \$29,102.00 / \$29,197.00

**SECTION 2.** That the 2011 Capital Improvement Budget be amended to provide sufficient authority for this project as follows:

Fund / Project / Project Name / Current C.I.B. / Amendment / C.I.B. as amended

704 / 590105-100004 / Pedestrian Safety Improvements - Linden Area Traffic Management Plan (Carryover) / \$29,197.00 / (\$29,197.00) / \$0.00

704 / 590105-100034 / Pedestrian Safety Improvements - Valleyview (Carryover) / \$22,742.00 / (\$11,101.00) / \$11,641.00

704 / 590105-100046 / Pedestrian Safety Improvements - Livingston Avenue Sidewalks (Carryover) / \$6,181.00 / (\$6,181.00) / \$0.00

704 / 540002-100015 / Bikeway Development - Hilltop Connector (Carryover) / \$356,178.00 / (\$356,178.00) / \$0.00

704 / 540002-100032 / Bikeway Development - Rehabilitation(Carryover) / \$26,674.00 / (\$4,356.00) / \$22,318.00

704 / 590105-100062 / Pedestrian Safety Improvements - North Broadway Sidewalks (Carryover) / \$0 / \$252,348.00 / \$252,348.00

704 / 590105-100067 / Pedestrian Safety Improvements - South High Sidewalks (Carryover) / \$0 / \$154,665.00 / \$154,665.00

**SECTION 3.** That the transfer of cash and appropriation within fund 704, The Streets and Highways G.O. Bonds Fund be authorized as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 590105-100004 / Pedestrian Safety Improvements - Linden Area Traffic Management Plan / 06-6600 / 740504 / \$29,197.00

704 / 590105-100034 / Pedestrian Safety Improvements - Valleyview / 06-6600 / 740534 / \$11,101.40

704 / 590105-100046 / Pedestrian Safety Improvements - Livingston Avenue Sidewalks / 06-6600 / 740546 / \$6,180.40

704 / 540002-100015 / Bikeway Development - Hilltop Connector / 06-6600 / 740215 / \$356,178.00

704 / 540002-100032 / Bikeway Development - Rehabilitation / 06-6600 / 740232 / \$4,355.84

Transfer to:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 590105-100062 / Pedestrian Safety Improvements - North Broadway Sidewalks / 06-6600 / 710562 / \$252,347.84

704 / 590105-100067 / Pedestrian Safety Improvements - South High Sidewalks / 06-6600 / 740567 / \$154,664.80

**SECTION 4.** That for the purpose of paying the cost of this contract and inspection, the sum of \$407,012.64 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways G.O.

Bonds Fund, No. 704, as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 590105-100062 / Pedestrian Safety Improvements - North Broadway Sidewalks / 06-6621 / 710562 / \$252,347.84

704 / 590105-100067 / Pedestrian Safety Improvements - South High Sidewalks Sidewalks / 06-6621 / 740567 / \$154,664.80

**SECTION 5.** 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 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.

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**Legislation Number:** 1386-2012

**Drafting Date:** 6/14/2012

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

## 1. BACKGROUND

The purpose of this legislation is provide for the enactment of Chapter 906 of the Columbus City Code, 1959, to regulate the use of the public rights-of-way for non-commercial events. The contents of Chapter 906 are necessary due to the need to regulate events for safety, cleanliness, and flow of pedestrian traffic.

The Director of Public Service shall promulgate rules and regulations in support of this code section.

## 2. FISCAL IMPACT

Fees will be collected for permits under this section which will offset the permitting and enforcement efforts. There is no net fiscal impact.

## 3. EMERGENCY DESIGNATION

Emergency action is requested for this ordinance to allow these changes in City Code to be made in order that for reimbursement can be made and be in place by the end of January, 2011.

To enact Chapter 906 of the Columbus City Code, 1959, to regulate the use of public rights-of-way for non commercial events. ~~and to declare an emergency.~~

**WHEREAS**, there is a need to establish a Chapter in the Columbus City Code, 1959 for the purpose of regulating the use of public rights-of-way for non commercial events; and

**WHEREAS**, this chapter of the City Code, 1959 is necessary for the safety, cleanliness, and flow of traffic at these events; and

**WHEREAS**, this ordinance establishes language and authorizes the enactment of Chapter 906 of the Columbus City Code, 1959 for the above-described purpose; **now therefore**;

~~WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, in that these changes to the City Code should take place at the earliest possible time in order to enact rules and regulations to provide for the safety of the public, thereby preserving the public health, peace, property, and safety; now, therefore~~

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

**SECTION 1.** That Chapter 906 of the Columbus City Code, 1959 is hereby enacted to read as follows:

**906.01 - Purpose and Scope of Chapter.**

A. The purpose of this chapter is to provide for the regulation of the use or occupation of all rights-of-way in the city for activities other than those relating to construction, the issuance of right-of-way permits to persons for such use or occupancy, and to set forth the policies of the city related thereto.

B. A right-of-way permit issued pursuant to this chapter does not take the place of any service permit, franchise, license, or permit which may additionally be required by law, including any required by Chapter 903.

C. As used in this chapter, "director" shall mean the Director of the Department of Public Service or the director's authorized designee.

D. As used in this chapter, "structure" shall mean any object which is assembled, built, constructed, or erected in a stationary location on the ground that, while not permanently affixed to the ground, is not easily movable including, but not limited to, bandstands, platforms, podiums, tables, and tents.

**906.02 - Director of public service and/or their designee's consent required.**

A. All persons seeking to erect or maintain a structure on the right-of-way of any street, alley, or public way of the city for any non-commercial purposes shall obtain the consent of the director. All such requests shall be submitted, reviewed and approved by the director before it shall become effective.

B. Strict liability is intended for this section.

**906.03 - Supervision of director of public service and/ or designee.**

The director of public service shall promulgate reasonable rules and regulations to carry out the provisions of this chapter. The director shall supervise and control the occupancy of the right-of-way thereof. The time,

place, and manner of such occupancy shall be set forth by the director.

**906.04 - Revocation.**

A. In addition to any other rights set out in this chapter, the city reserves the right to revoke a right-of-way permit in the event such permittee violates any provision of this chapter or the terms of a right-of-way permit in accordance with the procedures set forth in Section 906.04(B) of this chapter.

B. In the event that the director has reasonable cause to believe that a permittee is in violation of the provisions of this chapter, or of the permit, or both, the director shall issue a written notice of revocation to permittee which shall state the reasons for such action. If permittee remedies all violations within twenty-four (24) hours, the director may rescind said notice of revocation at the director's discretion. If said violations create an immediate threat to the health, peace, safety, property, and welfare of the public, violations must be remedied within two (2) hours. If permittee does not cure the violations or undertake efforts satisfactory to the director to remedy the violations, the director may revoke said permit.

C. Unless otherwise permitted by the director or required by law, upon the revocation of a right-of-way permit all facilities located in the rights-of-way or located upon public property pursuant to such permit shall be promptly removed at the sole expense of permittee.

**906.05 - Non-enforcement and waivers by the city.**

No permittee shall be relieved of its obligation to comply with any of the provisions of its right-of-way permit or this chapter by reason of any failure of the city to enforce prompt compliance.

**906.06 - Severability.**

If any section, subsection, clause or provision or any part thereof of this chapter shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder shall be unaffected by such adjudication and all remaining provisions shall remain in full force and effect.

**906.99 - Penalties.**

Whoever violates any provision of this chapter shall be deemed guilty of a first degree misdemeanor and fined not exceeding one thousand dollars (\$1,000.00), or imprisoned for not more than six (6) months, or both. Any such violation shall constitute a separate offense on each successive day continued.

**SECTION 2. 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 ten day after passage if the Mayor neither approves nor vetoes the same.~~**

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Legislation Number: 1392-2012

Drafting Date: 6/15/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

**1. BACKGROUND**

The Division of Planning and Operations is responsible for monitoring traffic throughout the City. This

includes the use of equipment for analyzing traffic. The use of this equipment promotes pedestrian safety and expedites vehicular traffic flow. The Purchasing Office has solicited informal bids for traffic analyzing equipment as follows:

A) Informal bids were solicited by the purchasing office for Nu-Metrics traffic counters and were received by the Purchasing Office on June 11, 2012 for SO040774.

A purchase order in the amount of \$19,500.00 is to be established. The lowest bid received was from M.H. Corbin Inc. and their bid met specifications as the lowest responsive, responsible bidder.

M.H. Corbin Inc. 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.

B) Informal bids were solicited by the purchasing office for RADAR traffic analyzers and were received by the Purchasing Office on May 18, 2012 for SO040585.

A purchase order in the amount of \$14,195.00 is to be established. The lowest bid received was from Jamar Technologies Inc. and their bid met specifications as the lowest responsive, responsible bidder.

Jamar Technologies Inc. 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 authorizes the expenditure of funds from the Street and Highway Improvement Non-Bond Fund, no. 766. (\$33,695.00)

## 2. CONTRACT COMPLIANCE

The contract compliance number for M.H. Corbin Inc., is 311192248, and expires 6/15/2014.

The contract compliance number for Jamar Technologies Inc., is 232075789, and expires 5/03/2014.

## 3. FISCAL IMPACT

Funding is available within the Street and Highway Improvement Non-Bond Fund, no. 766.

The total cost of these purchases is \$33,695.00. Amendment to the 2012 Capital Improvements Budget is necessary to establish sufficient cash and authority in the proper project.

<u>Vendor</u>	<u>Contract/Bid Entry Number</u>	<u>Amount</u>
M.H. Corbin Inc.	BE017852	\$19,500.00
Jamar Technologies Inc.	BE017763	\$14,195.00
	Total:	\$33,695.00

## 4. EMERGENCY DESIGNATION

Emergency action is requested for the purchase of the projects to meet deadlines for prices established for bids for these commodities.

To authorize the Director of Finance and Management to enter into contracts for the purchase of traffic analyzing equipment with M.H. Corbin Inc. and Jamar Technologies Inc.; to amend the 2012 CIB; to authorize the transfer of monies within the Street and Highway Improvement Non-Bond Fund for the Division of Planning and Operations; to authorize the expenditure of \$33,695.00 from the Street and Highway Improvement Non-Bond Fund; and to declare an emergency. (\$33,695.00)

**WHEREAS**, the Purchasing Office has solicited bids for the purchase of traffic analyzing equipment; and

**WHEREAS**, the Division of Planning and Operations has a need to procure these items in a timely manner so as not to delay scheduled signal installations; and

**WHEREAS**, it is necessary to transfer monies between projects to fund the purchase of said signal

commodities; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Planning and Operations, Department of Public Service, in that it is necessary to establish a purchase order for this purpose so as not to delay scheduled signal installations, thereby preserving the public health, peace, property, safety and welfare; now therefore,

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

**SECTION 1.** That the Director of Finance and Management be and hereby is authorized to establish purchase orders for the purchase of traffic analyzing equipment for the Division of Planning and Operations as described below:

**Fund/ Project #**

766/ 530161-100040 Traffic Analyzer Equipment

1)M.H. Corbin Inc.

8420 Estates Court

Plain City, OH 43064

Nu-Metrics Traffic Counters - \$19,500.00

2)Jamar Technologies Inc.

1500 Industry Road

Hatfield, PA 19440

RADAR Traffic Analyzers - \$14,195.00

**SECTION 2.** That the 2012 Capital Improvement Budget, authorized by ordinance 0368-2012 be amended as follows to provide sufficient authority for this project

Fund / Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount

766 / 766999-100000 / Unallocated Balance (Carryover) / \$3,562,740.00 / (\$33,695.00) / \$3,529,045.00

766 / 530161-100040 / Traffic Analyzer Equipment (Carryover) / \$0.00 / \$33,695.00 / \$33,695.00

**SECTION 3.** The sum of \$33,695.00 be and is hereby appropriated from the unappropriated balance of the Street and Highway Improvement Fund, Fund 766, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2012 as follows:

Fund / Project / Project Name / O.L. 01/03 Codes / OCA Code / amount

766 / 766999-100000 / Unallocated Balance / 06-6600 / 766999 / \$33,695.00

**SECTION 4.** That the transfer of cash and appropriation in the amount of \$33,695.00 within Fund 766, from the Street and Highway Improvement Non-Bond Fund, be authorized as follows:

TRANSFER FROM

Fund / Project / Project Name / OL 01-03 Codes / OCA Code / amount

766 / 766999-100000 / Unallocated Balance / 06-6600 / 766999 / \$33,695.00

TRANSFER TO

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

766 / 530161-100040 / Traffic Analyzer Equipment / 06-6600 / 716140 / \$33,695.00

**SECTION 5.** That the expenditure of \$33,695.00 be and hereby is authorized from the Street and Highway Improvement Non-Bond Fund, Fund 766, Dept.-Div. 59-11, Division of Planning and Operations as follows

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount  
766 / 530161-100040 / Traffic Analyzer Equipment / 06-6622 / 716140 / \$33,695.00

**SECTION 6.** 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 7.** 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.

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**Legislation Number:** 1394-2012

**Drafting Date:** 6/15/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

## **1. BACKGROUND**

The Division of Planning and Operations is responsible for roadway pavement markings to promote pedestrian safety and expedite vehicular traffic flow. Some of the uses of these markings include lines to mark traffic lanes, turn arrows, wording to describe the pattern of traffic for a specific lane such as ONLY (as in right turn only). These pavement markings are used throughout the City to promote pedestrian safety and expedite vehicular traffic flow. Another product used for these roadway markings is reflective glass spheres. This commodity is used on top of the pavement markings to make them reflective in order for them to be seen at night. The Department of Public Service, Division of Planning and Operations requires these products for City roadways.

The Purchasing Office solicited formal competitive bids and established universal term contracts (UTCs) for the purchase of these commodities which the Division of Planning and Operations requires. This ordinance authorizes purchases of commodities per terms and conditions of these existing UTC contracts:

Ennis Paint, Inc.

Thermoplastic Pavement Marking Material.

FL004933/SA003907

Flint Trading, Inc.

Preformed Thermoplastic Marking Material

FL004970/SA003971

Potters Industries, Inc.

Reflective Glass Spheres

FL005137/SA004218

The total cost of the commodities needed is \$500,000.00.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Ennis Paint, Inc., Flint Trading, Inc, and Potters Industries, Inc.

## **2. CONTRACT COMPLIANCE**

The contract compliance number for Ennis Paint, Inc., is: 752657523 and expires: 4/27/2013

The contract compliance number for Flint Trading, Inc. is: 561736552 and expires: 06/12/2014  
The contract compliance number for Potters Industries Inc., is: 752657523 and expires 4/27/2013

### **3. FISCAL IMPACT:**

Amendment to the 2012 Capital Improvements Budget is necessary to establish sufficient cash and authority in the proper project.

### **4. EMERGENCY DESIGNATION**

Emergency action is requested to procure the needed pavement marking commodities as soon as possible to provide sufficient supply for the needs of the Capital Improvement Program for the safety of the travelling public.

To authorize the Director of Finance and Management to establish purchase orders with Ennis Paint, Inc., Flint Trading, Inc., and Potters Industries, Inc. for the purchase of Thermoplastic Pavement Marking Material, Preformed Thermoplastic Marking Materials, and Reflective glass spheres per terms and conditions of existing universal term contracts for the Division of Planning and Operations; to amend the 2012 CIB; to authorize the appropriation and transfer of monies within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of \$500,000.00 from the Streets and Highways G.O. Bonds Fund for this purpose; and to declare an emergency. (\$500,000.00)

**WHEREAS**, the Purchasing Office has solicited bids and has established universal term contracts for the purchase of Thermoplastic Pavement Marking Material, Preformed Thermoplastic Marking Material, and Reflective Glass Spheres; and

**WHEREAS**, the Division of Planning and Operations is submitting this ordinance as an emergency measure because it has a need to procure these items in a timely manner so as not to delay scheduled installation and replacement of these materials; and

**WHEREAS**, it is necessary to amend the 2012 C.I.B. to establish authority in the proper project detail for this expenditure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Division of Planning and Operations, in that it is immediately necessary to establish purchase orders for this purpose, thereby preserving the public health, peace, property, safety and welfare, now, therefore,

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

**SECTION 1.** That the Director of Finance and Management be and hereby is authorized to establish purchase orders for the purchase of the following materials per the terms and conditions of the following universal term contracts for the Division of Planning and Operations as described below.

#### **Fund/ Project #**

704/ 540013-100000 Permanent Pavement Markings  
1. FL004933 (SA003907)  
Thermoplastic Pavement Marking Material - \$400,000.00  
Ennis Paint, Inc.,  
PO Box 404  
1509 Kaufman St  
Ennis, TX 75120



Stacy Salik  
(800)331-8118

2. FL004970 (SA003971)  
Preformed Thermoplastic Marking Materials - \$50,000.00  
Flint Trading, Inc.  
115 Todd Court  
Thomasville, NC 27360  
Tim Montgomery  
(336)475-6600

3. FL005137 (SA004218)  
Reflective Glass Spheres - \$50,000.00  
Potters Industries, Inc.  
P.O. Box 840  
Valley Forge, PA 19482-0840  
Yvonne Harris  
(610)651-4714  
Total: \$500,000.00

**SECTION 2.** That the 2012 Capital Improvement Budget, authorized by ordinance 0368-2012 be amended as follows to provide sufficient authority for this project

Fund / Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount  
704 / 530161-100076 / Roadway Improvements - Minnesota Avenue(Carryover) / \$0.00 / \$71,495.00 / \$71,495.00 (Amend due to encumbrance cancellation)  
704 / 540013-100000 / Permanent Pavement Markings(Carryover) / \$0.00 / \$750.00 / \$750.00 (Amend due to encumbrance cancellation)  
704 / 530103-100026 / Arterial Street Rehabilitation - Alum Creek (Carryover) / \$2,903,766.00 / (\$220,243.00) / \$2,683,523.00  
704 / 530086-100005 / Intersection Improvements - Livingston Av. (Carryover) / \$200,000.00 / (\$200,000.00) / \$0.00  
704 / 530161-100071 / Roadway Improvements - Misc. Construction Inspection (Carryover) / \$21,722.00 / (\$21,722.00) / \$0.00  
704 / 530161-100076 / Roadway Improvements - Minnesota Avenue (Carryover) / \$71,495.00 / (\$57,285.00) / \$14,210.00  
704 / 540013-100000 / Permanent Pavement Markings (Carryover) / \$750.00 / \$499,250.00 / \$500,000.00

**SECTION 3.** The sum of \$96,116.00 be and is hereby appropriated from the unappropriated balance of the Streets and Highways G.O. Bonds Fund, Fund 704, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2012 as follows:

Fund / Project / Project Name / OL 01-03 Codes / OCA Code / amount  
704 / 530103-100026 / Arterial Street Rehabilitation - Alum Creek / 06-6600 / 531326 / \$96,116.00

**SECTION 4.** That the transfer of cash and appropriation in the amount of \$499,250.00 within Fund 704, from the Streets & Highways G.O. Bonds Fund, be authorized as follows:

TRANSFER FROM

Fund / Project / Project Name / OL 01-03 Codes / OCA Code / amount

704 / 530103-100026 / Arterial Street Rehabilitation - Alum Creek / 06-6600 / 531326 / \$220,243.02  
704 / 530086-100005 / Intersection Improvements - Livingston Av. / 06-6600 / 748605 / \$200,000.00  
704 / 530161-100071 / Roadway Improvements - Misc. Construction Inspection / 06-6600 / 746171 / \$21,722.08  
704 / 530161-100076 / Roadway Improvements - Minnesota Avenue / 06-6600 / 741616 / \$57,284.90  
TRANSFER TO

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 540013-100000 / Permanent Pavement Markings / 06-6600 / 591147 / \$499,250.00

**SECTION 5.** That the expenditure of \$500,000.00 be and hereby is authorized from the Streets and Highways G.O. Bond Fund, Fund 704, Dept.-Div. 59-11, Division of Planning and Operations

Fund / Project # / Project / O.L. 01-03 Codes / OCA Code / Amount

704 / 540013-100000 / Permanent Pavement Markings / 06-6651 / 591147 / \$500,000.00

**SECTION 6.** 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 7.** 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.

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**Legislation Number:** 1396-2012

**Drafting Date:** 6/15/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

## 1. BACKGROUND

The Division of Planning and Operations utilizes school flashers for the purpose of warning motorists of school zones and the speed limit within those school zones. To achieve this objective the Division of Planning and Operations requires the purchase of these commodities to install in school zones currently without or needing upgrades.

The Purchasing Office solicited formal competitive bids and established universal term contracts (UTCs) for the purchase of these commodities which the Division of Planning and Operations requires.

This ordinance authorizes purchases of commodities per terms and conditions of these existing UTC contracts:

Baldwin & Sours, Inc.  
School Flasher Units  
FL004931\ SA003915

General Supply & Services, Inc.  
School Flasher Poles and Foundations  
FL004934\ SA003916

The total cost of the commodities needed is \$148,524.00.

Searches in the Excluded Party List System(Federal) and the Findings for Recovery list (State) produced no findings against Baldwin & Sours, Inc. and General Supply & Services, Inc.

## **2. CONTRACT COMPLIANCE**

Baldwin & Sours, Inc. has a contract compliance number 311104513 and it expires 9/9/2012.

General Supply & Services, Inc. has a contract compliance number 205021902 and it expires 5/12/2013.

## **3. FISCAL IMPACT:**

Funding for these commodities is available within the Streets and Highways G.O. Bonds Fund. Amendment to the 2012 Capital Improvements Budget is necessary to establish sufficient cash and authority in the proper project.

## **4. EMERGENCY DESIGNATION**

Emergency action is requested to assure the timely availability of the school flashers and accessories for installation and replacement purposes and to promote and enhance pedestrian and motorist safety.

To authorize the Finance and Management Director to establish purchase orders with Baldwin & Sours, Inc. and General Supply & Services, Inc. for the purchase of school flashers and accessories per the terms and conditions of an existing citywide universal term contract for the Division of Planning and Operations; to amend the 2012 C.I.B; to authorize the transfer of monies within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of \$148,524.00 from the Streets and Highways G.O. Bonds Fund for this purpose; and to declare an emergency. (\$148,524.00)

**WHEREAS**, the Division of Planning and Operations utilizes school flashers to perform its mission; and

**WHEREAS**, these items can be purchased per the terms and conditions of an existing citywide universal term contracts established by the Purchasing Office; and

**WHEREAS**, this ordinance authorizes the purchase of the Division of Planning and Operation's anticipated remaining needs for 2012 for these commodities; 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 purchase school flashers and accessories to assure their timely availability for original installation and replacement purposes and to promote and enhance pedestrian and motorist safety, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

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

**SECTION 1.** That the Finance and Management Director be and hereby is authorized to establish purchase orders totaling \$148,524.00 per the terms and conditions of the existing citywide Universal Term Contracts for school flashers and accessories as follows:

### **Fund/ Project #**

704 / 540005-100001 School Flashers - Commodities

1) FL004931\ SA003915

School Flashers and Accessories - \$109,805.00  
Baldwin & Sours, Inc.  
5263 Trabue Road  
Columbus, Ohio 43228

2) FL004934\ SA003916  
General Supply & Services, Inc.  
School Flasher Poles and Foundations - \$38,719.00  
Total: \$148,524.00

**SECTION 2.** That the 2012 Capital Improvement Budget, authorized by ordinance 0368-2012 be amended as follows to provide sufficient authority for this project

Fund / Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount  
704 / 530161-100088 / Roadway Improvements - Material Testing and Inspection (Carryover) / \$0.00 / \$296.00 / \$296.00 (amend due to encumbrance cancellation)  
704 / 530282-100000 / Resurfacing (Carryover) / \$0.00 / \$63.00 / \$63.00 (amend due to encumbrance cancellation)  
704 / 530282-100041 / Resurfacing - 2010 Project 2 (Carryover) / \$0.00 / \$110,955.00 / \$110,955.00 (amend due to encumbrance cancellation)  
  
704 / 530161-100076 / Roadway Improvements - Minnesota Avenue (Carryover) / \$14,210.00 / (\$14,210.00) / \$0.00  
704 / 530161-100088 / Roadway Improvements - Material Testing and Inspection (Carryover) / \$296.00 / (\$296.00) / (\$0.00)  
704 / 530282-100000 / Resurfacing (Carryover) / \$63.00 / (\$63.00) / \$0.00  
704 / 530282-100041 / Resurfacing - 2010 Project 2 (Carryover) / \$110,955.00 / (\$110,955.00) / \$0.00  
704 / 530282-100053 / Resurfacing - Preventive Surface Treatments (Carryover) / \$21,715.00 / (\$21,715.00) / \$0.00  
704 / 530301-100016 / Bridge Rehabilitation - State Route (Carryover) / \$33,304.00 / (\$1,285.00) / \$32,019.00  
704 / 540005-100001 / School Flashers - Commodities (Carryover) / \$0.00 / \$148,524.00 / \$148,524.00

**SECTION 3.** That the transfer of cash and appropriation in the amount of \$148,524.00 within Fund 704, from the Streets & Highways G.O. Bonds Fund, be authorized as follows:

**TRANSFER FROM**

Fund / Project / Project Name / OL 01-03 Codes / OCA Code / amount  
704 / 530161-100076 / Roadway Improvements - Minnesota Avenue / 06-6600 / 741616 / \$14,209.35  
704 / 530161-100088 / Roadway Improvements - Material Testing and Inspection / 06-6600 / 746188 / 295.93  
704 / 530282-100000 / Resurfacing / 06-6600 / 590048 / \$62.67  
704 / 530282-100041 / Resurfacing - 2010 Project 2 / 06-6600 / 742841 / \$110,955.03  
704 / 530282-100053 / Resurfacing - Preventive Surface Treatments / 06-6600 / 748253 / \$21,715.19  
704 / 530301-100016 / Bridge Rehabilitation - State Route / 06-6600 / 06-6600 / 743116 / \$1,285.83

**TRANSFER TO**

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount  
704 / 540005-100001 / School Flashers - Commodities / 06-6600 / 740501 / \$148,524.00

**SECTION 4.** That the expenditure of \$148,524.00 be and hereby is authorized from the Streets and Highways G.O. Bond Fund, Fund 704, Dept.-Div. 59-11,

Division of Planning and Operations

Fund / Project # / Project / O.L. 01-03 Codes / OCA Code / Amount

704 / 540005-100001 / School Flashers - Commodities / 06-6651 / 740501 / \$148,524.00

**SECTION 5.** 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 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.

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**Legislation Number:** 1401-2012

**Drafting Date:** 6/18/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

## **1. BACKGROUND**

This legislation authorizes the Director of Public Service to enter into a contract for the construction of the Roadway Improvements - Fodor Road Roadway Improvement project (CIP No. 530161-100091) in the amount of \$1,066,646.63 with associated construction inspection costs of \$106,664.66, for a total expenditure of \$1,173,311.29.

This legislation also authorizes the Director of Public Service, in place of the Director of Development, to enter into an agreement with The Kroger Co. and New Albany Company LLC (a three party agreement) to provide for reimbursement of a portion of the costs (The Kroger Co.) and to provide for the contribution of a portion of the costs without reimbursement (New Albany Company LLC) of constructing roadway improvements at the intersection of New Albany Road and Fodor Road. The Kroger Co. shall deposit \$996,461.32 and New Albany Company LLC shall deposit \$176,849.97.

Ordinance 0572-2009 authorized the Director of Development to enter into a Reimbursement Agreement with The Kroger Company for said project. At that time it was planned that The Kroger Co. would hold the construction contract and the reimbursement agreement for construction would be held by the Director of Development. Since that time, it was determined that The Kroger Co. and New Albany Company LLC would deposit construction and inspection funds with the City and the Department of Public Service would hold the construction contract. Because of this change, it is in the best interest of the City that the agreement be held by the Department of Public Service.

This project consists of constructing improvements at the Fodor road and New Albany Road intersection. These improvements include 12 foot granite truck apron and a 12 inch mountable granite curb; the intersection improvements will include full depth pavement reconstruction. The existing 8 foot wide shared use path will be relocated. An additional 8 foot shared use path will also be constructed. Curbing and ADA curb ramps will be installed throughout the intersection. Storm sewer and landscaping improvements will also be included in the project.

There will be 485 feet of 8 foot wide shared use path included. Eight (8) ADA ramps will be added or reconstructed in this project. There are not any bus transit routes within the limits of this project.

The project was let by the Office of Support Services through Vendor Services and Bid Express. Three (3) bids were received and tabulated on June 12, 2012 (3 majority) as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>City/State*</u>	<u>Majority/MBE/FBE</u>
Columbus Asphalt Paving, Inc.	\$1,066,646.63	Columbus, Ohio	Majority
Complete General Construction Co.	\$1,067,762.42	Columbus, Ohio	Majority
Decker Construction Co.	\$1,167,650.84	Columbus, Ohio	Majority

\*City/State is from the Ohio Secretary of State web site, which may differ from the mailing address below. Award is to be made to Columbus Asphalt Paving, Inc. as the lowest, responsive, responsible, and best bidder.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Columbus Asphalt Paving, Inc.  
The estimated Notice to Proceed date is August 16, 2012.

## **2. CONTRACT COMPLIANCE**

The contract compliance number for Columbus Asphalt Paving, Inc. is 310857095 and expires 1/15/14.

## **3. FISCAL IMPACT**

This project is funded by contributions from The Kroger Co. (\$996,461.32) and New Albany Company LLC (\$176,849.97) for an amount of \$1,173,311.29. The Kroger Co. and New Albany Company LLC funding has been deposited in the Street and Highway Improvement Fund, 766.

## **4. EMERGENCY DESIGNATION**

Emergency action is requested in order to allow this project to begin at the earliest possible time this construction season in order to make complete the project before the end of the construction season.

To authorize the Director of Public Service to enter into contract with Columbus Asphalt Paving, Inc. and to provide for the payment of construction administration and inspection services, in connection with the Roadway Improvements-Fodor Road improvement project; to authorize the Director of Public Service, in place of the Director of Development, to enter into a three party agreement with The Kroger Co. and New Albany Company LLC to provide for contribution and reimbursement of a portion of the costs of construction of the improvement at the intersection of New Albany Road and Fodor Road; to authorize the expenditure of \$1,173,311.29 from the Street and Highway Improvement Fund for the Division of Design and Construction; and to declare an emergency.(\$1,173,311.29)

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the Roadway Improvements - Fodor Road improvement project; and

**WHEREAS**, this project consists of constructing intersection improvements, shared use path, ADA ramps, storm sewer and landscaping; and

**WHEREAS**, this ordinance authorizes the Director of Public Service to enter into contract with Columbus Asphalt Paving, Inc. for the construction of the Roadway Improvements Fodor Road Improvement project; and

**WHEREAS**, bids were received and tabulated on June 12, 2012, for the Roadway Improvements Fodor Road Improvement project; and

**WHEREAS**, it is necessary to provide for construction and inspection costs; and

**WHEREAS**, ordinance 2117-2005 authorized the establishment of the Tax Increment Financing Agreement; and

**WHEREAS**, ordinance 0572-2009 authorized the execution of a reimbursement agreement between the City and The Kroger Co. to fund construction of the Roadway Improvements - Fodor Road Improvement project; and

**WHEREAS**, funds will be contributed by The Kroger Co. and New Albany Company LLC for this contract and inspection; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction in order to maintain the project schedule and to allow this project to begin at the earliest possible time this construction season in order to make complete the project before the end of the construction season; now, therefore

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

**SECTION 1.** That the Director of Public Service be and is hereby authorized to enter into contract with Columbus Asphalt Paving, Inc., 1196 Technology Drive, Gahanna, OH, 43230(mailing address) for the construction of the Roadway Improvements - Fodor Road Improvement project in the amount of up to \$1,066,646.63 or so much thereof as may be needed, for the Division of Design and Construction in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$106,664.66.

**SECTION 2.** That the Director of Public Service be and is hereby authorized to enter into an agreement with The Kroger Co., 4111 Executive Parkway, Westerville, Ohio, 43081, and New Albany Company LLC, 8000 Walton Parkway, suite 120, New Albany, 43054, to provide for contribution and reimbursement of a portion of the costs of constructing improvements at the intersection of New Albany Road and Fodor Road.

**SECTION 3.** That the 2012 Capital Improvements Budget is hereby amended as follows:

Division of Design and Construction: 59-12

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

766 / 530161-100091 / Roadway Improvements - Fodor Road / \$0.00 / \$1,173,312.00 / \$1,173,312.00

**SECTION 4.** That the sum of \$1,173,311.29 be and hereby is appropriated from the unappropriated balance of Fund 766, the Street and Highway Improvement Fund, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2012, to the Division of Design and Construction, Dept Div, No. 59-12 as follows:

Fund / Project / Project Name / O.L. 01 03 Codes / OCA / Amount

530161-100091 / Roadway Improvements - Fodor Road / 06 / 6600 / 716191 / \$1,173,311.29

**SECTION 5.** That for the purpose of paying the cost of the contract and inspection, the sum of up to \$1,173,311.29 or so much thereof as may be needed, is hereby authorized to be expended from the Street and Highway Improvement Fund, No. 766, for the Division of Design and Construction, Dept. Div. 59-12, as follows:

Fund / Project / Project Name / O.L. 01 03 Codes / OCA / Amount

530161-100091 / Roadway Improvements - Fodor Road / 06 / 6631 / 716191 / \$1,066,646.63

530161-100091 / Roadway Improvements - Fodor Road / 06 / 6687 / 716191 / \$106,664.66

**SECTION 6.** 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 7.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

**SECTION 8.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1402-2012

**Drafting Date:** 6/18/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into contract in an amount up to \$311,083.95 for the Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed project and to pay construction inspection costs up to \$62,216.79.

This project will construct a new shared use path on the north side of Henderson Road between Kenny Road and Reed Road. The shared use path will be a 10 foot wide asphalt path and include shared use path ramps at intersections. The shared use path will provide safer access for pedestrians and cyclists on the 50 mph roadway.

