

# **Columbus City Bulletin**



**Bulletin #23  
June 6, 2009**

# Proceedings of City Council

Saturday June 6, 2009



## SIGNING OF LEGISLATION

Legislation was signed by Council President Michael C. Mentel on the night of the Council meeting, Monday, *June 1, 2009*; by Mayor Michael B. Coleman on Wednesday, *June 3, 2009*; and attested by the City Clerk, prior to Bulletin publishing, except for Ordinances 0696-2009, and 0707-2009 which were signed by President Pro Tem Hearcel F. Craig, on the night of the Council meeting, Monday, *June 1, 2009*; and Mayor Michael B. Coleman on Wednesday, *June 3, 2009*;

***SPECIAL NOTE: Ordinance 0782-2009 was "Returned Unsigned" by Mayor Michael B. Coleman on Wednesday, June 3, 2009.***

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

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

# Council Journal (minutes)



# City of Columbus

## Journal - Final

### Columbus City Council

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

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

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Monday, June 1, 2009

5:00 PM

Columbus City Council

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Columbus City Council

Journal

June 01, 2009

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**REGULAR MEETING NO. 25 OF COLUMBUS CITY COUNCIL, JUNE 1, 2009 at 5:00 P.M. IN COUNCIL CHAMBERS.**

**ROLL CALL**

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

**READING AND DISPOSAL OF THE JOURNAL**

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

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

**C0014-2009**

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY MAY 27, 2009:

New Type: C1, C2  
To: Asmara Inc  
DBA Hamilton Refugee Beer Wine  
3120 S Hamilton Rd  
Columbus OH 43232  
Permit # 02997320005

New Type: D2  
To: Udipi Café Inc  
DBA Udipi Café  
2001 E Dublin Granville Rd  
Columbus OH 43229  
Permit # 9135802

New Type: C1. C2. D6  
To: Nameless Premium Beverages LLC  
19-21 E 13th Ave  
Columbus OH 43201  
Permit # 6297336

Transfer Type: D5  
To: CH Inc  
3783 S Hamilton Rd  
Columbus OH 43215  
From: Frostielock Inc  
1351 Lockbourne Rd  
Columbus OH 43206  
Permit # 11643750130

Transfer Type: D2, D2X, D3, D3A, D6  
To: Club Chi LLC  
1748 E Dublin Granville Rd  
Columbus OH 43229  
From: Aramark Entertainment Inc  
2200 Polaris Pkwy & Deck  
Columbus OH 43240  
Permit # 1571901

Transfer Type: C1, C2  
To: Nadar Pervez & Ali Inc  
DBA Smiths Market  
2432 Sullivant Av  
Columbus OH 43204  
From: Vedmata Market LTD  
DBA Smiths Market  
2432 Sullivant Av  
Columbus OH 43204  
Permit # 6283246

Transfer Type: C1, C2, D6  
To: Reemo Inc  
DBA 3-C Food Mart  
3725 Karl Rd  
Columbus OH 43224  
From: Abo Fayeg Inc  
DBA 3-C Food Mart  
3725 Karl Rd  
Columbus OH 43224  
Permit # 7260232

Advertise: 6/06/2009  
Return: 06/12/2009

**Read and Filed**

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

### **RESOLUTIONS OF EXPRESSION**

#### **TYSON**

**0082X-2009**

To recognize the Melvin B. Dodge Summer Zoo Days and declare the month of June as Zoo and Aquarium Month in the City of Columbus.

Sponsors:

Paley, Charleta B. Tavares and Michael C. Mentel

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

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

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

A MOTION WAS MADE BY COUNCILMEMBER CRAIG, SECONDED BY COUNCILMEMBER TYSON TO WAIVE THE READING OF THE TITLES OF FIRST READING LEGISLATION. THE MOTION CARRIED THE FOLLOWING VOTE: AFFIRMATIVE: 7 NEGATIVE: 0

### **FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY**

**0710-2009** FR To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Video Surveillance Consultant Services with Security Risk Management Consultants Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund. (\$1.00)

**Read for the First Time**

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

**0567-2009** FR To authorize the Director of Public Service to enter into a maximum cost reimbursement agreement and make payment to Lifestyle Communities for design services for the Hayden Run Road - Leppert Road Intersection improvement project; to authorize the transfer of funds within the Northwest Corridor Fund; to authorize the expenditure of \$106,360.00 from the Northwest Corridor Fund; to waive competitive bidding provisions of the Columbus City Codes. (\$106,360.00)

**Read for the First Time**

**0584-2009** FR To authorize the City Auditor to establish an Auditor's Certificate for the purpose of paying utility relocation costs to various private utilities; to amend the 2008 C.I.B; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; and to authorize the expenditure of \$63,000.00 from the Streets and Highways G.O. Bonds Fund and \$35,148.71 from the Fed-State Highway Engineering Fund for the Division of Design and Construction. (\$98,148.71)

**Read for the First Time**

**0633-2009** FR To authorize the transfer \$369,472.00 between the General Government Grant Fund and the Street Construction Maintenance and Repair Fund; to appropriate \$369,472.00 within the Street Construction Maintenance and Repair Fund; and to authorize the establishment of an Auditor's Certificate to fund facilities renovation projects for the Division of Planning and Operations. (\$369,472.00)

**Read for the First Time**

**0655-2009** FR To authorize the Director of Public Service to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for a bridge reconstruction project for the Front Street structure over the CSX railroad for the City of Columbus Division of Design and Construction. (\$0)

**Read for the First Time**

- 0656-2009** FR To authorize the Director of Public Service to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for a bridge reconstruction project on the Arcadia Avenue structure over Glen Echo Drive for the City of Columbus Division of Design and Construction. (\$0)

**Read for the First Time**

- 0746-2009** FR To authorize the Director of Public Service to enter into a contract with Charter Contracting Corporation for the Bridge Cleaning and Sealing 2009 Project, and to authorize the expenditure of \$233,717.56 from the Street Construction Maintenance and Repair Fund for the Division of Planning and Operations. (\$233,717.56)

**Read for the First Time****SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL**

- 0759-2009** FR To authorize the Finance and Management Director to modify a contract on behalf of the Facilities Management Division with Bomar Construction Company for repairs to three damaged concrete areas in the front driveway apron of Fire Station No. 23, 4551 East Livingston Avenue; and to authorize the expenditure of \$5,877.00 from the Safety Voted Bond Fund. (\$5,877.00)

**Read for the First Time****DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL**

- 0767-2009** FR To accept the application (AN08-019) of Lee Ashley Marie et al for the annexation of certain territory containing 1.59 ± acres in Sharon Township.

**Read for the First Time****ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL**

- 0589-2009** FR To authorize the Director of the Department of Technology to modify an existing contract with Unisys Corporation for annual maintenance and support services; to authorize the expenditure of \$49,018.44 from the Information Services Fund. (\$49,018.44)

**Read for the First Time****UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL**

- 0563-2009** FR To authorize the Director of Public Utilities to enter into an agreement with Jack Doheny Supplies Ohio Inc for the installation of FleetMinder GPS System and associated software in accordance with Sole Source provisions of the Columbus City Code for the Division of Sewerage and Drainage and to authorize the expenditure of \$30,642.50 from the Sewerage System Operating Fund. (\$30,642.50).

**Read for the First Time**

- 0653-2009** FR To authorize the Director of Finance and Management to establish a purchase order for the purchase of Light Duty Trucks with Ricart Properties, Inc. for the Division of Power and Water, to authorize the expenditure of \$68,925.00 from the Water System Operating Fund. (\$68,925.00)

**Read for the First Time**

- 0676-2009** FR To authorize the Director of Public Utilities to execute a contract modification (#3) for the professional engineering services agreement with Brown and

Caldwell Ohio, LLC for the Jackson Pike Wastewater Treatment Plant Skimmings Concentrator System Improvements Project; to authorize the appropriation and transfer of \$300,000.00 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$300,000.00 from the Voted Sanitary Sewer Bond Fund; and to amend the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$300,000.00)

**Read for the First Time**

- 0726-2009 FR To authorize the Director of Finance and Management to establish a Blanket Purchase Order for Woodchips from an established Universal Term Contract with Park Enterprises Construction Co, Inc., for the Division of Sewerage and Drainage; and to authorize the expenditure of \$100,000.00 from the Sewerage System Operating (\$100,000.00)

**Read for the First Time**

- 0764-2009 FR To authorize the Director of Public Utilities to modify the professional construction management services contract with H. R. Gray & Associates, Inc. for the BWARI Tunnel Project, BWOAS Tunnel Project, and Air Quality Control Facility Project; to authorize the appropriation and transfer of \$399,910.00 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$399,910.00 from within the Voted Sanitary Sewer Bond Fund; and to amend the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$399,910.00)

**Read for the First Time**

**HEALTH, HOUSING & HUMAN SVC'S TAVARES, CHR. TYSON MILLER MENDEL**

- 0703-2009 FR To authorize a supplemental appropriation from the unappropriated balance of the Health Department Grants Fund for additional revenues in the amount of \$21,000 received by the Women, Infants, and Children Grant Program. (\$21,000)

**Read for the First Time**

**RULES & REFERENCE: MENDEL, CHR. GINTHER CRAIG PALEY**

- 0762-2009 FR To amend Section 3117.02 of the Columbus Planning and Platting Code, Title 31, concerning the creation and membership of the Historic Resources Commission, in order to allow for broader membership criteria.

Sponsors: Andrew Ginther

**Read for the First Time**

**ZONING: TYSON, CHR. CRAIG GINTHER MILLER PALEY TAVARES MENDEL**

- 0337-2009 FR To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District, 3342.28, Minimum number of parking spaces required; and 3342.28(a), Driveway; of the Columbus City Codes for the property located at 866 SOUTH THIRD STREET (43206), to permit an exercise facility with reduced development standards in the R-2F, Residential. (Council Variance #CV08-025).

**Read for the First Time**

**CONSENT ACTIONS**

**RESOLUTIONS OF EXPRESSION****CRAIG**

- 0080X-2009 CA To recognize, commend, and thank Robert Alberini for his distinguished service to Columbus' citizens and his fellow employees, and to wish him well in his upcoming retirement.

Sponsors: Hearcel Craig

**This Matter was Adopted on the Consent Agenda.**

**GINTHER**

- 0078X-2009 CA To honor, recognize, and celebrate the life of the late John P. Rea and to extend sincere condolences to his family and friends on the sorrowful occasion of his passing

Sponsors: Andrew Ginther

**FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY**

- 0712-2009 CA To authorize and direct the Finance and Management Director to enter into six (6) contracts for the option to purchase Specialty Equipment Parts, Supplies, and Accessories from NAPA Auto Parts, Hydro Supply Co., Utility Truck Equipment, Inc., Rim and Wheel Service Inc. of Columbus, Capital Core Inc., and R & R Products, Inc., to authorize the expenditure of six (6) dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$6.00).

**This Matter was Approved on the Consent Agenda.**

- 0777-2009 CA To authorize the City Auditor to establish a special revenue fund, titled the "Mined Assets Fund," for the deposit of payments from non-city tenants related to feasibility determination, exploration, lease, or license of any city property for mining purposes; to appropriate \$20,000.00 within the Mined Assets Fund; and to declare an emergency. (\$20,000.00)

**This Matter was Approved on the Consent Agenda.**

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

- 0722-2009 CA To authorize the Director of Public Service to enter into agreement to extend the program with the Ohio Department of Transportation for operation of the Freeway Management System for two years for the Division of Planning and Operations; to authorize the appropriation of \$320,000.00 within the General Government Grant Fund for this purpose; to authorize the expenditure of \$320,000.00 or so much thereof as may be needed from the General Government Grant Fund; and to declare an emergency. (\$320,000.00)

**This Matter was Approved on the Consent Agenda.**

**SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL**

- 0695-2009 CA To authorize and direct the transfer of \$50,000.00 within the General Fund, from the Department of Finance and Management's citywide account to the Department of Public Safety, Division of Fire, to cover the costs for damage claims and EMS billing refunds; and to declare an emergency. (\$50,000.00)

**This Matter was Approved on the Consent Agenda.**

- 0739-2009** CA To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase Pharmaceuticals on an as needed basis with Bound Tree Medical LLC, to authorize the expenditure of One dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)  
**This Matter was Approved on the Consent Agenda.**
- 0743-2009** CA To authorize and direct the Finance & Management Director to enter into contracts for the option to purchase Miscellaneous Medical Supplies on an as needed basis with Alliance Medical Inc., DBA AllMed Groups 1 and 4 and Bound Tree Medical LLC Groups 2, 3, 5 and 6, to authorize the expenditure of Two dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$2.00)  
**This Matter was Approved on the Consent Agenda.**

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

- 0505-2009** CA To authorize the Director of the Development Department to amend a contract with The Ransom Company for the demolition of structures determined to be unsafe and public nuisances under the Demolition Program; to authorize the expenditure of \$55,000.00 from the General Fund; and to declare an emergency. (\$55,000.00)  
**This Matter was Approved on the Consent Agenda.**
- 0718-2009** CA To authorize the appropriation of \$550,585.26 from the Rocky Fork-Blacklick Tax Increment Financing Fund; to authorize and direct the payment of \$550,585.26 to Metro Parks in accordance with the Metro Park Development Agreement; to authorize the expenditure of \$550,585.26 from the Rocky Fork-Blacklick Tax Increment Financing Fund; and to declare an emergency. (\$550,585.26)  
**This Matter was Approved on the Consent Agenda.**
- 0742-2009** CA To authorize the appropriation of \$58,916.17 from the Crewville TIF Fund; to authorize and direct the payment of \$58,916.17 to Nationwide Realty Investors, Ltd. dba Crewville, LTD in accordance with the Tax Increment Financing and Economic Development Agreement; to authorize the expenditure of \$58,916.17 from the Crewville TIF Fund; and to declare an emergency. (\$58,916.17)  
**This Matter was Approved on the Consent Agenda.**

**ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL**

- 0354-2009** CA To authorize the Director of the Department of Technology and the Director of the Department of Recreation and Parks to renew an existing contract for maintenance and support on the Class software application, and to enter into a contract for the migration of data to a vendor-hosted environment and other computer related services with The Active Network, LTD; to authorize the expenditure of \$66,452.06 from the Department of Technology Information Service Fund; and to declare an emergency. (\$66,452.06)  
**This Matter was Approved on the Consent Agenda.**
- 0408-2009** CA To authorize the Director of the Department of Technology to modify and extend an existing contract with COMSYS; and to declare an emergency.