The estimated Notice to Proceed date is August 3, 2012. The project was let by the Office of Support Services through vendor services and bid express. 2 bids were received on June 12, 2012 (2 majority, 0 minority) and tabulated on June 13, 2012 as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Columbus Asphalt Paving	\$311,083.95	Gahanna, OH	Majority
Decker Construction Company	\$379,160.76	Columbus, OH	Majority

Award is to be made to Columbus Asphalt Paving, Inc., as the lowest, best, most responsive and most responsible bidder.

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

### 2. CONTRACT COMPLIANCE

The contract compliance number for Columbus Asphalt Paving, Inc. is 310857095 and expires 1/5/14.

### 3. FISCAL IMPACT

The amount of the contract and inspection for this project is \$373,300.74. Funding for this project is available



within the Streets and Highways G.O. Bonds Fund and the Build America Bonds Fund.

#### **4. EMERGENCY DESIGNATION**

Emergency action is requested to facilitate the completion of the project this construction season and to make this shared use path available to pedestrians as early as possible.

To authorize the Director of Public Service to enter into contract with Columbus Asphalt Paving, Inc. for construction of the Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed project for the Division of Mobility Options; to amend the 2012 C.I.B; to authorize the transfer of monies within the Streets and Highways G.O. Bonds Fund, the Build America Bond Fund, and the Street and Highway Improvement Fund; to appropriate funds within the Street and Highway Improvement Fund; to authorize the expenditure of \$373,300.74 within the Streets and Highways G.O. Bonds Fund, the Build America Bond Fund, and the Street and Highway Improvement Fund for the Division of Mobility Options; and to declare an emergency. (\$373,300.74)

**WHEREAS**, bids were received on June 12, 2012 and tabulated on June 13, 2012, for the Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed project and a satisfactory bid has been received; and

**WHEREAS**, it is necessary to provide for construction administration and inspection costs; and

**WHEREAS**, it is necessary to amend the 2012 C.I.B. to provide sufficient authority for this project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Division of Mobility Options, in that it is necessary to expedite the commencement of this project in order to construct the project this construction season and make this shared use path available to the public to provide a safe walking area, thereby preserving the public health, peace, property, safety and welfare, now, therefore,

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

**SECTION 1.** That the Director of Public Service be and is hereby authorized to enter into a contract with Columbus Asphalt Paving, Inc., 1196 Technology Drive, Gahanna, OH, 43230(mailing address), for the construction of the Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed project in the amount of \$311,083.95, for the Division of Mobility Options in accordance with the specifications and plans on file in the Office of the Support Services, which are hereby approved; and to obtain and pay for the necessary inspection costs associated with this project up to a maximum of \$62,216.79

**SECTION 2.** That the 2012 Capital Improvement Budget authorized by ordinance 0368-2012 be amended due to cancellations as follows:

704 / 590105-100037 / Pedestrian Safety Improvements - Hague Avenue (Carryover) / \$67,385.00 / \$42,641.00 / \$110,026.00

704 / 590105-100043 / Pedestrian Safety Improvements - Refugee Road Sidewalks (Carryover) / \$0.00 / \$40,670.00 / \$40,670.00

704 / 590105-100046 / Pedestrian Safety Improvements - Livingston Avenue Sidewalks (Carryover) / \$222.00 / \$5,959.00 / \$6,181.00

704 / 590955-100002 / Pedestrian Safety Improvements - Deshler (Carryover) / \$0.00 / \$4,928.00 / \$4,928.00

**SECTION 3.** That the 2012 Capital Improvement Budget authorized by ordinance 0368-2012 be amended to

provide sufficient authority for this project as follows:

Fund/Project / Project Name /OCA/ Current / Change / Amended

746 / 590105-100035 / Pedestrian Safety Improvements - Cole-Mooberry (Carryover) / \$671.00 / (\$671.00) / \$0.00  
704 / 590105-100000 / Pedestrian Safety Improvements (Carryover) / \$17,335.00 / (\$17,335.00) / \$0.00  
704 / 590105-100011 / Pedestrian Safety Improvements - Lane Avenue Sidewalks (Carryover) / \$1.00 / (\$1.00) / \$0.00  
704 / 590105-100035 / Pedestrian Safety Improvements - Cole-Mooberry (Carryover) / \$2,631.00 / (\$2,631.00) / \$0.00  
704 / 590105-100037 / Pedestrian Safety Improvements - Hague Avenue (Carryover) / \$110,026.00 / (\$110,026.00) / \$0.00  
704 / 590105-100043 / Pedestrian Safety Improvements - Refugee Road Sidewalks (Carryover) / \$40,670.00 / (\$40,670.00) / \$0.00  
704 / 590105-100048 / Pedestrian Safety Improvements - King - NW - Worthington Woods(Carryover) / \$39,608.00 / (\$39,608.00) / \$0.00  
704 / 590955-100002 / Pedestrian Safety Improvements - Deshler (Carryover) / \$4,928.00 / (\$4,928.00) / \$0.00  
704 / 540002-100032 / Bikeway Development - Rehabilitation(Carryover) / \$50,000.00 / (\$23,326.00) / \$26,674.00  
766 / 766999-100000 / Unallocated Balance (Carryover) / \$3,529,045.00 (Carryover) / (\$134,109.00) / \$3,394,936.00  
704 / 590105-100051 / Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed (Carryover) / \$0.00 / \$238,522.00 / \$238,522.00  
746 / 590105-100051 / Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed (Carryover) / \$0.00 / \$671.00 / \$671.00  
766 / 590105-100051 / Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed (Street & Highway Improvement Carryover) / \$0.00 / \$134,109.00 / \$134,109.00

**SECTION 4.** The sum of \$134,108.74 be and is hereby appropriated from the unappropriated balance of the Street and Highway Improvement Fund, Fund 766, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2012 as follows:

Fund / Project / Project Name / O.L. 01/03 Codes / OCA Code / amount

766 / 766999-100000 / Unallocated Balance / 06-6600 / 766999 / \$134,108.74

**SECTION 5.** That the transfer of cash and appropriation within fund 704, The Streets and Highways G.O. Bonds Fund, Fund 746, the Build America Bonds Fund, and Fund 766, the Street and Highway Improvement Fund be authorized as follows:

Transfer from:

Fund /Project / Project Name / O.L. 01-03 Codes / OCA / Amount

746 / 590105-100035 / Pedestrian Safety Improvements - Cole-Mooberry / 06-6600 / 760535 / \$670.79  
704 / 590105-100000 / Pedestrian Safety Improvements / 06-6600 / 591089 / \$17,334.85  
704 / 590105-100011 / Pedestrian Safety Improvements - Lane Avenue Sidewalks / 06-6600 / 740511 / \$0.96  
704 / 590105-100035 / Pedestrian Safety Improvements - Cole-Mooberry / 06-6600 / 740535 / \$2,630.09  
704 / 590105-100037 / Pedestrian Safety Improvements - Hague Avenue / 06-6600 / 740137 / \$110,025.57  
704 / 590105-100043 / Pedestrian Safety Improvements - Refugee Road Sidewalks / 06-6600 / 740543 / \$40,669.36  
704 / 590105-100048 / Pedestrian Safety Improvements - King - NW - Worthington Woods / 06-6600 / 740548

/ \$39,607.69

704 / 590955-100002 / Pedestrian Safety Improvements - Deshler / 06-6600 / 742955 / \$4,927.02

704 / 540002-100032 / Bikeway Development - Rehabilitation / 06-6600 / 740232 / \$23,325.67

766 / 766999-100000 / Unallocated Balance / Unallocated Balance / 06-6600 / 766999 / \$134,108.74

Total Transfer from: \$373,300.74

Transfer to:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 590105-100051 / Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed / 06-6600 / 710551 / \$238,521.21

746 / 590105-100051 / Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed / 06-6600 / 760551 / \$670.79

766 / 590105-100051 / Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed / 06-6600 / 761051 / \$134,108.74

Total Transfer to: \$373,300.74

**SECTION 6.** That the sum of up to \$373,300.74 is authorized to be expended for the above described purpose from fund 704, The Streets and Highways G.O. Bonds Fund, the Build America Bonds Fund, No 746, and the Street and Highway Improvement Fund, No. 766, as follows:

**Division of Mobility Options, Dept-Div 59-10:**

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 590105-100051 / Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed / 06-6687 / 710551 / \$176,304.42

746 / 590105-100051 / Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed / 06-6621 / 760551 / \$670.79

766 / 590105-100051 / Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed / 06-6621 / 761051 / \$134,108.74

704 / 590105-100051 / Pedestrian Safety Improvements - Henderson Road SUP - Kenny to Reed / 06-6687 / 710551 / \$62,216.79

**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 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.

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**Legislation Number:** 1412-2012

**Drafting Date:** 6/18/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**1. BACKGROUND:**

This legislation authorizes the Director of Public Utilities to enter into a professional services construction

administration and construction inspection contract with DLZ Ohio, Inc. for three construction projects: 5th Ave Dam Removal and Lower Olentangy River Ecosystem Restoration Project; and a continuation of services for the 2010 General Construction Contract and 2010 Annual Lining Contract. The 5th Ave Dam Removal and Lower Olentangy River Ecosystem Restoration Project includes removal of the Fifth Avenue Dam and restoration of the Olentangy River upstream of the dam. The work on the 2010 General Construction Contract and 2010 Annual Lining Contract are still underway and require additional construction administration and inspection services through contract completion.

**2. CONTRACT COMPLIANCE INFO:** 31-1268980 | ASN | Expires 2/22/13

This company is not debarred according to the Federal Excluded Parties Listing or prohibited from being awarded a contract per the Auditor of State Unresolved Findings for Recovery Certified search.

**3. EMERGENCY DESIGNATION:** Emergency designation **is** requested at this time to maintain construction administration and inspection services while construction services are underway.

**4. FISCAL IMPACT:** This legislation authorizes the Director of Public Utilities to transfer within and expend up to \$950,000 from the Sanitary Sewer General Obligation Bond Fund, Fund 664 for construction administration and construction inspection services for 5th Ave Dam Removal and Lower Olentangy River Ecosystem Restoration Project; 2010 General Construction Contract; and 2010 Annual Lining Contract; and to amend the 2012 Capital Improvements Budget.

To authorize the Director of Public Utilities to enter into a construction administration and inspection services agreement with DLZ Ohio, Inc. for the 5th Ave Dam Removal and Lower Olentangy River Ecosystem Restoration Project; and to provide a continuation of services for the 2010 General Construction Contract and the 2010 Annual Lining Contract; to authorize a transfer within and expenditure of up to \$950,000 from the Sanitary Sewer General Obligation Bond Fund; to amend the 2012 Capital Improvements Budget; and to declare an emergency. (\$950,000.00)

**WHEREAS**, the Division of Sewerage and Drainage, Department of Public Utilities, hereby requests this City Council to authorize the Director of Public Utilities to enter into professional services construction administration and construction inspection contract with DLZ, Ohio, Inc. in the amount of \$950,000, and

**WHEREAS**, it is necessary for this Council to authorize the City Auditor to transfer within and expend funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664; and

**WHEREAS**, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for purposes of providing sufficient budget authority for the project expenditures; and

**WHEREAS**, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to enter into a professional services construction administration and construction inspection contract with DLZ, Ohio, Inc. for the 5th Ave Dam Removal and Lower Olentangy River Ecosystem Restoration Project; and a continuation of services for the 2010 General Construction Contract and the 2010 Annual Lining Contract; at the earliest practical date for the preservation of the public health, peace, property, safety, and welfare; **Now, Therefore,**

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

**SECTION 1.** That the Director of Public Utilities be, and hereby is, authorized to enter into a professional engineering services agreement with DLZ, Ohio, Inc., 6121 Huntley Road, Columbus, Ohio 43229, that will

provide construction administration and inspection services for the 5th Ave Dam Removal and Lower Olentangy River Ecosystem Restoration Project; and a continuation of services for the 2010 General Construction Contract and the 2010 Annual Lining Contract; in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage's Sewer System Engineering Section.

**SECTION 2.** That the City Auditor be and hereby is authorized and directed to transfer up to \$950,000.00 from within the Sanitary Sewer General Obligation Bond Fund | Fund No. 664 | Division 60-05 | Object Level Three 6686:

**From:**

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

664 | 650033-100000 | Big Walnut Trunk Sewer Sec 6F | 650033 | -\$950,000

**To:**

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

664 | 650800-100000 | General CA/CI | 664800 | +\$100,000

664 | 650800-100001 | Lower Olentangy River Ecosystem | 648001 | +\$500,000

664 | 650800-100002 | 2010 General Construction | 648002 | +\$250,000

664 | 650800-100003 | 2010 Annual Lining | 648003 | +\$100,000

**SECTION 3.** That the 2012 Capital Improvements budget Ordinance No. 0368-2011 is hereby amended as follows, to provide sufficient budget authority for the project expenditures stated in the ordinance herein.

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

664 | 650033-100000 | Big Walnut Trunk Sewer 6F | \$2,171,298 | \$1,221,298 | -\$950,000

664 | 650800-100000 | General CA/CI | \$0 | \$100,000 | (+\$100,000)

664 | 650800-100001 | Lower Olentangy River Ecosystem | \$0 | \$500,000 | (+\$500,000)

664 | 650800-100002 | 2010 General Construction | \$0 | \$250,000 | (+\$250,000)

664 | 650800-100003 | 2010 Annual Lining | \$0 | \$100,000 | (+\$100,000)

**SECTION 4.** That the expenditure of \$950,000, or as much thereof as may be needed, be and the same is hereby authorized from the Sanitary Sewer General Obligation Bond Fund, as follows: Obj Lvl Three 6686

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

664 | 650800-100000 | General CACI | 664800 | \$100,000

664 | 650800-100001 | Lower Olentangy River Ecosystem | 648001 | \$500,000

664 | 650800-100002 | 2010 General Construction | 648002 | \$250,000

664 | 650800-100003 | 2010 Annual Lining | 648003 | \$100,000

**SECTION 5.** That the said services shall be performed by DLZ, Ohio, Inc. to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

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

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

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

**SECTION 9.** That for the reasons stated in the preamble hereto, which is 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.

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**Legislation Number:** 1419-2012

**Drafting Date:** 6/19/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Trucco Construction Company in the amount of \$1,506,397.31, for the Cooke Road 20" Water Line Improvements Project, Division of Power and Water Contract Number 2006.

This is a joint project between the Department of Public Utilities and the Franklin County Engineer's Office. The Public Utilities portion of this project consists of installing a 20-inch water line and appurtenances; the Franklin County portion consists of replacing a 9-foot x 6-foot culvert and resurfacing the roadway within the county Right-of-Way.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL**

**FACTORS/ADVANTAGES OF PROJECT:** The goal of this project is to improve the existing infrastructure along Cooke Road from I-71 to Maize Road. This includes replacing the existing 20-inch water line from I-71 to Maize Road. This water line was in conflict with the proposed culvert the Franklin County Engineer's Office needed to install. The new water line constructed under this project will replace a line that needed to be replaced due to its condition and material type. Replacement of this water line will decrease burden on water maintenance operations. The Neighborhood Liaison(s) will be contacted and informed of this project during the design phase. Further community outreach may result through the Neighborhood Liaison Program.

**3. CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened five bids on June 13, 2012 from: Trucco Construction Company - \$1,506,397.31; Conie Construction Co. - \$1,531,354.00; John Eramo & Sons, Inc. - \$1,538,461.10; Nickolas Savko & Sons, Inc. - \$1,580,669.09; and George J. Igel & Co. - \$1,600,318.45.

Trucco Construction Company's bid was deemed the lowest, most responsive and responsible bid in the amount of \$1,506,397.31. Their Contract Compliance Number is 31-1293605 (expires 6/12/14, Majority). Additional information regarding each bidder, description of work, contract time frame and detailed amount can be found on the attached Information form.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Trucco Construction Company.

**4. EMERGENCY DESIGNATION:** The roadway will be completely shut down which serves at least 2 different schools. Emergency action is requested so construction can be completed while schools are on

summer break, preventing significant traffic impacts and avoid safety issues for the students and faculty of the schools.

**5. FISCAL IMPACT:** A transfer of funds within the Water Works Enlargement Voted Bonds Fund will be necessary, as well as an amendment to the 2012 Capital Improvements Budget. The Franklin County Engineer's Office will reimburse the Department of Public Utilities once construction is complete and inspected (currently estimated at \$400,000.00). The Department entered into this reimbursement agreement with the County under Ordinance No. 0863-2012, passed May 14, 2012.

To authorize the Director of Public Utilities to enter into a construction contract with Trucco Construction Company for the Cooke Road 20" Water Line Improvements Project; to amend the 2012 Capital Improvements Budget; to authorize a transfer and expenditure up to \$1,506,397.31 from the Water Works Enlargement Voted Bonds Fund; for the Division of Power and Water; and to declare an emergency. (\$1,506,397.31)

**WHEREAS,** five bids for the Cooke Road 20" Water Line Improvements Project were received and publicly opened in the offices of the Director of Public Utilities on June 13, 2012; and

**WHEREAS,** the lowest, most responsive and responsible bid was from Trucco Construction Company in the amount of \$1,506,397.31; and

**WHEREAS,** the Franklin County Engineer's Office will also participate in this project and provide funding for replacing a 9-foot x 6-foot culvert and additional pavement resurfacing; and

**WHEREAS,** the Franklin County Engineer's Office will reimburse the Department of Public Utilities once construction is complete and inspected; and

**WHEREAS,** it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract for the Cooke Road 20" Water Line Improvements Project with Trucco Construction Company; and

**WHEREAS,** it is necessary for this Council to authorize the transfer and expend funds within the Water Works Enlargement Voted Bonds Fund, for the Division of Power and Water; and

**WHEREAS,** it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS,** an emergency exists in the usual daily operation of the Division of Power and Water, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a construction contract with Trucco Construction Company, for the Cooke Road 20" Water Line Improvements Project, in an emergency manner in order to have construction completed while schools are on summer break, 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 Public Utilities be and hereby is authorized to award and execute a construction contract for the Cooke Road 20" Water Line Improvements Project with the lowest, most responsive, and responsible bidder, Trucco Construction Company, 3531 Airport Road, Delaware, Ohio 43015; in the amount of \$1,506,397.31; in accordance with the terms and conditions of the contract on file in

the Office of the Division of Power and Water.

**SECTION 2.** That the City Auditor is hereby authorized to transfer \$1,506,397.31 within the Department of Public Utilities, Division of Power and Water, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Dept/Div. No. 60-09, Object Level Three 6629, as follows:

<u>Fund No.</u>	<u>Project No.</u>	<u>Project Name</u>	<u>OCA Code</u>	<u>Change</u>
606	690026-100000 (carryover)	Misc. Water Fac.	642900	-\$13,144.46
606	690026-100002 (carryover)	910/Indianola Bldg Imp's	623639	-\$727,156.42
606	690473-100002 (carryover)	Morrison Rd. Booster Sta.	647302	-\$7,156.86
606	690370-100000 (carryover)	Upground Reservoir	642900	-\$528,341.50
606	690441-100000 (carryover)	Alum Creek Pump. Sta. Imp's	690441	-\$230,598.07
606	690236-100064 (carryover)	Cooke Rd. 20" WL Imp's	663664	+\$1,506,397.31

**SECTION 3.** That the 2012 Capital Improvements Budget is hereby amended as follows:

<u>Fund No.</u>	<u>Proj. No.</u>	<u>Proj. Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Change</u>
606	690026-100000 (carryover)	Misc. Water Fac.	\$0	\$13,145	+\$13,145 (establish authority for cancellation)
606	690026-100000 (carryover)	Misc. Water Fac.	\$13,145	\$0	-\$13,145
606	690026-100002 (carryover)	910/Indianola Bldg Imp's	\$1,124,028	\$1,124,030	+\$2 (establish authority to match cash)
606	690026-100002 (carryover)	910/Indianola Bldg Imp's	\$1,124,030	\$396,873	-\$727,157
606	690473-100002 (carryover)	Morrison Rd. Booster Sta.	\$0	\$15,657	+\$15,657 (establish authority for cancellation)
606	690473-100002 (carryover)	Morrison Rd. Booster Sta.	\$15,657	\$8,500	-\$7,157
606	690370-100000 (carryover)	Upground Reservoir	\$3,633,342	\$3,105,000	-\$528,342
606	690441-100000 (carryover)	Alum Crk. Pump. Sta. Imp's	\$692,408	\$461,809	-\$230,599
606	690236-100064 (carryover)	Cooke Rd. 20" WL Imp's	\$0	\$1,506,400	+\$1,506,400

**SECTION 4.** That the expenditure of \$1,506,397.31 is hereby authorized for the Cooke Road 20" Water Line Improvements Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Dept.-Div. 60-09, Project No. 690236-100064 (carryover), Object Level Three 6629, OCA Code 663664.

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

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

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

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



**SECTION 9.** That 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.

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**Legislation Number:** 1420-2012

**Drafting Date:** 6/19/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:**

This legislation authorizes the Director of Public Utilities to enter into modification number three for the engineering agreement with Stantec Consulting Services Inc., in the amount of \$278,168.03 for professional engineering services for the Lower Olentangy River Ecosystem Restoration Project (5th Ave. Dam), CIP No, 650706-100000, for the Division of Sewerage and Drainage. This project involves the modification or removal of the 5th Ave. Dam and restoration of 10,560 linear feet of the Olentangy River. This project includes engineering services associated with the removal of the Fifth Avenue Dam and construction of in-stream and riparian restoration features along the Olentangy River in the vicinity and upstream of the dam.

Work completed during Phase I covered by the original contract and contract modification number 1 included field survey, hydrographic survey, geomorphic assessment, sediment sampling and survey, structural analyses, floodplain evaluations, and preparation of a report.

Work completed during Phase II covered by contract modification number 2 included mussel survey, preparation of detail construction documents, easements, environmental covenants, obtained Federal and State permits, and provided support obtained through an OEPA Section 319 grant and WRRSP funds for the project.

Work to be completed as part of this final contract modification (Phase III) includes performing engineering services during construction, continued support with the OEPA 319 and WRRSP programs, and post project inspection and maintenance services required by the US Army Corps permit for 5 years following completion of construction.

**A. Amount of additional funds to be expended: \$278,168.03**

Original Contract -	\$200,000.00 (Utilized EPA 319 Grant Funds)
Modification No. 1 -	\$ 73,460.80 (Utilized EPA 319 Grant Funds)
Modification No. 2 -	\$ 422,984.23
<u>Current Modifications Phase III -</u>	<u>\$ 278,168.03</u>
Total Proposal Amount:	\$ 974,613.06
Estimated total contract amount with all existing and current modifications: \$974,613.06	

**Reasons additional goods/services could not be foreseen:**

This modification was part of a phase plan. This is Phase III of a planned three phase project.

**Reason other procurement processes are not used:**

The work associated with this contract modification includes continued engineering services by the

design engineer during project construction. This project is unique in its nature and requires continued engineering support by the design engineer to ensure a successful project.

Stantec is the design firm contracted to complete this project. The project was set up to be jointly funded by EPA Section 319 grant monies and funds to be paid by the City, using certain accrued stipulated penalties, that, with approval of Ohio EPA, are authorized to be used on the project. Work completed thus far has been funded by EPA Section 319 Grant. Remaining design work shall be funded by the City.

**How was the cost of modification determined:**

Stantec prepared a cost estimate to complete associated work.

**B. Contract Compliance No.: 11-2167170 | (MAJ) | (Expires 12/21/2013)**

This company is not debarred according to the Federal Excluded Parties Listing or prohibited from being awarded a contract per the Auditor of State Unresolved Findings for Recovery Certified search.

**C. Emergency Designation:** Emergency designation is being requested for this ordinance because time sensitive work is currently under way and this funding will allow the project to continue uninterrupted. The time sensitive construction is scheduled to start in August of 2012.

**2. FISCAL IMPACT:** This ordinance authorizes the transfer within and expenditure of funds from the Sanitary Sewer G.O. Bond Fund (Fund 664) for the purpose of providing the necessary funding and authority required for this expenditure and to amend the 2012 Capital Improvements Budget.

To authorize the Director of Public Utilities to enter into a planned modification of a professional engineering services agreement with Stantec Consulting Services Inc., for the Lower Olentangy River Ecosystem Restoration Project (5th Ave. Dam); to transfer within the G.O. Bond Fund for the expenditure of \$278,168.03; and to amend the 2012 Capital Improvements Budget, for the Division of Sewerage and Drainage; and to declare an emergency. (\$278,168.03)

**WHEREAS,** Ordinance 1685-2006 was passed by City Council on October 25, 2006 which authorized the Director of Public Utilities to enter into an Ohio EPA Section 319 Grant and enter into separate contracts with Ohio State University and Friends of the Lower Olentangy Watershed (FLOW) pursuant the Lower Olentangy River Ecosystem Restoration Project; and

**WHEREAS,** Contract No. EL009724 was authorized by Ordinance 1184-2009, as passed by the Columbus City Council on September 21, 2009; executed by the Director on October 27, 2009, and approved by the City Attorney on October 28, 2009 for the purposes of authorizing the Director of Public Utilities to enter into a professional engineering agreement with Stantec Consulting Inc. for the Lower Olentangy River Ecosystem Restoration Project; and

**WHEREAS,** Contract No. EL010263, Modification # 1, was authorized by Ordinance 0145-2010, as passed by the Columbus City Council on March 1, 2010; executed by the Director on April 15, 2010, and approved by the City Attorney on April 19, 2010; and

**WHEREAS,** Contract No. EL011119, Modification No. 2, was authorized by Ordinance No. 1290-2010, as passed by City Council on November 1, 2010, was executed November 26, 2010, and approved by the City Attorney December 06, 2010; and

**WHEREAS**, it is necessary to authorize the transfer of funds within the Sanitary Sewer G.O. Bond Fund, (Fund 664) in the amount of \$278,168.03 for the purposes of providing sufficient funding for the aforementioned project expenditure; and

**WHEREAS**, it is necessary for City Council to authorize the expenditure of funds from the Sanitary Sewer G.O. Bond Fund, (Fund 664); and

**WHEREAS**, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditures and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary for this Council to authorize the Director of Public Utilities to execute an engineering modification agreement with Stantec Consulting Services, in connection with the Lower Olentangy River Ecosystem Restoration Project, in order to continue Phase III of this project 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 Public Utilities be, and hereby is, authorized to enter into modification number three for the professional engineering services with Stantec Consulting Services Inc., 1500 Lake Shore Drive, Columbus, Ohio 43204, in connection with the Lower Olentangy River Ecosystem Restoration Project (5th Ave. Dam) in accordance with the terms and conditions as shown in the forthcoming contract to be filed in the office of the Division of Sewerage and Drainage.

**SECTION 2.** That the City Auditor is hereby authorized to transfer within \$278,168.03 within the Department of Public Utilities, Division of Sewerage and Drainage, Dept/Div. No. 60-05 | Sanitary Sewer G.O. Bond Fund | Fund No. 664 | Object Level Three 6676 | as follows:

**From:**

**Project No. | Project Name | OCA Code | Change**

650033-100000 | Big Walnut Trunk Sewer 6F | 650033 | (-\$278,168.03)

**To:**

**Project No. | Project Name | OCA Code | Change**

650706-100000 | Lower Olentangy River Ecosystem Restoration | 650706 | (+\$278,168.03)

**SECTION 3.** That the Director of Public Utilities be and hereby is authorized to expend a total of \$278,168.03 from the Sanitary Sewer G.O. Bond Fund from the Lower Olentangy River Ecosystem Restoration Project (5th Ave Dam) | Fund 664 | Div. 60-05 | Proj. 650706-100000 | 650706 | Object Level Three 6676.

**SECTION 4.** That the 2012 Capital Improvements Budget Ordinance 0368-2012 is hereby amended as follows, to provide sufficient budget for the award of the agreement stated herein:

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

650033-100000 | Big Walnut Trunk Sewer 6F | \$1,221,298 | \$943,129 | (-\$278,169)

650706-100000 | Lower Olentangy River Ecosystem Restoration | \$0 | \$278,769 | (+\$278,169)

**SECTION 5.** That the said firm shall perform the work to the satisfaction of the Director of Public Utilities

and the Administrator of the Division of Sewerage and Drainage.

**SECTION 6.** That the City Auditor is 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 said firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**SECTION 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 which shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1423-2012

**Drafting Date:** 6/20/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** The City of Columbus ("City") desires to convey a 52.1 +/- acre tract of real property located at the northwest corner of James Road and Ruhl Avenue ("Woodland Meadows Site") to the Board of Education of the Columbus City School District ("CCS") in exchange for a former elementary school located at 280 Reeb Avenue ("Reeb Elementary"). CCS received approval of the proposed exchange at its June 19, 2012 School Board Meeting and plans to redevelop the Woodland Meadows Site into a public school facility. The exchange will allow the City to gain ownership of the Reeb Elementary site, which is located adjacent to existing City-owned properties along Parsons Avenue, including the site of City's future health center. The property will be held by the City to complement ongoing City efforts to redevelop the Reeb-Hosack area.

**FISCAL IMPACT:** No funding is required for this legislation.

To authorize the Director of the Department of Development to execute any and all necessary agreements, as approved by the Department of Law, Real Estate Division, for conveyance of real property formerly known as Woodland Meadows and to authorize the Mayor and the Clerk of City Council to execute a quit claim deed conveying title; and to accept in exchange title to the real property formerly known as Reeb Elementary.

**WHEREAS,** Section 3313.40 of the Ohio Revised Code authorizes the exchange of real property between a board of education and a municipal corporation when a board of education and the legislative authority of a municipality declare that exchange is mutually beneficial to the school district and the municipal corporation; and

**WHEREAS,** ordinance 0843-2010 authorized the City of Columbus to acquire a 52-acre site located north of

Ruhl Avenue, east of Gould Road, south of Allegheny and west of James Road ("Woodland Meadows"); and

**WHEREAS**, the Columbus Board of Education is the owner of certain real property known as Reeb Elementary School, parcel number 010-066713 ("Reeb Elementary"); and

**WHEREAS**, the City of Columbus has offered to exchange the Woodland Meadows site for Reeb Elementary, a property the City desires to hold for future redevelopment in support of an existing City initiative to improve the area around the future City health center; and

**WHEREAS**, in order to complete the transfer of such property to the purchaser, authority is needed to execute any and all necessary agreements and deeds of conveyance for the exchange of real property; and **now therefore**,

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

**Section 1.** That the Director of the Department of Development is hereby authorized to execute any necessary agreements, as approved by the Department of Law, Real Estate Division, and Mayor and Clerk of Council are hereby authorized to execute a quit claim deed to convey title to the following tracts of real estate to Board of Education of the Columbus City School District:

**22.108 ACRE TRACT**

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Section 6, Township 12, Range 21, Refugee Lands and being part of those tracts of land conveyed to Calhoun Investment Co., by deed of record in Official Record 996H11, all references being to records in the Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Being at the point of intersection of the westerly right-of-way line of James Road with the southerly right-of-way line of Allegheny Avenue (as dedicated by plat of record in Plat Book 23, Page 25);

thence South  $10^{\circ} 08' 20''$  East, along said right-of-way line of James Road, a distance of 175.36 feet to a point of curvature of a curve to the right;

thence continuing along said right-of-way line, being the arc of said curve (Delta =  $13^{\circ} 38' 00''$ , Radius = 2236.83 feet), a chord bearing and distance of South  $1^{\circ} 29' 00''$  East, 530.99 feet to a point of tangency;

thence South  $5^{\circ} 20' 00''$  West, continuing along said right-of-way line, a distance of 46.1 feet to a point;

thence South  $84^{\circ} 40' 00''$  East, continuing along said right-of-way line, a distance of 25.00 feet to a point;

thence South  $5^{\circ} 20' 00''$  West, continuing along said right-of-way line, a distance of 70.50 feet to a point in the northerly right-of-way line of Ruhl Avenue (50 feet in width);

thence North  $85^{\circ} 58' 00''$  West, along said right-of-way line of Ruhl Avenue, a distance of 1269.30 feet to the intersection of said right-of-way line with the easterly right-of-way line of Virginallee Road (as dedicated by plat of record in Plat Book 23, Page 25 and being 50 feet in width);

thence North  $4^{\circ} 02' 00''$  East, along said right-of-way line of Virginallee Road, a distance of 325.00 feet to a point of curvature of a curve to the right;

thence along the arc of said curve (Delta =  $90^{\circ} 00' 00''$ , Radius = 125.00 feet) a chord bearing and distance of North  $49^{\circ} 02' 00''$  East, 176.78 feet to a point of tangency in the southerly right-of-way line of Virginallee Road East (as dedicated by plat of record in Plat Book 23, Page 25);

thence South  $85^{\circ} 58' 00''$  East, along said right-of-way line of Virginallee Road East, a distance of 10.00 feet to a point of curvature of a curve to the left;

thence continuing along said right-of-way line and being the arc of said curve (Delta =  $90^{\circ} 00' 00''$ , Radius

= 175.00 feet) a chord bearing and distance of North 49° 02' 00" East, 247.49 feet to a point of tangency;  
thence North 4° 02' 00" East, continuing along said right-of-way line, a distance of 320.00 feet to the intersection of said line with the southerly right-of-way line of Allegheny Avenue;  
thence South 85° 58' 00" East, along said right-of-way line of Allegheny Avenue, a distance of 383.01 feet to a point of curvature of a curve to the right;  
thence continuing along said right-of-way line, being the arc of said curve (Delta = 20° 10' 00", Radius = 120.00 feet), a chord bearing and distance of South 75° 53' 00" East, 42.02 feet to a point of tangency;  
thence South 65° 48' 00" East, continuing along said right-of-way line, a distance of 335.76 feet to a point of curvature of a curve to the left;  
thence continuing along said right-of-way line and being the arc of said curve (Delta = 32° 27' 20" East, Radius = 180.00 feet), a chord bearing and distance of South 82° 01' 45" East, 100.61 feet to a point of tangency;  
thence North 81° 44' 30" East, continuing along said right-of-way line, a distance of 3.12 feet to the point of beginning, containing 22.108 acres, more or less.

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

Bearings contained herein are based on the same meridian as the southerly right-of-way line of Allegheny Avenue (South 85° 58' 00" East), of record in Plat Book 23, Page 25.