(\$0.00)

**This Matter was Approved on the Consent Agenda.**

- 0466-2009 CA To authorize the Director of the Department of Technology and the Director of the Department of Columbus Public Health to renew a contract with Language Access Network, LLC, for streaming video and phone-based interpretation services; to authorize the expenditure of \$20,000.00 from the Department of Technology's Internal Services Fund; and to declare an emergency. (\$20,000.00)

**This Matter was Approved on the Consent Agenda.**

- 0668-2009 CA To authorize the Director of Finance and Management to establish a purchase order with Echo24 for the acquisition of equipment and services related to the fiber project; to authorize the expenditure of \$201,390.00 from the Department of Technology, Information Services Bond Fund; and to declare an emergency. (\$201,390.00)

**This Matter was Approved on the Consent Agenda.**

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

- 0487-2009 CA To authorize the Administrative and Presiding Judge of the Franklin County Municipal Court to modify the contract with Asist, Inc. for language interpreter services for the Franklin County Municipal Court; to authorize the expenditure of an amount not to exceed \$70,000.00 from the general fund; and to declare an emergency. (\$70,000.00)

**This Matter was Approved on the Consent Agenda.**

- 0701-2009 CA To authorize a supplemental appropriation of \$82,656.19 from the unappropriated balance of the Municipal Court Clerk computer fund; to authorize and direct the Director of Finance and Management on behalf of the Municipal Court Clerk to establish a purchase order with Resource One Computer Systems, Inc. for the purchase of equipment; to authorize an expenditure of \$82,656.19 from the Municipal Court Clerk Computer Fund; and to declare an emergency. (\$82,656.19)

**This Matter was Approved on the Consent Agenda.**

- 0717-2009 CA To authorize the City Attorney to modify and increase the contract with Bricker and Eckler, LLP for special legal counsel services; to authorize and direct the City Auditor to transfer \$20,000.00 within the General Fund in the City Attorney's Office; to authorize the expenditure of up to \$20,000; to waive the competitive bidding provisions of the Columbus City Codes, 1959; and to declare an emergency. (\$20,000)

**This Matter was Approved on the Consent Agenda.**

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

- 0558-2009 CA To authorize the Director of Public Utilities to execute a planned contract modification of the construction administration - construction inspection services agreement with DLZ Ohio, Inc., for two sanitary projects: (1) General Construction Contract and (2) 2009 Annual Lining Contract; and one stormwater project: Floodwall Concrete Repair; to authorize the transfer and appropriation of \$325,000.00 from the Sanitary Sewer Reserve Bond Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure

of \$325,000.00 from within the Voted Sanitary Sewer Bond Fund; to authorize the transfer and expenditure of \$80,000.00 within the Storm Sewer Bonds Fund; to authorize an amendment to the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage; and to declare an emergency. (\$405,000.00)

**This Matter was Approved on the Consent Agenda.**

- 0639-2009** CA To authorize the Director of Public Utilities to execute a planned contract modification of the construction administration - construction inspection services agreement with Stantec Consulting Services, Inc., for the River South Phase II project; to authorize the transfer and appropriation of \$450,000.00 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$450,000.00 from within the Voted Sanitary Sewer Bond Fund for the Division of Sewage and Drainage; and to declare an emergency. (\$450,000.00)

**This Matter was Approved on the Consent Agenda.**

- 0640-2009** CA To authorize and direct the Finance and Management Director to enter into two (2) contracts for the option to purchase Line Locating Equipment with Batco, Inc. and USA Bluebook, to authorize the expenditure of \$2.00 to establish the contracts from the Mail, Print Services and UTC Fund Account; and to declare an emergency. (\$2.00)

**This Matter was Approved on the Consent Agenda.**

- 0649-2009** CA To authorize the Director of Public Utilities to execute a planned contract modification of the construction administration and construction inspection services agreement with Prime Engineering & Architecture, Inc., for a total of four projects: two sanitary projects: Short Street Demolition and Remediation and NW Alum Creek Wet Weather Renovations; to authorize the transfer and appropriate \$190,000.00 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$190,000.00 from within the Voted Sanitary Sewer Bond Fund; one stormwater project: Williams Rd Pump Station, to authorize the transfer and expenditure of \$125,000.00 within the Storm Sewer Bond Fund; and one water works project: Mound / Harrisburg Pike Station to authorize the transfer and appropriate \$600,000.00 from the Water System Reserve Fund to the Voted Water Works Enlargement Bond Fund; to authorize the expenditure of \$600,000.00 from within the Voted Water Works Enlargement Bond Fund; to authorize an amendment to the 2008 Capital Improvements Budget for the Division of Sewerage and Drainage; and to declare an emergency (\$915,000.00)

**This Matter was Approved on the Consent Agenda.**

- 0650-2009** CA To authorize the Director of Finance and Management to establish a purchase order with Pomeroy IT Solutions for the purchase of Cisco Equipment and Smartnet Services from an existing Universal Term Contract for the Division of Sewerage and Drainage, and to authorize the expenditure of \$70,816.19 from the Sewerage System Operating Fund. (\$70,816.19)

**This Matter was Approved on the Consent Agenda.**

- 0719-2009** CA To authorize the Director of Public Utilities to modify and increase the construction contract with Complete General Construction Company due to

unforeseen conditions found during construction of the Fulton Street/Franklin County Courthouse 15 KV Circuit Relocation for the Division of Power and Water; to amend the 2008 Capital Improvement Budget: to authorize a transfer and expenditure of \$78,815.00 within the Division of Power and Water's Electricity Permanent Improvement Fund (Non-Bond); and to declare an emergency. (\$78,815.00)

**This Matter was Approved on the Consent Agenda.**

- 0748-2009 CA To authorize the City Attorney's Office to modify and extend its existing contract with McNeese, Wallace & Nurick LLC to provide specialized legal service regarding issues related to the purchase of power for the Division of Power and Water for the years 2012 to 2014, and to authorize the expenditure of \$50,000.00 from the Division of Electricity Operating Fund; and to declare an emergency. (\$50,000.00)

**This Matter was Approved on the Consent Agenda.**

#### **HEALTH, HOUSING & HUMAN SVC'S: TAVARES, CHR. TYSON MILLER MENDEL**

- 0706-2009 CA To authorize the Board of Health to enter into contract with KNS Services, Inc., for video monitoring equipment maintenance services; to authorize a total expenditure of \$24,864.00 from the Health Department Special Revenue Fund; and to declare an emergency. (\$24,864.00)

**This Matter was Approved on the Consent Agenda.**

- 0733-2009 CA To authorize the Finance and Management Director to modify a contract on behalf of the Facilities Management Division with General Maintenance and Engineering Company for roof repairs at the Columbus Health Department, 240 Parsons Avenue; to authorize the expenditure of \$6,693.00 from the Health General Obligation Bonds Fund; and to declare an emergency. (\$6,693.00)

**This Matter was Approved on the Consent Agenda.**

#### **RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENDEL**

- 0601-2009 CA To authorize and direct the Director of Recreation and Parks to submit a grant application to the Ohio Cultural Facilities Commission for historic and cultural improvements to Livingston Park; and to declare an emergency. (\$0.00)

**This Matter was Approved on the Consent Agenda.**

- 0652-2009 CA To authorize the Director of Recreation and Parks to modify and extend the contract with Kone, Inc. for required maintenance and services of elevator units in various city facilities under the purview of the Recreation and Parks Department; to authorize the expenditure of \$22,000.00 from the Recreation and Parks Operating fund; and to declare an emergency (\$22,000.00)

**This Matter was Approved on the Consent Agenda.**

- 0683-2009 CA To authorize the expenditure of \$190,000.00 from the Recreation and Parks Grant Fund to make payments to The Commerical Partnership for the third year of a three-year building maintenance service contract; and to declare an emergency. (\$190,000.00)

**This Matter was Approved on the Consent Agenda.**

- 0690-2009 CA To authorize and direct the City Auditor to transfer \$57,536.90 within the

Department of Recreation and Parks from the Special Purpose Fund (Donations-various Park Improvements Sub-Fund) to the State Issue II Grants Fund; and to declare an emergency (\$57,536.90).

**This Matter was Approved on the Consent Agenda.**

- 0692-2009 CA To authorize and direct the Director of Recreation and Parks to enter into a contract with Kathy Grace for instructing ceramics classes at the Cultural Arts Center; to authorize the expenditure of \$12,000.00 from the Recreation and Parks Operating Fund; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency (\$12,000.00).

**This Matter was Approved on the Consent Agenda.**

- 0721-2009 CA To authorize and direct the Director of the Recreation and Parks Department to reimburse Mr. Ethan Gee for hours worked in Recreation and Parks, to authorize the expenditure of \$231.00, less appropriate deductions, from the Recreation and Parks Operating Budget Fund; and to declare an emergency.

**This Matter was Approved on the Consent Agenda.**

- 0723-2009 CA To authorize and direct the Director of Recreation and Parks to enter into contract with K & W Roofing, Inc., for the roof replacements at various facilities Project Phase 1, to authorize the expenditure of \$148,506.00 from the Voted 1999/2004 Recreation and Parks Bond Fund; and to declare an emergency. (\$148,506.00)

**This Matter was Approved on the Consent Agenda.**

- 0729-2009 CA To authorize and direct the Director of Recreation and Parks to enter into contract with ProCon Professional Construction Services, Inc. for the Red Bank Marina Boat Launch Improvements Project, to authorize the expenditure of \$131,500.00 from the Recreation and Parks Grant Fund; and to declare an emergency. (\$131,500.00)

**This Matter was Approved on the Consent Agenda.**

- 0735-2009 CA To authorize and direct the Director of Recreation and Parks to enter into contract with Pavement Protectors dba M&D Blacktop Sealing for the Alkire Woods Park Development Project, to authorize the expenditure of \$150,000.00 from the Recreation and Parks Special Purpose Fund; and to declare an emergency. (\$150,000.00)

**This Matter was Approved on the Consent Agenda.**

- 0744-2009 CA To authorize the appropriation of \$173,989.83 from the unappropriated balance of the Recreation and Parks Special Purpose Fund to continue purchasing supplies, part time labor and providing services during 2009, and to declare an emergency. (\$173,989.83)

**This Matter was Approved on the Consent Agenda.**

## APPOINTMENTS

- A0044-2009 CA Appointment of Brent Greer of 799 Highland Dr. Columbus, Ohio to serve on the Property Maintenance Appeals Board with a term expiration date of July 31, 2010 (resume attached).

**This Matter was Read and Approved on the Consent Agenda.**

- A0045-2009** CA Re-appointment of James Johnson of 1084 Berkeley Rd. Columbus, Ohio 43206 to serve on the Property Maintenance Appeals Board with a new term expiration date of July 31, 2012 (resume attached).  
**This Matter was Read and Approved on the Consent Agenda.**
- A0046-2009** CA Re-appointment of Gina Hawthorne-Hill of 730 Kelton Ave. Columbus, Ohio 43205 to serve on the Property Maintenance Appeals Board with a term expiration of May 1, 2012 (resume attached).  
**This Matter was Read and Approved on the Consent Agenda.**
- A0048-2009** CA Re-appointment of John Behal of 2546 Bexley Park Rd. Bexley, Ohio 43209 to serve on the Board of Zoning Adjustment with a term expiration date of December 31, 2011 (resume attached).  
**This Matter was Read and Approved on the Consent Agenda.**
- A0049-2009** CA Appointment of Ralph Kramer of 1837 Westwood Ave. Columbus, Ohio 43212 to serve on the Columbus Building Commission with a term expiration date of February 28, 2010. (resume attached).  
**This Matter was Read and Approved on the Consent Agenda.**
- A0050-2009** CA Appointment of Elizabeth Eve Lessner of 2653 Glen Dr. Columbus, Ohio 43202 to serve on the Downtown Commission with a term expiration date of June 1, 2012 (resume attached).  
**This Matter was Read and Approved on the Consent Agenda.**
- A0051-2009** CA Appointment of Danni Palmore of 155 W. Main St. Columbus, Ohio 43215 to serve on the Downtown Commission with a term expiration date of June 1, 2013 (resume attached).  
**This Matter was Read and Approved on the Consent Agenda.**
- A0052-2009** CA Appointment of Otto Beatty Jr. of 233 S. High St. Suite 300 Columbus, Ohio 43215 to serve on the Downtown Commission with a term expiration date of June 1, 2013 (resume attached).  
**This Matter was Read and Approved on the Consent Agenda.**
- A0053-2009** CA Appointment of Greg Davies, City of Columbus Mayor's Office, 90 W. Broad Street, Columbus, Ohio 43215 to serve on the Board of Trustees of the RiverSouth Community Authority, replacing Erika Clark Jones, with a term expiration date of June 22, 2010 (resume attached)  
**This Matter was Read and Approved on the Consent Agenda.**

### **Passed The Consent Agenda**

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

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

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

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

- 0696-2009** To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary the Alum Creek Drive Improvement Project, to authorize the expenditure of \$569,750.00 from the Federal-State Highway Engineering Fund, and to declare an emergency. (569,750.00).
- A motion was made by Craig, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:**
- Abstained: 1 - President Mentel  
Affirmative: 6 - Ginther, Ms. Tavares, Craig, Tyson, Miller and Paley
- 0707-2009** To authorize the expenditure of \$652,000.00 or so much thereof as may be necessary to allow the City Attorney's Office, Real Estate Division, to complete acquisition of those remaining parcels needed for Phase 2 of the Morse Road Improvement project from the Fed-State Highway Engineering Fund; and to declare an emergency. (\$652,000.00)
- A motion was made by Craig, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:**
- Abstained: 1 - President Mentel  
Affirmative: 6 - Ginther, Ms. Tavares, Craig, Tyson, Miller and Paley
- 0746-2009** To authorize the Director of Public Service to enter into a contract with Charter Contracting Corporation for the Bridge Cleaning and Sealing 2009 Project, and to authorize the expenditure of \$233,717.56 from the Street Construction Maintenance and Repair Fund for the Division of Planning and Operations. (\$233,717.56)
- A motion was made by Craig, seconded by Ginther, that this matter be Waived the 2nd Reading. The motion carried by the following vote:**
- Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley
- A motion was made by Craig, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:**
- Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley
- DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL**
- 0770-2009** To authorize the appropriation of \$5,154,976.26 from the Special Income Tax Fund to the City Auditor; to authorize the City Auditor to transfer said funds from the Special Income Tax Fund to the Northland and Other Acquisitions Fund; to authorize the appropriation of said funds in the Northland and Other Acquisitions Fund; to authorize the Director of the Department of Development to expend up to \$5,154,976.26 from the Northland and Other Acquisitions Fund for 2009 lease rental payments to The RiverSouth Authority; and to amend the 2008 Capital Improvement Budget. (\$5,154,976.26) Section 55(B) of the City charter.
- A motion was made by Ginther, seconded by Craig, that this matter be Waived the 2nd Reading. The motion carried by the following vote:**
- Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley
- A motion was made by Ginther, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:**

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

**ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL**

**0734-2009**

To authorize the Director of the Department of Human Resources to enter into contract with the law firm of Baker & Hostetler for the purpose of providing ongoing assistance in the negotiation of a successor collective bargaining agreement with FOP/Capital City Lodge #9 and, where necessary, to represent the City in fact-finding and conciliation proceedings with the FOP/Capital City Lodge #9 and CMAGE/CWA Local 4502; to authorize the expenditure of \$100,000.00 from the Employee Benefits Fund; to waive the competitive bidding requirements of the Columbus City Codes; and to declare an emergency. (\$100,000.00)

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

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

**0754-2009**

To accept Memorandum of Understanding #2009-01 executed between representatives of the City of Columbus and the Fraternal of Police/Ohio Labor Council, Inc. which amends the terms of the Collective Bargaining Agreement April 2, 2007 through April 1, 2010; and to declare an emergency.

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

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

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

**0705-2009**

To authorize and direct the Franklin County Municipal Court Clerk to enter into the second year of a three year contract with Capital Recovery Systems, Inc. for the provision of collection services; to authorize an expenditure of \$90,000.00 from the Clerk's Collection Special Revenue Fund; and to declare an emergency. (\$90,000.00)

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

Abstained: 1 - Paley

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

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

**0681-2009**

To authorize the Director of Public Utilities to execute a contract modification with Jay Dee-Michels-Traylor Joint Venture for the Big Walnut Augmentation/Rickenbacker Sanitary Interceptor Project (scope change) and the Big Walnut Outfall Sewer System Capacity Augmentation Project; to amend the 2008 Capital Improvements Budget; to authorize the expenditure of \$5,930,308.64 within the Ohio Water Pollution Control Loan Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$5,930,308.64).

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

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

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

**0643-2009**

To authorize the expenditure of funds for payment of rent for the second renewal term of a lease agreement with the Central Ohio Transit Authority for clinic space for the Health Department's Women's Health Program, the total expenditure to be \$38,186 from the Health Special Revenue Fund. (\$38,186)

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

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

**0736-2009**

To authorize the Director of the Department of Development to modify the Lead Safe Columbus program contract with ATC Associates; to authorize the expenditure of \$100,000 from the General Government Grant Fund; and to declare an emergency. (\$100,000)

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

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

**0737-2009**

To authorize the Director of the Department of Development to modify the Lead Safe Columbus program contract with the Franklin County Board of Health; to authorize the expenditure of \$70,000 from the General Government Grant Fund; and to declare an emergency. (\$70,000)

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

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

**0765-2009**

To adopt the Community Development Block Grant Recovery Program; to authorize the filing of the Community Development Block Grant Recovery application with the U. S. Department of Housing and Urban Development; and to make a substantial amendment to the Consolidated Plan's 2008 Action Plan; and to declare an emergency.

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

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

**0782-2009**

To authorize the Director of the Development Department to enter into a contract with the Affordable Housing Trust for Columbus and Franklin County to facilitate the production of affordable housing and enhance home ownership opportunities in Columbus; to authorize the appropriation and expenditure of 0.43% (presently estimated at \$1,125,000) of the combined rates of 5.1% of the Hotel/Motel Excise Tax, less \$266,000 to authorize the transfer of \$116,000 to the Public Safety Initiatives Fund and to repeal ordinance 0657-2009; and to declare an emergency. (\$1,125,000)

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

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

## **RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL**

**0694-2009**

To authorize the Director of Recreation and Parks to enter into a contract with the Columbus Zoological Park Association to provide transportation, shirts and novelties for children from Recreation and Parks' playgrounds to the Columbus Zoo and Aquarium as a part of the Melvin B. Dodge Summer Zoo Days; and to declare an emergency.

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

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

**0747-2009**

To authorize the expenditure of up to \$55,000,000.00 from the Recreation and Parks Grant Fund in order to increase various contracts for the provision of PASSPORT home care and Assisted Living services administered by the Central Ohio Area Agency on Aging; and to declare an emergency. (\$55,000,000.00)

**A motion was made by Tyson, seconded by Ginther, that this matter be Amended to 30 day. The motion carried by the following vote:**

Abstained: 2 - Miller and Paley

Affirmative: 5 - Ginther, Ms. Tavares, Craig, Tyson and President Mentel

**A motion was made by Tyson, seconded by Ginther, that this matter be Waived the 2nd Reading. The motion carried by the following vote:**

Abstained: 2 - Miller and Paley

Affirmative: 5 - Ginther, Ms. Tavares, Craig, Tyson and President Mentel

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

Abstained: 2 - Miller and Paley

Affirmative: 5 - Ginther, Ms. Tavares, Craig, Tyson and President Mentel

**0751-2009**

To authorize the appropriation of \$37,000.00 from the unappropriated balance of the Recreation and Parks Private Leisure Assistance for Youth (P.L.A.Y.) Fund to the Recreation and Parks Department in order to provide scholarships for economically disadvantaged youth; and to declare an emergency. (\$37,000.00)

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

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

## **ADJOURNMENT**

*ADJOURNED: 6:25 P.M.*

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

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



# City of Columbus

## Journal - Final

### Zoning Committee

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

*Priscilla Tyson, Chair; All Members*

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Monday, June 1, 2009

6:30 PM

Zoning Committee

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Zoning Committee

Journal

June 01, 2009

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#### **REGULAR MEETING NO. 26 OF CITY COUNCIL (ZONING), JUNE 1, 2009 AT 6:30 P.M. IN COUNCIL CHAMBERS.**

#### **ROLL CALL**

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

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

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

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

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

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

**0634-2009**

To rezone 1434 NORTH HIGH STREET (43201), being 0.13± acres located on the east side of North High Street, 55± feet north of Euclid Avenue, From: AR-O, Apartment Residential/Office District, To: CPD, Commercial Planned Development District.(Rezoning # Z08-065).

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

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

**0672-2009**

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3332.27, Rear yard; 3332.28, Side or rear yard obstruction; 3342.12, Lighting; 3342.15, Maneuvering; Section 3342.17, Parking lot screening; 3342.26, Wheel stop device and 3372.521(B), Supplemental parking requirements, of the Columbus City Codes for the property located at 35 & 37 WEST OAKLAND AVENUE (43201), to develop a 25 space parking lot with reduced development standards in the R-2F, Residential District. (Council Variance #CV08-027).

*TABLED UNTIL 11/16/09*

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

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

**0677-2009**

To grant a Variance from the provisions of Sections 3353.03, C-2, Permitted uses; 3309.14, Height districts; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes; for the property located at 3349 EAST LIVINGSTON AVENUE (43227), to permit multi-family residential development with increased building height and a reduction in required parking spaces in the C-2, Commercial District (Council Variance # CV09-002).

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

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

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

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

**0634-2009**

To rezone 1434 NORTH HIGH STREET (43201), being 0.13± acres located on the east side of North High Street, 55± feet north of Euclid Avenue, From: AR-O, Apartment Residential/Office District, To: CPD, Commercial Planned Development District.(Rezoning # Z08-065).

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

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

**A motion was made by Tyson, seconded by Craig, that this matter be Waived the 2nd Reading. The motion carried by the following vote:**

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

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

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

*ADJOURNED: 6:40 P.M.*

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

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

# 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:** 0078X-2009

**Drafting Date:** 05/21/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ceremonial Resolution

Title

*To honor, recognize, and celebrate the life of the late John P. Rea and to extend sincere condolences to his family and friends on the sorrowful occasion of his passing*

Body**WHEREAS**, Columbus City Council extends its sincere condolences to the family and friends of John P. Rea on the sorrowful occasion of his passing, Friday, May 15, 2009 at the age of 57; and

**WHEREAS**, Mr. Rea, a graduate of The Ohio State University, was employed by BUNZL of Columbus, where he started in the warehouse and worked his way through the ranks to become general manager; and

**WHEREAS**, Mr. Rea was also employed by Sledd and Clark Products, and was a man who valued hard work, family and friends, and who always wanted to see his community prosper and thrive; and

**WHEREAS**, Mr. Rea was a long-time member of Ascension Lutheran Church, served on the board of the Clintonville July 4th Celebration Inc., coached NCIL Baseball/Softball and with the Dominion Baseball/Softball league for ten years; and

**WHEREAS**, throughout life, Mr. Rea wrote beautifully and prolifically, enjoyed painting with water colors, writing songs, and playing his guitar while serenading family and friends; and

**WHEREAS**, Mr. Rea, among other admirable attributes, will be remembered for his feistiness, and never had a problem standing up for what he believed in; and

**WHEREAS**, Mr. Rea's bright spirit, warm hospitality, and deep love and care for family and friends were gifts to all who knew and loved him; and

**WHEREAS**, Mr. Rea left an indelible impression on the people whose lives he touched, and a legacy of service for which he should be recognized, and in which his loving family can take pride; now, therefore,

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

That this Council does hereby honor, recognize, and celebrate the life of John P. Rea, a hard-working family man, community activist and dedicated volunteer, and extends its sincere condolences to the family and friends on the sorrowful occasion of his passing.

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**Legislation Number:** 0080X-2009

**Drafting Date:** 05/27/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

**Title**

*To recognize, commend, and thank Robert Alberini for his distinguished service to Columbus' citizens and his fellow employees, and to wish him well in his upcoming retirement.*

**Body**

WHEREAS, in June 1967, Robert Alberini became an employee of the City of Columbus; and

WHEREAS, Bob began his employment with the Division of Traffic Regulation and Engineering, where he served as a summer worker; and

WHEREAS, in June 1969, he became a Traffic Engineering Aide. Bob was promoted to a Traffic Engineering Associate I in October 1974, to a Traffic Engineering Associate II in December 1987 and finally an Engineering Associate III in May 2002. Bob was responsible for billing pavement markings and road signs, conducting pedestrian studies and counting vehicles at intersections throughout the city; and

WHEREAS, on behalf of the citizens of the City of Columbus, we commend Bob Alberini who is retiring from the City on May 31, 2009, for his hard work, internal and external customer-service skills, initiative and dedicated service to the citizens of Columbus; and

WHEREAS, although Bob has chosen to conclude his professional career, his legacy of service and dedication will live on as a worthy example for others to follow; now, therefore,

Be it resolved by the Council of the City of Columbus:

That the Columbus City Council expresses its profound appreciation to Mr. Robert Alberini for his dedication and service to the citizens and employees of the City of Columbus, Ohio.

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**Legislation Number:** 0082X-2009

**Drafting Date:** 05/28/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

**Title**

To recognize the Melvin B. Dodge Summer Zoo Days and declare the month of June as Zoo and Aquarium Month in the City of Columbus.

**Body**

WHEREAS, since 2004, the Columbus Zoo and Aquarium, through its Melvin B. Dodge Fund, has provided in-kind services in the form of transportation, admission, back packs and novelties to nearly 6,000 youth who participated in the summer playground programs; and

WHEREAS, the mission of the Columbus Zoo and Aquarium is to promote awareness and understanding of the interdependence of the natural world and to present to our community interactive, participatory and educational exhibits and activities which represent that relationship; and

WHEREAS, the Columbus Zoo and Aquarium consistently works toward this mission by teaching and practicing conservation, both on and off-site, contributing to the discovery of biological knowledge, offering enjoyable educational and family-oriented recreational opportunities and instilling in all who visit, a sense of adventure and discovery; and

WHEREAS, through the hard work and dedication of the staff, past and present, we are honored to be home to America's favorite zoo-our Columbus Zoo and Aquarium; and

WHEREAS, Zoo and Aquarium Month is an excellent way to recognize the immense benefit that zoos provide to the community, both animal and human; now, therefore

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

That this Council recognizes the Melvin B. Dodge Summer Zoo Days and declares the month of June as Zoo and Aquarium month in the City of Columbus.

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**Legislation Number:** 0354-2009

**Drafting Date:** 03/03/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**ExplanationBACKGROUND:**

Currently, the Recreation and Parks Department utilizes a Class Software application that has assisted with the automation of the Department's business and management operations. The system centralizes all data and provides; around-the-clock access for citizens to register for activities and facility rentals via the Internet, ID cards for individuals who participate in City events, marketing and informational tools that help keep the citizens informed of various programs and activities, and provides resources for security measures at the City's recreation centers and swimming pools, among various other services.

This legislation authorizes the Director of the Department of Technology (DoT) and the Director of the Department of Recreation and Parks, to enter into a contract with The Active Network LTD, for services associated with the upgrade and movement (conversion) of data on an existing software application known as Class Software, which supports ongoing operations of the Leisure Card System, with such services being, yet not limited to, facility configurations, program activities and related services for upgrading to a vendor-hosted environment, without having to re-enter the activity and demographic data (savings months of labor). Also, this contract will provide language for ActiveNet future and current service fee that will replace the Class Software maintenance and support costs upon completion of transferring data, information, training and other related services. The associated costs for this contract are:

- Minimum ActiveNet service fee estimated at \$14,583.31 for a coverage period of November 1, 2009 through May 31, 2010.
- Upgrade/implementation include yet not limited to training, professional services, and integration of data (hardware and software) costs in the amount of \$20,276.00, with a coverage period commencing upon passage of this ordinance and approval and certification of the associated purchase order for twelve months. In the event that there are unforeseen circumstances that cause the conversion to run past twelve months, this ordinance will allow for language within the contract to extend the contract, and associated funds until the upgrade and data transfer is completed.

This legislation also authorizes the Director of the Department of Technology and the Director of the Department of Recreation and Parks to renew a contract with The Active Network, LTD, to allow for maintenance and support to the existing Class Software application so that Recreation and Parks may continue utilizing services with the existing software application until the successful completion of the upgrade and movement of data allowed by the new contract. The original contractual agreement for software maintenance and support was established with Ordinance No. 3180-98, and in January 2001, through the evolution of the Department of Technology, a contract associated with purchase order ED005082 was created, and provided language for future contract renewals contingent upon appropriation and authorization of funds and modifications.