#### 19.986 ACRE TRACT

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Section 6, Township 12, Range 21, Refugee Lands and being part of those tracts of land conveyed to Calhoun Investment Co., by deed of record in Official Record 996H11, all references being to records in the Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning at the point of intersection of the easterly right-of-way line of Gould Road (60 feet in width), with the northerly right-of-way line of Ruhl Avenue (50 feet in width);

thence North 3° 53' 00" East, along said easterly right-of-way line of Gould Road, a distance of 945.00 feet to the point of intersection of said right-of-way line, with the southerly right-of-way line of Allegheny Avenue (60 feet in width);

thence South 85° 58' 00" East, along said right-of-way line of Allegheny Avenue, a distance of 1013.06 feet to a point in the westerly right-of-way line of Virginalee Road North (as dedicated by plat of record in Plat Book 23, Page 25);

thence South 4° 02' 00" West, along said right-of-way line of Virginalee Road West, a distance of 320.00 feet to a point of curvature of a curve to the left;

thence continuing along said right-of-way line of Virginalee Road West, being the arc of said curve (Delta = 49° 17' 06", Radius = 175.00), a chord bearing and distance of South 20° 36' 33" East, 145.93 feet to a point in the westerly right-of-way line of Chesterfield Road (50 feet in width);

thence along said right-of-way line of Chesterfield Road, the following courses and distances;

South 36° 32' 00" West, 144.28 feet to a point of curvature of a curve to the right;

South 45° 32' 00" West, 117.33 feet, a chord bearing and distance of said curve (Delta = 18° 00' 00", Radius = 375.00 feet), to a point;

South 54° 32' 00" West, 116.73 feet to a point of curvature of a curve to the right;

South 74° 17' 00" West, 84.48 feet, a chord bearing and distance of said curve (Delta = 39° 30' 00", Radius = 125.00 feet), to a point;

North 85° 58' 00" West, 124.31 feet to a point; and

South 4° 02' 00" West, 180.00 feet to the point of intersection of the right-of-way line of Chesterfield Road with the northerly right-of-way line of Ruhl Avenue;

thence North 85° 58' 00" West, along said right-of-way line of Ruhl Avenue, a distance of 622.28 feet to

the point of beginning, containing 19.986 acres more or less.

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

Bearings contained herein are based on the same meridian as the southerly right-of-way line of Allegheny Avenue (South 85° 58' 00" East), of record in Plat Book 23, Page 25.

#### 5.669 ACRE TRACT

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Section 6, Township 12, Range 21, Refugee Lands and being part of those tracts of land conveyed to Calhoun Investment Co., by deed of record in Official Record 996H11, all references being to records in the Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning at the point of intersection of the southerly right-of-way line of Allegheny Avenue (being 60 feet in width) with the westerly right-of-way line of Virginialee Road East (50 feet in width and as dedicated by plat of record in Plat Book 23, Page 25).

thence South 4° 02' 00" West, along said right-of-way line of Virginialee Road East, a distance of 320.00 feet to a point of curvature of a curve to the right;

thence along the arc of said curve (Delta = 90° 00' 00", Radius = 125.00 feet), a chord bearing and distance of South 49° 02' 00" West, 176.78 feet to a point of tangency in the northerly right-of-way line of Virginialee Road (50 feet in width);

thence North 85° 58' 00" West, along said northerly right-of-way line of Virginialee Road, a distance of 320.00 feet to a point of curvature of a curve to the right;

thence along the arc of said curve (Delta = 90° 00' 00", Radius = 125.00 feet), a chord bearing and distance of North 40° 58' 00" West, 176.78 feet to a point of tangency in the easterly right-of-way line of Virginialee Road West (being 50 feet in width);

thence North 4° 02' 00" East, along said easterly right-of-way line of Virginialee Road West, a distance of 320.00 feet to the point of intersection of said right-of-way line with the southerly right-of-way line of Allegheny Avenue;

thence South 85° 58' 00" East, along said right-of-way line of Allegheny Avenue, a distance of 570.00 feet to the point of beginning, containing 5.669 acres, more or less.

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

Bearings contained herein are based on the same meridian as the southerly right-of-way line of Allegheny Avenue (South 85° 58' 00" East), of record in Plat Book 23, Page 25.

#### 4.388 ACRE TRACT

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Section 6, Township 12, Range 21, Refugee Lands and being part of those tracts of land conveyed to Calhoun Investment Co., by deed of record in Official Record 996H11, all references being to records in the Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning at the point of intersection of the northerly right-of-way line of Ruhl Avenue (50 feet in width), with the easterly right-of-way line of Chesterfield Road (as dedicated by plat of record in Plat Book 23, Page 25 and being 50 feet in width);

thence North 4° 02' 00" East, along said right-of-way line of Chesterfield Road, a distance of 130.00 feet to an angle point in said line;

thence along the southerly right-of-way line of Chesterfield Road, the following courses and distances:

South 85° 58' 00" East 74.31 feet to a point of curvature of a curve to the left;

North 74° 17' 00" East, 118.27 feet, a chord bearing and distance (Delta = 39° 30' 00", Radius = 175.00 feet), to a point of tangency;

North 54° 32' 00" East 116.73 feet to a point of curvature of a curve to the left;

North 45° 32' 00" East, 132.97 feet, a chord bearing and distance (Delta = 18° 00' 00", Radius = 425.00 feet), to a point of tangency; and

North 36° 32' 00" East, 144.28 feet to the intersection of the right-of-way line of Chesterfield Road with the southerly right-of-way line of Virginallee Road;

thence along the southerly and westerly right-of-way lines of Virginallee Road, the following courses and distances;

South 73° 49' 25" East, 73.63 feet, a chord bearing and distance of a curve to the left (Delta = 24° 17' 19", Radius = 175.00 feet), to a point of tangency;

South 85° 58' 00" East, 10.00 feet to a point of curvature of a curve to the right;

South 40° 58' 00" East, 176.78 feet, a chord bearing and distance (Delta = 90° 00' 00", Radius = 125.00 feet), to a point of tangency; and

South 4° 02' 00" West, 325.00 feet to the point of intersection of the westerly right-of-way line of Virginallee Road with the northerly right-of-way line of Ruhl Avenue;

thence North 85° 58' 00" West, along said right-of-way line of Ruhl Avenue, a distance of 648.31 feet to the point of beginning, containing 4.388 acres, more or less.

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

Bearings contained herein are based on the same meridian as the southerly right-of-way line of Allegheny Avenue (South 85° 58' 00" East) of record in Plat Book 23, Page 25.

**Section 2.** To authorize the Director of the Department of Development to accept, on behalf of the City of Columbus, and record the deed to the real property described herein as:

**Tract 1**

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

Being Lots Numbers Five (5) through Eight (8) both inclusive, except for Nine (9) feet off of the entire west side of Lot No. Five (5) and Lots Numbers Thirty-seven (37) through Forty-four (44), both inclusive, in Twentieth Century Addition as the same are numbered and delineated on the plat thereof, of record in Plat Book No. 5, Page 496, Recorder's Office, Franklin County, Ohio.

**Source of Title: Par. No.**

Lot No. 5	010-043284	Vol. 3480,	Page 706
Lot No. 6	010-055103	Vol. 3481,	Page 893
Lot No. 7	010-083239	Vol. 3476,	Page 2
Lot No. 8	010-052903	Vol. 3474,	Page 927
Lot No. 37	010-066713	Vol. 2411,	Page 557
Lot No. 38	010-066713	Vol. 2376,	Page 12
Lot No. 39	010-066713	Vol. 2388,	Page 634
Lot No. 40	010-066713	Vol. 2410,	Page 62
Lot No. 41	010-066713	Vol. 2391,	Page 504
Lot No. 42	010-066713	Vol. 2348,	Page 286
Lot No. 43	010-066713	Vol. 2383,	Page 16
		Vol. 2383,	Page 20
		Vol. 2383,	Page 22
Lot No. 44	010-066713	Vol. 493,	Page 494

**Tract 2**



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

Being Lots Numbers Nine (9) through Sixteen (16), both inclusive, in Chas Kimmler's Subdivision as the same are numbered and delineated on the plat thereof, of record in Plat Book No. 7, Page 91, Recorder's Office, Franklin County, Ohio.

**Source of Title:    Par. No.**

Lot Nos. 9-16        010-066713    Vol. 391    Page 546

Together with any and all interest the Grantors may have in that portion of the alleys/streets/right-of-ways as vacated by the City of Columbus by Ordinance 1978-76.

**Section 3.**    That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

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

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**Legislation Number:**    1426-2012

**Drafting Date:**        6/20/2012

**Current Status:**        Passed

**Version:**                1

**Matter Type:**          Ordinance

**BACKGROUND:** Cypress Wesleyan Church is pursuing annexation of a 58.1 +/- acre site in Prairie Township to Columbus. An annexation petition filed by the applicant on March 16, 2012 was approved by the Franklin County Board of Commissioners on April 17, 2012. A separate ordinance, accepting the annexation, has also been filed. Because this site lies within the area covered by the Big Darby Accord Watershed Master Plan and the companion Big Darby Accord Revenue Program, the City has requested that the applicant enter into an annexation agreement. This agreement is intended to ensure compliance with the provisions of the plan and revenue program.

**FISCAL IMPACT:** No funding is required for this legislation.

To authorize the Director of the Department of Development to enter into an annexation agreement with Cypress Wesleyan Church.

**WHEREAS,** Cypress Wesleyan Church is pursuing annexation of a 58.1 +/- acres in Prairie Township to Columbus; and

**WHEREAS,** the annexation was approved by the Franklin County Board of Commissioners on April 17, 2012; and

**WHEREAS,** a separate ordinance, accepting the annexation, has been filed for Council consideration, and

**WHEREAS,** the annexation site lies within the area covered by the Big Darby Accord Watershed Master Plan and the companion Big Darby Accord Revenue Program,

**WHEREAS**, the City requested that the applicant enter into an annexation agreement stipulating compliance with the provisions of the plan and revenue program, **now, therefore**,

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

**Section 1.** That the Director of the Department of Development is hereby authorized to enter into an annexation agreement with Cypress Wesleyan Church.

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

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**Legislation Number:** 1427-2012

**Drafting Date:** 6/20/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**AN12-001**

**BACKGROUND:** This ordinance approves the acceptance of certain territory (AN12-001) by the City. The Ohio Revised Code stipulates that to be effective, City acceptance must take place a minimum of 60 days (but not more than 180) from the receipt by the City Clerk of the approval notice from the county. Should City Council not take such action within this timeframe, the annexation will not take place. This petition was filed with Franklin County on March 16, 2012. City Council approved a service ordinance addressing the site on March 19, 2012. Franklin County approved the annexation on April 17, 2012 and the City Clerk received notice on April 25, 2012. Because this site lies within the area covered by the Big Darby Accord Watershed Master Plan and the companion Big Darby Accord Revenue Program, the City has requested that the applicant enter into an annexation agreement. This agreement, the authorization of which is requested in a separate ordinance, is intended to ensure compliance with the provisions of the plan and revenue program.

**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.

To accept the application (AN12-001) of Cypress Wesleyan Church for the annexation of certain territory containing 58.1 ± acres in Prairie Township.

**WHEREAS**, a petition for the annexation of certain territory in Prairie Township was filed on behalf of Cypress Wesleyan Church on March 16, 2012; and

**WHEREAS**, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on April 17, 2012; and

**WHEREAS**, on April 25, 2012, the City Clerk received from Franklin County a certified copy of the resolution addressing the petition; and

**WHEREAS**, sixty days have now elapsed since receipt of the resolution in accordance with the provisions of the Ohio Revised Code; and

**WHEREAS**, because this site lies within the area covered by the Big Darby Accord Watershed Master Plan and the companion Big Darby Accord Revenue Program, the City has requested that the applicant enter into an annexation agreement as authorized by a separate ordinance; and

**WHEREAS**, it is in the best interest of the City of Columbus to accept the annexation of the territory addressed by the petition; **now, therefore,**

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

**Section 1.** That the annexation proposed by Cypress Wesleyan Church in a petition filed with the Franklin County Board of Commissioners on March 16, 2012 and subsequently approved by the Board on April 17, 2012 is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Prairie, located in Virginia Military Survey Number 5240, being part of that 57.845 acre tract conveyed to Cypress Wesleyan Church et al by deed of record in Instrument Number 200104050070706, and part of that tract conveyed to Trustees of Prairie Township by deed of record in Deed Book 2225, Page 460, and that tract conveyed to Residential Home Inspection Service Inc. by deed of record in Instrument Number 200407290176476, being part of the right-of-way of Alton & Darby Creek Road (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

BEGINNING in the westerly right-of-way line of said Alton & Darby Creek Road at the southerly angle point of the existing City of Columbus Corporation line as established by Ordinance Number 1511-04, of record in Instrument Number 200503020037386;

thence Northerly, with the easterly line of said existing City of Columbus Corporation line (1511-04), said easterly right-of-way line, a distance of approximately 1239 feet to a point at the southerly line of that tract conveyed to Tina M. Thomas by deed of record in Instrument Number 201106020069555;

thence Easterly, with the northerly line of said 57.845 acre tract, southerly line of said Thomas tract, a distance of approximately 367 feet to a point in existing City of Columbus Corporation Line as established by Ordinance Number 706-01, of record in Instrument Number 200106270145528, being the westerly line of "The Village at Galloway Ridge 19th Amendment", of record in Condominium Plat Book 111, Page 6;

thence continuing Easterly, with said existing City of Columbus Corporation line (706-01), with the northerly line of said 57.845 acre tract, the southerly line of said "The Village at Galloway Ridge 19th Amendment", "The Village at Galloway Ridge 21st Amendment", of record in Condominium Plat Book 113, Page 12, and "The Village at Galloway Ridge 13th Amendment", of record in Condominium Plat Book 104, Page 83, a distance of approximately 956 feet to a point in the existing City of Columbus Corporation Lines as established in Ordinance Number 2442-78, of record in Deed Book 171, Page 309, being the westerly line of "Galloway Ridge Section 7 Part 4", of record in Plat Book 100, Page 20;

thence Southerly, with said existing City of Columbus Corporation line (2442-78) and the existing City of Columbus Corporation line as established by Ordinance Number 1058-80, of record in Deed Book 174, Page 538, being the easterly line of said 57.845 acre tract, the westerly line of said "Galloway Ridge Section 7 Part 4", "Galloway Ridge Section 7 Part 2", of record in Plat Book 100, Page 17, ",Galloway Ridge Section 4 Part 2", of record in Plat Book 95, Page 47, "Galloway Ridge Section 4 Part 1", of record in Plat Book 95, Page 4, and that tract conveyed to George Kotsanos, Inc. by deed of record in Deed Book 2602, Page 477, a distance of approximately 1847 feet to a point in the existing City of Columbus Corporation Line as established in Ordinance Number 0007-03, of record in Instrument Number 200304110105493, being the northeasterly corner of said Residential Home Inspection Service, Inc. tract;

thence Westerly, with said existing City of Columbus Corporation line (0007-03), being the southerly line of said 57.845 acre tract, the northerly line of said Residential Home Inspection Service, Inc. tract, a distance of approximately 1335 feet to a point in said easterly right-of-way line;

thence Southerly, with said existing City of Columbus Corporation line (0007-03), said easterly right-of-way line, across said Residential Home Inspection Service Inc. tract, a distance of approximately 542 feet to a point in the northerly line of that tract conveyed to Maxine Haas, Trustee by deed of record in Official Record 24093G11 and Instrument Number 200001250016353;

thence Westerly, across the right-of-way of said Alton & Darby Creek Road, a distance of approximately 28 feet to the centerline thereof;

thence Northerly, with the centerline of said Alton & Darby Creek Road, a distance of approximately 93 feet to a point in the southerly line of said Trustees of Prairie Township tract;

thence Westerly, with said southerly line, a distance of approximately 30 feet to a point in the westerly right-of-way line of said Alton & Darby Creek Road;

thence Northerly, with the westerly right-of-way line of said Alton & Darby Creek, across said Trustees of Prairie Township tract, a distance of approximately 1075 feet to a point in said existing City of Columbus Corporation Line (1511-04), being the southerly line of that tract conveyed to Cypress Wesleyan Church by deed of record in Official Record 15556E04;

thence easterly, with said existing City of Columbus Corporation Line, across the right-of-way of said Alton & Darby Creek and partially with the southerly line of said Cypress Wesleyan Church tract, a distance of approximately 60 feet to the POINT OF BEGINNING, containing 58.1 acres, more or less.

This description is for annexation purposes only and is not to be used for deed transfer.

**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.

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**Legislation Number:** 1428-2012

**Drafting Date:** 6/20/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** The need exists to enter into a Job Creation Tax Credit Agreement with Allied Mineral Products, Inc. The Ohio Tax Credit Legislation (Section 718.15 of the Ohio Revised Code) authorizing such agreements became effective January 14, 1993 and requires the City to enter a Council-approved agreement between the City and a participating company.

Allied Mineral Products, Inc. is a global company that was founded in 1961, headquartered in Columbus, Ohio. The company is the worldwide leader in the design and manufacture of monolithic refractories and precast refractory shapes, including castables, dry vibratables, wet rammables, precast shapes, bricks/mortars, gunning materials, plastics, mica and cloth slips, plane products, fluxes, installation equipment, fiber insulation products, refractory coatings. Allied Mineral Products, Inc. offers refractory solutions and develops, manufactures and markets products for various metal melting applications. The company offers a wide variety of products, such as DRI-VIBE, MINRO-SIL, MINRO-AL, and MINRO-SIL LD refractories and compositions. The company has manufacturing facilities in Brownsville, Texas, Mexico, Australia, Russia, Turkey, China, South Africa and Italy.

Allied Mineral Products, Inc. is proposing to expand its corporate headquarters by investing \$5.0 million in new high-tech machinery, equipment, and building improvements. The company will retain 225 full-time jobs and create approximately 39 new full-time permanent positions with an estimated annual payroll of \$1.6 million.

The State has offered a Job Creation Tax Credit of 45% for 8 years for Allied Mineral Products, Inc.

**FISCAL IMPACT:** No funding is required for this legislation.

To authorize the Director of the Department of Development to enter into a Job Creation Tax Credit Agreement of sixty-five percent (65%) for a period of seven (7) years with Allied Mineral Products, Inc. in consideration of the company's proposed investment of \$5.0 million, the creation of 39 new full-time permanent positions and the retention of 225 full-time jobs.

**WHEREAS,** pursuant to Section 122.17 of the Ohio Revised Code, the State of Ohio is authorized to establish the Tax Credit Authority and to execute agreements with taxpayers of the State of Ohio for the purpose of granting these tax payers job creation tax credits against their corporate franchise tax or income tax, which tax credits are provided to create new jobs in the State of Ohio; and

**WHEREAS,** the Ohio Department of Development has offered a 45%/8-year Job Creation Tax Credit for Allied Mineral Products, Inc.; and

**WHEREAS,** pursuant to Section 718.15 of the Ohio Revised Code (the "City Act") a municipal corporation is authorized to grant local income tax credits to taxpayers who have received tax credits from the State; and

**WHEREAS,** contingent on the City granting a Job Creation Tax Credit, Allied Mineral Products, Inc. will expand its' corporate headquarters by creating 39 new full-time permanent positions with an annual payroll of \$1.6 million, retaining 225 full-time jobs, investing \$525,000 in building improvements and \$4.4 million in high-tech machinery and equipment, and increase job opportunities and strengthen the economy of the city;

and

**WHEREAS**, receiving these tax credits from the State and the City is a critical factor in Allied Mineral Products, Inc.'s decision to go forward with the project in Columbus; and **NOW THEREFORE**,

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

**Section 1.** That the City hereby finds and determines that the project will (1) create jobs in the State and City; (2) the project is economically sound and will benefit the people of the State and City by increasing opportunities for employment and strengthening the economy of the State and City; and (3) receiving the aforementioned tax credits is a critical factor in the decision by Allied Mineral Products, Inc. to go forward with the project.

**Section 2.** That the City Council hereby finds and determines that the project meets all the requirements of the City Act.

**Section 3.** That the Director of the Department of Development is hereby authorized and directed to enter into and execute a Job Creation Tax Credit of sixty-five percent (65%) of the amount of personal income tax withheld on new employees for a term seven (7) years with Allied Mineral Products, Inc.

**Section 4.** That the City of Columbus Job Creation Tax Credit Agreement is signed by Allied Mineral Products, Inc. within 90 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void.

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

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**Legislation Number:** 1443-2012

**Drafting Date:** 6/22/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Underground Utilities, Inc. in the amount of \$1,368,059.68; to encumber funds with the Design and Construction Division for inspection, testing, and prevailing wage coordination services in the amount of \$206,200.00; all in connection with the East 25th Avenue/Joyce Avenue Stormwater System and Water Line Improvements Projects.

Work to be completed by this contract consists of all labor and materials for the construction of approximately 4680 feet of 12- to 48-inch storm sewer with inlets, and such other work as may be necessary to complete the contract in accordance with the plans and specifications.

This project includes \$1,232,753.94 for Stormwater System Improvements as directed by the Project Engineer, which will be paid from the Storm Recovery Zone Super Build America Bonds Fund and \$341,505.74 for the Water Line Improvements as directed by the Project Engineer, which will be paid from the Water Works Enlargement Voted Bonds Fund.

**2. CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened seven (7) bids on May 16, 2012. These bids were received from: Underground Utilities-\$1,368,059.68, Conie Construction-\$1,563,000.00, Nickolas Savko - \$1,609,999.68, John Eramo - \$1,621,358.88, Columbus Asphalt Paving - \$1,648,218.96, Complete General - \$1,687,038.96 and George J. Igel - \$1,771,178.09.

The lowest and best bid was from Underground Utilities, Inc., for \$1,368,059.68. Additional information regarding each bidder, description of work, contract timeframe, detailed amounts and sub-contractors can be found on the attached Legislation Information Form.

**Contract Compliance Information:** 34-1248942, expires 09/22/2013, Majority

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

**3. FISCAL IMPACT:** A transfer of \$132,753.94 is needed to provide sufficient cash for this project in the Storm Recovery Zone Super Build America Bonds Fund and a transfer of \$341,505.74 is needed to provide sufficient cash for this project in the Water Works Enlargement Voted Bonds Fund. An amendment to the 2012 Capital Improvements Budget will also be necessary.

To authorize the Director of Public Utilities to execute a construction contract with Underground Utilities, Inc. for the East 25th Avenue/Joyce Avenue Stormwater System and Water Line Improvements Project; to encumber funds for inspection, material testing, and related services to the Division of Design and Construction; to authorize the transfer of \$132,753.94 within the Storm Recovery Zone Super Build America Bonds Fund and the transfer of \$341,505.74 within the Water Works Enlargement Voted Bonds Fund; to authorize an amendment to the 2012 Capital Improvements Budget; to authorize the expenditure of \$1,232,753.94 from the Storm Recovery Zone Super Build America Bonds Fund, and to authorize the expenditure of \$341,505.74 from the Water Works Enlargement Voted Bonds Fund. (\$1,574,259.68)

**WHEREAS**, seven (7) bid proposals were received and publicly opened in the offices of the Director of Public Utilities on May 16, 2012 for the construction of the East 25th Avenue/Joyce Avenue Stormwater System and Water Line Improvements Projects; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of inspection, testing and prevailing wage coordination services costs associated with the East 25th Avenue/Joyce Avenue Stormwater System and Water Line Improvements Projects.

**WHEREAS**, it is necessary to authorize a transfer of \$132,753.94 within the Storm Recovery Zone Super Build America Bonds Fund for the purpose of providing sufficient funding for the aforementioned project expenditure; and

**WHEREAS**, it is necessary to authorize a transfer of \$341,505.74 within the Water Works Enlargement Voted Bonds Fund for the purpose of providing sufficient funding for the aforementioned project expenditure; and

**WHEREAS**, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for the purpose of providing sufficient authority for the aforementioned project expenditure; and

**WHEREAS**, this project will improve drainage along 23rd, 25th and 26th Avenues east of Joyce Avenue.

**WHEREAS**, in the usual daily operation of the Department of Public Utilities, Divisions of Sewerage and Drainage and Division of Power and Water (Water) it is necessary to enter into a construction contract with Underground Utilities, Inc. for the East 25th Avenue/Joyce Avenue Stormwater System and Water Line Improvements Projects 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 Public Utilities be, and hereby is, authorized to award and execute a contract for construction of the East 25th Avenue/Joyce Avenue Stormwater System and Water Line Improvements Projects with the lowest and best bidder, Underground Utilities, Inc., 416 W Monroe Street, Monroeville, OH 44847; in the amount of \$1,368,059.68 in accordance with the terms and conditions of the contract on file in the Office of the Division of Sewerage and Drainage and Division of Power and Water (Water); and to obtain the necessary inspection, testing and prevailing wage coordination services from the Design and Construction Division; and to pay up to a maximum amount of \$206,200.00.

**SECTION 2.** That the City Auditor is hereby authorized to transfer \$132,753.94 within the Division of Sewerage and Drainage, Dept/Div. No. 60-15, Storm Recovery Zone Super Build America Bonds Fund, Fund No. 677, Object Level One 06, Object Level Three 6621, as follows:

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

610990-100000 | North Central Areawide SSI | 677990 | -\$132,753.94  
610756-100000 | East 25th/Joyce Avenues SSI | 677756 | +\$132,753.94

**SECTION 3.** That the City Auditor is hereby authorized to transfer \$341,505.74 within the Division of Power and Water (Water), Dept/Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Object Level One 06, Object Level Three 6629, as follows:

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

690441-100000 (carryover) | Alum Creek Pump. Sta. Imp's | 690441 | -\$341,505.74  
690236-100041 (carryover) | East 25th & Joyce Ave. WL Imp's | 663641 | +\$341,505.74

**SECTION 4.** That the 2012 Capital Improvements Budget is hereby amended as follows:

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

610990-100000 | North Central Areawide SSI | \$250,000 | \$117,246 | -\$132,754  
610756-100000 | East 25th/Joyce Avenues SSI | \$1,100,000 | \$1,232,574 | +\$132,754

690441-100000 (carryover) | Alum Creek Pump. Sta. Imp's | \$461,809 | \$120,303 | -\$341,506  
690236-100041 (carryover) | East 25th & Joyce Ave. WL Imp's | \$0 | \$341,506 | +\$341,506

**SECTION 5.** That for the purpose of paying the cost of the construction contract, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm Recovery Zone Super Build America Bonds Fund, Fund No. 677, Project 610756-100000, Object Level Three 6621, OCA Code 677756, Amount \$1,071,278.72.

**SECTION 6.** That for the purpose of paying the cost of inspection, testing and prevailing wage coordination services, the following expenditure, or as much thereof as may be needed is hereby authorized as follows:



Division 60-15, Storm Recovery Zone Super Build America Bonds Fund, Fund No. 677, Project 610756-100000, Object Level Three 6687, OCA Code 677756, Amount \$161,475.22.

**SECTION 7.** That for the purpose of paying the cost of the construction contract, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Project 690236-100041, Object Level Three 6629, OCA Code 663641, Amount \$296,780.96.

**SECTION 8.** That for the purpose of paying the cost of inspection, testing and prevailing wage coordination services, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Project 690236-100041, Object Level Three 6687, OCA Code 663641, Amount \$44,724.78.

**SECTION 9.** That the said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrators of the Division of Sewerage and Drainage

**SECTION 10.** 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 11.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 12.** 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 13.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 1444-2012

**Drafting Date:** 6/22/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **1. BACKGROUND:**

This legislation authorizes the Director of Public Service to enter into a contract with Conie Construction Co. for the Bridge Rehabilitation - Marland Drive Over Stream South of Meadowview Drive project for the Division of Design and Construction.

This project consists of the replacement of the existing culvert at Marland Drive, including approach road reconstruction.

The estimated Notice to Proceed date is August 9, 2012. The project was let by the Office of Support Services through Vendor Services and Bid Express. Five bids were received on June 19, 2012, (5 majority) and tabulated as follows:

<b>Company Name</b>	<b>Bid Amt</b>	<b>City/State*</b>	<b>Majority/MBE/FBE</b>
Conie Construction Co.	\$206,690.00	Columbus, OH	Majority
Shelly and Sands, Inc.	\$223,311.50	Zanesville, OH	Majority
Complete General Construction Co.	\$227,310.95	Columbus, OH	Majority
Double Z Construction	\$237,936.60	Columbus, OH	Majority
BUDS, Inc.	\$249,653.14	Nashport, OH	Majority

\*City/State is from the Ohio Secretary of State web site, which may differ from the mailing address below.  
Award is to be made to Conie Construction Co., as the lowest responsive and responsible and best bidder.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Conie Construction Co.

## **2. CONTRACT COMPLIANCE**

The contract compliance number for Conie Construction Co. is 310800904 and expires 11/16/2012.

## **3. FISCAL IMPACT**

Funding for this project is available within the Bridge Rehabilitation project within the Streets and Highways G.O. Bonds Fund.

## **4. EMERGENCY DESIGNATION**

Emergency action is requested in order to provide for necessary bridge rehabilitation work at the earliest possible time to ensure the safety of the travelling public.

To authorize the Director of Public Service to enter into contract with Conie Construction Co. for the Bridge Rehabilitation - Marland Drive Over Stream South of Meadowview Drive project; to provide for the payment of inspection services in connection with the project; to amend the 2012 C.I.B; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of up to \$227,359.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$227,359.00)

**WHEREAS**, the City of Columbus Department of Public Service is engaged in the Bridge Rehabilitation - Marland Drive Over Stream South of Meadowview Drive project; and

**WHEREAS**, work on this project consists of replacement of the existing culvert at Marland Drive, including approach road reconstruction; and

**WHEREAS**, bids were received on June 19, 2012, and tabulated on June 20, 2012; and

**WHEREAS**, Conie Construction Co. will be awarded the contract for the Bridge Rehabilitation - Marland Drive Over Stream South of Meadowview Drive project; and

**WHEREAS**, it is necessary to provide for construction inspection; and

**WHEREAS**, it is necessary to amend the 2012 Capital Improvement Budget to establish authority in the correct project detail; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Design and Construction in that this project should proceed immediately for the rehabilitation of this bridge to ensure the safety of the travelling public, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

**SECTION 1.** That the Director of Public Service be and is hereby authorized to enter into contract with Conie Construction Co., 1340 Windsor Avenue, Columbus, Ohio, 43211(mailing address), for the construction of the Bridge Rehabilitation - Marland Drive Over Stream South of Meadowview Drive project in an amount up to \$206,690.00 or so much thereof as may be needed, for the Division of Design and Construction in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to pay for the necessary inspection costs associated with the project up to a maximum of \$227,359.00.

**SECTION 2.** That the 2012 C.I.B. authorized within ordinance 0368-2012 be amended as follows to establish funding in the correct project to ensure proper accounting practices:

Fund / Project / Project Name / Current C.I.B. / Amendment / C.I.B. as amended

704 / 530301-100015 / Bridge Rehabilitation - Major Bridge Rehab (Carryover) / \$456,750.00 / (227,359.00) / \$229,391.00

704 / 530301-162391 / Bridge Rehabilitation - Marland Drive Over Stream South of Meadowview Drive (Carryover) / \$0.00 / \$227,359.00 / \$227,359.00

**SECTION 3.** That the transfer of cash and appropriation within the Streets and Highways G.O. Bonds Fund, Number 704 be authorized as follows:

From:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 530301-100015 / Bridge Rehabilitation - Major Bridge Rehab / 06-6600 / 760115 / \$227,359.00

To:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 530301-162391 / Bridge Rehabilitation - Marland Drive Over Stream South of Meadowview Drive / 06-6600 / 762391 / \$227,359.00

**SECTION 4.** That for the purpose of paying the cost of this contract and inspection, the sum of \$227,359.00 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 530301-162391 / Bridge Rehabilitation - Marland Drive over Stream South of Meadowview Drive / 06-6621 / 762391 / \$206,690.00

704 / 530301-162391 / Bridge Rehabilitation - Marland Drive over Stream South of Meadowview Drive / 06-6687 / 762391 / \$20,669.00

**SECTION 5.** 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 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.

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Legislation Number: 1445-2012

Drafting Date: 6/22/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

The purpose of this legislation is to authorize the Director of Public Utilities to enter into an agreement with GS&P/OH, Inc., to build upon the previous work that the department conducted in developing and implementing its environmental management system with the goal of obtaining third party certification of the program.

The contract will provide the Department of Public Utilities EMS support assistance by, among completing various related tasks, providing planning and participation support for its various EMS teams, developing additional procedures and work instructions where necessary, buttressing the various environmental training programs through face to face and on-line training and tracking mechanisms, supporting improvements to the department's emergency preparedness program, improving the department's document control system, increasing the effectiveness of its communication outreach efforts for both internal and external audiences, assisting in conducting regularly scheduled internal EMS and environmental compliance audits, addressing environmental compliance issues where needed, and assisting the department in the third party certification process.

The consultant will prepare detailed task orders describing specific task activities, estimated levels of effort, and schedules that conform to the following general task descriptions and attached estimated project schedule. Request for proposals were announced on April 2, 2012. The Director of Public Utilities received one Request for Proposal on May 21, 2012. The proposal was deemed acceptable by a five-member selection committee and was approved by the Director of Public Utilities on May 28, 2012.

Services under this agreement are to be provided over a period of three (3) years. Funds for the project shall be reviewed and approved each year of the three year contract by City Council and the Mayor, and Auditor's certification of funds. Notwithstanding any provision in this Agreement to the contrary, the maximum obligation of the City for services described in this agreement for the period commencing on August 1, 2012 through July 31, 2013 ("Phase 1") is limited to the amount of three hundred and fifty thousand dollars (\$ 350,000.00), unless all the following occur: this Agreement is modified in writing; City Council enacts an ordinance approving the new amount; the Mayor has authorized the additional amount; and the Auditor has certified the additional funds. The City is not obligated to spend the maximum obligation authorized under this Agreement. Phase 2 costs under this agreement for the period from August 1, 2013 through July 31, 2014 are estimated at two hundred fifty thousand dollars (\$250,000.00). Phase 3 costs for the period from August 1, 2014 through July 31, 2015 are estimated at one hundred and fifty thousand dollars (\$150,000.00).