The coverage period associated with this maintenance support (existing Class Software) renewal is for June 1, 2008 through May 31, 2009 in the amount of \$21,977.55, services rendered while planning to execute the implementation of the upgrade and data transfer, in addition to coverage period from June 1, 2009 through October 31, 2009, with a cost of \$9,615.20, to allow for the maintenance and support until completion of the upgrade.

**FISCAL IMPACT:**

During the year of 2007, \$20,931.00 was expended for the maintenance and support services provided by Class Software Solutions, now known as The Active Network, LTD. During fiscal year 2006, \$20,931.00 was expended for related services. This ordinance will provide funding in the amount of \$31,592.75 for Class annual maintenance and support, with coverage periods from June, 1, 2008 through May 31, 2009 and for June 1, 2009 through October 31, 2009 (to allow for the upgrade). Once the upgrade is completed the type of support will change to a service fee. The service fee cost, funded within this ordinance is \$14,583.31 and the upgrade cost is \$20,276.00, with the aggregate total funding for this ordinance (upgrade, maintenance, support, and associated fees) being \$66,452.06. This funding is available in the 2009 Department of Technology Information Service Fund.

**CONTRACT COMPLIANCE:**

Vendor: The Active Network, LTD      CC#: 98-0160721      Expiration date: 12/04/2010

**EMERGENCY:** The Departments request that this ordinance pass as an emergency measure as it is desirable to begin the migration of data due to timelines and anticipated completion dates associated with this project.

**Title**

To authorize the Director of the Department of Technology and the Director of the Department of Recreation and Parks to renew an existing contract for maintenance and support on the Class software application, and to enter into a contract for the migration of data to a vendor-hosted environment and other computer related services with The Active Network, LTD; to authorize the expenditure of \$66,452.06 from the Department of Technology Information Service Fund; and to declare an emergency. (\$66,452.06)

**Body****WHEREAS,** Class Software is an application utilized by Recreation and Parks, that provides for citizens to register for activities and facility rentals via the Internet, ID cards for individuals who participate in City events, marketing and informational tools that help keep the citizens informed of various programs and activities, and provides resources for security measures at the City's recreation centers and swimming pools, among various other services; and

**WHEREAS,** now, the Department of Technology (DoT), and the Department of Recreation and Parks, have a need to enter into a contract with The Active Network LTD, for services associated with the upgrade and movement of data on an existing software application known as Class Software, with such services being yet not limited to facility configurations, program activities and related services converted to a vendor-hosted environment; and

**WHEREAS,** the contract will provide language for ActiveNet future and current service fee that will replace the Class Software maintenance and support costs upon completion of the upgrade, transferring data, information, training and other related services; and

**WHEREAS,** also, there is the need to renew a contract with The Active Network, LTD to allow for maintenance and support to the existing Class Software application so that Recreation and Parks may continue utilizing services with the existing software application until the successful completion of the upgrade and movement of data allowed by the new contract; and

**WHEREAS,** the original contractual agreement for software maintenance and support was established with Ordinance No. 3180-98, and in January 2001, through the evolution of the Department of Technology, a contract associated with purchase order ED005082 was created, it provided language for future contract renewals contingent upon appropriation and authorization of funds and modifications; and

**WHEREAS**, this ordinance will provide funding in the amount of \$31,592.75 for Class annual maintenance and support, with coverage periods from June, 1, 2008 through May 31, 2009 and for June 1, 2009 through October 31, 2009 (to allow for the upgrade); and

**WHEREAS**, once the upgrade is completed the type of support will change to a service fee. The service fee cost, funded within this ordinance is \$14,583.31 and the upgrade cost is \$20,276.00, with the aggregate total funding for this ordinance (upgrade, maintenance, support, and associated fees) is \$66,452.06; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Technology and the Department of Recreation and Parks in that it is immediately necessary to renew an existing maintenance and support contract, and enter into a contract with The Active Network, LTD to provide for an application upgrade and service fee, thereby preserving the public health, peace, safety, and welfare; now, therefore:

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

**SECTION 1:** That the Director of the Department of Technology and the Director of the Department of Recreation and Parks be and is hereby authorized to renew a contract for Class Software maintenance and support, and to enter into a contract to allow for upgrade and the migration of data to a vendor-hosted environment, provided by The Active Network, LTD, for maintaining a critical Leisure Card System. This ordinance will provide funding in the amount of \$31,592.75 for Class annual maintenance and support, with coverage periods from June, 1, 2008 through May 31, 2009 and for June 1, 2009 through October 31, 2009 (to allow for the upgrade). Once the upgrade is completed the type of support will change to a service fee. The service fee cost, funded within this ordinance is \$14,583.31 for the period of November 1, 2009 through May 31, 2010, and the upgrade cost is \$20,276.00, with the aggregate total funding for this ordinance (upgrade, maintenance, support, and associated fees) being \$66,452.06.

**SECTION 2:** That the expenditure of \$66,452.06 or so much thereof as may be necessary is hereby authorized to be expended from:

|Div.: 47-02|Fund:514|Subfund: 001|OCA Code: 470202|Obj. Level 1: 03|Obj. Level 3: 3369| Amount: \$31,592.75|

|Div.: 47-01|Fund:514|Subfund: 010|OCA Code: 510147|Obj. Level 1: 03|Obj. Level 3:3336|Amount: \$20,276.00|

|Div.: 47-01|Fund:514|Subfund: 010|OCA Code: 510147|Obj. Level 1: 03|Obj. Level 3: 3369|Amount: \$14,583.31|

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

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

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**Legislation Number:** 0408-2009

**Drafting Date:** 03/10/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

This legislation authorizes the Director of the Department of Technology to modify and extend an existing contract in accordance with the terms and conditions established in the original master agreement with COMSYS. This contract modification is needed to continue with the original project schedule and the provisions for services between the City of Columbus and COMSYS for the purpose of enhancing and updating the city's current web environment and " E-gov " services. While performing tasks associated with the " E-gov " initiative project (data migration, enterprise architecture, portal architecture services and usability services), there were unforeseen circumstances that directly impacted deliverables

and milestones associated with the progress of the " E-gov " initiative project, it has become necessary to continue work that was begun in 2007 that includes but is not limited to bringing the city's web servers in-house and the migration of the existing content into a redesigned and more usable web site, utilizing a new Ektron Content Management System (CMS). The primary categories of activities involve defining, designing, developing and debriefing.

This legislation requests approval to modify and extend existing contract EL009350 (which replaces EL007539), auditor certificate number: AC029869, in accordance with the terms and conditions established in the original master agreements, with the original vendor COMSYS, to extend the coverage period from April 30, 2009 through April 30, 2010; originally legislated and approved through Ordinances #0683-2007, #0698-2007 and #1226-2007, passed by City Council on July 9, 2007, May 21, 2007 and July 23, 2007; to allow time to continue with enhancing and updating the city's current web environment and related " E-gov " services. The original contract with COMSYS provided language that allows the Department of Technology to annually renew the contract for three years, with each year being contingent upon approval of funding on the yearly anniversary date. This legislation authorizes the second year of the three year renewal with the original vendor COMSYS for the coverage period from April 30, 2009 through April 30, 2010. This contract allows, but is not limited to: data migration, enterprise architecture, portal architecture services and usability services. The contract is a no cost modification that will extend the coverage period, as mutually agreed by the City of Columbus and COMSYS.

**EMERGENCY:** Emergency designation is requested to continue with the original project plan/schedule and to avoid interruption in the performance of services necessary in the usual daily operation of the Department of Technology.

**FISCAL IMPACT:** There is no fiscal impact associated with this legislation.

**CONTRACT COMPLIANCE :**

Vendor Name: COMSYS, CC#/FID#: 75-1300240, Expiration Date: 02/23/2011

**Title**

To authorize the Director of the Department of Technology to modify and extend an existing contract with COMSYS; and to declare an emergency. (\$0.00)

**Body**

**WHEREAS**, to authorize the Director of the Department of Technology to modify and extend an existing contract in accordance with the terms and conditions established in the original master agreement, with COMSYS; and

**WHEREAS**, the original contract with COMSYS provided language that allows the Department of Technology to annually renew the contract for three years, with each year being contingent upon approval of funding on the yearly anniversary date. This legislation authorizes the second year of the three year renewal with the original vendor COMSYS for the coverage period from April 30, 2009 through April 30, 2010, originally legislated and approved through Ordinances #0683-2007, #0698-2007 and #1226-2007, passed by City Council on July 9, 2007, May 21, 2007 and July 23, 2007; and

**WHEREAS**, this contract is needed to continue the provisions for services between the City of Columbus and COMSYS for the purpose of enhancing and updating the city's current web environment and "E-gov " services. The contract allows, but is not limited to: data migration, enterprise architecture, portal architecture services and usability services; and to bring the city's web servers in-house and the migration of the existing content into a redesigned and more usable web site; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Technology to continue services

provided by COMSYS, thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

**SECTION 1:** That the Director of the Department of Technology is hereby authorized and directed to modify and extend an existing contract in accordance with the terms and conditions established in the original master agreement, with COMSYS, to extend the coverage period from April 30, 2009 through April 30, 2010, for the purpose of enhancing and updating the city's current web environment and " E-gov " services used for data migration, enterprise architecture services, portal architecture services and usability services.

**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:** 0466-2009

**Drafting Date:** 03/18/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

This legislation is to authorize the Director of the Department of Technology and the Director of the Department of Columbus Public Health, to renew an annual contract for streaming video and phone-based interpretation services with Language Access Network, LLC., at the Health Department's facility located at 240 Parsons Ave. This service is needed to provide language interpretation services for persons with limited English proficiency who receives services at the Health Department clinics. The contract coverage period is April 1, 2009 through March 31, 2010.

During fiscal year 2008, the Columbus Public Health Department requested bids for this service through SA002785, with Language Access Network, LLC being the successful bidder. On February 25, 2008, ordinance number 0241-2008 passed, approving the original contract (EL008304) with Language Access Network, LLC., in the amount of \$57,000.00, and providing language that allows for renewing the contract for additional years through 2013 (five years). This contract is the second year renewal, with a coverage period from April 1, 2009 through March 31, 2010.

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

**FISCAL IMPACT:** This is the first year for the Department of Technology to renew this contract with the Department of Columbus Public Health, in the amount of \$20,000.00, for the streaming video and phone-based interpretation services with Language Access Network, LLC. The amount of \$20,000.00 is budgeted and available within the Department of Technology's Internal Services Fund, with a coverage period of twelve months, April 1, 2009 through March 31, 2010.

**CONTRACT COMPLIANCE:**

Language Access Network, LLC - 201186615 - Expiration Date: January 28, 2010

**Title**To authorize the Director of the Department of Technology and the Director of the Department of Columbus Public Health to renew a contract with Language Access Network, LLC, for streaming video and phone-based interpretation services; to authorize the expenditure of \$20,000.00 from the Department of Technology's Internal Services Fund; and to declare an emergency. (\$20,000.00)

**Body**

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

**WHEREAS**, ordinance number 0241-2008 authorized the Director of the Department of Columbus Public Health to establish a contract for streaming video and phone-based interpretation services with Language Access Network, LLC., at the Health Department's facility located at 240 Parsons Ave.; and

**WHEREAS**, the original contract provided language that allows for renewing the contract for additional years through 2013 (five years) and this is the second year renewal with a coverage period of April 1, 2009 through March 31, 2010; and

**WHEREAS**, this ordinance is being submitted as an emergency measure to continue with necessary services without interruption; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Technology and the Department of Columbus Public Health in that it is immediately necessary to renew a contract with Language Access Network, LLC., for streaming video and phone-based interpretation services, thereby preserving the public health, peace, property, safety and welfare; Now, therefore,

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

**SECTION 1.** That the Director of the Department of Technology and the Director of the Department of Columbus Public Health be and is hereby authorized to renew a contract, in the amount of \$20,000.00 for the streaming video and phone-based interpretation services with Language Access Network, LLC., at the Health Department's facility located at 240 Parsons Ave, with this being the second year renewal with a coverage period of April 1, 2009 through March 31, 2010.

**SECTION 2.** That the expenditure of \$20,000.00 is hereby authorized to be expended from:

**Division:** 47-01|**Fund:** 514|**Subfund:** 010|**OCA Code:** 500147|**Obj. Level 1:**03|**Obj. Level 3:** 3445|**Amount:** \$20,000.00

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

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

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**Legislation Number:** 0487-2009

**Drafting Date:** 03/20/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** The Franklin County Municipal Court has determined, for continuity of service that it is in its best interest to modify its contract with Asist, Inc. for foreign language translation services.

This legislation authorizes the Administrative and Presiding Judge of the Franklin County Municipal Court to modify the contract with Asist Translation Services.

**CONTRACT COMPLIANCE NUMBER:** Asist Translation Services 363249287

**FISCAL IMPACT:** Funds for this contract are budgeted and available within the Municipal Court 2009 general fund appropriations. Thus far during 2009, the Court has expended \$15,900.00. During 2008, the Court expended \$105,679.83 with Asist. During 2007, the Court expended \$100,086.50 with Asist. During 2006, the Court expended \$81,742.25.

**EMERGENCY:** This ordinance is submitted as an emergency to allow the financial transaction to be posted in the city's accounting system as soon as possible. Up-to-date financial posting promotes accurate accounting and financial management.

### **Title**

To authorize the Administrative and Presiding Judge of the Franklin County Municipal Court to modify the contract with Asist, Inc. for language interpreter services for the Franklin County Municipal Court; to authorize the expenditure of an amount not to exceed \$70,000.00 from the general fund; and to declare an emergency. (\$70,000.00)

### **Body**

**WHEREAS,** it is necessary that the Franklin County Municipal Court provide foreign language interpreter services for non-English speaking persons that may come before the Court; and

**WHEREAS,** it is necessary to modify the contract with Asist, Inc., the Court's current vendor, to provide translation services so that the Court may continue to provide language interpreter services without interruption; and

**WHEREAS,** an emergency exists in the usual daily operation of the city, in that it is immediately necessary to authorize the Administrative and Presiding Judge of the Franklin County Municipal Court to modify and extend the contract and authorize the expenditure with Asist, Inc. for provision of foreign language interpreter services, thereby preserving the public health, peace, property, safety and welfare, Now, Therefore;

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

**Section 1.** That the Administrative and Presiding Judge of the Franklin County Municipal Court be and is hereby authorized to modify and extend the contract with Asist, Inc. for foreign language interpreter services to the Franklin County Municipal Court for the period ending May 31, 2010.

**Section 2.** That the expenditure of \$70,000.00, or as much thereof as may be necessary is hereby authorized from the Franklin County Municipal Court, department number 2501, general fund, fund number 010, oca 250191, object level 1 - 03, object level 3 - 3445.