The City may, at any time during the performance of the services under this Agreement, propose a modification of the Contract by a properly authorized written instrument. With the approval of City Council and execution of such modification by both parties hereto, it shall be fully incorporated into this Contract and shall govern all subsequent performance under the Contract.

**FISCAL IMPACT:** \$350,000.00 is needed for this expenditure.

**SUPPLIER:** GS&P/OH, Inc.: (62-1736493) Expires 1-18-14

Emergency legislation is being requested so that the Department of Public Utilities can enter into contract as the earliest time possible so that there is not an interruption of the certification process.

To authorize the Director of Public Utilities to enter into an agreement with GS&P/OH, Inc. for environmental

management system support and support in the EMS certification process for the Department of Public Utilities, to authorize the expenditure of \$175,000.00 from the Sewerage System Operating Fund and \$175,000.00 from the Power and Water Operating Fund and to declare an emergency. (\$350,000.00)

**WHEREAS**, the Department of Public Utilities has a continued need to sustain its environmental management system to ensure that its environmental compliance requirements are met and its environmental footprint is reduced, and

**WHEREAS**, the contract will provide the Department of Public Utilities the ability to build upon the previous work on the department's environmental management system with the goal of obtaining third party certification of the program. The consultant will prepare detailed task orders describing specific task activities, estimated levels of effort, and schedules that conform to the following general task descriptions and attached estimated project schedule, and

**WHEREAS**, the Director of Public Utilities received one proposal to conduct the work deemed acceptable by the selection committee and the Director, and

**WHEREAS**, services under this agreement are to be provided over a period of three years with funds being reviewed and approved each year of the three year contract by City Council and the Mayor, and Auditor's certification of funds., and,

**WHEREAS**, the City may, at any time during the performance of the services under this Agreement, propose a modification of the Contract by a properly authorized written instrument. With the approval of City Council and execution of such modification by both parties hereto, it shall be fully incorporated into this Contract and shall govern all subsequent performance under the Contract, and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, in that it is immediately necessary to enter into an agreement so that there is no interruption in the certification process with GS&P/OH Inc. 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 Public Utilities be and is hereby authorized to enter into an agreement with GS&P/OH, Inc. for environmental management system support and support in the EMS certification process for the Department of Public Utilities.

**Section 2.** That the expenditure of \$350,000.00 or so much thereof as may be needed, be and the same hereby is authorized as follows:

Fund: 650  
OCA: 605006  
Object Level: 3336  
Amount: \$175,000.00

Fund: 600  
OCA: 601849

Object Level: 3336  
Amount: \$175,000.00

**TOTAL REQUEST: 350,000.00**

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

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**Legislation Number:** 1446-2012

**Drafting Date:** 6/22/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**1. BACKGROUND:**

This legislation authorizes the Director of Public Utilities to execute a planned contract modification to the Construction Administration and Construction Inspection Services Agreement with DLZ Ohio, Inc. This contract was originally procured to provide construction administration and construction inspection services for sanitary and water system projects during the fiscal years of 2011 - 2013. The funds approved within this legislation will provide for payment of services that are needed to conclude ongoing construction projects.

This modification (Mod #1) will increase the contract by an additional \$103,355.00 for Construction Administration and Construction Inspection Services for the Division of Power and Water's Cooke Road 20" Water Line Improvements Project, Contract No. 2006.

**1.1. Amount of additional funds to be expended: \$103,355.00**

Original Contract Amount: \$ 510,000.00 (EL011868)

Modification 1 (current) \$ 103,355.00

Total (Orig. + Mod 1) \$ 613,355.00

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

The modification was anticipated and explained in the original legislation (Ordinance No. 0471-2011). This is a continuation of the anticipated process.

**1.3. Reason other procurement processes are not used:**

The original contract selected three firms to provide Construction Administration and Construction Inspection Services for projects in 2011, 2012, and 2013.

**1.4. How cost of modification was determined:**

Cost proposals were provided by DLZ Ohio, Inc., and reviewed by the Division of Power and Water and were deemed acceptable.

**2. MULTI-YEAR CONTRACT:**

This contract establishes fixed direct labor, overhead, and fixed fee rates for various Department of Public Utilities projects for the period of 2011-2013. This ordinance will authorize an expenditure up to \$103,355.00 for one water project. The Department anticipates requesting additional appropriations to this contract during the 2012 and 2013 fiscal years, through planned contract modifications duly authorized by City Council.

Under the terms of this contract, the City has the right to contract for additional services to fulfill capital improvement related needs subject to the approval of a contract modification by City Council.

**3. CONTRACT COMPLIANCE INFO:** 31-1268980 | MBR | Expires 2/22/13

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

**4. EMERGENCY DESIGNATION:** Ordinance No. 1419-2012 is currently in process for the construction of this roadway, which is designated as emergency due to construction needing to be completed while schools are on summer break; the roadway serves at least 2 different schools and will need to be completely shut down. Emergency legislation is being requested so construction administration and construction inspection services are available when the contractor is ready to begin construction; the project cannot commence until the City has secured the necessary CA/CI services.

**5. FISCAL IMPACT:** A transfer of funds within the Water Works Enlargement Voted Bonds Fund will be necessary, as well as an amendment to the 2012 Capital Improvements Budget.

To authorize the Director of Public Utilities to execute a planned contract modification of the Construction Administration and Construction Inspection Services agreement with DLZ Ohio, Inc.; for the Cooke Road 20" Water Line Improvements Project; for the Division of Power and Water; to authorize a transfer and expenditure up to \$103,355.00 from the Water Works Enlargement Voted Bonds Fund; and to declare an emergency. (\$103,355.00)

**WHEREAS,** the original contract number EL011868 for \$510,000.00 was authorized by Ordinance No. 0471-2011, passed April 25, 2011, was executed on June 30, 2011, and was approved by the City Attorney on July 7, 2011; and

**WHEREAS,** it is necessary to modify the Construction Administration and Construction Inspection Services agreement with DLZ Ohio, Inc., for the Cooke Road 20" Water Line Improvements Project; to provide additional monies to cover the cost of needed additions to the contract work in accordance with the Department's design requirements in order to ensure the continued operation of its water infrastructure; and

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

**WHEREAS,** it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water, in that it is immediately necessary to authorize the Director of Public Utilities to modify and increase the Construction Administration and Construction Inspection Services agreement with DLZ Ohio, Inc.; for the Cooke Road 20" Water Line Improvements Project; in an emergency manner in order to procure construction administration / construction inspection services concurrent with the construction of the project; for the immediate preservation of the public health, peace, property, safety, and welfare; **Now, therefore:**

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

**SECTION 1.** That the Director of Public Utilities be and hereby is authorized to modify and increase the Construction Administration and Construction Inspection Services agreement with DLZ Ohio, Inc., 6121 Huntley Road, Columbus, Ohio 43229; that will continue to provide Construction Administration and Construction Inspection Services for water improvement projects in accordance with the terms and conditions of the contract on file in the offices of the Division of Power and Water.

**SECTION 2.** That the said services shall be performed by DLZ Ohio, Inc. to the satisfaction of the Director of Public Utilities, as well as the Administrator and Engineering Managers of the Division of Power and Water.

**SECTION 3.** That the City Auditor is hereby authorized to transfer \$103,355.00 within the Department of Public Utilities, Division of Power and Water, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Dept/Div. No. 60-09, Object Level Three 6686, as follows:

<u>Fund No.</u>	<u>Project No.</u>	<u>Project Name</u>	<u>OCA Code</u>	<u>Change</u>
606	690026-100000 (carryover)	Misc. Water Fac.	642900	-\$15,550.60
606	690441-100000 (carryover)	Alum Crk Pump. Sta.	690441	-\$87,804.40
606	690236-100064 (carryover)	Cooke Rd. WL Imp's	663664	+\$103,355.00

**SECTION 4.** That the 2012 Capital Improvements Budget is hereby amended as follows:

<u>Fund No.</u>	<u>Proj. No.</u>	<u>Proj. Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Change</u>
606	690026-100000 (carryover)	Misc. Water Fac.	\$0	\$15,551	+\$15,551 (establish authority for cancellation)
606	690026-100000 (carryover)	Misc. Water Fac.	\$15,551	\$0	-\$15,551
606	690441-100000 (carryover)	Alum Crk Pump. Sta.	\$120,303	\$32,498	-\$87,805
606	690236-100064 (carryover)	Cooke Rd. WL Imp's	\$1,506,400	\$1,609,756	+\$103,356

**SECTION 5.** That the expenditure up to \$103,355.00 is hereby authorized from the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Object Level One 06, Object Level Three 6686, Project No. 690236-100064 (carryover), OCA Code 663664.

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

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

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

**SECTION 9.** That the contracted firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Power and Water.



**SECTION 10.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1448-2012

**Drafting Date:** 6/22/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **1. BACKGROUND**

The Department of Public Service is engaged in the Bicentennial Sign Project for the City. As part of this project, staff and crews will perform work such as designing, creating, installing and inspecting signs throughout the City. The costs incurred for City Staff and equipment associated with these bicentennial signs will be tracked. The Street Construction Maintenance and Repair Fund and the Construction Inspection Fund will then be reimbursed from Capital Funds for these expenses. It is necessary to establish funding in the amount of \$200,000.00 for this purpose.

### **2. FISCAL IMPACT**

Funds for the bicentennial signs are budgeted within the 2012 Capital Improvement Budget. Funding for this project is available within the Streets and Highways G.O. Bonds Fund.

### **3. EMERGENCY DESIGNATION**

Emergency legislation is requested to have funding available for this project so reimbursement and materials purchases can be made at the earliest possible time to maintain proper accounting practices.

To authorize the Director of Public Service to reimburse the Street Construction Maintenance and Repair Fund and Construction Inspection Fund for labor and equipment costs; to authorize the expenditure of \$200,000.00 from the Streets and Highways G.O. Bonds Fund for reimbursement to the Street Construction Maintenance and Repair Fund and Construction Inspection Fund; and to declare an emergency. (\$200,000.00)

**WHEREAS**, the Division of Planning and Operations is engaged in a project to produce and install bicentennial signs; and

**WHEREAS**, costs incurred for City Staff and equipment associated with these bicentennial signs are able to be capitalized; and

**WHEREAS**, this ordinance authorizes the Director of Public Service to reimburse the Street Construction Maintenance and Repair Fund and the Construction Inspection Fund for these staff and equipment expenses; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Division of Planning and Operations, in that it is immediately necessary to establish funding for this project this construction season, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

**SECTION 1.** That the Director of Public Service is authorized to reimburse the Street Construction Maintenance and Repair Fund, Fund 265, for staff and equipment expenses up to \$185,000.00 incurred in the bicentennial sign project.

**SECTION 2.** That the Director of Public Service is authorized to reimburse the Construction Inspection Fund, Fund 518, for staff and equipment expenses up to \$15,000.00 incurred in the bicentennial sign project.

**SECTION 3.** That the expenditure of \$200,000.00, or so much thereof, be and hereby is authorized as follows from the Streets and Highways G.O. Bonds Fund, Fund 704, Dept.-Div. 59-11, Division of Planning and Operations, to pay the cost thereof.

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 440104-100006 / 2012 Neighborhood Infrastructure Projects / 06-6651 / 741046 / \$200,000.00

**SECTION 4.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 5.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure, and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1451-2012

**Drafting Date:** 6/22/2012

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

**Rezoning Application Z12-015**

**APPLICANT:** David A. Brown, Esq; 5100 Parkcenter Avenue, Suite 100; Dublin, Ohio 43017.

**PROPOSED USE:** Modifying the CPD Text to allow the sale of used automobiles.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on May 10, 2012.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested CPD, Commercial Planned Development District would remove the prohibition on the sale of used cars without new cars being sold as well. Staff finds no difference in the off site impact between the sale of used cars and the sale of new cars. The proposal remains consistent with the established zoning and development patterns of the area.

To rezone **2435 BILLINGSLEY ROAD (43235)**, being 3.04± acres located on the south side of Billingsley Road, 5± feet east of Dunsworth Drive, From: L-C-4, Limited Commercial District, To: CPD, Commercial Planned Development District **and to declare an emergency** (Rezoning # Z12-015).

**WHEREAS**, application #Z12-015 is on file with the Department of Building and Zoning Services requesting rezoning of 3.04± acres from the L-C-4, Limited Commercial District, to CPD, Commercial Planned Development District; and

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

**WHEREAS**, the City Departments recommend approval of because Staff finds no difference in the off site

impact between the sale of used cars and the sale of new cars. The proposal remains consistent with the established zoning and development patterns of the area; and

**WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:**

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

**SECTION 1.** That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**2435 BILLINGSLEY ROAD (43235)**, being 3.04± acres located on the south side of Billingsley Road, 5± feet east of Dunsworth Drive, and being more particularly described as follows:

**DESCRIPTION OF A 3.037 ACRE TRACT**

**AT 2435 BILLINGSLEY ROAD,**

**CITY OF COLUMBUS, FRANKLN CO., OHIO**

Situated in the State of Ohio, County of Franklin, City of Columbus, in Lot Number Nine (9) in Quarter Township 1, Township 2 North, Range 19 West, United States Military Lands, and being a portion of an original 12.309 acre tract of land conveyed as Parcel No. 2 to Zimmerman Investment Limited Partnership by deed of record in Official Record 5954, Page H 08, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning, for reference, at a railroad spike found in the centerline of Billingsley Road (60 feet wide) and at the southwest corner of Foxboro Village Section 4, as shown of record in Plat Book 55, Page 21, Recorder's Office, Franklin County, Ohio:

thence N 87' 30' 00" W along the centerline of Billingsley Road a distance of 257.58 feet to a point at the northeast corner of said original 12.309 acre tract, at the northeast corner of a 0.505 acre tract of land conveyed partially out of said original 12.309 acre tract to The City of Columbus, Ohio, for Billingsley Road right-of-way purposes by deed of record in Official Record 14124, Page E 14, Recorder's Office, Franklin County, Ohio, at the northwest corner of an original 6.453 acre tract of land conveyed to Jo Ellen Lanning by deed of record in Official Record 8843, Page A 13, Recorder's Office, Franklin County, Ohio, and at the northwest corner of a 0.526 acre tract of land conveyed out of said original 6.453 acre tract to City of Columbus, Ohio, for Billingsley Road right-of-way purposes by deed of record in Official Record 14124, Page E 11, Recorder's Office, Franklin County, Ohio;

thence S 3 52' 04" E along a portion of the east line of said original 12.309 acre tract, along the east line of said 0.505 acre tract, along a portion of the west line of said original 6.453 acre tract and along the west line of said 0.526 acre tract a distance of 30.19 feet to a 3/4-inch I.D. iron pipe set in the south right-of-way line of Billingsley Road, at the southeast corner of said 0.505 acre tract, at the southwest corner of said 0.526 acre tract and at the true place of beginning of the tract herein intended to be described;

thence continuing S 3' 52' 04" E along a portion of the east line of said original 12.309 acre tract and along a portion of the west line of said original 6.453 acre tract a distance of 778.91 feet to a 3/4-inch I.D. iron pipe set in a north limited access right-of-way line of Interstate Route 270, at the southeast corner of said original 12.309 acre tract and at the southwest corner of said original 6.453 acre tract, as said north limited access right-of-way line is shown upon Sheet 16 of 23 of Ohio Department of Transportation right-of-way plans for FRA-270-10.33 N;

thence S 76' 38' 53" W along a portion of a north limited access right-of-way line of Interstate Route 270 and along a south line of said original 12.309 acre tract a distance of 143.78 feet to a 3/4-inch I.D. iron pipe found at a corner of said original 12.309 acre tract;

thence S 84' 23' 49" W along a portion of a north limited access right-of-way line of Interstate Route 270 and

along a portion of a south line of said original 12.309 acre tract a distance of 23.20 feet to a 3/4-inch I.D. iron pipe set;  
thence N 3' 52' 04" W parallel with and 165.00 feet westerly by perpendicular measurement from the east line of said original 12.309 acre tract and from the west line of said original 6.453 acre tract a distance of 821.71 feet to a 3/4-inch I.D. iron pipe set in the south right-of-way line of Billingsley Road and in the south line of said 0.505 acre tract;  
thence S 87' 30' 00" E along the south right-of-way line of Billingsley Road and along a portion of the south line of said 0.505 acre tract a distance of 166.02 feet to the true place of beginning;  
containing 132,276 square feet (=3.037 acres) of land more or less and being subject to all easements and restrictions of record.

The above description was prepared by Richard J. Bull, Ohio Surveyor No. 4723, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Worthington, Ohio, from an actual boundary survey performed in the field in December, 1992. Basis of bearings is the centerline of Billingsley Road at N 87' 30' 00" W as per plat of Foxboro Village Section 4 (Plot Book 55, Page 21).

**To Rezone From:** L-C-4, Limited Commercial District

**To:** CPD, Commercial Planned Development District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District.

**SECTION 3.** That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said change on the said original zoning map and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "**LANDSCAPE PLAN**," and "**AUTOMAX SITE PLAN**," both dated May 29, 2012, and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," dated June 29, 2012, signed by David A. Brown, Attorney for the Applicant, and the text reading as follows:

**COMMERCIAL PLANNED DEVELOPMENT TEXT  
DEVELOPMENT PLAN**

PROPOSED DISTRICT: CPD Commercial Planned Development  
PROPERTY ADDRESS: 2435 Billingsley Road, Columbus, Ohio 43235  
OWNER: Tire America, Inc.  
APPLICANT: David A. Brown, Esq.  
DATE OF TEXT: 06/29/12  
APPLICATION NUMBER: Z12-015

**1. INTRODUCTION:** The subject property consists of approximately 3.037 acres located at the above address, currently zoned LC-4. The site was formerly utilized as a Dent Wizard vehicle repair facility. The property is situated on the south side of Billingsley Road, approximately one-half mile east of Sawmill Road. To the west of the subject property are four retail automobile dealerships. To the east of the property is a residential apartment complex. To the north of the property are single family houses, situated on the north side of Billingsley Road.

The Applicant is requesting that the current property be rezoned from LC-4 to CPD, to allow the property to be utilized as a pre-owned automobile dealership, similar to the CarMax operation located on the south side of I-270, east of Sawmill Road. The current zoning for this area of Billingsley Road permits the sale of new and used motor vehicles. However, the permitted current use only allows used automobile sales if such used car

sales are part of the operations of a new car dealership.

The Applicant is further requesting that the parking/display area contained on the property be expanded to the current 200 foot set-back area, consistent with the parking/display areas utilized by the four retail automobile dealerships located directly west of the subject property.

In addition, the Applicant is intending to create a limited outdoor display area, through the use of two vehicle display pads, situated within the 200 foot set-back area, consistent with the vehicle display pads utilized by the four retail automobile dealerships located directly west of the subject property.

Also, the Applicant is intending to install a customer entrance on the north side of the building. The site plan does not include an expansion to the building, and the intended use of the property is consistent with the 2007 Northwest Area Plan.

**2. PERMITTED USES:** Pre-owned automobile sales and servicing shall be permitted, and shall be permitted although such pre-owned automobile sales and servicing is not part of a new car sales operation. In addition, allowable uses shall be limited to offices as defined by Chapter 3353, C-2, Commercial District, and the following C-4, Commercial uses:

- Architects' supplies
- Art academy
- Artists' materials and supplies
- Automobile sales - new
- Automobile sales - pre-owned
- Financial institutions
- Business machines - sales
- Carpet/rugs - sales (new only)
- Child care, nursery school
- China store
- Custom tailors
- Floor covering sales
- Florist
- Furniture (new) sales including office furniture
- Health spa or center
- Hotel (This use is subject to the following restrictions: a. no outside entry hotel to individual hotel rooms; b. each hotel shall have a minimum of : 125 rooms, 1, 100 square feet of meeting rooms and 1,500 square feet of restaurant/lounge area;
- Jewelry store
- Laboratories - clinical
- Laboratories - dental
- Library
- Lighting fixture - sales
- Off-premises signs - (These signs are limited to a listing of users which are located in the subarea where the sign is situated. These signs shall not be billboards and shall comply with all the requirements in Section 2A2 "Signage" including the limitation of the number of free-standing signs in each subarea)
- Office service
- Police station
- Post office

The following uses are specifically prohibited:

- a. A convenient store such as but not limited to UDF; Seven/Eleven or Dairy Mart;
- b. Night club, cabaret, dance hall; and
- c. Gasoline sales.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated in the submitted site plan or in the written text, the applicable development standards shall be those contained in Chapter 3356, C-4, Commercial District, of the Columbus City Code.

**A. Density, Height, Lot and/or Setback Commitments.**

The two proposed vehicle display pads shall be developed in accordance with the submitted site plan, and consistent with the vehicle display pads utilized by the four retail automobile dealerships located directly west of the subject property. The vehicle display pad closest to Billingsley Road will maintain a setback of at least 50 feet from the northern boundary of the property line.

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

The subject property is currently serviced by ingress and egress along Billingsley Road. Access to this site shall continue to be provided via a shared curb cut accessing Billingsley Road to the west of this site that is aligned with Dunsworth Drive.

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

Buffering and landscaping shall be maintained as provided for in the landscape plan. The two proposed vehicle display pads shall be flat and shall not be elevated.

**D. Miscellaneous.**

1. Variances.

(a) From Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce the required number of minimum parking spaces from approximately 40 to 20. The parking variance being requested applies specifically and only to the use of the property as a motor vehicle dealership, as licensed by the State of Ohio, Bureau of Motor Vehicles. Such parking variance shall not apply to any other permitted use of the property.

2. Site Plan.

The subject site shall be developed in accordance with the site plan (Automax Site Plan, May 29, 2012). The site plan may be adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments of the site plan shall be subject to review and may be approved by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

**E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.**

1. Dumpsters. The dumpster(s) shall be screened with opaque wood on three sides and such opaque wood shall be a minimum height of the height of the dumpster(s). In addition, a gate of opaque wood shall screen the fourth side of the dumpster(s) and such gate shall be a minimum height of the height of the dumpster(s).
2. Outdoor Display Areas. The outdoor display areas (vehicle display pads) shall be permitted within the 200-foot setback area south of Billingsley Road, as shown on the submitted site plan, and limited to a display of a maximum of six vehicles, consistent with the vehicle display pads utilized by the four retail automobile dealerships located directly west of the subject property.
3. Emissions. There will be minimal emissions of light, sound, smell or dust, if any.

**F. Graphics and Signage Commitments.**

Graphics and signage shall comply with Article 15, Title 33 of the Columbus City Code, as it applies to the C-4, Commercial District classification. Any variance to the permitted graphics shall be submitted to the Columbus Graphics Commission for consideration.

**G. Miscellaneous Commitments.**

1. Sound. No outdoor audio speakers shall be installed.
2. Vehicle Repair. All vehicle repair shall be performed within the confines of the existing building.
3. CPD Criteria.

NATURAL ENVIRONMENT: The site is developed with a single existing building that was formerly utilized as a Dent Wizard repair facility.

EXISTING LAND USES: To the direct west are four existing retail automobile dealerships. To the south is I-270, to the north across from Billingsley Road are single family houses and to the east is a residential apartment complex.

TRANSPORTATION AND CIRCULATION: The subject property will utilize the currently established access.

BEHAVIOR PATTERNS: Existing developments in the area, as well as the freeway interchange, have established behavior patterns for the motorists in this area. In addition, the traffic flow emanating from the subject property will be consistent with and likely, less than, the traffic flow emanating from the neighboring retail automobile dealerships, and such traffic flow will be consistent with the previously intended use of the subject property.

**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.**

Drafting Date: 6/22/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

## 1. BACKGROUND

The Mid-Ohio Regional Planning Commission (MORPC) serves as staff to the District Three Public Works Integrating Committee. This committee provides input and makes recommendations to the Ohio Public Works Commission for fund distribution for the State Capital Improvement Program and the Local Transportation Improvement Program. MORPC's costs for Round 25 are prorated to local jurisdictions based on the total funds ultimately awarded to each jurisdiction.

The Department Public Service, Division of Design and Construction, was awarded a total of \$1,930,275.00 for the Arterial Street Rehabilitation - Alum Creek Drive Phase B SR104-Williams Road project. The Division's administrative cost as determined by MORPC is .371090616% of this total, or \$7,163.07. The expenditure of this amount is authorized by this legislation.

## 2. FISCAL IMPACT

Funds in the amount of \$7,163.07 are available within the Street and Highway Improvement Fund for this expense.

A C.I.B. amendment is necessary to establish funding in the appropriate project detail for this expense.

## 3. EMERGENCY DESIGNATION

Emergency action is requested to authorize this expenditure as soon as possible in order to promote and be consistent with accurate accounting practices.

To authorize the Director of Public Service to make payment to the Mid-Ohio Regional Planning Commission for staff support services rendered in connection with the State Capital Improvement Program and Local Transportation Improvement Program for the Division of Design and Construction; to amend the 2012 Capital Improvement Budget; to authorize and direct the City Auditor to appropriate and transfer \$7,163.07 within the Street and Highway Improvement Fund; to authorize the transfer of funds between the Street and Highway Improvement Fund and the Local Transportation Improvement Fund and to appropriate and expend \$7,163.07 from the Local Transportation Improvement Fund for this purpose; and to declare an emergency. ( \$7,163.07)

**WHEREAS**, the Mid-Ohio Regional Planning Commission (MORPC) renders staff support services to the District Three Public Works Integrating Committee in connection with the State Capital Improvement Program and the Local Transportation Improvement Program, Round 25; and

**WHEREAS**, the cost of these services is assessed as a percentage of funds awarded to the City of Columbus Division of Design and Construction; and

**WHEREAS**, it is necessary to amend the 2012 C.I.B. and authorize the expenditure of \$7,163.07 for the purpose of providing payment to MORPC for these services; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, in that this expenditure needs to be authorized as soon as possible in order to promote and be consistent with accurate accounting practices; 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 make payment of \$7,163.07 to the Mid-Ohio Regional Planning Commission, 111 Liberty Street, Suite 100, Columbus, OH 43215 for staff support services rendered in connection with Round 25 of the State Capital Improvement and Local Transportation Improvement Programs for the Division of Design and Construction.

**SECTION 2.** That the 2012 Capital Improvement Budget be amended to provide sufficient authority for this project as follows:

Fund/Project / Project Name /OCA/ Current / Change / Amended

766 / 766999-100000 / Unallocated Balance (Carryover) / \$3,388,181.00 / (\$7,164.00) / \$3,381,017.00

766 / 530103-100026 / Arterial Street Rehabilitation - Alum Creek Drive Phase B SR104-Williams Road(Carryover) / \$0.00 / \$7,164.00 / \$7,164.00

**SECTION 3.** The sum of \$7,163.07 be and is hereby appropriated from the unappropriated balance of the Street and Highway Improvement Fund, Fund 766, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2012 as follows:

Fund / Project / Project Name / O.L. 01/03 Codes / OCA Code / amount

766 / 766999-100000 / Unallocated Balance / 06-6600 / 766999 / \$7,163.07

**SECTION 4.** That the transfer of cash and appropriation within fund 766, The Street and Highway Improvement Fund, No. 766 be authorized as follows:

Transfer from:

Fund /Project / Project Name / O.L. 01-03 Codes / OCA / Amount

766 / 766999-100000 / Unallocated Balance / Unallocated Balance / 06-6600 / 766999 / \$7,163.07

Transfer to:

Fund /Project / Project Name / O.L. 01-03 Codes / OCA / Amount

766 / 530103-100026 / Arterial Street Rehabilitation - Alum Creek Drive Phase B SR104-Williams Road / 10-5501 / 710326 / \$7,163.07

**SECTION 5.** That the transfer of monies between the Street and Highway Improvement Fund, No. 766 and the Local Transportation Improvement Fund, No. 763 be authorized as follows:

**Transfer from:**

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

766 / 530103-100026 / Arterial Street Rehabilitation - Alum Creek Drive Phase B SR104-Williams Road / 10-5501 / 710326 / \$7,163.07

**Transfer to:**

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

763 / 591191-100000 / Alum Creek Drive Phase B / 80-0886 / 591191 / \$7,163.07

**SECTION 6.** That from the unappropriated monies in the Local Transportation Improvement Fund, No. 763, and from any and all sources estimated to come into said fund and unappropriated for any other purpose during the period ending December 31, 2012, the sum of \$7,164.00 is appropriated for the Department of Public Service, Division of Design and Construction, as follows:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount  
763 / 591191-100000 / Alum Creek Drive Phase B / 06-6600 / 591191 / \$7,163.07

**SECTION 7.** That for the purposes of making this payment, the expenditure of \$7,163.07, or so much thereof as may be necessary, be and hereby is authorized from Fund 763, the Local Transportation Improvement Fund for Dept.-Div. 59-12, Division of Design and Construction as follows:

**Division of Design and Construction, Dept-Div 59-12:**

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount  
763 / 591191-100000 / Alum Creek Drive Phase B / 06-6631 / 591191 / \$7,163.07

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

**SECTION 9.** That for the reasons stated in the preamble hereto, 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.

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**Legislation Number:** 1460-2012

**Drafting Date:** 6/25/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

## **1. BACKGROUND**

This legislation authorizes the Director of Public Service to enter into a professional services contract with Evans, Mechwhwart, Hambelton, and Tilton (EMH&T) for the Roadway Improvements - Taylor Avenue project in an amount up to \$100,000.00.

In 2002, the City entered into a design reimbursement agreement with Columbus Urban Growth Corporation. Columbus Urban Growth Corp contracted with EMH&T to develop design plans for sidewalk enhancements to Taylor Avenue between Greenway Avenue and Maryland Avenue. The project was to include resurfacing Taylor Avenue, replacing and upgrading the sidewalks, curb replacement, and street tree installation. Design was put on-hold several times and was not completed.

Columbus Urban Growth Corporation is no longer in business, and it has been determined that it is in the best interest of the City to contract directly with EMH&T to complete the plans. Some of the work has been completed in conjunction with a recent City resurfacing project. The current scope will be to remove the already completed items from the plans, update to current standards, and finalize the plans for signature.

The original Reimbursement Agreement with Columbus Urban Growth Corp. was authorized by ordinance 1064-02, EA-039210 in the amount of \$100,000 for the preparation of plans for improvements to Taylor Avenue and adjoining sidewalk projects. Columbus Urban Growth Corp contracted with EMH&T to complete the design plans on their behalf.

A modification to the Reimbursement Agreement was authorized by ordinance 0014-2004 to add \$55,058.16 to update plans to current standards

A modification to the Reimbursement Agreement was authorized by ordinance 2245-2006 & 0789-2008 to add

\$16,395 - EL008722 for additional survey work.

As part of this contract previously prepared, but partially completed plans will be updated and finalized. Updates include revising plans to show current existing conditions, updating to the current edition of the City's Construction and Material Specifications, and modifying the plan formatting from the previous Private Development standard formatting to now comply with the Capital Improvement Plan standard formatting.

The design was not completed and Columbus Urban Growth Corp is no longer in business. Standards and specifications have now changed. The design plans no longer represent the current existing conditions as some of the improvements were completed by a City resurfacing project.

0.4 miles of variable width (5' to 8.5') sidewalk will be added or reconstructed in this project. 4 ADA ramps will be added or reconstructed in this project. There are 0 bus stops and transit routes within the limits of this project. This project complies with the recommendation of the Pedestrian Thoroughfare Plan because the project will install or replace sidewalks to meet or exceed standard widths and will install vertical buffers (street trees). Pedestrian generators and destinations impacting the proposed project include the following: Generators - Single-family residential exists through the project limits along both sides of Taylor and the connecting side streets.

Destinations - OSU Carepoint East, Eastgate Elementary School, Saunders Park, East High School

Environmental "Green" materials or processes associated with this project include:

Installation of street tree planting beds, using Silva Cells, to increase the available root growth area under the sidewalk.

## **2. WAIVER OF COMPETITIVE BIDDING**

The Department of Public Service requests that a waiver of the competitive bidding requirements of Columbus City Code, in accordance with section 329 be authorized for this project. A waiver of the competitive bidding requirements of the City Code, 1959 is necessary because the previous design was completed to a point that requesting proposals to select another firm would not be cost effective.

- Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against EMH&T.

## **2. CONTRACT COMPLIANCE**

The contract compliance number for EMH&T is 310685594 and expires 9/22/13.

## **3. FISCAL IMPACT**

Funding for this contract is budgeted and available within the Streets and Highways G.O. Bonds Funds Fund.

## **4. EMERGENCY DESIGNATION**

The Department of Public Service is requesting City Council to enact this legislation as an emergency measure, in order to allow for the work in this contract to proceed and the schedule for this project to be maintained to provide needed sidewalks at the earliest possible time.

To authorize the Director of Public Service to enter into contract for the design of the Roadway Improvements - Taylor Avenue project for the Division of Planning and Operations; to waive the competitive bidding provisions of the Columbus City Code regarding professional services contracts; to authorize the expenditure of \$100,000.00 within the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$100,000.00)

**WHEREAS**, in 2002, the City entered into a design reimbursement agreement with Columbus Urban Growth Corporation. Columbus Urban Growth Corp contracted with EMH&T to develop design plans for sidewalk enhancements to Taylor Avenue between Greenway Avenue and Maryland Avenue; and

**WHEREAS**, a modification to the Reimbursement Agreement was authorized by ordinance 0014-2004 to add \$55,058.16 to update plans to current standards

**WHEREAS**, a modification to the Reimbursement Agreement was authorized by ordinance 2245-2006 & 0789-2008 to add \$16,395 - EL008722 for additional survey work.

**WHEREAS**, design was put on-hold several times and was not completed; and

**WHEREAS**, the project was to include resurfacing Taylor Avenue, replacing and upgrading the sidewalks, curb replacement, and street tree installation; and

**WHEREAS**, Columbus Urban Growth Corporation is no longer in business, and it has been determined that it is in the best interest of the City to contract directly with EMH&T to complete the plans; and

**WHEREAS**, the current scope will be to remove the already completed items from the plans, update to current standards, and finalize the plans for signature;

**WHEREAS**, the Department of Public Service has determined it to be in the City's best interest to waive the competitive bidding provisions of the City code due to the consultant's knowledge of this project and the prior work they have performed for this project; and

**WHEREAS**, this ordinance authorizes The Director of Public Service to enter into contract with EMH&T for the Roadway Improvements - Taylor Avenue project in an amount up to \$100,000.00; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, in that the contract should be modified and increased immediately so that the work to be performed as part of this modification can proceed and the project schedule maintained, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

**SECTION 1.** That the Director of Public Service be and is hereby authorized to enter into contract with EMH&T, 5500 New Albany Road, Columbus, OH, 43054(mailing address) in an amount up to \$100,000.00 for the Roadway Improvements - Taylor Road project.

**SECTION 2.** That the competitive bidding provisions of Section 329.12 the City Code be waived.

**SECTION 3.** That for the purpose of paying the cost of this modification, the amount of up to \$100,000.00 is authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 440104-100010 / Roadway Improvements - Taylor Road / 06-6682 / 741410 / \$100,000.00

**SECTION 4.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 5.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1461-2012

**Drafting Date:** 6/25/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with George J. Igel & Company, Inc. in the amount of \$931,169.76; to encumber funds with the Design and Construction Division for inspection, testing, and prevailing wage coordination services in the amount of \$141,000.24; all in connection with the Southwesterly Compost Facility Stormwater Diversion Swale Improvements Project.

The work for which proposals are invited consists of all labor and materials for the construction of approximately 29,146 cubic yards of excavation; 6,584 cubic yards of embankment; 174 cubic yards of rock channel protection; 4,373 feet of 12-inch ditch underdrain, as per plan; 75 feet of 15-inch storm sewer; 112 feet of 30-inch storm sewer; 195 feet of 36-inch storm sewer; 340 feet of 42-inch storm sewer; manholes, catch basins, headwalls and endwalls.

This project includes \$1,072,170.00 for Stormwater Improvements as directed by the Project Engineer, which will be paid from the Storm Recovery Zone Super Build America Bonds Fund.

**2. CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened four (4) bids on May 23, 2012. These bids were received from: George J. Igel-\$931,169.76, John Eramo - \$1,022,128.08, Darby Creek Excavating - \$1,297,074.18, and Complete General - \$1,410,224.40.

The lowest and best bid was from George J. Igel & Company, Inc. for \$931,169.76. Additional information regarding each bidder, description of work, contract timeframe, detailed amounts and sub-contractors can be found on the attached Legislation Information Form.

**Contract Compliance Information:** 31-4214570, expires 02/22/2013, Majority

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against George J. Igel & Company, Inc.

**3. FISCAL IMPACT:** A transfer of \$72,170.00 is needed to provide sufficient cash for this project in the Storm Recovery Zone Super Build America Bonds Fund. An amendment to the 2012 Capital Improvements Budget will also be necessary.

To authorize the Director of Public Utilities to execute a construction contract with George J. Igel & Company, Inc.; to encumber funds to provide for payment of inspection, material testing and related services to the Design and Construction Division; to authorize the transfer of \$72,170.00 within the Storm Recovery Zone

Super Build America Bonds Fund; to authorize an amendment to the 2012 Capital Improvements Budget; and to authorize the expenditure of \$1,072,170.00 for the Southwesterly Compost Facility Stormwater Diversion Swale Improvements Project, for the Divisions of Sewerage and Drainage from the Storm Recovery Zone Super Build America Bonds Fund. (\$1,072,170.00)

**WHEREAS**, four (4) bid proposals were received and publicly opened in the offices of the Director of Public Utilities on May 23, 2012 for the construction of the Southwesterly Compost Facility Stormwater Diversion Swale Improvements Project; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of inspection, testing and prevailing wage coordination services costs associated with the Southwesterly Compost Facility Stormwater Diversion Swale Improvements Project; and

**WHEREAS**, it is necessary to authorize a transfer of \$72,170.00 within the Storm Recovery Zone Super Build America Bonds Fund for the purpose of providing sufficient funding for the aforementioned project expenditure; and

**WHEREAS**, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for the purpose of providing sufficient authority for the aforementioned project expenditure; and

**WHEREAS**, this project is needed to prevent offsite stormwater from entering the Compost Facility reducing the frequency of overflows from the Compost Facility Leachate Basin.

**WHEREAS**, in the usual daily operation of the Department of Public Utilities, Divisions of Sewerage and Drainage it is necessary to enter into a construction contract with George J. Igel & Company, Inc. for the Southwesterly Compost Facility Stormwater Diversion Swale Improvements Project 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 Public Utilities be, and hereby is, authorized to award and execute a contract for construction of the Southwesterly Compost Facility Stormwater Diversion Swale Improvements Project with the lowest and best bidder, George J. Igel & Company, Inc., 2040 Alum Creek Drive, Columbus, OH 43207; in the amount of \$931,169.76 in accordance with the terms and conditions of the contract on file in the Office of the Division of Sewerage and Drainage; and to obtain the necessary inspection, testing and prevailing wage coordination services from the Design and Construction Division; and to pay up to a maximum amount of \$141,000.24

**SECTION 2.** That the City Auditor is hereby authorized to transfer \$72,170.00 within the Division of Sewerage and Drainage, Dept/Div. No. 60-15, Storm Recovery Zone Super Build America Bonds Fund, Fund No. 677, Object Level One 06, Object Level Three 6621, as follows:

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

610411-100000 | Stormwater I/I Livingston/James | 677411 | -\$72,170.00

610051-100000 | Compost Facility Diversion Swale | 677051 | +\$72,170.00

**SECTION 3.** That the 2012 Capital Improvements Budget is hereby amended as follows:

<u>Proj. No.</u>	<u>Proj. Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Change</u>
610411-100000	Stormwater I/I Livingston/James	\$125,652	\$53,482	-\$72,170
610051-100000	Compost Facility Diversion Swale	\$1,000,000	\$1,072,170	+\$72,170

**SECTION 4.** That for the purpose of paying the cost of the construction contract, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm Recovery Zone Super Build America Bonds Fund, Fund No. 677, Project 610051-100000, Object Level Three 6621, OCA Code 677051, Amount \$931,169.76.

**SECTION 5.** That for the purpose of paying the cost of inspection, testing and prevailing wage coordination services, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm Recovery Zone Super Build America Bonds Fund, Fund No. 677, Project 610051-100000, Object Level Three 6687, OCA Code 677051, Amount \$141,000.24.

**SECTION 6.** That the said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrators of the Division of Sewerage and Drainage

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

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

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

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

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**Legislation Number:** 1462-2012

**Drafting Date:** 6/25/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:** This ordinance is for the option to purchase various types of Topsoil for pick up or delivery on an as needed basis by the Division of Water, the largest user and various other City Agencies. This contract is necessary to allow proper completion of sewer and waterline repairs and improvement to City properties as required. The term of the proposed option contract will be through June 30, 2014 with the option to extend this contract subject to mutual agreement for One (1) year. The Purchasing Office opened formal bids on June 7, 2012.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA004413,). Thirty seven (37) Bids were solicited (MBR-1:M1A-6). Three (3) Bids were received.

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

Jones Fuel Co., DBA Jones Topsoil LLC CC#314220120 (expires 5-25-2012)

Kurtz Brothers Central Ohio, LLC CC#203524137 (expires 11-2-2012)

Total Estimated Annual Expenditure: \$100,000.00

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

This ordinance is being submitted as an emergency because the specification review process took longer than anticipated and the current contract expires on June 30, 2012. A delivery system where topsoil was to be conveyed to the needed areas was evaluated but not chosen when it was determined that this would reduce competition and increase the total costs.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. The Division of Fleet Management will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

To authorize the Finance and Management Director to contract for the option to purchase various types of Topsoil for pick up or delivery on an as needed basis with Jones Fuel DBA Jones Topsoil and Kurtz Brothers of Central Ohio, LLC; to authorize the expenditure of Two dollars from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$2.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids June 7, 2012 and selected the lowest responsive, and 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 the purchase of various types of Topsoil for pick up or delivery; and

WHEREAS, these various types of Topsoil are necessary to allow the Division Power and Water to complete sewer and waterline repairs and improvement to City properties as required, this is being submitted for consideration as an emergency measure; and

WHEREAS, the contract will be in effect for two (2) years to and including June 30, 2014, with the option to extend for One (1) additional year subject to mutual agreement of both parties; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Power and Water, in that it is immediately necessary to enter into contracts for an option to purchase various types of Topsoil for pick up or delivery so that the City's ability to complete sewer and waterline repairs and improvement to City properties as required is maintained 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 to enter into the following contracts for an option to purchase various types of Topsoil for pick up or delivery for the term ending June 30, 2014 with the option to extend subject to mutual agreement for One (1) year in accordance with Solicitation No. SA004413 as follows:

Jones Fuel Co., DBA Jones Topsoil., Items 1, 2 and 4: Amount \$1.00

Kurtz Brothers Central Ohio., Item 3 and 4: Amount \$1.00

SECTION 2. That the expenditure of \$2.00 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.

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**Legislation Number:** 1465-2012

**Drafting Date:** 6/25/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

## 1. BACKGROUND

The purpose of this legislation is to amend parking regulations of the city of Columbus, Ohio to restrict vehicles parking over the curb onto the street lawn area, on a shared-use path, and to prohibit vehicles parking in a bike lane. Vehicles parking over the curb in the street lawn area between the roadway curb and the sidewalk or right-of-way line damage street trees, cause rutting that may collect rain water and promote mosquito populations, and otherwise cause degradation in the aesthetic appeal of public streets. Vehicles parking on a shared-use path or in a bike lane are a danger to bicyclists lawfully riding on a shared-use path or in a bike lane. Warnings will be issued to violators for the first 30 days following the effective date of this legislation.

On May 8, 2012, the Transportation and Pedestrian Commission reviewed and recommended adoption of this legislation.

## 2. FISCAL IMPACT

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

To amend Chapter 2151 and Chapter 2150 for consideration of preserving the condition of public streets and greater bikeway connectivity and safety.

**WHEREAS**, the condition of public streets, including the street lawn area along curbed roadways impacts the public health, safety and welfare in the city of Columbus; and

**WHEREAS**, vehicles parking over the curb and onto the street lawn area causes damage and other harm to the public roadway right-of-way; and

**WHEREAS**, vehicles parking on a shared-use path or in a bike lane block the safe travel of bicycles; and

**WHEREAS**, the city of Columbus finds it in the best interest of the community to prohibit such types of parking; now therefore,

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

**SECTION 1.** That Chapter 2151 of the Columbus City Code, 1959 is hereby amended as shown in the Attachment file identified as 1465-2012 Chapter 2151 Amendment.DOC.

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

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**Legislation Number:** 1468-2012

**Drafting Date:** 6/25/2012

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

**Rezoning Application Z12-019**

**APPLICANT:** Kevin G. Smith; c/o Michael T. Shannon, Atty.; Crabbe, Brown & James, LLP; 500 South Front Street, Suite 1200; Columbus, OH 43215.

**PROPOSED USE:** Office.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on June 14, 2012.

**FAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with an insurance office building that became designated in the R, Rural District upon annexation in 2004. The requested C-2, Commercial District will conform the existing office use. The site is located within the planning area of the *Broad-Blacklick Plan* (2011), which recommends office uses for this location. The request is compatible with the zoning and development patterns in the area, and with the land use recommendations of the *Broad-Blacklick Plan*.

To rezone **415 NORTH REYNOLDSBURG-NEW ALBANY ROAD (43004)**, being 0.65± acres located on the west side of North Reynoldsburg-New Albany Road, 44± feet south of Stone Shadow Drive, **From:**R, Rural District, **To:** C-2, Commercial District **and to declare an emergency** (Rezoning # Z12-019).

**WHEREAS**, application #Z12-019 is on file with the Department of Building and Zoning Services requesting rezoning of 0.65± acres from R, Rural District, to the C-2, Commercial District; and

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

**WHEREAS**, the Far East Area Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested C-2, Commercial District, which will conform an existing office use, is compatible with the zoning and development patterns in the area, and with the land use recommendations of the *Broad-Blacklick Plan*; and

**WHEREAS**, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

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

**SECTION 1.** That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**415 NORTH REYNOLDSBURG-NEW ALBANY ROAD (43004)**, being 0.65± acres located on the west side of North Reynoldsburg-New Albany Road, 44± feet south of Stone Shadow Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, part of Lot Number Thirty (30), Section Four (4), Township One (1), Range Sixteen (16), United States Military Lands and being 0.653 acres of land as conveyed to Kevin G. Smith and Virginia L. Smith as recorded in Instrument Number 200012060246748 (all references refer to records in the Franklin County Recorder's Office) and more fully described as follows:

Beginning for reference at an existing 1" solid iron pin at the centerline intersection of Reynoldsburg-New Albany Road and Stone Shadow Drive as shown on Stonehill Section 1, Part 1 as recorded in Plat Book 103, Page 10;

Thence South 41° 53' 09" West a distance of 60.01 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point being the Point of Beginning;

Thence South 41° 53' 09" West a distance of 209.28 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point at northeasterly property corner of (now or formerly) Frank Denune 5.085 acre tract as recorded in Instrument Number 199812310337508;

Thence North 86° 04' 32" West a distance of 107.93 feet, along a northerly line of said 5.085 acre tract, to a point;

Thence North 3° 55' 28" East a distance of 165.00 feet, along an easterly line of said 5.085 acre tract, to an existing reinforcing bar on the southerly line of said Stonehill Section 1, Part 1;

Thence south 86° 04' 32" East a distance of 236.67 feet, along a southerly line of said Stonehill Section 1, Part 1, to the Point of Beginning containing 0.653 acres more or less according to previous deeds and subdivision plats of record and NOT from an actual field survey.

Bearings are based upon the southerly line of Stonehill Section 1, Part 1 as recorded in Plat Book 103, Page 10 as South 86° 04' 32" East and all other bearings based upon this meridian.

**To Rezone From:** R, Rural District,

**To:** C-2, Commercial District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the C-2, Commercial District on this property.

**SECTION 3.** That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services.

**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.**

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**Legislation Number:** 1470-2012

**Drafting Date:** 6/25/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**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 public safety recruits in preparation for Police and Fire Academy classes.

**Bid Information:** In 2010, the City of Columbus Civil Service Commission published a Request for Proposals (SA003768) for these services and accepted proposals through December 16, 2010. Three proposals were submitted; an evaluation committee reviewed these proposals and selected The Ohio State University (Ordinance 0272-2011). This contract has been renewed in accordance with the requirements in the initial contract.

**Emergency Designation:** Emergency legislation is requested in order to allow sufficient time for the Department of Public Safety to continue to schedule both police and fire applicants in the summer and fall.

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

**FISCAL IMPACT:** Funding for this service was budgeted in the Civil Service Commission's 2012 general fund budget.

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 recruits, and to authorize the expenditure of \$47,000.00 from the General Fund; and to declare an emergency (\$47,000.00).

**WHEREAS**, the City of Columbus Civil Service Commission accepted proposals from qualified companies for medical services; 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 modify and increase the contract with Ohio State University in order to continue scheduling public safety recruits in preparation for upcoming academy classes, 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 pre-employment physicals and cardiovascular stress tests to public safety recruits for the Divisions of Police and Fire.

**SECTION 2.** That the expenditure of \$47,000.00 or so much thereof as may be needed, 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.

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**Legislation Number:** 1474-2012

**Drafting Date:** 6/26/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** This ordinance is for the option to purchase Road Flares for the Department of Public Safety, Police and Fire Divisions. This contract will be used to supply flares in order to warn drivers of impending hazards along City streets and highways. The term of the proposed option contract would be approximately two (2) years, with the option to extend the contract for one (1) additional one-year period if mutually agreed upon. The Contract is potentially through June 30, 2015. The Purchasing Office opened formal bids on June 14, 2012.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06, Solicitation SA004424. Ninety (90) bids were solicited (MBR: 1; F1: 1). Four (4) bids were received.

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

Comade, Inc., CC#331013311 (Expires June 25, 2014), \$1.00, All items.  
Total Estimated Annual Expenditure: \$50,000.00

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

This ordinance is being submitted as an emergency because, without emergency action, the supply of flares could be disrupted, thereby potentially causing hazardous conditions on City roads.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. The City Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

To authorize the Finance and Management Director to enter into contract for the option to purchase Road Flares with Comade, Inc.; to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00).

WHEREAS, the Purchasing Office advertised and solicited formal bids on June 14, 2012 and selected the lowest, responsive, responsible and best bid; 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, the Flares are needed to protect the City's Safety Forces and the public by alerting drivers to hazards in public roadways, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to enter into a contract for an option to purchase the Road Flares so that City residents are better informed of road hazards, 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 to enter into the following contract for the option to purchase Road Flares for the term ending June 30, 2014, with the option to extend the contracts for one (1) additional one-year period if mutually agreed upon, in accordance with Solicitation No. SA004424 as follows:

Comade, Inc., All items, 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.

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**Legislation Number:** 1478-2012

**Drafting Date:** 6/26/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:** This ordinance authorizes the Finance and Management Director to issue a purchase order to Arrow Energy to purchase jet fuel for the Police Division helicopters based on the current universal term contract. Helicopters are used to patrol the airspace above the City of Columbus and will be flying an average of 500 hours per month. The average fuel burn is approximately 25 gallons per hour.

**Bid Information:** Based on contract FL004198 in accordance with the response to Solicitation SA003093, a universal term contract was established with Arrow Energy, Inc.

Contract Compliance No.: 38-2872167, expires 11/10/2012

**Emergency Designation:** Emergency legislation is requested in order to purchase jet fuel to keep the Division's fleet of helicopters flying their normal flight hours.

**FISCAL IMPACT:** A total of \$308,000.00 was approved in the Division's 2012 General Fund Budget. A purchase order of \$100,000.00 has already been encumbered in 2012 for the purchase of jet fuel. The total expended or encumbered in 2011 was \$366,917.00.

To authorize and direct the Finance and Management Director to establish a purchase order with Arrow Energy, Inc. for the purchase of jet fuel for the Division of Police from an existing universal term contract, to authorize the expenditure of \$208,000.00 from the General Fund; and to declare an emergency. (\$208,000.00)

**WHEREAS,** contract FL004198 established an universal term contract with Arrow Energy, Inc.; and

**WHEREAS,** there is a need to fly turbine helicopters for the patrol of the airspace for the City of Columbus; and

**WHEREAS,** a contract was awarded to Arrow Energy, Inc. for the purchase of jet "A" fuel in accordance with the terms and conditions of universal term contract FL004198; 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 issue a purchase order for jet fuel and for the preservation of the public health, peace, property, safety, 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 establish a purchase order with Arrow Energy, Inc. for the purchase of jet "A" fuel for the Division of Police,

Department of Public Safety, based on the universal term contract with Arrow Energy, Inc.

**SECTION 2.** That the expenditure of \$208,000.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:

|DIV 30-03 | FUND 010 | OBJ LEVEL (1) 02 | OBJ LEVEL (3) 2248 | OCA 300707|

**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.

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**Legislation Number:** 1481-2012

**Drafting Date:** 6/26/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

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

Amamata, LLC is a healthcare entity that was founded in October 2009 by Dr. John A. Johnson (President and Chief Executive Officer), and his partner Mukesh Ranqwani. Dr. Johnson is a central Ohio psychiatrist who has worked in public, private and university mental-health systems for 25 years. He also is head of AccessOhio Mental Health Center of Excellence, a mental healthcare facility that is accessible to all people, including the economically disfavored.

Amamata, LLC is proposing to renovate a vacant commercial building consisting of approximately 51,000 square feet by investing \$4.5 million in new construction, machinery, equipment and inventory. With the new construction, Amamata, LLC plans to increase the square footage by 9,000 making the total 60,000 square feet of medical office space. The company will create approximately 40 new full-time permanent positions within the City of Columbus over a three-year period following construction completion with an estimated annual payroll of \$1.4 million.

The Department of Development recommends a 75%/10-year Enterprise Zone tax abatement on real property improvements.

The Gahanna Jefferson City School District has been advised of this project.

**FISCAL IMPACT:** No funding is required for this legislation.

To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement with Amamata, LLC for a tax abatement of seventy-five percent (75%) for a period of ten (10) years on real property improvements in consideration of a proposed total investment of approximately \$4.5 million.



**WHEREAS**, City Council subsequently amended the Columbus Enterprise Zone by Ordinance Numbers 2722-85 in 1986; 2080-89 in 1989; 1949-92, 2249-92 and 2690-92 in 1992; 1079-94 and 1228-94 in 1994; 1274-95, 2196-95 and 2817-95 in 1995; 0533-99 in 1999; 1785-00 in 2000; 1464-02 in 2002; 0225-03 in 2003; and 0032-2012 in 2012; and

**WHEREAS**, the Director of the Development Department of the State of Ohio determined that the Columbus Enterprise Zone as amended by the aforementioned Ordinances continued to contain the characteristics set forth in Section 5709.61(A) of the Ohio Revised and recertified said Zone in 1986, December 20, 1989, September 28, 1992, October 22, 1992, December 17, 1992, May 31, 1994, June 24, 1994, June 16, 1995, October 5, 1995, December 19, 1995, April 1, 1999, September 25, 2000, January 27, 2003, August 19, 2003 and most recently on April 3, 2012 as an "urban jobs and enterprise zone" under Chapter 5709 of the Ohio Revised Code; and

**WHEREAS**, Amamata, LLC plans to invest approximately \$3.0 million in real property improvements on Parcel Number 520-121657; and

**WHEREAS**, the project to be developed by Amamata, LLC at the project site will consist of purchasing and renovating a vacant commercial office facility consisting of approximately 51,000 square feet, investing \$3.0 million in real property improvements and increasing the square footage by 9,000 on property located at 6400 E. Broad Street Columbus, Ohio 43213; and

**WHEREAS**, Amamata, LLC will create 40 new full-time permanent positions within the City of Columbus over a three-year period following construction completion with an estimated annual payroll of \$1.4 million; and

**WHEREAS**, the City is encouraging this project because of plans to redevelop an urban commercial property in the central city; and

**WHEREAS**, the City desires to enter in such a binding formal agreement in order to foster economic growth for the preservation of public health, peace, property and safety; and **NOW, THEREFORE**,

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

**Section 1.** That City hereby finds and determines that the project will (1) create jobs in the State and City (2) the project is economically sound and will benefit the people of the State and City by increasing opportunities for employment and strengthening the economy of the State and City; and (3) receiving the aforementioned tax abatement and tax credit is a critical factor in the decision by Amamata, LLC to go forward with the project expansion.

**Section 2.** That Columbus City Council hereby finds and determines that the project meets all the requirements of the City Act.

**Section 3.** That the Director of the Department of Development is hereby authorized and directed to enter into and execute an Enterprise Zone Agreement with Amamata, LLC to provide therewith an exemption of seventy-five percent (75%) on real property improvements for a term of ten (10) taxable years in association with the project's proposed investment of approximately \$4.5 million in new construction, machinery,

equipment and inventory.

**Section 4.** That the City of Columbus Enterprise Zone Agreement is signed by Amamata, LLC within ninety (90) days of passage of this ordinance, or this ordinance and the abatements and credits authorized herein are null and void.

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

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**Legislation Number:** 1482-2012

**Drafting Date:** 6/26/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** The need exists to enter into an Enterprise Zone Agreement with Tower 10, LLC. The Ohio Enterprise Zone law O.R.C. Section 5709.62 (3) requires the City to enter into a Council-approved agreement between the City and participating companies.

Tower 10, LLC acquired the LeVeque Tower at 50 W. Broad Street in 2011. The site was constructed in 1927 and was originally a corporate office for American Insurance Union Citadel. At one time the facility included a hotel annex, which was closed in 1964. The building was renamed the LeVeque Tower (after owners) in 1977, two years after being listed on the National Registry. The site is currently housing a variety of businesses and agencies that fill just over half of the building.

Tower 10, LLC is a limited liability corporation involved in real estate investment. The firm has acquired and will redevelop the existing 421,281 square foot facility at 50 W. Broad Street. A total capital investment of \$27.6 million is proposed at the site; with \$4.5 million toward building acquisition; \$19.9 million toward new construction and improvements; \$1.2 million for equipment, furniture and fixtures; and \$2 million toward streetscape improvements. A total of 4 new full-time permanent positions will be created and 3 full-time positions will be retained as a result of the project.

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

The Columbus City Schools have been advised of this project.

**FISCAL IMPACT:** No funding is required for this ordinance.

To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement with Tower 10, LLC for a tax abatement of seventy-five percent (75%) for a period of ten (10) years on real property improvements in consideration of a proposed total capital investment of \$27.6 million.

**WHEREAS,** the Columbus City Council authorized the designation of the Central Enterprise Zone by legislation, Ordinance Number 779-85, dated April 22, 1985; and Subsequently amended the Zone by Ordinance Nos. 2722-85 in 1986; 2080-89 in 1989; 1949-92, 2690-92 and 2249-92 in 1992; 1079-94 and

1228-94 in 1994; 2196-95 and 2817-95 in 1995; 0533-99 in 1999; 1785-00 in 2000; 1464-02 in 2002; 0225-03 in 2003 and 0032-2012 in 2012; and

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

**WHEREAS**, Tower 10, LLC proposes to acquire and redevelop the existing 421,281 square foot facility at 50 W. Broad Street; and

**WHEREAS**, Tower 10, LLC will make a proposed total capital investment of \$27.6 million at the site; with \$4.5 million toward building acquisition; \$19.9 million toward new construction and improvements; \$1.2 million for equipment, furniture and fixtures; and \$2 million toward streetscape improvements; and

**WHEREAS**, Tower 10, LLC will create 4 new full-time permanent jobs with an annual payroll of \$125,000 and will retain 3 full-time positions at the project site; and

**WHEREAS**, the City is encouraging this project because of plans to redevelop urban commercial property in the central city; and **NOW, THEREFORE**,

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

**Section 1.** That City hereby finds and determines that the project will (1) create jobs in the State and City (2) the project is economically sound and will benefit the people of the State and City by increasing opportunities for employment and strengthening the economy of the State and City; and (3) receiving the aforementioned tax abatement is a critical factor in the decision by Tower 10, LLC to go forward with the project expansion.

**Section 2.** That the City Council hereby finds and determines that the project meets all the requirements of the City Act.

**Section 3.** That the Director of the Department of Development is hereby authorized and directed to enter into and execute an Enterprise Zone Agreement with Tower 10, LLC to provide therewith an exemption of seventy-five percent (75%) on real property improvements for a term of ten (10) taxable years in association with the project's proposed investment of approximately \$27.6 million at the site; with \$4.5 million toward building acquisition; \$19.9 million toward new construction and improvements; \$1.2 million for equipment, furniture and fixtures; and \$2 million toward streetscape improvements and the creation of 4 new permanent full-time positions with an annual payroll of approximately \$125,000 and the retention of 3 full-time positions.

**Section 4.** That the City of Columbus Enterprise Zone Agreement is signed by Tower 10, LLC within ninety (90) days of passage of this ordinance, or this ordinance and the abatements and credits authorized herein are null and void.

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

law.

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**Legislation Number:** 1484-2012

**Drafting Date:** 6/26/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:** This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with J & P Paving Masonry and Sealant, Inc. for renovation of the parking garage at the Health Department, 240 Parsons Avenue.

The project shall include, but is not limited to, the replacement of expansion joints, joint sealant, storm water drains and striping, concrete renovation at slab-on-deck, tees, and foundation walls.

Formal bids were solicited and five companies submitted bids on May 10, 2012 as follows (0 FBE, 0 MBE):

J & P Paving Masonry and Sealant, Inc.	\$160,000.00
Gutknecht Construction	\$181,646.00
Lithko Restoration Technologies	\$206,890.00
Boone Construction	\$250,000.00
Advanced Restoration	\$278,000.00

The Office of Construction Management recommends the bid award be made to the most responsive and responsible bidder, J & P Paving Masonry and Sealant, Inc.

**Emergency action** is requested so that the contractor will be able to complete this project during good weather.

J & P Paving Masonry and Sealant, Inc. Contract Compliance No. 13-1121622, expiration date May 14, 2014.

**Fiscal Impact:** The cost of this contract is \$160,000.00. Sufficient funding is available within the Gov'l B.A.B.'s (Build America Bonds) Fund.

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with J & P Paving Masonry and Sealant, Inc. for renovation of the parking garage at the Health Department, 240 Parsons Avenue; to authorize the expenditure of \$160,000.00 from the Gov'l B.A.B.'s (Build America Bonds) Fund; and to declare an emergency. (\$160,000.00)

**WHEREAS,** it is necessary for the renovation of the parking garage at the Health Department to occur; and

**WHEREAS,** formal bids were solicited and five companies submitted bids; and

**WHEREAS,** an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to enter into a contract with J & P Paving Masonry and Sealant, Inc. for renovation of the parking garage at the Health Department, 240 Parsons Avenue, so that the contractor will be able to complete this project during good weather, thereby protecting the public health, peace, property, safety, and welfare; now therefore:

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

**SECTION 1.** That the Finance and Management Director is authorized to enter into a contract on behalf of the Office of Construction Management with J & P Paving Masonry and Sealant, Inc. for renovation of the parking garage at the Health Department, 240 Parsons Avenue

**SECTION 2.** That the expenditure of \$160,00.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 45-27  
Fund: 746  
Project: 570030-100017  
OCA Code: 763017  
Object Level: 06  
Object Level 3: 6620  
Amount: \$160,000.00

**SECTION 3.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 4.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 5.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1487-2012

**Drafting Date:** 6/26/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

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

The original legislation, under Ordinance No. 1386-2010, stated that this agreement would be modified over the 2011 - 2015 period. The first contract was executed in December 2010 to allow the Professional

Construction Management Team to perform a constructability review of the Upground Reservoir R-2 Project prior to advertisement for bid in December 2010.

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

Modification No. 2, under Ordinance No. 0975-2011 enabled the Professional Construction Management Team to perform constructability reviews for various projects, for the remainder of 2011 and the first half of 2012.

Modification No. 3 is to cover Professional Construction Management tasks for the remainder of 2012 and the first half of 2013. Refer to the attached Information file, item number 6, for a description of these projects.

It is anticipated annual contract modifications will be submitted for Council approval in the middle of 2013 to cover Professional Construction Management tasks for the next 12 month period, and annually thereafter for the duration of the five year contract period.

**1.1 Amount of additional funds to be expended: \$6,854,740.00**

Original Contract Amount:	\$ 200,000.00	(EL011123)
Modification 1	\$ 1,625,000.00	(EL011432)
Modification 2	\$15,750,000.00	(EL011999)
<u>Modification 3 (current)</u>	<u>\$ 6,854,740.00</u>	
Total (Orig. + Mods. 1-3)	\$24,429,740.00	

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

This modification was planned and identified in the original contracting legislation Ord. 1386-2010, in the first contract modification Ord. 0134-2011, as well as the second contract modification Ord. 0975-2011.

**1.3. Reason other procurement processes are not used:**

The original RFP for this project anticipated a multi-year project with annual expenditures. The original authorizing legislation Ord. 1386-2010, the first contract modification Ord. 0134-2011, and the second contract modification Ord. 0975-2011 identified the planned contract modifications.

**1.4. How cost of modification was determined:**

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

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:** This is a Professional Construction Management project which will facilitate the construction administration and construction inspection services for projects in the Division of Power and Water (Water) capital program. These projects are all related to water supply and treatment facilities. These projects are incorporated in the capital improvement program for various reasons including meeting regulatory requirements, expanded supplies to meet development concerns and maintenance of the water supply and treatment facilities. All of these functions are tied to the economic vitality of the service area. Outreach and public informational meetings have been performed under previous modifications of this contract and will be performed on individual projects as they near construction as appropriate. The consultant team has identified a commitment

to the Mayor's Green Initiative in their business practices, including recycling programs in their offices, a commitment to double-sided printing, and utilization of Project Management Information System (PMIS) for submittal reviews which limits the need for printing documents for review.

**3. CONTRACT COMPLIANCE INFO:** 34-0939859, expires 7/28/13, Majority

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

**4. FISCAL IMPACT:** A transfer of funds within the Water Works Enlargement Voted Bonds Fund will be necessary, as well as an amendment to the 2012 Capital Improvements Budget.

To authorize the Director of Public Utilities to modify and increase the agreement with URS Corporation - Ohio for Professional Construction Management Services; for the Division of Power and Water; to authorize a transfer and an expenditure up to \$6,875,740.00 within the Water Works Enlargement Voted Bonds Fund; and to authorize an amendment to the 2012 Capital Improvements Budget. (\$6,854,740.00)

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

**WHEREAS,** Modification No. 1, under Purchase Order No. EL011432 authorized by Ordinance No. 0134-2011 passed February 23, 2011, was executed March 10, 2011, and approved by the City Attorney on March 17, 2011; and

**WHEREAS,** Modification No. 2 under Purchase Order No. EL011999 authorized by Ordinance No. 0975-2011 passed July 18, 2011, was executed August 18, 2011, and approved by the City Attorney on August 18, 2011; and

**WHEREAS,** Modification No. 3 is needed in order to provide necessary services for projects in the remainder of 2012 and the first half of 2013; and

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

**WHEREAS,** it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

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

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

**SECTION 1.** That the Director of Public Utilities is hereby authorized and directed to modify and increase the agreement with URS Corporation - Ohio for Professional Construction Management Services, in the amount of \$6,854,740.00.