**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:** 0505-2009

**Drafting Date:** 03/24/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** This legislation authorizes the Director of the Development Department to amend contract EL008771 with The Ransom Company for the demolition of structures found to be unsafe and public nuisances under the Demolition Program. The Neighborhood Services Division solicited competitive bids through Solicitation No. SA -002936 in 2008 and received one bid. The Ransom Company bid 24 cents per cubic foot.

Contract Compliance # is 26-9401266 and is effective until March 4, 2010.

**FISCAL IMPACT:** Funding for this contract increase is available within the Development Department's General Fund budget. The original contract amount was \$110,000, with this increase of \$55,000 the new total will be \$165,000.

Emergency action is requested so that the demolition of unsafe structures can continue without interruption.

#### **Title**

To authorize the Director of the Development Department to amend a contract with The Ransom Company for the demolition of structures determined to be unsafe and public nuisances under the Demolition Program; to authorize the expenditure of \$55,000.00 from the General Fund; and to declare an emergency. (\$55,000.00)

#### **Body**

**Whereas,** the Columbus City Code, Chapter 4109, authorizes the demolition of unsafe buildings; and

**Whereas,** the Columbus City Code, Chapter 4701, authorizes the demolition of buildings declared to be public nuisances; and

**Whereas,** the Columbus City Code, Chapter 4509, authorizes the demolition of buildings posing an imminent danger to the public health and safety; and

**Whereas,** this legislation authorizes the Director of the Development Department to amend contract EL008771 with The Ransom Company for the demolition of structures found to be unsafe and public nuisances under the Demolition Program; and

**Whereas,** funding for this contract increase is available within the Development Department's General Fund budget; and

**Whereas,** emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to amend the contract with the Ransom Company so that vital contract services can continue without interruption, all for the preservation of the public peace, health, safety and welfare; **Now, therefore,**

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

**Section 1.** That the Director of the Development Department is hereby authorized to amend contract EL008771 with The Ransom Company in accordance with Columbus City Code for the demolition of structures determined to be unsafe and public nuisances under the Demolition Program.

**Section 2.** That for the purpose stated in Section 1, the sum of \$55,000.00, or so much thereof as may be necessary, be and is hereby authorized to be expended from the General Fund, Fund 010, Department of Development, Building Services Division, Division No. 44-03, OCA Code 499046, Object Level Three 3292.

**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 approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0558-2009

**Drafting Date:** 04/06/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

#### **1. BACKGROUND:**

This legislation authorizes the Director of Public Utilities to execute a planned contract modification to the Sewer System Engineering Section's Construction Administration and Construction Inspection Services Agreement with DLZ Ohio, Inc. The funds approved within this legislation will provide for payment of additional services that were needed to conclude ongoing construction projects.

This modification (Mod #2) will increase the funding of the contract by an additional \$405,000.00 for construction administration - construction inspection services that need additional funding. This project typically involves the replacement and or rehabilitation of sanitary and combined sewer infrastructure. The projects involved in this specific modification are two sanitary projects: (1) General Construction Contract and (2) 2009 Annual Lining Contract; and one stormwater project: Floodwall Concrete Repair.

The original contract for DLZ Ohio, Inc was for construction administration and construction inspection.

#### **1.1. Amount of additional funds to be expended: \$405,000.00**

Original Contract Amount:	\$ 925,000.00
Modification 1	\$ 257,019.84
Modification 2 (current)	<u>\$ 405,000.00</u>
Total (Orig. + Mod 1, 2)	\$1,587,019.84

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

The modification was anticipated and explained in the original legislation. 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 services for projects in 2008, 2009, and 2010.

#### **1.4. How cost of modification was determined:**

A cost proposal was provided by DLZ Ohio, Inc. and reviewed by the Division of Power and Water and the Division of Sewerage and Drainage and was deemed acceptable.

#### **2. MULTI-YEAR CONTRACT:**

This ordinance will authorize the expenditure of \$325,000.00 for two sanitary sewer projects and \$80,000.00 for one

stormwater project. The Department anticipates requesting additional appropriations to this contract for 2009 and 2010 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 emergency capital improvements related needs subject to the approval of a contract modification by City Council. The rates schedules established within this contract will remain in force throughout the life of the contract.

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

The funding for this modification will come from two sources: the Sanitary Sewer Reserve Fund and the Storm Sewer Bond Fund. This ordinance authorizes the Director of Public Utilities to transfer and appropriate \$325,000.00 in funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to expend \$325,000.00 from the Voted Sanitary Sewer Bond Fund; to transfer and expend \$80,000.00 within the Stormwater Bonds Fund; and to amend to the 2008 Capital Improvements Budget to establish and create sufficient budget authority to cover the expenditure upon passage of the ordinance. Monies for this contract from the Sanitary Sewer Reserve Fund will be provided from an upcoming Bond Sale via the transfer detailed in this Ordinance.

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

### **5. EMERGENCY DESIGNATION:**

The Department of Public Utilities is requesting that this ordinance be made an emergency measure in order to expedite the establishment of the contract services that are necessary to ensure that the sanitary and stormwater systems are being rehabilitated and/or replaced to ensure continued operation of these vital infrastructures.

#### **Title**

To authorize the Director of Public Utilities to execute a planned contract modification of the construction administration - construction inspection services agreement with DLZ Ohio, Inc., for two sanitary projects: (1) General Construction Contract and (2) 2009 Annual Lining Contract; and one stormwater project: Floodwall Concrete Repair; to authorize the transfer and appropriation of \$325,000.00 from the Sanitary Sewer Reserve Bond Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$325,000.00 from within the Voted Sanitary Sewer Bond Fund; to authorize the transfer and expenditure of \$80,000.00 within the Storm Sewer Bonds Fund; to authorize an amendment to the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage; and to declare an emergency. (\$405,000.00)

#### **Body**

**WHEREAS**, it is necessary to modify the construction administration and construction inspection services contract with DLZ Ohio, Inc., for two sanitary projects: (1) General Construction Contract and (2) 2009 Annual Lining Contract; and one stormwater project: Floodwall Concrete Repair; to provide additional monies to cover the cost of needed additions to the contract work in accordance with the Department's design requirements in an effort to ensure the continued operation of its sanitary and stormwater infrastructures; and

**WHEREAS**, City Auditor Contract No. EL008289 for \$925,000, was executed on June 30, 2008, as authorized by Ordinance 0845-2008, as passed by City Council on June 9, 2009, and approved by the City Attorney on July 2, 2008, for purposes of providing construction administration and construction inspection services necessary to ensure the successful completion of many of the Divisions sanitary and storm sewer improvement projects; and

**WHEREAS**, the original contract was based upon an evaluation of the twelve proposals received for the three construction administration and inspection contracts to be awarded for the years of 2008-2010, utilizing a predetermined criteria, a selection committee submitted the rankings to the Director of Public Utilities who determined that DLZ Ohio, Inc., Prime Engineering & Architects, Inc., and Stantec Consulting Services, Inc. (formerly R.D. Zande) were the highest ranking firms capable of providing the required services; and

**WHEREAS**, Modification No. 1 for Contract No. EL009167 (Beulah Road Trunk Sewer Rehabilitation ) was authorized by Ordinance No. 0093-2009 for \$257,019.84, passed February 10, 2009, was executed March 26, 2009, and approved by the City Attorney on March 27, 2009, and

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

the Voted Sanitary Sewer Bond Fund for purposes of providing sufficient funding for the two sanitary expenditures; and

**WHEREAS**, it is necessary to authorize the transfer and expenditure of funds within the Storm Sewer Bond Fund for purposes of providing sufficient funding for the Floodwall Concrete Repair project; and

**WHEREAS**, it is necessary to authorize an amendment the 2008 Amend Capital Improvement Budget for purposes of creating and providing sufficient budget authority for the aforementioned expenditure; and

**WHEREAS**, it is necessary for City Council to authorize the expenditure of funds from the Voted Sanitary Sewer Bond Fund; and

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

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, that the Department request that this Council authorize the Director of Public Utilities to modify the construction administration and construction inspection services contract with DLZ Ohio, Inc., for two sanitary projects: (1) General Construction Contract and (2) 2009 Annual Lining Contract; and one stormwater project: Floodwall Concrete Repair, to ensure the continued operation of vital sanitary and stormwater infrastructures for the City; and for the preservation of the public health, peace, property, and safety; **Now, therefore:**

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

**Section 1.** That the Director of Public Utilities be, and hereby is, authorized to modify the professional engineering services agreement with DLZ Ohio, Inc., 6121 Huntley Rd., Columbus, Ohio 43229, that will continue to provide construction administration and inspection services for sewer improvement and stormwater projects 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 from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$325,000.00 is hereby appropriated to the Division of Sewerage and Drainage: Division 60-05 | OCA Code 901654 | Object Level One 10 | Object Level Three 5502.

**Section 3.** That the City Auditor be and hereby is authorized and directed to transfer a total of \$325,000.00 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund, Fund 664, into the following projects; the General Construction Contract, Project No. 650745-100000 in the amount of \$225,000.00 and the 2009 Annual Lining Contract, Project No. 650404-1000034 in the amount of \$100,000, at such time as deemed necessary by the Auditor, and expend said funds, or so much thereof as may be necessary.

**Section 4.** That the \$325,000.00 is hereby appropriated for the (1) General Construction Contract and (2) 2009 Annual Lining Contract, within the Voted Sanitary Sewer Bond Fund as follows:

Fund 664 | Div. 60-05 | Project 650745-100000 | OCA Code 642918 | Object Level Three 6686 | \$225,000

Fund 664 | Div. 60-05 | Project 650404-100034 | OCA Code 664404 | Object Level Three 6686 | \$100,000

**Section 5.** That the City Auditor is hereby authorized and directed to transfer a total of \$80,000.00 from within Division of Sewerage and Drainage | Dept./Div. 60-15 | Storm Sewer Bond Fund No. 685 | Object Level One 06 | Object Level Three 6686:

**From:**

Proj. 610750 | Clintonville Area Misc. SSI | OCA 685750 | -\$80,000.00

**To:**

Proj. 610892 | Floodwall Concrete Repair | OCA 685892 | +\$80,000.00

**Section 6.** That the 2008 Capital Improvements Budget Ordinance No. 0690-2008 is hereby amended as follows, to create and provide sufficient budget authority for the execution of the cost agreement increase stated herein:

**Transfer of Authority for Sanitary:**

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

650510-100031 | Sewer Maintenance Facility | \$1,296,000 | \$971,000 | (-\$325,000)

650745-100000 | General Construction | \$0.00 | \$225,000 | (+\$225,000)

650404-100034 | 2009 Annual Lining | \$0.00 | \$100,000 | (+\$100,000)

**Creation of Authority for Storm:**

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

610892-100000 | Floodwall Concrete Repair | \$0.00 | \$80,000 | (+\$80,000)

**Section 7.** That the expenditure of \$325,000.00, or as much thereof as may be needed, is hereby authorized from the Voted Sanitary Sewer Bond Fund:

Fund 664 | Div. 60-05 | Proj. 650745-100000 | OCA Code 642918 | Object Level Three 6686 | \$225,000.00

Fund 664 | Div. 60-05 | Proj. 650404-100034 | OCA Code 664404 | Object Level Three 6686 | \$100,000.00

**Section 8.** That the expenditure of \$80,000.00, or as much thereof as may be needed, is hereby authorized from the Storm Sewer Bond Fund | Fund 685 | Div. 60-15 | Proj. 610892-100000 | OCA Code 685892 | Object Level Three 6686.

**Section 9.** That upon obtaining other funds for the purpose of funding sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sanitary Sewer Reserve Fund the amount transferred above, and said funds are hereby deemed appropriated for such purposes.

**Section 10.** That the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$325,000.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse Sanitary/Sewer Reserve Fund 654, which is the fund from which the advance for costs of the Project will be made.

**Section 11.** 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 12.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**Section 13.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

**Section 14.** That for the reasons stated in the preamble hereto, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

**Legislation Number:** 0601-2009

**Drafting Date:** 04/14/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

## **Explanation**

### **Background:**

This legislation will authorize the Director of Recreation and Parks to submit a grant application to the Ohio Cultural Facilities Commission in the amount of \$1 million dollars for historic and cultural improvements to Livingston Park. The grant application process and administration of the grant will be performed by the Columbus Recreation and Parks Department.

The grant funding will begin the first phase of the Livingston Park master plan, completed in 2009. The existing shelter will be enhanced and upgraded as a neighborhood and visitor gathering space highlighting the unique park and neighborhood history and culture. Additional park improvements will be the addition of a plaza with the shelter, trellis, improved walks, landscaping and site furnishings. Graphics denoting history and culture will be prevalent in the park improvements.

Livingston Park is the oldest park in the City of Columbus, originally purchased in 1839 as the East Graveyard. It has a fascinating history that will be commemorated.

### **Benefits to Public:**

Improved neighborhood gathering space and the sharing of the historical significance of Livingston Park and the surrounding area. The master plan preserves and protects the park from future development without community input.

### **Community Input/Issues:**

CRPD has worked with a steering committee of neighborhood representatives, including Nationwide Children's Hospital to develop a master plan for the park. The master plan was presented to the Livingston Avenue Area Commission in February 2009. This grant will allow for first phase development.

This is legislation to submit the grant application. Future legislation will be to accept the grant, hire the architect and proceed with construction.

Emergency action is requested in order to ensure that the grant application can be submitted prior to the deadline.

## **Title**

To authorize and direct the Director of Recreation and Parks to submit a grant application to the Ohio Cultural Facilities Commission for historic and cultural improvements to Livingston Park; and to declare an emergency. (\$0.00)

## **Body**

**WHEREAS**, the Ohio Cultural Facilities Commission is accepting grant applications in the amount of \$1 million dollars; and

**WHEREAS**, the Recreation and Parks Department wishes to apply for said grant for historic and cultural improvements to Livingston Park; and

**WHEREAS**, The grant application process and administration of the grant will be performed by the Columbus Recreation and Parks Department; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to submit said grant application 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 submit a grant application to the Ohio Cultural Facilities Commission for historic and cultural improvements to Livingston Park.

**SECTION 2.** That this ordinance authorizes an application only and is not a commitment to expend City funds.

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

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

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**Legislation Number:** 0634-2009

**Drafting Date:** 04/20/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

##### **Rezoning Application Z08-065**

**APPLICANT:** Mount Properties LLC c/o David Perry, The David Perry Company; 145 East Rich Street, 3rd floor; Columbus, OH 43215.