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

**SECTION 3.** That the City Auditor is hereby authorized to transfer \$6,695,840.21 within the Department of Public Utilities, Division of Power and Water, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Dept./Div. No. 60-09, Object Level Three 6686, as follows:

**Fund No. | Project No. | Project Name | OCA Code | Change**

606 | 690428-100001 (carryover) | DRWP Cap. Inc.-DD & Constr. | 664281 | -\$6,695,840.21  
 606 | 690359-100001 (carryover) | SWF Expansion-CW 106 (well) | 665901 | +\$313,100  
 606 | 690359-100003 (carryover) | SWF Expansion-CW 106 (RWL) | 663593 | +\$153,600  
 606 | 690370-100000 (carryover) | Upground Reservoir | 606370 | +\$964,400  
 606 | 690370-100001 (carryover) | Upground Res. Pump Sta. | 663701 | +\$997,400  
 606 | 690370-100002 (carryover) | Upground Res. RWL | 663702 | +\$262,300  
 606 | 690428-100002 (carryover) | DRWP Cap. Incr. Sludge P.S. | 664282 | +\$1,000,200  
 606 | 690430-100001 (carryover) | HCWP DD & Constr. | 664301 | +\$2,179,200  
 606 | 690441-100000 (carryover) | Alum Crk Pump Sta. | 690441 | +\$54,700.21  
 606 | 690488-100000 (carryover) | PAWP Treatment Upgrades | 606488 | +\$277,100  
 606 | 690518-100002 (carryover) | Constr. Mgmt.-City-wide PMIS | 695182 | +\$493,840

**SECTION 4.** That the 2012 Capital Improvements Budget is hereby amended as follows:

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

606 | 690428-100001 (carryover) | DRWP Cap. Inc. -DD & Constr. | \$14,144,612 | \$7,448,770 | -\$6,695,842  
 606 | 690359-100001 (carryover) | SWF Expansion-CW 106 (well) | \$0 | \$313,100 | +\$313,100  
 606 | 690359-100003 (carryover) | SWF Expansion-CW 106 (RWL) | \$0 | \$153,600 | +\$153,600  
 606 | 690370-100000 (carryover) | Upground Reservoir | \$3,105,000 | \$4,069,400 | +\$964,400  
 606 | 690370-100001 (carryover) | Upground Res. Pump Sta. | \$0 | \$997,400 | +\$997,400  
 606 | 690370-100002 (carryover) | Upground Res. RWL | \$0 | \$262,300 | +\$262,300  
 606 | 690428-100002 (carryover) | DRWP Cap. Incr. Sludge P.S. | \$0 | \$1,000,200 | +\$1,000,200  
 606 | 690430-100001 (carryover) | HCWP DD & Constr. | \$452,000 | \$2,631,200 | +\$2,179,200  
 606 | 690441-100000 (carryover) | Alum Crk Pump Sta. | \$32,498 | \$87,200 | +\$54,702  
 606 | 690488-100000 (carryover) | PAWP Treatment Upgrades | \$5,729,073 | \$6,006,173 | +\$277,100  
 606 | 690518-100002 (carryover) | Constr. Mgmt.-City-wide PMIS | \$0 | \$493,840 | +\$493,840

**SECTION 5.** That the expenditure of \$6,854,740.00 is hereby authorized for the Professional Construction Management Services Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Object Level Three 6686, Project Numbers, OCA Codes, and Amounts listed as follows:

**Project No. Project Name OCA Amount**

690359-100001 (carryover) | S. Wellfield Exp. CW 106 (well) | 665901 | \$ 313,100.00  
 690359-100003 (carryover) | SWF Expansion-CW 106 (RWL) | 663593 | \$ 153,600.00  
 690370-100000 (carryover) | Upground Reservoir | 606370 | \$ 964,400.00  
 690370-100001 (carryover) | Upground Res. Pump Station | 663701 | \$ 997,400.00  
 690370-100002 (carryover) | Upground Res. RWL | 663702 | \$ 262,300.00  
 690428-100001 (carryover) | DRWP Cap. Incr.-DD & Constr. | 664281 | \$ 126,400.00  
 690428-100002 (carryover) | DRWP Cap. Incr. Sludge P.S. | 664282 | \$ 1,000,200.00  
 690430-100001 (carryover) | HCWP DD & Constr. | 664301 | \$ 2,179,200.00  
 690441-100000 (carryover) | Alum Crk Pump Sta. | 690441 | \$ 87,200.00



690488-100000 (carryover) PAWP Treatment Upgrades 606488 \$ 277,100.00  
690518-100002 (carryover) Constr. Mgmt.-City-wide PMIS 695182 \$ 493,840.00  
\$ 6,854,740.00

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

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

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

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

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**Legislation Number:** 1497-2012

**Drafting Date:** 6/27/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**1. BACKGROUND:** This Ordinance authorizes the Director of Public Utilities to modify and increase the construction contract with Kokosing Construction Company, Inc. for the Dublin Road Water Plant (DRWP) Low Service Pump Replacement, Phase I Project, for the Division of Power and Water, Contract No. 1158.

This contract modification (No. 1) will increase the scope of work by furnishing all materials, equipment, and labor necessary to provide a permanent emergency repair to a failing electrical duct bank to ensure the continued capability of the Dublin Road Water Plant to treat water. This additional scope of work will include repairs to the damaged duct bank and installation of new power and control cabling for the settling basin equipment.

**1.1 Amount of additional funds to be expended: \$197,658.55**

Original Contract Amount: \$ 2,623,500.00 (EL011661)  
Modification 1 (current) \$ 197,658.55  
Total (Orig. + Mod. 1) \$ 2,821,158.55

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

At the time the original contract legislation was written there were no issues that would indicate that the electrical duct bank conveying the power and control cabling to the settling basin equipment was failing. This is an emergency condition that requires immediate attention.

**1.3. Reason other procurement processes are not used:**

The failing electrical duct bank conveys power and control cabling to the settling basin equipment. Of the 22 conduits in this duct bank, two conduits and cabling, which are for the lights on the settling basins, have sheared cutting off power to these lights. Temporary power cabling has already been installed to feed the sludge rakes and the flocculation drives to ensure the continued capability of the Dublin Road Water Plant to

treat water. This contract modification will provide a permanent emergency repair for the duct bank which feeds the equipment needed to treat water. This is an emergency condition that requires immediate attention. The contractor (Kokosing) for this project and their electrical subcontractor are currently mobilized to the project site. Modifying the contract will allow the repairs to be performed as soon as possible limiting the risk of potential loss of service to significant portions of our water service area.

**1.4. How cost of modification was determined:**

Costs were submitted by the Contractor and reviewed and verified by the Engineering Consulting Team providing construction services for the project.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:** This additional scope of work will ensure the continued capability of the Dublin Road Water Plant to treat water and to provide an adequate and safe supply of drinking water which is essential to economic growth and development. At this time no community outreach or input is anticipated and no environmental factors are involved.

**3. CONTRACT COMPLIANCE INFO:** 31-1023518, expires 2/14/14, Majority

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

**4. EMERGENCY DESIGNATION:** It is requested that this Ordinance be handled in an emergency manner in order to allow repairs to be performed as soon as possible limiting the risk of potential loss of service to significant portions of our water service area.

**5. FISCAL IMPACT:** A transfer of funds within the Water Works Enlargement Voted Bonds Fund will be necessary, as well as an amendment to the 2012 Capital Improvements Budget.

To authorize the Director of Public Utilities to modify and increase the construction contract with Kokosing Construction Company, Inc., for the Dublin Road Water Plant Low Service Pump Replacement, Phase I Project; for the Division of Power and Water; to authorize a transfer and expenditure up to \$197,658.55 within the Water Works Enlargement Voted Bonds Fund; to amend the 2012 Capital Improvements Budget; and to declare an emergency. (\$197,658.55)

**WHEREAS,** Contract No. EL011661 with Kokosing Construction Company, Inc. was authorized by Ordinance No. 0279-2011, passed March 14, 2011, was executed on May 12, 2011, and approved by the City Attorney on May 17, 2011; and

**WHEREAS,** a modification to the contract is necessary in order to provide emergency repair to a failing electrical duct bank to ensure the continued capability of the Dublin Road Water Plant to treat water; and

**WHEREAS,** it is necessary to authorize the Director of the Department of Public Utilities to execute a modification to the construction contract for the Dublin Road Water Plant (DRWP) Low Service Pump Replacement, Phase I Project; and

**WHEREAS,** it is necessary for this Council to authorize the transfer and expenditure of funds within the Water Works Enlargement Voted Bonds Fund, for the Division of Power and Water; and

**WHEREAS**, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water, in that it is immediately necessary to authorize the Director of Public Utilities to modify and increase the construction contract with Kokosing Construction Company, Inc., for the Dublin Road Water Plant (DRWP) Low Service Pump Replacement, Phase I Project, in an emergency manner in order to allow repairs to be performed as soon as possible limiting the risk of potential loss of service to significant portions of our water service area, for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

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

**SECTION 1.** That the Director of Public Utilities is hereby authorized and directed to modify and increase the construction contract with Kokosing Construction Company, Inc. for the Dublin Road Water Plant (DRWP) Low Service Pump Replacement, Phase I Project in the amount of \$197,658.55.

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

**SECTION 3.** That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Power and Water.

**SECTION 4.** That the City Auditor is hereby authorized to transfer \$197,658.55 within the Department of Public Utilities, Division of Power and Water, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Dept/Div. No. 60-09, Object Level Three 6623, as follows:

**Fund No. | Project No. | Project Name | OCA Code | Change**

606 | 690428-100001 (carryover) | DRWP Cap. Inc.-DD & Constr. | 664281 | -\$197,658.55

606 | 690494-100001 (carryover) | DRWP Low Svc. Pump Repl, Ph. I | 664941 | +\$197,658.55

**SECTION 5.** That the 2012 Capital Improvements Budget is hereby amended as follows:

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

606 | 690428-100001 (carryover) | DRWP Cap. Inc.-DD & Constr. | \$7,448,770 | \$7,251,111 | -\$197,659

606 | 690494-100001 (carryover) | DRWP Low Svc. Pump Repl, Ph. I | \$0 | \$197,659 | +\$197,659

**SECTION 6.** That the expenditure up to \$197,658.55 is hereby authorized for the Dublin Road Water Plant (DRWP) Low Service Pump Replacement, Phase I Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690494-100001 (carryover), Object Level Three 6623, OCA Code 664941.

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

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

appropriate.

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

**SECTION 10.** 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.

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**Legislation Number:** 1509-2012

**Drafting Date:** 6/28/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** This legislation authorizes the City Attorney to enter into a contract with West Publishing Corporation dba Elite, A Thomson Reuters business for a legal case/matter management software system and associated services, and the expenditure of the necessary funds.

The guidelines of City Code Chapter 329.14 for awarding professional service contracts through requests for proposals (RFP) was followed. SA004220 was posted through the Vendor Services website and a total of six (6) responses were received. A project team, consisting of four City Attorney staff and one staff of the Department of Technology evaluated the responses and selected two products, Legal Files and ProLaw, for more in-depth evaluation. Presentations and reference checks were conducted for these two vendors/products. Based upon the information provided and the selection criteria established in the solicitation, ProLaw was recommended by the project team as the product that would best meet the needs of the office. The City Attorney has approved said recommendation.

This contract will enable the purchase of the various software licenses, annual maintenance, training, consultation, and data conversion services needed to implement this project for 60 users of the Civil Section of City Attorney's Office.

Contract compliance number 41-1426973, expires 02/27/2014.

**EMERGENCY:** The process of obtaining a legal case/matter management system for the City Attorney's Office has been ongoing for several years. Therefore, there is an immediate need to establish said contract and authorize the expenditures to allow this project to commence as soon as possible.

**FISCAL IMPACT:** This project is being funded from the Auditor's Bond Fund #783, where there are adequate funds available.

**CONTRACT COMPLIANCE NUMBER:** 41-1426973, expires 02-27-2014.

To authorize the City Attorney to enter into a contract with West Publishing Corporation dba Elite, A Thomson Reuters business, for the purchase of a legal case/matter management software system and associated services; to authorize the expenditure of up to One Hundred Fifty Thousand Dollars from Auditor Bond Fund 783; and, to declare an emergency. (\$150,000.00)

**WHEREAS**, the City Attorney's Office is in need of a legal case/matter management software system for the Civil Section; and,

**WHEREAS**, in accordance with the guidelines of City Code Chapter 329.14 the proposal submitted by West Publishing Corporation, dba Elite, A Thomson Reuters business, was selected; and,

**WHEREAS**, this legislation will authorize the City Attorney to enter into a contract with West Publishing Company, dba Elite, A Thomson Reuters business, for the purchase of a legal case/matter management software system and associates services; and,

**WHEREAS**, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the foregoing contract and the expenditure of funds for the purchase of a legal/case matter management system for the City Attorney's Office for the preservation of public peace, property, health, safety and welfare, now, therefore:

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

**SECTION 1.** That the City Attorney is authorized and directed to enter into a contract with West Publishing Corporation dba Elite, A Thomson Reuters business, for a legal case/matter management software system and associates services, in the maximum amount of One Hundred Fifty Thousand Dollars (\$150,000.00).

**SECTION 2.** That the expenditure of, One Hundred Fifty Thousand Dollars (\$150,000.00), or so much thereof as may be necessary, be and hereby is authorized from department 2401, Auditor Bond Fund, fund number 783, project number 783001-100000, organizational cost account 783002, object level 6649.

**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.

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**Legislation Number:** 1512-2012

**Drafting Date:** 6/28/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:** To modify a Universal Term Contract (FL004405) with Telvent USA, LLC (TIN: 521366064) in order to add new equipment to this contract that was not a part of the original agreement. The Public Utilities Department, Division of Water, uses this contract to maintain the Process Control Computer System. Recently, the Parsons Avenue Water Plant upgraded some Process Control computer equipment. The new equipment needs to be maintained through this UTC with Telvent. Telvent was the only bidder for this UTC.

**1. Amount of additional funds:** No additional funds are necessary to modify the contract.

**2. Reason additional needs were not foreseen:** The Parsons Avenue Water Plant recently purchased some upgraded computer equipment. It is necessary to provide maintenance for this new equipment. Therefore, it is necessary to add this new equipment maintenance to the contract.

**3. Reason other procurement processes not used:** Telvent USA, LLC is the current provider of Process Control equipment maintenance for all of the City's Water Plants. For this reason, it is necessary to purchase additional maintenance from Telvent.

**4. How cost was determined:** Prices for the new equipment maintenance was obtained through quotes from Telvent USA, LLC.

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

**FISCAL IMPACT:** No additional monies are required to modify the option contract. The Public Utilities Department, Division of Water must set aside their own funding for their estimated expenditures.

In order to maintain an uninterrupted supply of services to the Water Division through this Universal Term Contract and open Purchase Orders, this ordinance is being submitted as an emergency.

To modify the Water Plant Process Control Computer Maintenance Universal Term Contract with Telvent USA, LLC to add upgraded equipment maintenance services to the contract; and to declare an emergency.

**WHEREAS**, the Finance/Purchasing Office established contract FL004405 with Telvent USA, LLC for the Department of Public Utilities in order to purchase Process Control Computer equipment maintenance for the Water Plants; and

**WHEREAS**, upgraded equipment was recently purchased at the Parsons Avenue Water Plant and additional maintenance on this equipment needs to be purchased through this contract, and Telvent is the current provider for the process control system maintenance; and

**WHEREAS**, FL004405 for the purchase of Process Control Computer maintenance for the water plants does not currently allow for the purchase of the upgraded equipment maintenance, it is necessary to modify FL004405 in order to add the additional items to the contract; and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance/Purchasing Office in that it is immediately necessary to modify FL004405 with Telvent USA, LLC, thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

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

**SECTION 1.** That the Finance and Management Director is hereby authorized to modify FL004405 with Telvent USA, LLC to add upgraded Process Control computer equipment maintenance in accordance with the modification agreed to by both Telvent and the City.

**SECTION 2.** That it is necessary to add the upgraded equipment maintenance to this contract with Telvent USA, LLC because Telvent currently provides the maintenance for the Process Control Computer Systems at the City's Water Plants.

**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.

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**Legislation Number:** 1526-2012

**Drafting Date:** 6/29/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Background:**

Since 2003, millions of ash trees have been killed by the Emerald Ash Borer (EAB), a devastating invasive insect, which claims the life of otherwise healthy, mature ash trees in as little as one year. These funds will aid in response and recovery of the urban forests from the EAB infestation. Removing hazardous and soon-to-be hazardous trees from public streets and restoring lost tree canopy cover are the primary objectives of this grant program. Ordinance 1692-2010 authorized the Recreation and Parks Department to apply for the Ohio Department of Natural Resources (ODNR) Division of Forestry grant to assist communities in Franklin County with the removal and replacement of infected and hazardous trees.

Emergency action is requested to enter into contract with ODNR and accept grant funds as soon as possible to address the Emerald Ash Borer infestation.

**Fiscal Impact:**

Contingent on July 10 Bond Sale.

The Department of Recreation and Parks, has determined that the funding necessary for this project will come from the Recreation and Parks Voted Bond Fund and the Recreation and Parks Grant Fund.

To authorize and direct the Director of Recreation and Parks to accept a grant from the Ohio Department of Natural Resources Division of Forestry for \$12,500.00 to address the Emerald Ash Borer infestation; to authorize the city grant match of \$12,500.00 to be transferred and appropriated to the Recreation and Parks Grant Fund; to enter into contract with the Ohio Department of Natural Resources Division of Forestry; to appropriate \$12,500.00 from the Department of the Recreation and Parks Grant Fund; and to declare an emergency. (\$25,000.00)

**WHEREAS**, the Ohio Department of Natural Resources Division of Forestry has awarded the City of Columbus grant funding to address the Emerald Ash Borer infestation in Franklin County; and

**WHEREAS**, It is necessary for the Director of Recreation and Parks to enter into contract with the Ohio Department of Natural Resources Division of Forestry to accept grant funds; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to address the Emerald Ash Borer infestation and accept said grant funds for the preservation of public health, peace, property and safety; **NOW, THEREFORE**

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

**SECTION 1.** That the Director of Recreation and Parks be and he is hereby authorized and directed to accept a grant in the amount of \$12,500.00 from the Ohio Department of Natural Resources Division of Forestry for the Emerald Ash Borer Program.

**SECTION 2.** That the Director of Recreation and Parks is authorized to enter into a contract with the Ohio Department of Natural Resources Division of Forestry.

**SECTION 3.** That from the unappropriated monies in the Recreation and Parks Grant Fund No. 286, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2012, the sum of \$25,000.00 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

**Appropriation effective upon receipt of executed grant agreement**

**GRANT TITLE:** 2012 Ash Removal and Restoration; **GRANT NUMBER:** to be assigned by City Auditor's office; **OCA CODE:** to be assigned by City Auditor's office; **OBJECT LEVEL 3:** 6621; **AMOUNT:** \$25,000.00

**SECTION 4.** That the appropriation of \$12,500 city match be transferred as follow:

**From:**

\$12,500.00 Project 510039-100002 (EAB) , OCA#723902, Obj Level 3# 6621

**To:**

\$12,500.00 Project 510039-100002 (EAB) , OCA#723902, Obj Level 3# 5501

**SECTION 5.** That the amount of \$12,500.00 be transferred as follow:

**From:**

\$12,500.00 Project 510039-100002 (EAB) , OCA#723902, Obj Level 3# 5501

**To:**

\$12,500.00 Grant Number: to be assigned by the City Auditor's office, OCA#: to be assigned by the City Auditor's office, Obj Level 3 #0886

**SECTION 6.** At the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

**SECTION 7.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1543-2012

**Drafting Date:** 7/2/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**1. BACKGROUND**

The City of Columbus, Department of Public Service, received a request from an property owner to allow a wall to encroach into the public rights-of-way. The request is due to a project known as Arterial Street Rehabilitation - Parsons/Livingston Improvement, #2637 DR E. The encroachment is to allow the installation of and assign maintenance responsibility for existing retaining wall to the property owner within the public right-of-way.

During the plan development phase of this project, it was determined that the property owner has an existing wall within the public right-of-way and wished to continue to occupy the public right-of-way with a wall to help maintain the yard in a level and safe manner.

The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary to grant an encroachment easement for the proposed encroachment into the public rights-of-way.

**2. EMERGENCY DESIGNATION**

Emergency action is requested to grant the encroachment easement to allow for the timely completion of the Arterial Street Rehabilitation - Parsons/Livingston Improvement project.

**3. FISCAL IMPACT**

The City will receive no monetary value for granting the requested encroachment easement.



To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant an encroachment easement for existing retaining wall within those public rights-of-way needed for the Arterial Street Rehabilitation - Parsons/Livingston Improvement project and to declare an emergency.

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from an property owner to allow a wall to encroach into the public rights-of-way by property owners Annetta Patterson Jinna during the plan development phase of the this Project; and

**WHEREAS**, the encroachment is to allow the installation of, and assign maintenance responsibility for an retaining wall to the property owners within the public right-of-way; and

**WHEREAS**, during the plan development phase of this project, it was determined that the adjacent property owner had an existing wall within the public right-of-way and wished to continue to occupy the public right-of-way with a wall to help maintain the yard in a level and safe manner; and

**WHEREAS**, The encroachment is located at 930 E. Livingston Avenue along South 22nd Street; and

**WHEREAS**, the City will receive no monetary value for granting the requested encroachment easement; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director of the Department to execute those documents necessary to grant an encroachment easement for existing retaining wall that encroach into the public rights-of-way needed for the Livingston/Parsons Improvement Project for the preservation of the public health, peace, property, safety and welfare; now, therefore

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

**SECTION 1.** That the Director of the Department of Public Service be and is hereby authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary to grant the following described encroachment easements; to-wit:

**0.006 Acre Encroachment Easement (Parcel 62 - Wall)**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being on over and across the right-of-way of Livingston Avenue (width varies), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning at the southeasterly corner of Lot 90 as shown on that subdivision entitled "John W. Andrews Amended Plat and Resubdivision" of record in Plat Book 4, Page 446 and in the northerly right-of-way line of Livingston Avenue and the westerly right-of-way line of Twenty-Second Street;

thence North 02° 33' 40" East, with said westerly right-of-way line and the easterly line of said Lot 90, a distance of 22.01 feet to a point;

thence across the right-of-way of said Twenty-Second Street and Livingston Avenue, the following courses:

South 87° 26' 20" East, a distance of 10.71 feet to a point;

South 03° 03' 19" West, a distance of 12.88 feet to a point of curvature to the right;

with the arc of said curve to the right, having a central angle of 54° 59' 47", a radius of 14.52 feet, an arc length of 13.93 feet, a chord bearing and distance of South 36° 36' 17" West, 13.41 feet to a point;

North 86° 02' 50" West, a distance of 19.87 feet to a point in the easterly line of an existing

Encroachment Easement of record in Instrument Number 200909250139447; and

North 03° 57' 50" East, a distance of 1.90 feet to a point in the northerly right-of-way line of said Livingston Avenue;

thence South 86° 02' 10" East, with the northerly right-of-way line of said Livingston Avenue, a distance of 16.72 feet to the Point of Beginning, containing 0.006 acre of land, more or less.

**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.

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**Legislation Number:** 1550-2012

**Drafting Date:** 7/2/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

#### **AN12-010**

**BACKGROUND:** This ordinance is being submitted to set forth the municipal services and zoning conditions the city of Columbus will provide upon annexation of a territory located in Blendon Township. This ordinance is required by the Ohio Revised Code (ORC) as enacted by the General Assembly of the State of Ohio. An annexation petition has been filed with Franklin County for this property. A service ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Franklin County. Information regarding municipal services that would be available, should the subject site be annexed, has been compiled and is reflected in this ordinance. If the petition is approved by the County Commissioners, a second City ordinance accepting the annexation will be necessary to complete the process. The time frames specified in the ORC require that this legislation be filed as emergency.

**FISCAL IMPACT:** The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. While provision of the stated services does represent cost to the city, annexation of land also has the potential to create revenue to the City.

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN12-010) of 68.9 ± acres in Blendon Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

**WHEREAS,** a petition for the annexation of certain territory in Blendon Township was duly filed on behalf of the McCorkle Soaring Eagles, LLC on July 2, 2012; and

**WHEREAS,** a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on August 7, 2012; and

**WHEREAS,** the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority

shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

**WHEREAS,** the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority adopt an ordinance stating zoning buffering conditions; and

**WHEREAS,** the property is located within the Northeast PAWG area and within the boundaries of the adopted Northland II Area Plan, which recommends single-family residential at up to three units/ acres for this location among other provisions; and

**WHEREAS,** upon annexation, properties will have uniform access to City services as they become available; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the 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 City of Columbus will provide the following municipal services for 68.9 ± acres in Blendon Township upon the annexation of said area to the city of Columbus:

**Public Safety:** The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

**Sanitation:** Single family homes would qualify for city provided 90-gallon front curb refuse collection service. Any other development would require compliance with Title 13 requirements; Commercial/business uses are required to provide their own refuse collection.

**Transportation:** Maintenance will be available for any additional right-of-way that may be included in this annexation request. If this annexation contains existing signalized intersections, those intersections and signals are subject to Transportation Division Policy, which appeared in the December 6, 2003 Columbus City Bulletin, and any subsequent updates thereto.

**Water:** The annexation site will be served by an existing 16"water main located in Ulry Road.

**Sanitary Sewer:** Records indicate these parcels can be served by an existing Pump Station (designed to public standards for future public takeover) via a 12-inch stub situated at the eastern property line of the northern parcel and approximately 730 feet south of Warner Road. The design population density assigned to this offsite area is 17 people per acre. Mainline extension requires formal plan submittal and approval through One Stop Shop and is to be done at the expense of the private developer/owner. In addition, there appears to be a stream within the proposed annexation area that would require our Stormwater Drainage Manual Stream Corridor Protection Zone policy be addressed.

**Storm Sewer:** All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development. All sanitary and storm sewers required shall be constructed privately by the owners and developers at their own cost and expense with no cost to the City.

**Section 2.** If this 68.9 ± acre site is annexed, and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Blendon Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Blendon Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

**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.

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**Legislation Number:** 1555-2012

**Drafting Date:** 7/2/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** The Department of Finance and Management has been in discussion with several food service vendors in an effort to find a replacement vendor to provide retail sale of food and beverages to Department of Health staff and visitors at 240 Parsons Avenue. Per a lease agreement approved by City Council, a vendor began providing food service in early 2009, but due to low sales figures, terminated its lease. A second vendor began food service operation on the premises in 2010, per a lease agreement approved by City Council, but again due to low sales, terminated its lease. A third vendor, Robert Elmore, dba as Sip Flip & Dip, has now agreed to provide retail food & beverage service at the Columbus Health Department from a food concession truck to be located at a designated site on the parking deck.

This legislation authorizes the Director of Finance and Management, on behalf of the Columbus Department of Health, to enter into a short term license agreement with Robert Elmore, dba as Sip Flip & Dip, to provide retail sale of food and beverages from a concession truck located on the parking deck at 240 Parsons Avenue.

This ordinance is requested as an emergency measure to allow retail sale of food and beverages to be offered for the benefit of employees and visitors as quickly as possible.

**Fiscal Impact:** The license agreement will provide the City with rental income of approximately

\$1,200.00 during the initial six month term.

**Emergency Action:** Emergency action is requested to allow for the immediate provision of food services to both the public visitors and the staff at Columbus Public Health.

To authorize the Director of the Department of Finance and Management to execute, those documents necessary to enter into a license agreement by and between the City of Columbus and Robert Elmore for the retail sale of food and beverage from a concessions truck on the parking lot deck at Columbus Public Health, 240 Parsons Avenue; and to declare an emergency.

**WHEREAS,** a need exists for quick order food service to be available to the staff and the public at the Columbus Public Health offices located at 240 Parsons Avenue; and

**WHEREAS,** Robert Elmore, dba Sip Flip & Dip, desires to enter into a license agreement in conformance with all City's terms and conditions to provide for retail sale of food and beverages from a food concession truck located at a designated site on the parking deck at the 240 Parsons Avenue; and

**WHEREAS,** an emergency exists in the usual daily operation of the City in that it is immediately necessary to enter into a license agreement with Robert Elmore, dba Sip Flip & Dip, to provide food and beverage service from a food concession truck for both the public and staff at Columbus Public Health and for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

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

**SECTION 1.** That the Director of Finance and Management is hereby authorized to enter into a license agreement with Robert Elmore, dba Sip Flip & Dip, to provide retail sale of food and beverages from a food concession truck to be located at a designated site on the parking deck for the benefit of the visitors and staff at the Columbus Public Health, 240 Parsons Avenue.

**SECTION 2.** That the terms and conditions of the license agreement shall be in a form approved by the City Attorney's office and shall include the following provisions: the license agreement shall have an initial term of six (6) months, and the parties shall have the mutual option to renew the license for three (3) consecutive additional six-month terms provided that: i) written notification of the renewal election is provided not less than 30 days in advance of the commencement of the renewal term; ii) the Lessee is not in default of any terms and conditions of the license agreement; and iii) such other terms and conditions as are required and/or approved by the City Attorney's Office.

**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.

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Legislation Number: 1558-2012

Drafting Date: 7/3/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background:

This legislation will authorize the City Attorney to accept a supplemental grant award from the State of Ohio, Office of the Attorney General, for the 11-12 VOCA Domestic Violence grant award. Said funding is for the attendance by staff of the Domestic Violence Unit of the City Attorney's Office at a seminar held by the National Organization of Victim Advocates (NOVA) August 19 through August 22, 2012 in San Diego, CA.

The original grant award acceptance was authorized by ordinance 1621-2011 passed 10/19/2011.

Emergency action is requested due to the timing of the award and the seminar.

Fiscal Impact:

	Original Grant	Supplemental	Total Grant
Federal Amount	\$ 97,422.00	\$4,000.00	\$101,422.00
City Match Required	\$ <u>32,474.00</u>	<u>          </u>	\$ <u>32,474.00</u>
Total Grant Award	\$129,896.00	\$4,000.00	\$133,896.00

Grant Period: 10/01/11 - 09/30/12

To authorize the acceptance of a supplemental grant award from the State of Ohio, Office of the Attorney General, for the 11-12 VOCA Domestic Violence grant; to authorize the appropriation of said funds in the amount of Four Thousand Dollars; and to declare an emergency. (\$4,000.00)

**WHEREAS**, the State of Ohio, Office of the Attorney General, originally 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 11-12 VOCA Domestic Violence grant, 2012-VA-DOME-537; and

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

**WHEREAS**, acceptance of said grant was authorized on October 19, 2011 by ordinance 1621-2011; and

**WHEREAS**, the State of Ohio, Office of the Attorney General, has subsequently awarded the City of Columbus, City Attorney's Office, a supplemental grant award in the amount of Four Thousand Dollars (\$4,000.00); and

**WHEREAS**, the acceptance of said supplemental grant award does not require the City Attorney to supply matching funds; and

**WHEREAS**, the supplemental grant award is to fund attendance of two staff of the City Attorney's Domestic Violence Unit at the 2012 NOVA conference in San Diego, California, August 19 thorough August 22, 2012; and

**WHEREAS**, an emergency exists in the daily operation of the City Attorney's Office in that it is necessary to

immediately accept and appropriate the grant funds in order that the activities supported may commence and for the preservation of the public health, peace, property, safety and welfare, and now therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:**

**SECTION 1.** That the City Attorney be and hereby is authorized to accept a supplemental grant award in the amount of Four Thousand Dollars (\$4,000.00) from the State of Ohio, Office of the Attorney General, for the 2012-VA-DOME-537 grant.

**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 Four Thousand Dollars (\$4,000.00) is appropriated as follows: department 2401, fund number 220, 11-12 VOCA Domestic Violence Advocates Grant, grant number 241101, organizational cost account 241101, object level three 3330.

**SECTION 3.** That funds appropriated in the foregoing Section 2 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 4.** At the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

**SECTION 5.** Funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

**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.

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**Legislation Number:** 1580-2012

**Drafting Date:** 7/6/2012

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:** Council, by Ordinance 2172-2005 passed on December 12, 2005, approved the creation of the Short North Incentive District. Service payments in lieu of taxes made with respect to improvements within the Incentive District are diverted to the Short North Tax Equivalent Fund held by the City and are intended to finance public infrastructure improvements in and around the Short North area, including one or more public parking facilities.

This ordinance authorizes the Director of Development to enter into a Tax Increment Financing and Cooperative Agreement with the Columbus-Franklin County Finance Authority, E.W. High Street, LLC and E.W. Hubbard High, LLC to finance the acquisition and construction of a 250 space public parking facility. This agreement requires the City to pay a portion of the service payments in lieu of taxes and property tax rollback payments deposited into the Short North Tax Equivalent Fund to the Finance Authority in exchange for the Finance Authority's issuance of bonds to pay for the public parking facility. The ordinance also authorizes the Director of Development to enter into a Tax Lien Agreement with the Franklin County Treasurer to provide for the collection of delinquent service payments in lieu of taxes in the Incentive District.

Both are pursuant to and in furtherance of an existing agreement between the City and E.W. High Street, LLC for the development of the public parking facility.

This legislation is requested to be considered as emergency in order to allow the entities involved to execute the Cooperative Agreement and begin construction as quickly as possible.

**FISCAL IMPACT:** No funding is required for this legislation.

To authorize the Director of Development to enter into a Tax Increment Financing and Cooperative Agreement with the Columbus-Franklin County Finance Authority, E.W. High Street, LLC and E.W. Hubbard High, LLC and a Tax Lien Agreement with the Franklin County Treasurer to provide for the construction of a 250 space public parking garage benefiting and serving the Short North Incentive District; and to declare an emergency.