**PROPOSED USE:** Conform existing ground floor Commercial and second floor residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on February 12, 2009.

**UNIVERSITY AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested CPD, Commercial Planned Development District will conform a mixed use building that is consistent and compatible with surrounding uses. The CPD text contains appropriate use restrictions and lighting controls. The applicant requests variances to reduce the required parking from 18 spaces to 4 spaces which is an existing condition. Since the parking situation has existed without any apparent negative consequences, the Transportation Division has determined the proposed parking variances will not have a negative impact on the surrounding area. The request is consistent with the zoning and development patterns of the area.

#### **Title**

To rezone **1434 NORTH HIGH STREET (43201)**, being 0.13± acres located on the east side of North High Street, 55± feet north of Euclid Avenue, **From:** AR-O, Apartment Residential/Office District, **To:** CPD, Commercial Planned Development District.(Rezoning # Z08-065).

#### **Body**

**WHEREAS**, application #Z08-065 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.13± acres from the AR-O, Apartment Residential/Office District to the CPD, Commercial Planned Development District; and

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

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

**WHEREAS**, the City Departments recommend approval because the The requested CPD, Commercial Planned Development District will conform a mixed use building that is consistent and compatible with surrounding uses. The CPD text contains appropriate use restrictions and lighting controls. The applicant requests variances to reduce the required parking from 18 spaces to 4 spaces which is an existing condition. Since the parking situation has existed without any apparent negative consequences, the Transportation Division has determined the proposed parking variances will not have a negative impact on the surrounding area. The request is consistent with the zoning and development patterns of the area.; now, therefore:

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

**SECTION 1.** That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**1434 NORTH HIGH STREET (43201)**, being 0.13± acres located on the east side of North High Street, 55± feet north of Euclid Avenue, and being more particularly described as follows:

**0.132 Acres  
Description for Zoning Purposes**

Situated in the State of Ohio, County of Franklin, City of Columbus, being Thirty-five (35) feet off the north side of Lot 15 and Five (5) feet off the south side of Lot 16 of Phil. D. Fisher and Mrs. M.C. Millers, Subdivision, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, Page 69, Franklin County Recorder's Office and being more particularly described as follows:

Commencing at the intersection of the north line of E. Euclid Avenue (60 feet wide) with the east line of N. High Street (66 feet wide), being the southwest corner of Lot 14 of said subdivision;

Thence, along the east line of N. High Street, along the west line of said Lot 14, and part of said Lot 15, North 11° 35' 14" West, 57.11 feet to the **TRUE POINT OF BEGINNING:**

Thence, along part of the west line of said Lots 15 and Lot 16, North 11° 35' 14" West, 40.00 feet to a point;

Thence, across said Lot 16, being Five (5) feet north of the south line of said Lot 16, North 89° 34' 11" East, 147.11 feet to a point on the east line of said Lot 16, the west line of a twenty (20) foot alley;

Thence, along part of the east line of said Lots 16 and 15, along the west line of said alley, South 7° 51' 10" East, 40.00 feet to a point;

Thence, across said Lot 15, being Thirty-five (35) feet south of the north line of said Lot 15, South 89° 44' 11" West, 144.54 feet to the place of beginning **CONTAINING 0.132 Acres**. Basis of bearing is the east line of N. High Street assumed North 11° 35' 14" East. The forgoing description was prepared for zoning purposes ONLY.

**To Rezone From:** AR-O, Apartment Residential / Office District,

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

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

**SECTION 3.** That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building

Services Division as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "**SITE PLAN FOR 1434 NORTH HIGH STREET**," signed by David B. Perry, Agent for the Applicant and Donald Plank, Attorney for the Applicant, and dated March 25, 2009, and said text titled, "**DEVELOPMENT TEXT CPD, COMMERCIAL PLANNED DEVELOPMENT 0.132 +/- ACRES**," signed by David B. Perry, Agent for the Applicant and Donald Plank, Attorney for the Applicant, and dated March 25, 2009, and the text reading as follows:

**DEVELOPMENT TEXT**  
**CPD, COMMERCIAL PLANNED DEVELOPMENT**  
**0.132 +/- ACRES**

EXISTING ZONING: AR-O, Apartment Residential/Office District  
PROPOSED ZONING: CPD, Commercial Planned Development  
PROPERTY ADDRESS: 1434 North High Street, Columbus, OH, 43201  
OWNER: Mount Properties LLC, c/o David B. Perry, Agent, David Perry Co., Inc., 145 East Rich Street, 3rd Floor, Columbus, OH 43215 and Donald Plank, Attorney, Plank and Brahm, 145 East Rich Street, Columbus, OH 43215.  
APPLICANT: Mount Properties, LLC, c/o David B. Perry, Agent, David Perry Co., Inc., 145 East Rich Street, 3rd Floor, Columbus, OH 43215 and Donald Plank, Attorney, Plank and Brahm, 145 East Rich Street, Columbus, OH 43215.  
DATE OF TEXT: 03/25/2009  
APPLICATION NUMBER: Z08-065

**1. INTRODUCTION:** The 0.132 +/- acre site is located on the east side of North High Street, north of Euclid Avenue. The site is developed with a two (2) story building used presently and historically for ground floor commercial uses and two (2) second floor apartments. Several properties from Euclid Avenue north, including this property, were rezoned in 1963 to the AR-O District. The property to the south, at the northeast corner of North High Street and Euclid Avenue, was rezoned in 2008 to the CPD district for ground level commercial uses and three (3) second floor dwelling units. The subject site is developed. The 1963 rezoning made ground level commercial use non-conforming. Applicant seeks commercial zoning to re-establish ground level commercial use as a conforming use. The proposed use is consistent with land uses and zoning on North High Street. The site plan titled "Site Plan for 1434 North High Street", hereafter referred to as the "Plan", dated March 25, 2009, is submitted with this application as the development plan for the site. The site is located in the University Urban Commercial Overlay (UCO) and also the University Impact District.

**2. PERMITTED USES:** All uses of Section 3356.03, Permitted Uses, except automobile repair, maintenance and/or sales; crematory and building materials and supplies dealers. The prohibition of automobile repair, maintenance and/or sales and building materials and supplies dealers shall not be interpreted to prohibit the retail sale of car parts/supplies or a hardware store selling building materials, subject to such uses being conducted inside the building.

**3. USE LIMITATIONS:** All uses shall be conducted within the building. Outside seating associated within an on-premise restaurant or café is permitted, subject to compliance with applicable code requirements.

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

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

1. Building setbacks shall be as depicted on the Plan, which reflect the existing building.

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

1. Vehicular access shall be from the public alley to the east of the site, as depicted on the Plan.

2. One (1) of the parking spaces shall be reserved for the two (2) existing dwelling units on the second floor of the

building. Signage indicating the reservation of the one (1) space for the dwelling units shall be installed at the site.

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

N/A

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

Not Applicable.

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

1. All non-decorative lighting shall be down lighting (cut off fixtures).
2. All external outdoor lighting fixtures shall be from the same or similar manufacturer's type to insure compatibility.
3. Pole mounted parking lot lighting shall not exceed eighteen (18) feet in height.

**F.) Graphics and Signage commitments.**

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4, Commercial District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

**G.) Other CPD Requirements.**

1. Natural Environment: The natural environment of the site is flat. The site is located north of the intersection of North High Street and Euclid Avenue. The site is undeveloped.
2. Existing Land Use: The property is developed with a two (2) story building presently used for ground level commercial use and two (2) second floor apartments and such use predates the 1963 AR-O rezoning. Commercial uses exist in both directions on North High Street. A private parking lot exists to the east, east of the public alley.
3. Circulation: Access to and from the site will be via the public alley (Pearl Alley, 20') that abuts the site to the east.
4. Visual Form of the Environment: The site is located in an area of intense urban development with many commercial, housing and community related uses.
5. Visibility: The site is located on North High Street, north of Euclid Avenue.
6. Proposed Development: Rezoning to conform zoning to commercial/residential use of existing building that predates AR-0 zoning.
7. Behavior Patterns: Vehicular access will be from the public alley (Pearl Alley, 20 feet) abutting the site to the east.
8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

**H.) Modification of Code Standards.**

1. Section 3342.28, Minimum Number of Parking Spaces Required, which Section requires 16 parking spaces for the existing retail commercial (ground floor) and two (2) dwelling units (second floor) uses, while applicant proposes to provide four (4) parking spaces, as depicted on the Plan. The building does not have a basement.

**I.) Miscellaneous commitments.**

1. Development of the site shall be in accordance with the site plan titled "Site Plan for 1434 North High Street", dated and signed March 25, 2009, by David B. Perry, Agent, and Donald Plank, Attorney. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to any of the drawings shall be reviewed and may be approved by the Director of the Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment.

2. Parking for the ground level commercial uses has been calculated at the retail rate of 1 space per 250 sq ft of gross area. Changes of use that require more parking than the retail rate may be heard by the Board of Zoning Adjustment (BZA) as a variance.

3. Bicycle parking shall be provided on-site.

**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:** 0639-2009

**Drafting Date:** 04/21/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**1. BACKGROUND:**

This legislation authorizes the Director of Public Utilities to execute a planned contract modification to the Sewer System Engineering Section's Construction Administration and Construction Inspection Services Agreement with Stantec Consulting Services, Inc. This contract was originally procured to provide construction administration and construction inspection services for the sanitary system projects during the fiscal years of 2008-2010. The funds approved within this legislation will provide for payment of additional services that were needed to conclude ongoing construction projects.

This modification (Mod #3) will increase the contract by an additional \$450,000.00 for construction administration - construction inspection services for the River South Phase II project.

The original contract and modification for Stantec Consulting Services:

**1.1. Amount of additional funds to be expended: \$450,000.00**

Original Contract Amount:	\$ 640,000.00
Modification 1	\$ 315,000.00
Modification 2	\$ 867,000.00
Modification 3 (current)	<u>\$ 450,000.00</u>
Amt of orig. contract + Mods 1, 2, 3	\$2,272,000.00

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

The modification was anticipated and explained in the original legislation. 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 services for projects in 2008, 2009, and 2010.

**1.4. How cost of modification was determined:**

A cost proposal was provided by Stantec Consulting Services and reviewed by the Division of Power and Water and the Division of Sewerage and Drainage and was deemed acceptable.

**2. MULTI-YEAR CONTRACT:**

This ordinance will authorize the expenditure of \$450,000.00 for the River South Phase II project. The Department anticipates requesting additional appropriations to this contract for 2009 and 2010 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 emergency capital improvements related to the approval of a contract modification by City Council. The rate schedules established within this contract will remain in force throughout the life of the contract.

**3. FISCAL IMPACT:**

The funding for this modification will come from the Sanitary Sewer Reserve Fund. This ordinance authorizes the Director of Public Utilities to transfer and appropriate \$450,000.00 in funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; and to expend \$450,000.00 from the Voted Sanitary Sewer Bond Fund. Monies for this contract from the Sanitary Sewer Reserve Fund will be provided from an upcoming Bond Sale via the transfer detailed in this Ordinance.

**4. CONTRACT COMPLIANCE INFO:** 11-2167170 | MAJ | Expiration Date: 01/07/2010

**5. EMERGENCY DESIGNATION:**

The Department of Public Utilities is requesting that this ordinance be made an emergency measure in order to expedite the establishment of the contract services that are necessary to ensure that the sanitary system is being rehabilitated and/or replaced to ensure continued operation of these vital infrastructures.

**Title**

To authorize the Director of Public Utilities to execute a planned contract modification of the construction administration - construction inspection services agreement with Stantec Consulting Services, Inc., for the River South Phase II project; to authorize the transfer and appropriation of \$450,000.00 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$450,000.00 from within the Voted Sanitary Sewer Bond Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$450,000.00)

**Body**

**WHEREAS**, it is necessary to modify the construction administration and construction inspection services contract with Stantec Consulting Services, Inc., for the River South Phase II 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 an effort to ensure the continued operation of its sanitary infrastructure; and

**WHEREAS**, the original contract number EL008272-002 for \$640,000 was authorized by Ordinance No. 0847-2008, passed June 9, 2008, was executed on June 24, 2008, and was approved by the City Attorney on June 30, 2008; and

**WHEREAS**, modification #1 (Morse Road 36" Water Main Part II) to the original Contract No. EL008814-001 for \$315,000 was passed by City Council via Ordinance No. 1548-2008, October 27, 2008; and signed by the City Attorney on 12/05/08; and

**WHEREAS**, modification #2 (Dublin Road Water Plant Disinfection & Miscellaneous Improvements Project) to the original contract No. EL008272-002 for \$867,000 was passed by City Council via Ordinance 1732-2008, November 10, 2008; signed by the City Attorney on 12/04/08; and

**WHEREAS**, it is necessary to authorize the transfer and appropriation of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund for purposes of providing sufficient funding for the project expenditure; and

**WHEREAS**, it is necessary for City Council to authorize the expenditure of funds from the Voted Sanitary Sewer Bond Fund; and

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

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, that the Department request that this Council authorize the Director of Public Utilities to modify the construction administration and construction inspection services contract with Stantec Consulting Services, Inc., for the River South Phase II project, to ensure the continued operation of vital sanitary infrastructure for the City; and 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 is, authorized to modify the professional engineering services agreement with Stantec Consulting Services, Inc., 1500 Lake Shore Dr., Columbus, Ohio 43204, that will continue to provide construction administration and inspection services for sewer improvement project 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 from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$450,000.00 is hereby appropriated to the Division of Sewerage and Drainage: Division 60-05| OCA Code 901654 | Object Level One 10 | Object Level Three 5502.

**Section 3.** That the City Auditor be and hereby is authorized and directed to transfer a total of \$450,000.00 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund, Fund 664, into the River South Phase II project 650404-100039, at such time as deemed necessary by the Auditor, and to expend said funds, or so much thereof as may be necessary.

**Section 4.** That the \$450,000.00 is hereby appropriated for the River South Phase II project within the Voted Sanitary Sewer Bond Fund as follows:  
Fund 664| Div. 60-05| Project 650404-100039| OCA Code 664404 | Object Level Three 6686

**Section 5.** That the expenditure of \$450,000.00, or as much thereof as may be needed, is hereby authorized from the Voted Sanitary Sewer Bond Fund:  
Fund 664 | Div. 60-05 | Proj. 650404-100039 | River South Phase II | OCA Code 664404 | Object Level Three 6686

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

**Section 7.** That the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$450,000.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse Sanitary/Sewer Reserve Fund 654, which is the fund from which the advance for costs of the Project will be made.