**WHEREAS**, pursuant to Ohio Revised Code Sections 5709.40, 5709.42, 5709.43, 5709.82 and 5709.83 (the “TIF Act”), this Council on December 12, 2005, adopted Ordinance No. 2172-2005 (the “TIF Ordinance”), authorizing the creation of the Short North Incentive District (the “Incentive District”), declaring improvements to parcels of real property located in the Incentive District to be a public purpose, exempting those improvements from real property taxation for a period of time, specifying certain public infrastructure improvements, including a 250 space public parking garage (the “Public Infrastructure Improvements”), to be made to benefit or serve those parcels, requiring owners of those parcels to make service payments in lieu of taxes (the “Service Payments”), providing for payments to the Columbus City School District in the amount of the real property taxes that School District would have been paid if the improvements had not be exempted from taxation pursuant to the TIF Ordinance, and establishing the Short North Tax Equivalent Fund (the “TIF Fund”) into which the remaining Service Payments and payments with respect to the improvements received by the City pursuant to Ohio Revised Code Sections 319.302, 321.24, 323.152 and 323.156 (the “Property Tax Rollback Payments” and together with the Service Payments, the “TIF Amounts”) are to be deposited; and

**WHEREAS**, the City desires to use the TIF Amounts to make certain of the Public Infrastructure Improvements, which improvements consist primarily of a 250 space public parking facility benefitting and serving the residents of, and the real property parcels located within, the Incentive District (the “Project”); and

**WHEREAS**, an efficient and effective way to implement the acquisition, construction, equipment, installation, improvement and financing of the Project is through a Tax Increment Financing and Cooperative Agreement (the “Cooperative Agreement”) with the Columbus-Franklin County Finance Authority (the “Finance Authority”), E.W. High Street, LLC and E.W. Hubbard High, LLC, providing for the issuance of bonds by the Authority (the “Bonds”), the proceeds of which would be available to the Finance Authority to pay costs of the Project, and payment to the Finance Authority of current and future TIF Amounts to the extent necessary to pay costs of the Project and the debt service on and costs of the Bonds; and

**WHEREAS**, to further secure the Service Payments and the Bonds, it may be necessary to enter into a Tax Lien Agreement (the “Tax Lien Agreement”) with the Franklin County Treasurer to provide for the collection of delinquent Service Payments; and

**WHEREAS**, an emergency exists in that this Ordinance is required to be immediately effective in order to facilitate the continuing development of the Incentive District and the provision of public parking for residents of and visitors to the Incentive District, such immediate action being necessary for the preservation of the public health, peace, property and safety; and **NOW, THEREFORE**,



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

**Section 1.** That the Director of Development, for and in the name of the City, is hereby authorized to execute and deliver the Cooperative Agreement and the Tax Lien Agreement in substantially those forms presently on file with the City Clerk along with any changes or completions thereto that are not substantially adverse to the City, provided that such changes and completions are approved by the Director and the City Attorney, and the character of those changes and completions as not being substantially adverse to the City shall be evidenced conclusively by the execution and delivery thereof by the Director.

**Section 2.** That the Director of Development or other appropriate officers of the City are each authorized to execute and deliver such other agreements and instruments and to take all actions as may be necessary or desirable to implement this Ordinance and the transactions contemplated by the Cooperative Agreement and the Tax Lien Agreement.

**Section 3.** That the Service Payments, Property Tax Rollback Payments and other money deposited into the TIF Fund is deemed appropriated for the purposes set forth in the Cooperative Agreement and authorized to be expended therefrom in accordance with the Cooperative Agreement, and the City Auditor is authorized to make payments to the Finance Authority or its designee from the TIF Fund in accordance with the Cooperative Agreement.

**Section 4.** 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 takes effect and is 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.

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**Legislation Number:** 1581-2012

**Drafting Date:** 7/6/2012

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Background:** Community Reinvestment Areas (CRAs) have been designated by the Columbus City Council under the General Policy guidelines of Ordinance 1698-78. Such areas allow for the granting of real property tax abatements to encourage industrial and commercial development.

The Columbus City Council by Ordinance 1292-2012, as adopted on June 18, 2012, created the Short North Community Reinvestment Area to offer 15-year, 100% real-property tax exemptions for improvements to certain parcels within the area, including new commercial structures. The attached ordinance authorizes the Columbus City Council to enter into a CRA Agreement to govern the terms by which the tax exemptions will be offered to the retail and parking garage project (including 250 public parking spaces) to be located at the northeast corner of High Street and Hubbard Avenue. Payments in lieu of taxes will be collected from owners of the abated property and used to fund a portion of the costs of the parking garage.

Emergency action is necessary to provide for these incentives so the Exempt Facility may proceed thereby providing for the creation of jobs and employment opportunities and improving the economic welfare of the people of the City.

**Fiscal Impact:** No funding is required for this ordinance.

To authorize the provision of certain tax exemptions within the Short North Community Reinvestment Area for the purpose of encouraging economic development and development of a 250 space public parking garage within the area; to authorize the execution of a Community Reinvestment Area Agreement necessary to grant those exemptions; and to declare an emergency.

**WHEREAS**, E.W. High Street, LLC and E.W. Hubbard High, LLC (together, the “Owner”) are commonly owned and controlled and expect to develop a mixed use building on the real property (the “Property”) generally located on the northeast corner of High Street and Hubbard Avenue, as more particularly described and depicted on Exhibit A to the form of Community Reinvestment Area Agreement between the City and the Owner now on file with the City Clerk (the “CRA Agreement”), which building is expected to consist of 72 apartments and approximately 13,100 square feet of retail space; and

**WHEREAS**, the City has requested that the Owner develop a parking garage, including at least 250 public parking spaces, on the Property in addition to the mixed use building; and

**WHEREAS**, the Owner has agreed to develop the parking garage on the Property provided that appropriate development incentives are available to support, among other things, the economic viability of the retail portion of the mixed use building and the parking garage (together, the “Exempt Facility”) and the public financing of the public parking spaces located within the parking garage, which public financing will be provided by bonds issued by the Columbus-Franklin County Finance Authority (the “Finance Authority”) and other money contributed by the City, all pursuant to a Tax Increment Financing and Cooperative Agreement by and among the City, the Finance Authority and the Owner; and

**WHEREAS**, the City by Ordinance 1292-2012 adopted June 18, 2012 (the “CRA Ordinance”), has created the Short North Community Reinvestment Area (the “Short North CRA”), a “Community Reinvestment Area” pursuant to Ohio Revised Code Section 3735.66, and provided for 100% real-property tax exemptions for up to fifteen (15) years in the Short North CRA for certain structures, including new commercial structures; and

**WHEREAS**, the City has determined to provide a 15-year, 100% real property tax exemption for the Exempt Facility in order to support the economic viability of the Exempt Facility; and

**WHEREAS**, the Owner has submitted to the City a proposed agreement application (the “Agreement Application”) for the Exempt Facility and the required State application fee of \$750.00 made payable to the Ohio Department of Development to be forwarded to that Department with a copy of the final executed CRA Agreement; and

**WHEREAS**, the Housing Officer has reviewed the Agreement Application and has recommended its approval to this Council on the basis that the Owner is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Short North CRA, construct the mixed use building and parking garage, and improve the economic climate of the City; and

**WHEREAS**, the Property is located in the Columbus City School District and the City has heretofore determined in good faith, which determination has been certified to the Board of Education of the Columbus City School District (the “Board”), that the requirement of Ohio Revised Code Section 3735.671(A)(2) has been satisfied and approval by the Board of the CRA Agreement and the real-property tax exemption provided for in the CRA Agreement is not required; and

**WHEREAS**, notice of the CRA Agreement has been delivered to the Board in accordance with Ohio Revised

Code Section 5709.83; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to authorize the granting of the tax exemptions and the execution of the CRA Agreement so that the City can immediately offer tax incentives as soon as possible in order to attract a business development project to this City and provide for the public parking needs of the Short North Area, all for the preservation of the public health, property, safety and welfare; **NOW, THEREFORE**,

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

**Section 1.** The City, assuming continuing compliance by the Owner or its successors with the CRA Agreement, grants a tax exemption for real property improvements made to the Exempt Facility site pursuant to Ohio Revised Code Section 3735.67, which exemption for each portion of the Exempt Facility will be in the amount of 100% for a period of 15 years commencing in the first year for which that structure would first be taxable were that property not exempted from taxation. In accordance with the terms of the CRA Ordinance, this tax exemption will take precedence over any tax increment financing exemptions provided for in Ordinance 2172-2005.

This City has heretofore determined in good faith, which determination has heretofore been certified to the Board, that the requirement of Ohio Revised Code Section 3735.671(A)(2) has been satisfied and approval from the Board to grant the real property tax exemption provided for herein is not required. This Council hereby ratifies that determination and certification. This Council further ratifies the giving of notice of the CRA Agreement to the Board.

**Section 2.** That the Director of Development, for and in the name of the City, is hereby authorized to execute and deliver the CRA Agreement in substantially the form presently on file with the Director along with any changes or completions thereto that are not substantially adverse to the City, provided that such changes and completions are approved by the Director and the City Attorney, and the character of those changes and completions as not being substantially adverse to the City shall be evidenced conclusively by the execution and delivery thereof by the Director.

**Section 3.** This Council agrees that, with respect to the Exempt Facility described herein for which the real property tax exemption has been granted, the City will comply, to the extent required, with Ohio Revised Code Section 5709.82.

**Section 4.** The Director of Development is directed to forward an executed copy of the CRA Agreement to the Director of the Ohio Department of Development within 15 days following the execution of the CRA Agreement.

**Section 5.** This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and any of its committees and that all deliberations of this Council or any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Ohio Revised Code Section 121.22.

**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.

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Legislation Number: 1687-2012

Drafting Date: 7/12/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

Passage of this ordinance will enable Columbus City Council to expend \$7,000.00 from the Jobs Growth Fund to enter into an agreement with Sinclair Media II for sponsorship of WSYX ABC 6's July and October 2012 *Job Boot Camp*.

The ABC 6 *Job Boot Camp* is free to all residents, and will take place on July 25 and October 3, 2012 at the Aladdin Shrine Center from 11:00 a.m. to 4:00 p.m. Representatives from approximately 20 companies will be at the events interviewing attendees on the spot, and providing guidance on effective resume writing, interviewing, and networking.

Sponsorship of this event aligns with Columbus City Council's priority of promoting opportunities for job creation, workforce development and technology integration.

**FISCAL IMPACT:** Funding for such sponsorship was allotted in the Jobs Growth Fund, Fund 015.

**EMERGENCY DESIGNATION:** It is requested that this Ordinance be handled in an emergency manner due to the time sensitive deadlines of event sponsorship.

To authorize Columbus City Council to expend \$7,000.00 from the Jobs Growth Fund to enter into an agreement with Sinclair Media II for sponsorship of WSYX ABC 6's July and October 2012 *Job Boot Camp*, and to declare an emergency. (\$7,000.00)

**WHEREAS**, In 2009, WSYX ABC 6 hosted its first *Job Boot Camp*; and

**WHEREAS**, Since that time, well over 25,000 people have attended an ABC 6 *Job Boot Camp*; and

**WHEREAS**, it is a top priority of Columbus City Council to support efforts that enhance regional job creation, workforce development and technology integration; and

**WHEREAS**, at the October 2012 *Job Boot Camp*, Columbus City Council will make a further commitment to the job fair by coordinating and staffing a computer resource bank whereby visitors to the event may submit job applications online; and

**WHEREAS**, passage of the this legislation authorizes Columbus City Council to expend \$7,000.00 from the Jobs Growth Fund to enter into a contract to sponsor the July and October 2012 WSYX ABC 6 *Job Boot Camps*; and

**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to appropriate and transfer said funds to have funding available for necessary expenditures; now, therefore:

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

**SECTION 1.** That the City Auditor be and he is hereby authorized and directed to appropriate \$7,000.00 in the Jobs Growth Fund as follows:

Dept: 20

Fund Type: Jobs Growth

Fund: 15

Object Level 1: 3336

OCA Code: 200115

Amount: \$7,000

**SECTION 2.** That Columbus City Council is hereby authorized to enter into contract with Sinclair Media II, Inc./dba WSYX ABC 6 to support and sponsor the July 25, 2012 and October 3, 2012 *Job Boot Camp*.

**SECTION 3.** That the expenditure of \$7,000.00 or so much as may be needed, be and hereby is authorized in:

Dept: 20

Fund Type: Jobs Growth

Fund: 15

Object Level 1: 3336

OCA Code: 200115

Amount: \$7,000

**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 10 days after passage if the Mayor neither approves nor vetoes the same.

# City RFPs, RFQs, and Bids

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

**CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED DAILY AT:**

<http://vendorservices.columbus.gov/e-proc/venSolicitationsAll.asp?link=Open+Solicitations&cboType=B>

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

**EQUAL OPPORTUNITY CLAUSE:** Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

**WITHHOLDING OF INCOME TAX:** All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.35 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

**LOCAL CREDIT:** For all contracts EXCEPT PROFESSIONAL SERVICE CONTRACTS: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$10,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSALS CALL THE LISTED DIVISION

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - July 26, 2012 11:00 am

SA004497 - THREE PHASE K RATED SUBWAY TRANSFORMER

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1. Scope: It is the intent of the City of Columbus, Division of Power and Water (Power Section) to obtain bids for a one time purchase of a K-Rated (K-20) Transformer for the city's Electrical Distribution system.

1.2. Classification: The successful bidder will supply one (1) Three Phase Subway K-Rated (K-20) 1500 Kva Transformer 14400 Delta, 277/480V. The City of Columbus Distribution System is based on a DELTA configuration. The awarded supplier will be required to submit preliminary drawings for approval prior to the manufacturer of the transformer. The supplier is also to perform contamination testing prior to delivery. Final drawings, operating manuals and certified test results must be provided. Transformer to be shipped complete with oil.

1.3. Bidders are to submit Core and Copper Loss Wattage in their bid response that will be used for the price evaluation.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: June 29, 2012

SA004489 - Flocculator Paddle Replacement Parts UTC

1.1 Scope: This bid proposal is to provide the City of Columbus, Division of Power and Water, with a "Catalog" offer to purchase various Flocculator Paddle Replacement Parts for use at its water treatment plants within the Columbus metropolitan area. The proposed contract will be in effect through September 30, 2014. The City estimates spending \$150,000 annually for this contract.

1.2 Classification: All items purchased and supplied under this contract are required to conform to the original engineering drawing dimensions and specifications, which are included with this bid packet. The City of Columbus will provide all installation requirements. Bidders are required to show experience in providing this type of equipment as detailed in these specifications.

1.2.1 Bidder Experience: The equipment offeror must submit an outline of its experience and work history in this type of equipment for the past five years.

1.2.2 Bidder References: The equipment offeror shall have documented proven successful contracts from at least four customers that the offeror supports that are similar in scope, complexity, and cost to the requirements of this specification.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: June 27, 2012

BID OPENING DATE - July 31, 2012 3:00 pm



THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA004502 - Curb Recon-Citywide Curb Rehab-Project 2

Electronic proposals will be received by the Department of Public Service through [www.bidx.com](http://www.bidx.com), until July 31, 2012, at 3:00 P.M. local time, for Curb Reconstruction - Citywide Curb Rehabilitation - Project 2, C.I.P. No. 530210-100029.

Hard copy proposals will not be accepted by the City.

The work for which proposals are invited consists of: removing and replacing, at potentially thirty-three (33) locations, curb and curb and gutter and constructing ADA curb ramps along those streets when warranted. The work consists of removing curb locations and replacing in kind, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth at [www.bidx.com](http://www.bidx.com).

Bidders who wish to learn more about the Bid Express service or to sign up for an account can visit the Bid Express web site at [www.bidx.com](http://www.bidx.com) or call Bid Express customer support at 1-888-352-BIDX for information. Bidders must also have an account with one of Bid Express? surety verification companies, either Surety 2000 ([www.surety2000.com/default.asp](http://www.surety2000.com/default.asp)) or Insure Vision ([www.web.insurevision.com/ebonding/](http://www.web.insurevision.com/ebonding/)). Contact them directly to set up an account.

Bidders must have an account with Bid Express and either Surety 2000 or Insure Vision in order to bid on this project.

ORIGINAL PUBLISHING DATE: July 11, 2012

SA004503 - Bridge Cleaning and Sealing 2012

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Electronic proposals will be received by the Department of Public Service through [www.bidx.com](http://www.bidx.com), until July 31, 2012, at 3:00 P.M. local time, for Bridge Cleaning and Sealing 2012.

Hard copy proposals will not be accepted by the City.

The work for which proposals are invited consists of: performing cleaning and/or sealing of various bridges around the City of Columbus. This includes deck, railing, expansion joints, scuppers, sidewalks, abutments, piers, backwalls, bearing devices, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth at [www.bidx.com](http://www.bidx.com).

Bidders who wish to learn more about the Bid Express service or to sign up for an account can visit the Bid Express web site at [www.bidx.com](http://www.bidx.com) or call Bid Express customer support at 1-888-352-BIDX for information. Bidders must also have an account with one of Bid Express' surety verification companies, either Surety 2000 ([www.surety2000.com/default.asp](http://www.surety2000.com/default.asp)) or Insure Vision ([www.web.insurevision.com/ebonding/](http://www.web.insurevision.com/ebonding/)). Contact them directly to set up an account.

Bidders must have an account with Bid Express and either Surety 2000 or Insure Vision in order to bid on this project.

ORIGINAL PUBLISHING DATE: July 11, 2012

SA004478 - General Engineering Consultant Services

This contract will provide for General Engineering Consultant Services, whose tasks shall include, but not limited to, investigations, inspections and evaluations of existing conditions, surveying, preparation of engineering or architectural drawings, documents/drawings for permit approval, specifications and bid documents, preparation of record plan drawings for small projects and technical assistance in the preparation of Facilities/Equipment Maintenance (FEM) documents. The Offeror must have experienced personnel and equipment for performing this work. Small projects that may, on occasion, require engineering services under this contract include small Capital Improvement Projects (formerly known as Plant Improvement Projects or PIPs) and FEM service contracts.

Initial services are for Division of Sewerage and Drainage (DOSD) facilities. Additional DPU facilities may be added in the future.

ORIGINAL PUBLISHING DATE: June 29, 2012

BID OPENING DATE - August 2, 2012 11:00 am

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA004508 - PS/SELF-PROPELLED TELESCOPIC BOOM LIFT

1.0 SCOPE AND CLASSIFICATION:

1.1 Scope: The City of Columbus, Division of Planning and Operations, is requesting formal bids for a one (1) time purchase of one (1) self-propelled telescopic boom aerial platform.

1.2 Classification: The successful bidder will provide and deliver one (1) new and unused self-propelled telescopic boom aerial platform with a minimum lift capacity of five-hundred pounds (500 lbs.).

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 14, 2012

SA004510 - PUBLIC UTILITIES MAILING ENVELOPES

1.1 Scope: It is the intent of the City of Columbus, Department of Technology, on behalf of the Department of Public Utilities to obtain formal bids to establish a purchase order for the purchase of 1,500,000 mailing envelopes for use by City to mail utility bills.

1.2 Classification: Envelopes will be shipped and invoiced in three equal and separate shipments at three-month intervals. The first shipment is due November 30, 2012. Paper used may not contain less than 30% post-consumer recycled content. Pricing shall be fixed and firm per thousand.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 17, 2012

SA004500 - QUEST SOFTWARE SUBSCRIPTION RENEWALS

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus, Department of Technology seeks to obtain formal bids to establish a purchase order for the purchase of Quest software subscription renewals of existing Quest software used within the City of Columbus.

1.2 Classification: Only responses from authorized partners or distributors of Quest software shall be considered for award. Pricing shall be fixed and firm for exact items and quantities listed within the specification. The term of the award shall be December 1, 2012 through December 31, 2013.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 19, 2012

SA004499 - Winter Asphalt Hot Mix UTC/PSPO

1.0 SCOPE AND CLASSIFICATION

1.1 Scope: It is the intent of this bid proposal to provide the City of Columbus, a "firm offer for sale" blanket type contract for the purchase of Winter Asphalt Hot Mix. These materials will be used by various City agencies during the winter season only. The proposed contract will be in effect from November 1, 2012 to and including April 30, 2013.

1.2 Classification: The City estimates it will purchase for pick-up approximately two hundred tons of CMS item #448 Intermediate Course Asphalt Concrete (Medium Traffic), PG64-22, and eight hundred tons of CMS item # 448 Surface Course Asphalt Concrete (Medium Traffic), PG64-22. CMS is City of Columbus Construction and Materials Specification book.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 07, 2012

SA004505 - R&P Bridge Inspections 2012-2016 RFP

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, Jerry Hammond Government Center, 1111 E. Broad Street, Suite 101, Columbus, OH 43205, until 3:00 P.M., Thursday, August 2, 2012 for:

2012-2016 CRPD Bridge Inspections

Three (3) copies of each proposal are required for submittal.

Consultant shall provide bridge inspection every two years; including completion of BR86 forms, photos, and recommendations in report forms. Ninety one CRPD bridges were inspected in 2010; and an additional seven new structures must be added to the reports, and potentially any others built by 2016.

The format for procurement of these services will be per Section 329.12 of the Columbus City Code.

Initial screening will be based on the following criteria:

1. Experience of the Consultant as related to this type of work.
2. Qualifications of key personnel who will be involved with this project.
3. Quality of work previously performed by the consultant for this Department, other City Agencies and other previous clients.

Interested firms should apply to the Recreation and Parks Department with the following information:

1. Firm name, address, telephone number and contact person.
2. Year established.
3. Types of services for which it is qualified.
4. Names and experience of key personnel assigned to this project.
5. List of completed projects of similar nature with contact person for each.
6. Estimate of Fee.

RFP Information Packet for this project and are available from 8 A.M. to 5 P.M., Monday through Friday, beginning Monday, July 16, 2012, at the Planning and Design Section at the Jerry Hammond Government Center, 1111 East Broad Street, Suite 101, Columbus, OH 43205, on Vendor Services or sent electronically by request.

All questions regarding the submittal should be directed to Mollie O'Donnell or Brad Westall, Recreation and Parks Department, 614-645-3308 and 614-645-2441 or [mhodonnell@columbus.gov](mailto:mhodonnell@columbus.gov) and [brwestall@columbus.gov](mailto:brwestall@columbus.gov)

ORIGINAL PUBLISHING DATE: July 12, 2012

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA004506 - R&P Maryland Pool Bathhouse RFP

Professional Services  
REQUEST FOR PROPOSAL  
Columbus Recreation & Parks Department

Proposals will be received at the Columbus Recreation and Parks Department, 1111 E Broad Street, Suite 100, Columbus, OH 43205, until 4:00 P.M., Thursday, August 2, 2012 for:

MARYLAND POOL BATH HOUSE IMPROVEMENTS

Five (5) copies of each proposal are required for submittal.

Consultant shall provide architectural & engineering services to prepare plans and specifications for bidding for renovations to one swimming pool bath house and swimming pool; Maryland Pool located in Saunders Park, 1380 Atcheson, Columbus, Oh 43203. Work is to include facility replacement to match the three built in 2012/12, replacing the swimming pool and pump house with a new multi feature pool and other renovation items. Services shall include the necessary field surveys, program development in conjunction with Department staff, reports, proposals, cost estimates, bid documents and construction administration services.

Project Budget: \$4,500,000 including consultant fees.

The format for procurement of these services will be per Section 329.12 of the Columbus City Code.

Initial screening will be based on the following criteria:

1. Experience of the Consultant as related to this type of work.
2. Qualifications of key personnel who will be involved with this project.
3. Quality of work previously performed by the consultant for this Department, other City Agencies and other previous clients.

Interested firms should apply to the Recreation and Parks Department with the following information:

1. Firm name, address, telephone number and contact person.
2. Year established.
3. Types of services for which it is qualified.
4. Names of principals in the firm with professional registrations.
5. Names and experience of key personnel assigned to this project.
6. Outside consultants, if any, who will be used on this project.
7. MBE/FBE participation in the project.
8. List of completed projects of similar nature with contact person for each.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

9. City of Columbus Contract Compliance Certification Number or copy of completed application.
10. Estimate of Fee range for the work along with billing rates for the key personnel involved.

RFP Information Packet for this project and plans of the project site are available from 8 A.M. to 5 P.M., Monday through Friday, beginning Monday, July 16, 2012, at 1111 E Broad Street, Suite 100, Columbus, OH 43205

All questions regarding the submittal should be directed to Rick Miller, Recreation and Parks Department, 614-645-3385, [rjmiller@columbus.gov](mailto:rjmiller@columbus.gov).

A pre-proposal meeting will be held on Tuesday, July 24 at 10 am at Maryland Swimming Pool, 1380 Acheson, Columbus, Oh 43203.

ORIGINAL PUBLISHING DATE: July 13, 2012

BID OPENING DATE - August 9, 2012 11:00 am

SA004512 - STEEL PRODUCTS UTC

1.1 Scope: It is the intent of the City of Columbus to obtain formal bids to establish an option contract(s) with a "Catalog" firm offer for sale of various steel products for all City facilities thru September 30, 2014. The bidder shall submit their standard published catalog(s) and price lists. The City may purchase any items(s) in the catalog and/or price list from the successful bidder after a purchase order for the listed items is issued.

1.2 Classification: The contract(s) resulting from this bid proposal will provide for the option to purchase and/or delivery of steel and various related items as specified herein. All bidders will provide their standard catalog/price list, their applicable discount structure, and instructions for application of the discount either in the space provided on Pages 5A or on a separate attachment to the bid. Attachment should be clearly marked as an addendum to Page 5A.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 17, 2012

SA004509 - 60' INSULATED AERIAL BUCKET TRUCK

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 SCOPE AND CLASSIFICATION

1.1 Scope: It is the intent of the City of Columbus, Department of Public Utilities, Division of Power and Water, to obtain formal bids to establish a contract for the purchase of one (1) 60 foot insulated aerial bucket truck with a Cab and Chassis minimum G.V.W. rating of 33,000 pounds and equipped with utility body. Truck will be used by the Division of Electricity when working on various distribution poles.

1.2 Classification: The contract resulting from this bid proposal will provide for the purchase and delivery of a new and unused 60 foot insulated aerial bucket with a minimum G.V.W. rating of 33,000 pounds and equipped with utility body. The City will also consider an option for hybrid electric parallel drive system. All offerors must document an Aerial Bucket Truck /Cab and Chassis certified reseller partnership. Bidders are required to show experience in providing these types of equipment and warranty service as detailed in these specifications.

1.2.1 Bidder Experience: The Aerial Bucket Truck /Cab and Chassis equipment offeror must submit an outline of its experience and work history in these types of equipment and warranty service for the past five years.

1.2.2 Bidder References: Aerial Bucket Truck /Cab and Chassis equipment and warranty service offeror shall have documented proven successful contracts from at least four customers that the offeror supports that are similar in scope, complexity, and cost to the requirements of this specification.

1.2.3 Specification Questions: Questions regarding this bid must be sent in writing via email to [vendorservices@columbus.gov](mailto:vendorservices@columbus.gov) no later than 11:00 a.m. (local time) on July 30, 2012. Responses will be posted as an addendum to this bid on the City's website ([vendorservices.columbus.gov](http://vendorservices.columbus.gov)) no later than 11:00 a.m. (local time) on August 2, 2012. See Section 3.2.4 for additional details.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 17, 2012

SA004501 - TRAFFIC PEDESTAL POLES UTC/PSPO



THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 SCOPE AND CLASSIFICATION:

1.1 Scope: The City of Columbus is seeking bids for Traffic Pedestal Poles, specified herein for use as supports for traffic signals and associated equipment along roadways throughout the City of Columbus. It is the intent to issue "firm offer for sale" blanket type contract(s). The contract(s) shall be in effect from and after its execution by the City to and including January 30, 2015.

1.2 Classification: Bids are requested for the various mast arm signal support poles, transformer-base poles, anchor bolts and other accessories:

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 10, 2012

SA004504 - ORNAMENTAL SIGN POSTS UTC

1.0 SCOPE AND CLASSIFICATION:

1.1. The City of Columbus is seeking bids ornamental sign posts with accessories as specified for placement throughout the City of Columbus. It is the intent to issue a "firm offer for sale" blanket type contract. The contract shall be in effect from its execution by the City to and including March 29, 2013. It is estimated that two-hundred (200) of each item will be purchased.

1.2. Classification: Bids are requested for Ornamental Sign Posts with Finials, Base, and Sign Holder Ring. Installation will be done by City personnel.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 12, 2012

BID OPENING DATE - August 16, 2012 11:00 am

SA004507 - TRAFFIC PEDESTRIAN SIGNAL EQUIPMENT UTC/

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 SCOPE AND CLASSIFICATION:

1.1. Scope: The City of Columbus is seeking bids for Traffic Pedestrian Signal Equipment for use in traffic signal installations along roadways throughout the City of Columbus. It is the intent to issue a "firm offer for sale" blanket type contracts. The contracts shall be in effect from and after its execution by the City to and including October 31, 2014.

1.2. Classification: Bids are requested for LED Pedestrian Signal Modules with the Countdown feature, Pedestrian Signal Housings, Pedestrian Push Buttons, and Mounting Hardware.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 13, 2012

# Public Notices

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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

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**Legislation Number:** PN0001-2012

**Drafting Date:** 1/3/2012

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** 2012 Meeting Schedule - City of Columbus Records Commission

**Contact Name:** Monique Goins-Ransom, Records Commission Coordinator

**Contact Telephone Number:** 614- 645-0845

**Contact Email Address:** mlgoins-ransom@columbus.gov

**CITY BULLETIN NOTICE  
MEETING SCHEDULE  
CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2012 are scheduled as follows:

**Monday, January 23, 2012**

**Monday, May 14, 2012**

**Monday, September 24, 2012**

These meetings will take place at: City Hall, 90 West Broad Street, 2nd Floor, in the City Council Conference Room (226). They will begin promptly at 10:00 am.

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm the meeting date, time and locations or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-0845.

Advertise: 01/14/2012 to 09/29/2012

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**Legislation Number:** PN0009-2012

**Drafting Date:** 1/9/2012

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Downtown Commission 2012 Meeting Schedule

**Contact Name:** Daniel Thomas

**Contact Telephone Number:** 614-645-8404

**Contact Email Address:** djthomas@columbus.gov

#### Downtown Commission 2012 Meetings

Business Meeting  
109 N. Front St.  
1st Fl. Conf. Room  
8:30am - 10:00am

Regular Meeting  
109 N. Front St.  
Training Center  
8:30am - 11:00am

February 9, 2012

April 12, 2012

June 14, 2012

August 9, 2012

October 11, 2012

December 13, 2012

January 24, 2012

February 28, 2012

March 27, 2012

April 24, 2012

May 22, 2012

June 26, 2012

July 24, 2012

August 28, 2012

September 25, 2012

October 23, 2012

November 27, 2012

December 18, 2012

A Sign Language Interpreter will be made available for anyone with a need for this service, provided the Planning Division is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule, please call 645-8036.

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**Legislation Number:** PN0060-2005

**Drafting Date:** 2/23/2005

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Published Columbus City Health Code

**Contact Name:** Roger Cloern

**Contact Telephone Number:** 654-6444

**Contact Email Address:** rogerc@columbus.gov

"The Columbus City Health Code is updated and maintained by the Columbus Health Department.  
To view the most current City Health Code, please visit:  
[www.publichealth.columbus.gov](http://www.publichealth.columbus.gov)

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**Legislation Number:** PN0213-2012

**Drafting Date:** 7/11/2012

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Notice/Advertisement Title:** City Council Zoning Agenda for 07/23/2012

**Contact Name:** Geoffrey Starks

**Contact Telephone Number:** 614-645-7293

**Contact Email Address:** gjstarks@columbus.gov

**REGULAR MEETING NO. 42**

**CITY COUNCIL (ZONING)**

**JULY 23, 2012**

**6:30 P.M.**

**COUNCIL CHAMBERS**

**ROLL CALL**

**READING AND DISPOSAL OF THE JOURNAL**

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

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

**1432-2012**

To rezone 2700 BETHEL ROAD (43201), being 39.44± acres located on the north side of Bethel Road, 600± feet west of Pickforde Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z12-018).

**1532-2012**

To grant a Variance from the provisions of Sections 3363.01, M-manufacturing district; 3312.49(C), Minimum numbers of parking spaces required; and 3321.05(A), Vision clearance, of the Columbus City codes; for the property located at 754 BANK STREET (43206), to permit a single-unit dwelling in conjunction with an art studio and office with reduced development standards in the M, Manufacturing District (Council Variance #CV12-024).

**1561-2012**

To rezone 6511 EAST BROAD STREET (43213), being 5.12± acres located on the south side of East Broad Street, 480± feet east of Outerbelt Street, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z12-021).

**1566-2012**

To grant a Variance from the provisions of Sections 3356.03, C-4, Permitted Uses; 3309.14, Height District, 3312.03(D), Administrative requirements; 3312.49(C), Minimum number of parking spaces; 3312.53, Minimum number of loading spaces required; 3321.01, Dumpster Area; 3321.05(B)(1), Vision clearance; and 3356.11, C-4 district setback lines, of the Columbus City Codes for property located at 834 NORTH HIGH STREET (43215), to permit residential and parking uses with reduced development standards in the C-4,

**1307-2012**

To rezone 5822 NORTH HAMILTON ROAD (43054), being 116.26± acres located on the east side of Hamilton Road, 670± feet north of Preserve Boulevard, From: L-AR-12, Limited Apartment Residential, PUD-8, Planned Unit Development, and L-C-4, Limited Commercial Districts; To: CPD, Commercial Planned Development and L-AR-O, Limited Apartment Office Districts.

**1490-2012**

To grant Variance from the provisions of Sections 3333.04, Permitted uses in AR-O apartment office district; 3333.18, Building lines; 3318.03, Requirements; 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at 5822 NORTH HAMILTON ROAD (43230), to permit commercial uses in the L-AR-O, Limited Apartment Residential District with reduced development standards. (Council Variance #CV10-021).

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**Legislation Number:** PN0214-2012

**Drafting Date:** 7/11/2012

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Columbus Board of Zoning Adjustment July 24, 2012 Agenda

**Contact Name:** David Reiss

**Contact Telephone Number:** 645-7973

**Contact Email Address:** djreiss@columbus.gov

**AGENDA****BOARD OF ZONING ADJUSTMENT****CITY OF COLUMBUS, OHIO****JULY 24, 2012**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, JULY 24, 2012 at 6:00 P.M.** in the First Floor Hearing Room of the Department of Building & Zoning Services, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Department of Building & Zoning Services, 757 Carolyn Avenue, 645-4522.

**SPECIAL NOTE TO THE APPLICANT:** It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

**SIGN LANGUAGE INTERPRETER:** An interpreter will be made available for anyone in need of this service. To request an interpreter, please contact the City of Columbus, Department of Building & Zoning

Services at 645-4522 at least four (4) hours before the scheduled meeting time.

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**1. Application No.: 12310-00233**

**Location:** **1812 NORTH 4TH STREET (43201)**, located at the southeast corner of E. 16th Ave. & N. 4th St.

**Area Comm./Civic:** University Area Commission

**Existing Zoning:** AR-4, Apartment Residential District

**Request:** Variance (s) to Section(s):  
3312.49, Minimum numbers of parking spaces required.  
To reduce the required number of additional parking spaces from 3 to 0.

**Proposal:** To establish a 379 sq. ft. outdoor patio dining area.

**Applicant(s):** 3D Group, Inc.  
266 N. 4th St., Suite #200  
Columbus, Ohio 43215

**Property Owner(s):** Jamison A. Development Group, L.L.C.  
2357 Brandon Rd.  
Columbus, Ohio 43221

**Case Planner:** Dave Reiss, 645-7973

**E-mail:** DJReiss@Columbus.gov

**2. Application No.: 12310-00252**

**Location:** **780 NORTH HIGH STREET (43215)**, located on the east side of N. High St., 40 ft. south of Hull Al.

**Area Comm./Civic:** Italian Village Commission

**Existing Zoning:** C-4, Commercial District

**Request:** Variance(s) to Section(s):  
3312.49, Minimum numbers of parking spaces required.  
To reduce the required number of additional vehicle parking spaces from 47 to 0 and to reduce the required number of bicycle parking spaces from 4 to 0.

**Proposal:** To convert retail floor space into a restaurant.

**Applicant(s):** Chris Corso; c/o Brian Swanson  
511 Park St., Suite 300  
Columbus, Ohio 43215

**Property Owner(s):** Silver Centry Holdings  
1286 W. Lane Ave.  
Columbus, Ohio 43215

**Case Planner:** Dave Reiss, 645-7973

**E-mail:** DJReiss@Columbus.gov

**3. Application No.: 12310-00253**

**Location:** **235 EAST LIVINGSTON AVENUE (43215)**, located at the southeast corner of S. 5th St. & E. Livingston Ave.

**Area Comm./Civic:** German Village Commission

**Existing Zoning:** C-4, Commercial District

**Request:** Variance(s) to Section(s):  
3312.49, Minimum numbers of parking spaces required.  
To reduce the required number of additional parking spaces from 33 to 0.



**Proposal:** To convert retail floor space into a restaurant.  
**Applicant(s):** Connie Klema  
145 E. Rich St.  
Columbus, Ohio 43215  
**Property Owner(s):** GMC Real Estate Investments, L.L.C.  
4256 Mountview Rd.  
Columbus, Ohio 43220  
**Case Planner:** Dave Reiss, 645-7973  
**E-mail:** DJReiss@Columbus.gov

**4. Application No.: 12310-00255**

**Location:** **4303 INDIANOLA AVE. (43214)**, located at the northwest corner of Indianola Avenue and Shreyer Place.  
**Area Comm./Civic:** Clintonville Area Commission  
**Existing Zoning:** R-1, Residential District  
**Request:** Variance(s) to Section(s):  
3312.49, Minimum numbers of parking spaces required.  
To reduce the amount of additional spaces from 75 to 0.  
**Proposal:** To construct a 2,250 sf addition to an existing church.  
**Applicant(s):** Paul J. Werner  
7696 Rowles Drive  
Columbus, Ohio 43235  
**Property Owner(s):** Holy Spirit Association  
481 8th Avenue  
New York, NY 10036  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** JFFreise@Columbus.gov

**5. Application No.: 12310-00256**

**Location:** **2525 WATKINS ROAD (43207)**, located on the south side of Watkins Road, approximately 500 feet east of Alum Creek Drive.  
**Area Comm./Civic:** Far South Columbus Area Commission  
**Existing Zoning:** R-1, Residential District  
**Request:** Variance(s) to Section(s):  
3332.38, Private garage.  
To increase the allowable size of a garage from 720 sf to 2028 sf.  
**Proposal:** To construct a new 1500 sf garage.  
**Applicant(s):** Scott M. Christman  
2525 Watkins Drive  
Columbus, Ohio 43207  
**Property Owner(s):** Applicant  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** JFFreise@Columbus.gov

**6. Application No.: 12310-00259**

**Location:** **858 CARPENTER STREET (43206)**, located on the east side of Carpenter Street, approximately 80 feet south of Forest Street.  
**Area Comm./Civic:** Columbus Southside Area Commission

**Existing Zoning:** R-2F, Residential District  
**Request:** Variance(s) to Section(s):  
3332.26, Minimum side yard permitted.  
To reduce the minimum side yard from 3' to 2'2"  
3332.14, R-2F area district requirements.  
To reduce the lot size from 6,000 sf to 4,600 sf.  
**Proposal:** To split a lot and raze and rebuild a garage.  
**Applicant(s):** HNHF Realty Collaborative  
946 Parsons Ave., PO Box 6063  
Columbus, Ohio 43206  
**Property Owner(s):** Applicant  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** JFFreise@Columbus.gov

**7. Application No.: 12310-00260**

**Location:** **852-854 CARPENTER STREET (43206)**, located on the east side of Carpenter Street, approximately 40 feet south of Forest Street.  
**Area Comm./Civic:** Columbus Southside Area Commission  
**Existing Zoning:** R-2F, Residential District  
**Request:** Variance(s) to Section(s):  
3332.26, Minimum side yard permitted.  
To reduce the minimum side yard from 3' to 2'2"  
**Proposal:** To construct a new garage on a newly split lot.  
**Applicant(s):** HNHF Realty Collaborative  
946 Parsons Ave., PO Box 6063  
Columbus, Ohio 43206  
**Property Owner(s):** Applicant  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** JFFreise@Columbus.gov

**8. Application No.: 12310-00257**

**Location:** **923 CARPENTER STREET (43206)**, located on the west side of Carpenter Street, approximately 40' north of East Kossuth Street.  
**Area Comm./Civic:** Columbus Southside Area Commission  
**Existing Zoning:** R-2F, Residential District  
**Request:** Variance(s) to Section(s):  
3332.26, Minimum side yard permitted.  
To reduce the minimum side yard from 3' to 0'.  
**Proposal:** To construct a new garage on a lot line.  
**Applicant(s):** HNHF Realty Collaborative  
946 Parsons Ave., PO Box 6063  
Columbus, Ohio 43206  
**Property Owner(s):** Applicant  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** JFFreise@Columbus.gov

**Case #9 is Postponed, indefinitely.**

**9. Application No.: 12310-00261**

**Location:** **1189 OLENTANGY RIVER ROAD (43212)**, located at the northwest corner

of W. 3rd Ave. & Olentangy River Rd.  
**Area Comm./Civic:** Fifth by Northwest Area Commission  
**Existing Zoning:** M, Manufacturing and C-4, Commercial Districts  
**Request:** Variance(s) to Section(s):  
3312.09, Aisle.  
To provide an aisle that is less than 20 ft. wide on each side of a proposed property line but with easements that allow said aisle to function as if it were 20 ft. in width.  
3312.21, Landscaping and screening.  
To not provide parking lot screening along the west property line for a section of the parking lot that is within 80 ft. of residentially zoned property due to a 30 ft. private access driveway.  
3312.25, Maneuvering.  
To provide a 12 +/- ft. of maneuvering area on either side of a proposed property line in an aisle in the parking lot instead of 20 ft. or more maneuvering area to access 90 degree parking spaces.  
3372.704, Setback requirements.  
To be exempt from the requirement that a building be located at a setback of 25 ft., while the applicant is required by a private deed restriction to have a building setback of 40 ft. and part of setback will be greater for both buildings due to the curvature of the east property line. Also, to allow a 125 +/- ft. building setback from the north property line instead of a maximum 50 ft. setback from an interior property line due to the location of vehicular access to Olentangy River Rd. and the desire to maintain a common patio area between two proposed restaurants.  
3372.705, Building design standards.  
To reduce the minimum width of a principal building along a primary building frontage to be approximately 30% of the lot width instead of a minimum of 60% of the lot width due to the vehicular access to Olentangy River Rd. and the standard would result in a building 140 ft. in width.  
3372.707, Landscaping and screening.  
To not provide screening along a lot line that borders a residentially zoned or used property along the west property line due to a 30 ft. private driveway. Also, to allow the dumpster placement for the north building to be located on the north side of the building (beside the building) instead of the west side (rear), as required.  
**Proposal:** To construct two restaurant buildings on adjacent parcels.  
**Applicant(s):** Glimcher Properties Limited Partnership; c/o Donald Plank; Plank Law Firm  
145 E. Rich St., 3rd Floor  
Columbus, Ohio 43215  
**Property Owner(s):** CAB Holding Company; L.L.C.; c/o Alan T. Rudy, CEO/Managing Member and Olentangy TKT, L.L.C.; c/o Thomas Brigdon and Tyler Lucks, Managers;  
c/o Northstar Development  
1177 Olentangy River Rd.; Columbus, Ohio 43215  
and 150 E. Broad St., Suite 100; Columbus, Ohio 43215, respectfully.  
**Case Planner:** Dave Reiss, 645-7973  
**E-mail:** DJReiss@Columbus.gov

**10. Application No.: 12311-00242**

**Location:** 1009 JOYCE AVENUE (43219), located on the west side of Joyce Ave., approximately 380 ft. north of E. 5th Ave.

**Area Comm./Civic:** North Central Area Commission

**Existing Zoning:** M, Manufacturing District

**Request:** Special Permit(s) to Section(s):  
3389.07, Impound lot, junk yard or salvage yard.  
To obtain a special permit for the operation of a recycling operation.

**Proposal:** To establish a recycling facility.

**Applicant(s):** C. & J. Real Estate & Equipment Investment, L.L.C.; c/o Jill Tangeman;  
Vorys, Sater, Seymour & Pease  
52 E. Gay St.  
Columbus, Ohio 43215

**Property Owner(s):** C. & J. Real Estate & Equipment Investment, L.L.C.  
345 Arthur St.  
Zanesville, Ohio 43701

**Case Planner:** Dave Reiss, 645-7973

**E-mail:** DJReiss@Columbus.gov

**11. Application No.: 12311-00251**

**Location:** 3871 STELZER ROAD (43219), located on the west side of Stelzer Road, approximately 100 feet north of Easton Way.

**Area Comm./Civic:** Northeast Area Commission

**Existing Zoning:** CPD, Commercial Planned Development District

**Request:** Special Permit(s) to Section(s):  
3389.12, Portable building.  
To use a portable building for storage.

**Proposal:** To use portable buildings for the storage of materials uses at the Easton Town Center.

**Applicant(s):** Morso Holding Company, c/o Jeffrey L. Brown  
37 West Broad Street  
Columbus, Ohio 43215

**Property Owner(s):** Morso Holding Company  
3 Limited Parkway  
Columbus, Ohio 43230

**Case Planner:** Jamie Freise, 645-6350

**E-mail:** JFFreise@Columbus.gov

**HOLDOVER CASES:**

**Case #12 is Postponed until August**

**12. Application No.: 12310-00195**

**Location:** 9440 SOUTH OLD STATE ROAD (43085), located on the west side of S. Old State Rd., approximately 420 ft. south of Erin St.

**Area Comm./Civic:** Far North Columbus Communities Coalition

**Existing Zoning:** R, Rural District

**Request:** Variance to Section:  
3332.06, R-rural area district requirements.

To allow a lot split resulting in two parcels less than 5 acres each, with a single-family dwelling and associated ancillary structures on one and a lattice-type communications tower and associated structures on the other.

**Proposal:** To allow a lot split.  
**Applicant(s):** Karen Helmlinger; c/o Michael T. Shannon; Crabbe, Brown & James  
500 S. Front St., Suite 1200  
Columbus, Ohio 43215  
**Property Owner(s):** Karen Helmlinger  
9440 S. Old State Rd.  
Columbus, Ohio 43035  
**Case Planner:** Dave Reiss, 645-7973  
**E-mail:** DJReiss@Columbus.gov

**13. Application No.: 12310-00207**

**Location:** 4423 & 4431 CLEVELAND AVENUE (43229), located at the northwest corner of Morse Rd. & Cleveland Ave.  
**Area Comm./Civic:** Northland Community Council  
**Existing Zoning:** C-5, Commercial District  
**Request:** Variances to Sections:  
3312.27, Parking setback line.  
To reduce the parking setback from 10 ft. to 5.6 ft.; a reduction of 4.4 ft.  
3312.49, Minimum numbers of parking spaces required.  
To reduce the required number of parking spaces from 28 to 0.  
3312.21, Landscaping and screening.  
To reduce the required number of trees from 3 to 2 and also to reduce the landscaping area from 4 ft. to 3.7 ft. at the rear of the site.  
**Proposal:** To raze and rebuild a gas station and convenience store.  
**Applicant(s):** Morse & Cleveland Enterprises; c/o Rob Rishel; Rinehart, Rishel & Cuckler, Ltd.  
300 E. Broad St., Suite 450  
Columbus, Ohio 43215  
**Property Owner(s):** Same as applicant.  
**Case Planner:** Dave Reiss, 645-7973  
**E-mail:** DJReiss@Columbus.gov

**14. Application No.: 12310-00211**

**Location:** 1302 TELHAM COURT (43204), located at the southeast corner of Telham Court and Telham Drive.  
**Area Comm./Civic:** Greater Hilltop Area Commission  
**Existing Zoning:** R-2, Residential District  
**Request:** Variance(s) to Section(s):  
3321.05, Vision clearance.  
To allow a portion of a fence exceeding two and one-half feet in height above the finished lot grade and exceeding 25 percent opacity to encroach into the vision clearance triangle.  
**Proposal:** To allow an existing fence to encroach into the vision clearance triangle.  
**Applicant(s):** Oliverio & Martha Natividad  
1302 Telham Court

Columbus, Ohio 43204

**Property Owner(s):** Applicant  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** JFFreise@Columbus.gov

**15. Application No.: 10311-00451**

**Location:** **370 MORRISON ROAD (43213)**, located at the northeast corner of Westbourne Ave. & Morrison Rd.

**Area Comm./Civic:** None

**Existing Zoning:** L-M, Limited Manufacturing District

**Request:** Special Permit & Variances(s) to Section(s):  
3363.19, Location requirements.

To permit a more objectionable use (recycling facility) to locate within 600 ft. of a residential or apartment residential zoning district, to be at a distance of approximately 200 ft.

3363.27, Height and area regulations.

To permit a recycling use to locate within 600 ft. of a residential or apartment residential district at a distance of approximately 200 ft.

3363.41, Storage.

To not provide the required fence or green belt planting strip for screening. Also, to allow salvage storage to occur within 600 ft. of a residential or apartment residential zoning district at a distance of approximately 200 ft.

3389.07, Impound lot, junk yard or salvage yard.

To grant a special permit for the establishment of a recycling facility.

3392.04, Special permit.

To obtain a special permit for the operation of a recycling facility.

3392.10, Performance requirements.

To increase the allowable height of piled material to be up to 30 ft. instead of 10 ft. Also, to not provide at least a 6 ft. tall, non-transparent fence around an open area where business is conducted.

3392.12, Prohibited location.

To allow a recycling facility to be established within 600 ft. of a residential or institutional zoning district; to be at a distance of approximately 200 ft.

**Proposal:** To establish a recycling facility.

**Applicant(s):** Columbus Bituminous Concrete Corp.; c/o Jeffrey L. Brown/David Hodge; Smith & Hale, L.L.C.  
37 W. Broad St., Suite 725  
Columbus, Ohio 43215

**Property Owner(s):** Columbus Bituminous Concrete Corp.; c/o Robert R. Dunn  
10 W. Broad St., Suite 2100  
Columbus, Ohio 43215

**Case Planner:** Dave Reiss, 645-7973

**E-mail:** [DJReiss@Columbus.gov](mailto:DJReiss@Columbus.gov)

**Notice/Advertisement Title:** Columbus Board of Zoning Adjustment July 24, 2012 Appeals Agenda

**Contact Name:** David Reiss

**Contact Telephone Number:** 645-7973

**Contact Email Address:** djreiss@columbus.gov

**APPEALS AGENDA  
BOARD OF ZONING ADJUSTMENT  
CITY OF COLUMBUS  
JULY 24, 2012**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, JULY 24, 2012 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 Code Enforcement Officer listed on the agenda item(s).

**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. 12312-00313  
30 W. WOODRUFF AVE. & 40 W. WOODRUFF AVE.  
University Area Commission  
LUCRPD, Limited University-College Research Park D

To appeal the issuance of Zoning Clearance by City Staff.

**City Staff:** Chris Presutti

**City Staff Phone:** 645-7849

**Appellant:** Ohio State University, 1590 N. High Street, Suite 500, Columbus, Ohio 43210

**Owner:** St. Stephens Protestant Episcopal Church, 30 W. Woodruff Avenue, Columbus, Ohio 43210

**Attorney/Agent:** Michael H. Carpenter, Esq., 280 N. High Street Suite 1300, Columbus, Ohio 43215

2. 12312-00322  
1077 TOBI DRIVE & 1074 TOBI DRIVE  
Far South Columbus Area Commission  
R-2, Residential

To Appeal Zoning Code Violation Order No. 12470-02133 issued on 5/17/2012 for:

1. 3312.35, Prohibited parking.

**City Staff:** Greg Davis

**City Staff Phone:** 645-5996

**Appellant:** William McQuirt, 4845 Obetz Road, Columbus, Ohio 43207

**Owner:** Horace M. Miller, 1077 Tobi Drive, Columbus, Ohio 43207

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**Legislation Number:** PN0219-2012

**Drafting Date:** 7/18/2012

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Downtown Commission Hearing Date Change

**Contact Name:** Daniel Thomas

**Contact Telephone Number:** 614-645-8404

**Contact Email Address:** djthomas@columbus.gov

Downtown Commission Hearing Date Change

The Downtown Commission Hearing scheduled for Tuesday, July 24th has been postponed to Tuesday, July 31st. The meeting will still be held at 109 N. Front St., Training Center (ground floor) starting at 8:30am.

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**Legislation Number:** PN0220-2012

**Drafting Date:** 7/19/2012

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

## OFFICIAL NOTICE

**Notice/Advertisement Title:**

CIVIL SERVICE COMMISSION

COMPETITIVE EXAMINATION ANNOUNCEMENTS

APPLY ONLINE 24 HOURS A DAY, 7 DAYS A WEEK OR APPLY IN PERSON 9:00 A.M. TO 4:00 P.M. MONDAY THROUGH FRIDAY

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.

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**Legislation Number:** PN0221-2012



**Drafting Date:** 7/20/2012

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Development Committee Considers Two Code Changes

**Contact Name:** John Ivanic

**Contact Telephone Number:** 645-6798

**Contact Email Address:** jpivanic@columbus.gov

Columbus City Councilmember Zach M. Klein, chair of the Development Committee, will hold a hearing to discuss a pair of code changes City Council will soon consider.

The first deals with the creation of a domestic partner registry in Columbus. Councilmember Klein, along with Council President Ginther and Mayor Coleman announced plans to establish the registry during a news conference in early June. A registry for unmarried couples would remove the administrative burden on businesses and public institutions to define and certify the existence of a relationship. Verification is needed for matters such as health insurance, hospital visitation rights and authorization to pick up children after school.

A second code update Council will soon consider will better define the responsibilities of homeowners when it comes to the clearing of the right-of-way and give code enforcement officers the tools they need promote stronger and safer neighborhoods.

The meeting will be broadcast live on CTV, Columbus' government television channel 3 on local cable systems. Speaker slips will be accepted on the day of hearing till 5:30pm and the general rules of speaking before Council will apply.

-30-

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**Legislation Number:** PN0223-2012

**Drafting Date:** 7/20/2012

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Notice/Advertisement Title:** City Council Zoning Agenda for 07/30/2012

**Contact Name:** Geoffrey Starks

**Contact Telephone Number:** 614-645-7293

**Contact Email Address:** gjstarks@columbus.gov

**REGULAR MEETING NO. 44**

**CITY COUNCIL (ZONING)**

**JULY 30, 2012**

**6:30 P.M.**

**COUNCIL CHAMBERS**

**ROLL CALL**

**READING AND DISPOSAL OF THE JOURNAL**

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

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

**0033-2012**

To rezone 1675 GEORGESVILLE SQUARE DRIVE (43228), being 16.35± acres located at the northeast corner of Holt Road and Georgesville Square Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z10-007).

**1615-2012**

To grant a Variance from the provisions of Section 3367.01, M-2, Manufacturing uses, of the Columbus City Codes; for the property located at 6950 AMERICANA PARKWAY (43068), to permit a 6,600 square foot child day care center in the M-2, Manufacturing District (Council Variance # CV12-026).

**1642-2012**

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District Use; 3312.21, Landscaping and screening; 3321.05(B) (2), Vision clearance; 3332.19, Fronting on a public street; 3332.21, Building lines; 3332.27, Rear yard; 3372.541, Landscaped area and treatment; 3372.542, Maximum lot coverage and 3372.544, Maximum floor area of the Columbus City Codes for property located at 2482 NEIL AVENUE (43201), to allow up to 17 dwelling units on one parcel in the R-2F, Residential District with reduced development standards. (Council Variance # CV10-032)

**1643-2012**

To rezone 3936 SCIOTO DARBY CREEK ROAD (43026), being 7.98± acres located on the north side of Scioto Darby Creek Road, 980± feet west of Scioto Darby Executive Court, From: R-1, Residential and C-4, Commercial Districts, To: L-M, Limited Manufacturing District (Rezoning # Z12-010).

**1671-2012**

To rezone 5049 EDWARDS FARM ROAD (43221), being 14.3± acres located on the west side of Edwards Farm Road, 500± feet south of Bourbon Street, From: R, Rural District, To: L-ARLD, Limited Apartment Residential District (Rezoning # Z12-020).

**1686-2012**

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use and 3333.23, Minimum side yard permitted, of the Columbus City Codes, for the property located at 738 BRYDEN ROAD (43205), to permit a hostel with reduced development standards in the ARLD, Apartment Residential District. (Council Variance #CV12-019)

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**Legislation Number:** PN0309-2011

**Drafting Date:** 12/5/2011

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** German Village Commission 2012 Meeting Schedule

**Contact Name:** Cristin Moody

**Contact Telephone Number:** (614) 645-8040

**Contact Email Address:** camoody@columbus.gov

The German Village Commission has its Regular Meeting the 1st Tuesday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8040 or by e-mail to [ljpoulton@columbus.gov](mailto:ljpoulton@columbus.gov). A Sign Language Interpreter will be made

available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date German Village Meeting Haus (588 S Third St.) 4:00pm
December 20, 2011	December 27, 2011	January 3, 2012
January 24, 2012	January 31, 2012	February 7, 2012
February 21, 2012	February 28, 2012	March 6, 2012
March 20, 2012	March 27, 2012	April 3, 2012
April 17, 2012	April 24, 2012	May 1, 2012
May 22, 2012	May 29, 2012	June 5, 2012
June 19, 2012	June 26, 2012	July 10, 2012
July 24, 2012	July 31, 2012	August 7, 2012
August 21, 2012	August 28, 2012	September 11, 2012
September 18, 2012	September 25, 2012	October 2, 2012
October 23, 2012	October 30, 2012	November 13, 2012
November 20, 2012	November 27, 2012	December 4, 2012
December 18, 2012	December 20, 2012	January 8, 2013
January 22, 2013	January 29, 2013	February 5, 2013

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus  
Historic Preservation Office  
109 N. Front St. - Ground Floor  
Columbus OH 43215-9031

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**Legislation Number:** PN0310-2011

**Drafting Date:** 12/5/2011

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Brewery District Commission 2012 Meeting Schedule

**Contact Name:** James Goodman

**Contact Telephone Number:** (614) 645-7920

**Contact Email Address:** jgoodman@columbus.gov

The Brewery District Commission has its Regular Meeting the 1st Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-7920 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule, please call 645-8036.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
December 22, 2011	December 29, 2011	January 5, 2012
January 19, 2012	January 26, 2012	February 2, 2012
February 16, 2012	February 23, 2012	March 1, 2012
March 22, 2012	March 29, 2012	April 5, 2012
April 19, 2012	April 26, 2012	May 3, 2012
May 24, 2012	May 31, 2012	June 7, 2012
June 21, 2012	June 28, 2012	July 5, 2012
July 19, 2012	July 26, 2012	August 2, 2012
August 23, 2012	August 30, 2012	September 6, 2012
September 20, 2012	September 27, 2012	October 4, 2012
October 18, 2012	October 25, 2012	November 1, 2012
November 21, 2012	November 29, 2012	December 6, 2012
December 20, 2012	December 27, 2012	January 3, 2013
January 24, 2013	January 31, 2013	February 7, 2013

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus  
Historic Preservation Office  
109 N. Front St. - Ground Floor  
Columbus OH 43215-9031

**Legislation Number:** PN0311-2011

**Drafting Date:** 12/5/2011

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Victorian Village Commission 2012 Meeting Schedule

**Contact Name:** James Goodman

**Contact Telephone Number:** (614) 645-7920

**Contact Email Address:** [jagoodman@columbus.gov](mailto:jagoodman@columbus.gov)

The Victorian Village Commission has its Regular Meeting the 2nd Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-7920 or by e-mail to [ljpoulton@columbus.gov](mailto:ljpoulton@columbus.gov). A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.)	Regular Meeting Date (Training Center, 109 N. Front St.)
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12:00pm

6:15pm

December 29, 2011  
January 26, 2012  
February 23, 2012  
March 29, 2012  
April 26, 2012  
May 31, 2012  
June 28, 2012  
July 26, 2012  
August 30, 2012  
September 27, 2012  
October 25, 2012  
November 29, 2012  
December 27, 2012  
January 31, 2013

January 5, 2012  
February 2, 2012  
March 1, 2012  
April 5, 2012  
May 3, 2012  
June 7, 2012  
July 5, 2012  
August 2, 2012  
September 6, 2012  
October 4, 2012  
November 1, 2012  
December 6, 2012  
January 3, 2013  
February 7, 2013

January 12, 2012  
February 9, 2012  
March 8, 2012  
April 12, 2012  
May 10, 2013  
June 14, 2012  
July 12, 2012  
August 9, 2012  
September 13, 2012  
October 11, 2012  
November 8, 2012  
December 13, 2012  
January 10, 2013  
February 14, 2013

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus  
Historic Preservation Office  
109 N. Front St. - Ground Floor  
Columbus OH 43215-9031

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**Legislation Number:** PN0312-2011

**Drafting Date:** 12/5/2011

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Italian Village Commission 2012 Meeting Schedule

**Contact Name:** Connie Torbeck

**Contact Telephone Number:** (614) 645-0664

**Contact Email Address:** cltorbeck@columbus.gov

The Italian Village Commission has its Regular Meeting the 3rd Tuesday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-0664 or by e-mail to [ljpoulton@columbus.gov](mailto:ljpoulton@columbus.gov). A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036.

Application Deadline

Business Meeting Date  
(1st fl. Conf. Rm, 109 N. Front St.)  
12:00pm

Regular Meeting Date  
(Training Center, 109 N. Front St.)  
6:15pm

January 3, 2012  
February 7, 2012  
March 6, 2012

January 10, 2012  
February 14, 2012  
March 13, 2012

January 17, 2012  
February 21, 2012  
March 20, 2012

April 3, 2012	April 10, 2012	April 17, 2012
May 1, 2012	May 8, 2012	May 15, 2012
June 5, 2012	June 12, 2012	June 19, 2012
July 3, 2012	July 10, 2012	July 17, 2012
August 7, 2012	August 14, 2012	August 21, 2012
September 4, 2012	September 11, 2012	September 18, 2012
October 2, 2012	October 9, 2012	October 16, 2012
November 6, 2012	November 13, 2012	November 20, 2012
December 4, 2012	December 11, 2012	December 18, 2012
January 2, 2013	January 8, 2013	January 15, 2013
February 5, 2013	February 12, 2013	February 19, 2013

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus  
Historic Preservation Office  
109 N. Front St. - Ground Floor  
Columbus OH 43215-9031

**Legislation Number:** PN0313-2011

**Drafting Date:** 12/5/2011

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Historic Resource Commission 2012 Meeting Schedule

**Contact Name:** Connie Torbeck

**Contact Telephone Number:** (614) 645-0664

**Contact Email Address:** cltorbeck@columbus.gov

The Historic Resource Commission has its Regular Meeting the 3rd Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-0664 or by e-mail to [ljpoulton@columbus.gov](mailto:ljpoulton@columbus.gov).

A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
January 5, 2012	January 12, 2012	January 19, 2012
February 2, 2012	February 9, 2012	February 16, 2012
March 1, 2012	March 8, 2012	March 15, 2012
April 5, 2012	April 12, 2012	April 19, 2012
May 3, 2012	May 10, 2012	May 17, 2012
June 7, 2012	June 14, 2012	June 21, 2012

July 5, 2012	July 12, 2012	July 19, 2012
August 2, 2012	August 9, 2012	August 16, 2012
September 6, 2012	September 13, 2012	September 20, 2012
October 4, 2012	October 11, 2012	October 18, 2012
November 1, 2012	November 8, 2012	November 15, 2012
December 6, 2012	December 13, 2012	December 20, 2012
January 3, 2013	January 10, 2013	January 17, 2013
February 7, 2013	February 14, 2012	February 21, 2013

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus  
Historic Preservation Office  
109 N. Front St. - Ground Floor  
Columbus OH 43215-9031

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**Legislation Number:** PN0314-2011

**Drafting Date:** 12/5/2011

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Board of Commission Appeals 2012 Meeting Schedule

**Contact Name:** Randy F Black

**Contact Telephone Number:** (614) 645-6821

**Contact Email Address:** rfblack@columbus.gov

The Board of Commission Appeals has its Business Meeting the last Wednesday of every other month (as necessary and barring Holiday exceptions). Special hearing dates may also be scheduled on an "as needed basis" in accordance with Columbus City Code 3118. Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to [ljpoulton@columbus.gov](mailto:ljpoulton@columbus.gov). A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time.

To schedule, please call 645-8036.

Business Meeting Dates

(1st fl. Conf. Rm, 109 N. Front St.)

12:00pm

January 25, 2012

March 28, 2012

May 30, 2012

July 25, 2012

September 26, 2012

November 28, 2012

January 30, 2013

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**Legislation Number:** PN0315-2010

**Drafting Date:** 12/8/2010

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**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

OFFICIAL NOTICE  
CIVIL SERVICE COMMISSION  
COMPETITIVE EXAMINATION ANNOUNCEMENTS

APPLY ONLINE 24 HOURS A DAY, 7 DAYS A WEEK OR APPLY IN PERSON 9:00 A.M. TO 4:00 P.M. MONDAY, WEDNESDAY, or THURSDAY.

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is located on our website at [www.csc.columbus.gov](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.

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**Legislation Number:** PN0325-2011

**Drafting Date:** 12/14/2011

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Notice/Advertisement Title:** **UPDATED** Columbus Art Commission 2012 Meeting Schedule  
**Contact Name:** Lori Baudro  
**Contact Telephone Number:** (614) 645-6986  
**Contact Email Address:** lsbaudro@columbus.gov

A Sign Language Interpreter will be made available provided the Planning Division Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036. To confirm the meetings, please contact Lori Baudro at 645-6986 or [lsbaudro@columbus.gov](mailto:lsbaudro@columbus.gov).

Application Deadline    Business Meeting Dates

Hearing Dates



(King Arts Complex.)  
867 Mt. Vernon Ave.  
8:30am to 10:00am

City of Columbus  
109 N. Front St., Training Center  
6:00pm

July 6, 2012	July 11, 2012	July 26, 2012
August 3, 2012	August 8, 2012	August 23, 2012
September 7, 2012	September 12, 2012	September 27, 2012
October 5, 2012	October 10, 2012	October 25, 2012
November 9, 2012	November 14, 2012	November 29, 2012
December 7, 2012	December 12, 2012	December 20, 2012*

\*Hearing Location Venue Change  
Columbus Health Department  
240 Parsons Avenue

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**Legislation Number:** PN0330-2011

**Drafting Date:** 12/20/2011

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Notice/Advertisement Title:**

NOTICE OF REGULAR COLUMBUS RECREATION AND PARKS COMMISSION MEETINGS  
2012

**Contact Name:** Eric L.Brandon  
**Contact Telephone Number:** 614-645-5253  
**Contact Email Address:** ebrandon@columbus.gov

## 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 11, 2012 - 1111 East Broad Street, 43205  
Wednesday, February 8, 2012 - 1111 East Broad Street, 43205  
Wednesday, March 14, 2012 - 1111 East Broad Street, 43205***

*Wednesday, April 11, 2012 - 1111 East Broad Street, 43205*

*Wednesday, May 9, 2012 - 1111 East Broad Street, 43205*

*Wednesday, June 13, 2012 - 1111 East Broad Street, 43205*

*Wednesday, July 11, 2012 - 1111 East Broad Street, 43205*

*August Recess - No meeting*

*Wednesday, September 12, 2012 - 1111 East Broad Street, 43205*

*Wednesday, October 10, 2012 - 1111 East Broad Street, 43205*

*Wednesday, November 14, 2012 - 1111 East Broad Street, 43205*

*Wednesday, December 12, 2012 - 1111 East Broad Street, 43205*

In the event no proper business exists the meeting may be cancelled without further notice. For more information you may contact the Columbus Recreation and Parks Department, 1111 East Broad Street, Suite 200, Columbus, Ohio 43205 (Telephone: 614-645-3319).

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**Alan D. McKnight, Executive Director**  
**Columbus Recreation and Parks Department**

# 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 11, 2012 – 1111 East Broad Street, 43205*

*Wednesday, February 8, 2012 – 1111 East Broad Street, 43205*

*Wednesday, March 14, 2012 – 1111 East Broad Street, 43205*

*Wednesday, April 11, 2012 – 1111 East Broad Street, 43205*

*Wednesday, May 9, 2012 – 1111 East Broad Street, 43205*

*Wednesday, June 13, 2012 – 1111 East Broad Street, 43205*

*Wednesday, July 11, 2012 – 1111 East Broad Street, 43205*

*August Recess – No meeting*

*Wednesday, September 12, 2012 – 1111 East Broad Street, 43205*

*Wednesday, October 10, 2012 – 1111 East Broad Street, 43205*

*Wednesday, November 14, 2012 – 1111 East Broad Street, 43205*

*Wednesday, December 12, 2012 – 1111 East Broad Street, 43205*

In the event no proper business exists the meeting may be cancelled without further notice. For more information you may contact the Columbus Recreation and Parks Department, 1111 East Broad Street, Suite 200, Columbus, Ohio 43205 (Telephone: 614-645-3319).



Alan D. McKnight, Executive Director  
Columbus Recreation and Parks Department