**Section 8.** That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department

administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

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

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

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

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**Legislation Number:** 0640-2009

**Drafting Date:** 04/21/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

ExplanationBACKGROUND: For the option to establish a UTC contract to purchase Line Locating Equipment for the Department of Public Utilities Line Locating Section, the largest user. This equipment is used for locating water, sewer and power lines. The term of the proposed option contracts would be two (2) years, expiring June 30, 2011, with the option to renew for one (1) additional year. The Purchasing Office opened formal bids on April 9, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003197). Twenty-one (21) bids were solicited: (M1A-1, F1-0, MBR-1). Three bids were received.

The low bidder for Item 1 did not meet specifications, in that the locator could not distinguish if a piece of metal is horizontal or vertical, as was required. The next low bid received did meet specifications and the low bidder for Items 2 and 3 is acceptable. The Purchasing Office is recommending award to the lowest, responsive, responsible and best bidders:

Batco, Inc., MAJ, CC# 38-3338143 expires 05/15/2011, Item 1 only, \$1.00

USA Bluebook, MAJ, CC# 36-3645787 expires 04/10/2011, Items 2 and 3 only, \$1.00

Total Estimated Annual Expenditure: \$45,000.00, Department of Public Utilities, the largest user

The companies are not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search. This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund Account. City Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance and Management Director to enter into two (2) contracts for the option to purchase Line Locating Equipment with Batco, Inc. and USA Bluebook, to authorize the expenditure of \$2.00 to establish the contracts from the Mail, Print Services and UTC Fund Account; and to declare an emergency. (\$2.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on April 9, 2009 and selected the lowest, responsive, responsible and best bidders; and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining

optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, in order to maintain a supply of Line Locating Equipment, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Line Locating Equipment, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the following contracts for the option to purchase Line Locating Equipment in accordance with Solicitation No. SA003197 for a term of approximately two (2) years, expiring June 30, 2011, with the option to renew for one (1) additional year, as follows:

Batco, Inc., Item 1 only, \$1.00  
USA Bluebook, Items 2 and 3 only, \$1.00

SECTION 2. That the expenditure of \$2.00 is hereby authorized from Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

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**Legislation Number:** 0643-2009

**Drafting Date:** 04/22/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** The Department of Health currently occupies a clinic at 1390 Cleveland Avenue to accommodate the Women's Health program in the City's Linden area. The lease was approved and authorized by City Council Ordinance No. 0824-2007 in July 2007, for an initial one year lease term and two automatic renewal terms, each renewal term subject to annual appropriation of funds by City Council.

This ordinance authorizes the expenditure of funds for the second and final renewal term of the lease with the Central Ohio Transit Authority (Contract Compliance No. 310800546) for the use of 2,504 square feet of clinic space at 1390 Cleveland Avenue. This location is within the program's target population. The cost of the lease is \$15.25 per square foot, which includes utility, janitorial, security, maintenance, repair and tax costs. The current lease renewal term is for the period of July 1, 2009 through June 30, 2010.

**FISCAL IMPACT:** Funding for this contract is included in the 2009 budget for the Health Special Revenue Fund. The cost is \$15.25 per square foot for a total annual cost of \$38,186.

### **Title**

To authorize the expenditure of funds for payment of rent for the second renewal term of a lease agreement with the Central Ohio Transit Authority for clinic space for the Health Department's Women's Health Program, the total expenditure to be \$38,186 from the Health Special Revenue Fund. (\$38,186)

**WHEREAS**, the Department of Health has a need to continue operating the clinic space for the Women's Health Program; and

**WHEREAS**, the Department of Health is occupying space at 1390 Cleveland Avenue for the Women's Health Program pursuant to an existing lease with the Central Ohio Transit Authority; and

**WHEREAS**, under the terms of the lease agreement, the lease automatically renews for two consecutive one year terms subject to approval of funding by City Council for each renewal term with the second renewal commencing on July 1, 2009; Now, therefore,

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

**SECTION 1.** That the Department of Health be and hereby is authorized to expend funds for lease payments for the second and final lease renewal with the Central Ohio Transit Authority for 2,904 square feet of clinic space for the period of July 1, 2009 through June 30, 2010.

**SECTION 2.** That to pay the costs of said contract, the expenditure of \$38,186 is hereby authorized from the Health Special Revenue Fund, Fund No. 250, Department of Health, Department No. 50-01, Object Level One 03, Object Level Three 3301, OCA No. 502047.

**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:** 0649-2009

**Drafting Date:** 04/22/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**1. BACKGROUND:**

This legislation authorizes the Director of Public Utilities to execute a planned contract modification to the Sewer System Engineering Section's Construction Administration and Construction Inspection Services Agreement with Prime Engineering & Architecture, Inc. The funding for this modification will come from three sources: the Sanitary Sewer Reserve Fund, the Storm Sewer Bond Fund, and the Water System Reserve Fund.

This contract was originally procured to provide construction administration and construction inspection services for combined sanitary, storm water, and water projects during the fiscal years of 2008-2010. The funds approved within this legislation will provide for payment of additional services that were needed to conclude ongoing construction projects.

This modification (Mod #1) will increase the funding of the contract by an additional \$915,000.00 for construction administration - construction inspection services. The projects involved in this specific modification are two sanitary projects: (1) Short Street Demolition and Remediation and (2) NW Alum Creek Wet Weather Renovations; one stormwater project: Williams Rd Pump Station; and one Water Works project: Mound / Harrisburg Pike.

**1.1. Amount of additional funds to be expended: \$ 915,000.00**

Original Contract Amount:	\$ 540,000.00
Modification 1 (current)	<u>\$ 915,000.00</u>
Total (Orig. + Mod 1)	\$1,455,000.00

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

The modification was anticipated and explained in the original legislation. 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 services for projects in 2008, 2009,

and 2010.

**1.4. How cost of modification was determined:**

A cost proposal was provided by Prime Eng & Arch. Inc., and reviewed by the Division of Power and Water and the Division of Sewerage and Drainage and was deemed acceptable.

**2. MULTI-YEAR CONTRACT:**

This ordinance will authorize the expenditure of \$190,000.00 for two sanitary sewer projects, plus \$125,000.00 for one storm water project, and \$600,000 for one water works project. The Department anticipates requesting additional appropriations to this contract for 2009 and 2010 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 emergency capital improvements related needs subject to the approval of a contract modification by City Council. The rates schedules established within this contract will remain in force throughout the life of the contract.

**3. FISCAL IMPACT:**

The funding for this modification will come from three sources: the Sanitary Sewer Reserve Fund, the Storm Sewer Bond Fund, and the Water System Reserve Fund. This legislation includes a transfer of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund, the transfer of funds within the Storm Water Bonds Fund, and the transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bond Fund as well as an amendment to the 2008 Capital Improvements Budget, and to allow for sufficient cash and authority to be in the proper account for these projects. Monies for this contract from the Sanitary Sewer Reserve Fund and the Water System Reserve Fund will be provided from an upcoming Bond Sale via the transfer detailed in this Ordinance.

**4. CONTRACT COMPLIANCE INFO:** 31-1373357 (FBE) (Expires 04/08/2010)

**5. EMERGENCY DESIGNATION:**

The Department of Public Utilities is requesting that this ordinance be made an emergency measure in order to expedite the establishment of the contract services that are necessary to ensure that the Sanitary, Storm, and Water systems are being rehabilitated and/or replaced to ensure the continued operation of this vital infrastructure.

**Title**

To authorize the Director of Public Utilities to execute a planned contract modification of the construction administration and construction inspection services agreement with Prime Engineering & Architecture, Inc., for a total of four projects: two sanitary projects: Short Street Demolition and Remediation and NW Alum Creek Wet Weather Renovations; to authorize the transfer and appropriate \$190,000.00 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$190,000.00 from within the Voted Sanitary Sewer Bond Fund; one stormwater project: Williams Rd Pump Station, to authorize the transfer and expenditure of \$125,000.00 within the Storm Sewer Bond Fund; and one water works project: Mound / Harrisburg Pike Station to authorize the transfer and appropriate \$600,000.00 from the Water System Reserve Fund to the Voted Water Works Enlargement Bond Fund; to authorize the expenditure of \$600,000.00 from within the Voted Water Works Enlargement Bond Fund; to authorize an amendment to the 2008 Capital Improvements Budget for the Division of Sewerage and Drainage; and to declare an emergency (\$915,000.00)

**Body**

**WHEREAS**, it is necessary to modify the construction administration and construction inspection services contract with Prime Engineering & Architecture, Inc., for two Sanitary projects: (1) Short Street Demolition and Remediation and (2) NW Alum Creek Wet Weather Renovations; one Stormwater project: Williams Rd Pump Station; and one Water Works project: Mound / Harrisburg Pike; in order 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 Sanitary, Stormwater, and Water infrastructures; and

**WHEREAS**, City Auditor Contract No. EL008273, for \$540,000 was executed on June 25, 2008, as authorized by ORD 0846-2008, as passed by City Council June 09, 2008, for purposes of providing construction administration and construction inspection services necessary to ensure the successful completion of many of the Divisions Sanitary,

Stormwater, and Water improvement projects; and

**WHEREAS**, the original contract was based upon an evaluation of the twelve proposals received for the three construction administration and inspection contracts to be awarded for the years of 2008-2010, utilizing a predetermined criteria, a selection committee submitted the rankings to the Director of Public Utilities who determined that DLZ Ohio, Inc., Prime Engineering & Architects, Inc., and Stantec Consulting Services, Inc. (formerly R.D. Zande) were the highest ranking firms capable of providing the required services; and

**WHEREAS**, it is necessary to authorize the transfer and appropriation of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund for purposes of providing sufficient funding for the Short Street Demolition and Remediation and NW Alum Creek Wet Weather Renovations for this Sanitary expenditure; and

**WHEREAS**, it is necessary to authorize the transfer and expenditure of funds within the Voted Sanitary Sewer Bond Fund for purposes of providing sufficient funding for the Short Street Demolition and Remediation and NW Alum Creek Wet Weather Renovations project; and

**WHEREAS**, it is necessary to authorize the transfer, appropriate, and expenditure of funds within the Storm Sewer Bond Fund for purposes of providing sufficient funding for the Williams Rd Pump Station project; and

**WHEREAS**, it is necessary to authorize the transfer and appropriation of funds from the Water System Reserve Fund to the Voted Water Works Enlargement Bond Fund for purposes of providing sufficient funding for the Mound / Harrisburg Pike project for this Water expenditure; and

**WHEREAS**, it is necessary to authorize the transfer and expenditure of funds within the Voted Water Works Enlargement Bond Fund for purposes of providing sufficient funding for the Mound / Harrisburg Pike project; and

**WHEREAS**, it is necessary to authorize an amendment the 2008 Amend Capital Improvement Budget for purposes of creating and providing sufficient budget authority for the aforementioned expenditure; and

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

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, that the Department request that this Council authorize the Director of Public Utilities to modify the construction administration and construction inspection services contract with Prime Engineering & Architecture, Inc., for two sanitary projects: (1) Short Street Demolition and Remediation project and (2) NW Alum Creek Wet Weather Renovations project; one stormwater project: Williams Rd Pump Station project; and one Water Works project: Mound / Harrisburg Pike project to ensure the continued operation of vital Sanitary, Stormwater, and Water infrastructure for the City; and for the preservation of the public health, peace, property, and safety at the earliest practical date; **Now, Therefore,**

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

**Section 1.** That the Director of Public Utilities be, and hereby is, authorized to modify the professional engineering services agreement with Prime Engineering & Architecture, Inc., 3000 Corporate Exchange Dr., Suite 600, Columbus, Ohio 43231 that will continue to provide construction administration and inspection services for Sanitary, Stormwater, and Water improvement projects 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 from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$190,000.00 is hereby appropriated to the Division of Sewerage and Drainage: Division 60-05 | OCA Code 901654 | Object Level One 10 | Object Level Three 5502.

**Section 3.** That the City Auditor be and hereby is authorized and directed to transfer a total of \$190,000 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund, Fund 664 into the following projects: Short Street Demolition and Remediation project, Project No. 650691-100000; the amount of \$150,000 and the NW Alum Creek Wet Weather Renovations project, Project No. 650726-100000; the amount of \$40,000, at such time as deemed necessary by the Auditor, and expend said funds, or so much thereof as may be necessary.

**Section 4.** That the \$190,000.00 is hereby appropriated for the (1) Short Street Demolition and Remediation and (2) NW Alum Creek Wet Weather Renovations, within the Voted Sanitary Sewer Bond Fund as follows:

Fund 664 | Division 60-05 | Project 650691-100000 | OCA Code 664691 | Object Level Three 6686 | \$150,000.00

Fund 664 | Division 60-05 | Project 650726-100000 | OCA Code 664726 | Object Level Three 6686 | \$40,000.00

**Section 5.** That the 2008 Capital Improvements Budget Ordinance No. 0690-2008 is hereby amended as follows, to provide sufficient budget authority for the execution of the cost agreement increase stated herein:

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

650709-100000 | Mound East of I-71 Sewer Separation | \$200,000 | \$50,000 | (-\$150,000)

650691-100000 | Short Street Demolition & Remediation | \$2,470,000 | \$2,620,000 | (+\$150,000)

650491-100000 | Big Walnut Aug/Rickenbacker Interceptor-Lockbourne Subtrunk | \$31,107,559 | \$31,067,559 | (-\$40,000)

650726-100000 | NW Alum Creek Wet Weather Renovations | \$143,700 | \$183,700 | (+\$40,000)

**Section 6.** That the expenditure of \$190,000.00, or as much thereof as may be needed, is hereby authorized from the Voted Sanitary Sewer Bond Fund:

Fund 664 | Division 60-05 | Project 650691-100000 | OCA Code 664691 | Object Level Three 6686 | \$150,000.00

Fund 664 | Division 60-05 | Project 650726-100000 | OCA Code 664726 | Object Level Three 6686 | \$40,000.00

**Section 7.** That the City Auditor is hereby authorized and directed to appropriate and transfer a total of \$125,000.00 from within Division of Sewerage and Drainage | Dept./Div. 60-15 | Storm Sewer Bond Fund No. 685 | Object Level One 06 | Object Level Three 6686:

**From:**

Proj. 610960 | Bexvie Ave. Drainage | OCA 685960 | -\$125,000.00

**To:**

Proj. 610711 | Williams Rd. Pump Station | OCA 685711 | +\$125,000.00

**Section 8.** That the expenditure of \$125,000.00, or as much thereof as may be needed, is hereby authorized from the Storm Sewer Bond Fund:

Fund 685 | Division 60-15 | Project 610711 | OCA Code 685711 | Object Level Three 6686.

**Section 9.** That from the unappropriated monies in the Water System Reserve 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, 2009, the sum of \$600,000.00, is hereby appropriated to the Division of Power and Water, Division 60-09 | Object level One 10 | Object level Three 5502 | OCA 695056.

**Section 10.** That the City Auditor is hereby authorized and directed to transfer \$600,000.00, from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, Fund No. 606, into the project account as specified within Section 11 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

**Section 11.** That the expenditure of \$600,000.00 for the Mound / Harrisburg Pike Project is hereby appropriated as follows: Division of Power and Water, Dept./Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606 | Project 690407 | OCA Code 606407 | Object Level One 06 | Object Level Three 6686.

**Section 12.** That upon obtaining other funds for the purpose of funding sanitary sewer system and water works capital improvement projects, the City Auditor is hereby authorized to repay the Sanitary Sewer Reserve Fund the amount of \$190,000.00 and the Water System Reserve Fund the amount of \$600,000.00, and said funds are hereby deemed appropriated for such purposes.

**Section 13.** That the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Projects from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$790,000.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse Sanitary/Sewer Reserve Fund 654, which is the fund from which the advance for costs of the Project will be made.

**Section 14.** 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 are 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 15.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**Section 16.** 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 17.** That for the reasons stated in the preamble hereto, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0650-2009

**Drafting Date:** 04/23/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

The purchase of this legislation is to authorize the Director of Finance and Management to establish a purchase order from an existing Universal Term Contract for Cisco Equipment and Smartnet Services for the Division of Sewerage and Drainage, Jackson Pike Wastewater Treatment Plant with Pomeroy IT Solutions.

The equipment will be purchased for the Supervisory Control and Data Acquisition (SCADA) system for utilized at the Jackson Pike Wastewater Treatment Plant. The SCADA system monitors and controls the processes of the treatment of wastewater that enter the plant. The Cisco products connect 14 different buildings at each plant. Universal Term Contract FL-002554 expires on December 31, 2009.

The Division of Sewerage and Drainage has certified \$63,455.25 in 2009 against this Universal Term Contract. The amount needed will be above the maximum threshold amount allowed by Columbus City Code Section 329 for Universal Term Contracts so legislation is needed. With this legislation the total amount to be certified against this UTC is \$134,271.44

**SUPPLIER:** Pomeroy IT Solutions (61-1352158) Expires 10-24-09

**FISCAL IMPACT:** \$70,816.19 is needed and budgeted for this purchase. Cost was determined by quote dated March 6, 2009 Quote #126816 (ATTACHED)

\$203,051.00 was spent in 2008

**Title**

To authorize the Director of Finance and Management to establish a purchase order with Pomeroy IT Solutions for the purchase of Cisco Equipment and Smartnet Services from an existing Universal Term Contract for the Division of Sewerage and Drainage, and to authorize the expenditure of \$70,816.19 from the Sewerage System Operating Fund. (\$70,816.19)

**Body**

**WHEREAS**, upgrades continue at the Jackson Pike Wastewater Treatment Plant on the SCADA systems, and

**WHEREAS**, the SCADA system monitors and controls the processes of the treatment of wastewater that enter the plant, and

**WHEREAS**, Cisco products connect 14 different buildings at each plant together, and

**WHEREAS**, the items will be purchased from an existing Universal Term Contract, FL-002554 which expires on December 31, 2009 on file with the Purchasing Office, now, therefore

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

**Section 1.** That the Director of Finance and Management be and is hereby authorized to establish a purchase order with Pomeroy IT Solutions for the purchase of Cisco Equipment and Smartnet Services from an existing Universal Term Contract for the Division of Sewerage and Drainage, in accordance with specifications on file in the Purchasing Office.

**Section 2.** That the expenditure of \$70,816.19 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650, Division 60-05 as follows:

OCA 605014  
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:** 0652-2009

**Drafting Date:** 04/23/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This ordinance authorizes the Director of Recreation and Parks to modify and extend a contract with

Kone, Inc. for required maintenance and service of elevator units in various city facilities that require annual maintenance under the purview of the Recreation and Parks Department.

Formal bids (SA002929) were received from three companies on June 17, 2008 for Elevator Maintenance and Services Agreement for various City facilities under the purview of the Recreation and Parks Department. The contract was awarded to the most responsive and responsible and best bidder, Kone, Inc.

This legislation authorizes the first of five (5) renewal options. It is in the best interest of the City to exercise that option with Kone, Inc. as the best, responsible, and responsive bidder and proven quality provider of these necessary services. The current contract will expire August 31, 2009.

Required maintenance and services on elevators are necessary to maintain the State of Ohio Elevator Operating Certificate and ensuring no disruption in service, thereby protecting the safety of the public elevator users.

Kone, Inc. Contract Compliance Number 36-2357423, is active to 7/15/2010.

**FISCAL IMPACT:** The cost of the 2008 contract was \$16,800.00, plus \$3,200.00 fixed contingency for a grand total of \$20,000.00. The 2008 contract was set up to fund the elevator service to eight locations for the twelve month period ending August 31, 2009. Due to the renovations at the Whetstone Recreation Center last year a new elevator was added and will be included in this contract after the warranty period ends on August 31. The contract contains provisions for the addition of units.

The cost of the 2009 contract extension is \$19,200.00, plus \$2,800.00 fixed contingency for a grand total of \$22,000.00. This expenditure is budgeted in the Recreation and Parks' Operating Fund 285.

**Emergency action** is requested so that required maintenance and service on elevators is not delayed, ensuring no disruption in service, thereby protecting the safety of elevator users.

#### **Title**

To authorize the Director of Recreation and Parks to modify and extend the contract with Kone, Inc. for required maintenance and services of elevator units in various city facilities under the purview of the Recreation and Parks Department; to authorize the expenditure of \$22,000.00 from the Recreation and Parks Operating fund; and to declare an emergency (\$22,000.00)

#### **Body**

**WHEREAS**, it is necessary to modify and extend the contract with Kone, Inc. for maintenance and service to the elevators at various locations; and

**WHEREAS**, said contract will provide service and maintenance in various city buildings and the addition of a new elevator under the purview of the Recreation and Parks Department; and

**WHEREAS**, Kone, Inc. is the most responsive, responsible, and best bidder; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department, in that it is immediately necessary to authorize the Director of Recreation and Parks to enter into a contact with Kone, Inc. for the maintenance and service of elevators, thereby preserving the public health, property, safety, and welfare; now, therefore:

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

**SECTION 1.** That the Director of Recreation and Parks is hereby authorized to modify an agreement with Kone, Inc. for maintenance and service of elevators under the purview of Recreation and Parks.

**SECTION 2.** That the expenditure of \$22,000.00, 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:** 51-10 / **Fund:** 285 / **OCA Code:** 510495 / **Object Level 1:** 3 /  
**Object Level 3:** 3372 / **Amount:** \$22,000.00

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

**SECTION 4.** That for 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:** 0668-2009

**Drafting Date:** 04/28/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** This legislation authorizes the Director of Finance and Management, on behalf of the Department of Technology, to establish a purchase order, utilizing an existing Universal Term Contract (UTC) with Echo 24, (BPCMP30F), which expires December 31, 2009. This purchase order will provide for the acquisition of services and equipment needed by August 2009, for the relocation of fiber optic cabling associated with the old police heliport, which must be vacated this year. Presently, the inside of this building is a hub site for seven city owned fiber optic cables. Also, the Police heliport fiber relocation project will consist of relocating fiber and increasing the fiber optic capacity servicing the area. This fiber optic cabling will be used by the Department of Technology to further build out its existing fiber optic network while making it more robust and redundant. Additionally, this purchase will provide the Department of Technology the avenue to further build out its existing fiber optic network, which will enhance service ability to our citizens, by providing alternate pathways for future fiber-optic connectivity to City agencies, partner agencies and business Citywide, and it will provide for economic development incentive to bring high tech companies to Columbus.

The funds, in the amount of \$201,390.00, needed for this purchase are in alignment with the purpose and intent of the Connectivity Project, within the Capital Improvement Budget.

**EMERGENCY:** Emergency action is requested to ensure that this project is not delayed, to continue daily operational needs associated with the Connectivity Project, and to meet time lines and deadlines.

**FISCAL IMPACT:** Funds for this project have been identified and are available within the 2008 Information Services Capital Improvement Budget, in the amount of \$201,390.00, for services to be provided by Echo24.

### **CONTRACT COMPLIANCE:**

Echo24            31-1753698    Expires: 11/18/2010

**Title**To authorize the Director of Finance and Management to establish a purchase order with Echo24 for the acquisition of equipment and services related to the fiber project; to authorize the expenditure of \$201,390.00 from the Department of Technology, Information Services Bond Fund; and to declare an emergency. (\$201,390.00)

**Body****WHEREAS**, this legislation authorizes the Director of Finance and Management, on behalf of the Department of Technology, to establish a purchase order, utilizing an existing Universal Term Contract (UTC) with Echo 24, (BPCMP30F), which expires December 31, 2009, and

**WHEREAS**, this purchase order will provide for the acquisition of services and equipment needed by August 2009, for the relocation of fiber optic cabling associated with the old police heliport, which must be vacated this year. Presently, the inside of this building is a hub site for seven city owned fiber optic cables. Also, the Police heliport fiber relocation project will consist of relocating fiber and increasing the fiber optic capacity servicing the area, and

**WHEREAS**, this fiber optic cabling will be used by the Department of Technology to further build out its existing fiber optic network while making it more robust and redundant. Additionally, this purchase will provide the Department of Technology the avenue to further build out its existing fiber optic network, which will enhance service ability to our citizens, by providing alternate pathways for future fiber-optic connectivity to City agencies, partner agencies and business Citywide, and it will provide for economic development incentive to bring high tech companies to Columbus, and

**WHEREAS**, the funds, in the amount of \$201,390.00, needed for this purchase are in alignment with the purpose and intent of the Connectivity Project, within the Capital Improvement Budget, and

**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus Department of Technology, in that there is an immediate need for a purchase order to allow for the relocation and the increase of fiber-optic cable; for the immediate preservation of the public health, peace, property and safety; now, therefore:

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

**SECTION 1:** That the Director of the Finance and Management, on behalf of the Department of Technology, be and is hereby authorized to establish a purchase order with Echo24 for the acquisition of equipment and services, in the amount of \$201,390.00, associated with the relocation of fiber optic cabling project and increasing the fiber optic capacity. The funding source for this project is within the Department of Technology's Information Services Bond Fund, Connectivity Project.

**SECTION 2:** That for the purpose of paying the costs referred to in section 1, the expenditure of \$201,390.00 or so much thereof as may be necessary from the Information Services Bond Fund, Connectivity Project is hereby authorized as follows:

**Dept./Div.:** 47-02| **Fund:** 514| **Subfund:** 002| **Project Name:** Connectivity Project| **Project Number:** 470046| **OCA Code:** 470046| **Obj. Level 1:** 06 | **Obj. Level 3:** 6655| **Amount:** \$201,390.00

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

**SECTION 4:** That for 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 in ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0677-2009

**Drafting Date:** 04/29/2009

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Council Variance Application: CV09-002**

**APPLICANT:** National Church Residences; c/o Robert A. Meyer, Jr., Attorney; 41 South High Street; Columbus, Ohio 43215.

**PROPOSED USE:** Multi-family residential development.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is undeveloped and is zoned in the C-2, Commercial District. The applicant requests a Council variance to allow a 100-unit supportive housing facility which will be constructed in two phases. The C-2, Commercial District allows dwelling units only when located above the permitted uses in the district. The site is bordered by multi-family residential development to the east, an adult daycare center to the northwest, and single-family residential development to the south and west. The applicant is committing to a site plan which incorporates buffering, screening, and landscaping in consideration of the surrounding residential uses. The site is located within the planning area of the draft *Livingston East Area Plan*, which recommends mixed use development for the site, including multi-family residential development. Additional variances to reduce required parking from 200 spaces to 65 spaces and a building height increase from 35 to 45 feet are included in the request. The proposal is consistent with established development patterns and with the land use recommendations of the draft Plan.

**Title**

To grant a Variance from the provisions of Sections 3353.03, C-2, Permitted uses; 3309.14, Height districts; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes; for the property located at **3349 EAST LIVINGSTON AVENUE (43227)**, to permit multi-family residential development with increased building height and a reduction in required parking spaces in the C-2, Commercial District **and to declare an emergency** (Council Variance # CV09-002).

**Body**

**WHEREAS**, by application No. CV09-002, the owner of property at **3349 EAST LIVINGSTON AVENUE (43227)**, is requesting a Council Variance to permit a multi-family residential development with increased building height and a reduction in required parking spaces in the C-2, Commercial District; and

**WHEREAS**, Section 3353.03, C-2, Permitted uses, does not permit ground floor residential uses or off-site parking, while the applicant proposes a 100-unit apartment building with units located on the ground floor; 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 due to** the need to complete its application for funding approval by the Ohio Housing Finance Agency **for the immediate preservation of the public peace, property, health and safety; and**

**WHEREAS**, Section 3309.14, Height districts, requires the maximum height of a building or structure in the thirty-five (35) foot height district not to exceed thirty-five (35) feet, while the applicant proposes a forty-five (45) foot height for the new building; and

**WHEREAS**, Section 3342.28, Minimum number of parking spaces required, requires two (2) parking spaces per residential unit, or 200 spaces, while the applicant proposes a total of sixty-five (65) parking spaces, a reduction of one hundred thirty-five (135) required spaces; and

**WHEREAS**, the Columbus Public Health Healthy Places program reviews applications for active living features and recognizes this development has residential sidewalks that are 5 feet to increase walkability; centrally located bike racks for employees or visitors that ride their bike by choice or because of limited alternatives; texturized sidewalks at points where cars cross the sidewalk to alert drivers of pedestrian traffic and pedestrian connections to adjacent uses and the public sidewalk; and

**WHEREAS**, City Departments recommend approval because the proposed 100-unit apartment building is consistent and compatible with the zoning and development patterns of the area, and the land use recommendations of the draft *Livingston East Area Plan*; and

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

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

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

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **3349 EAST LIVINGSTON AVENUE (43227)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance from the provisions of Sections 3353.03, C-2, Permitted uses; 3309.14, Height districts; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes; is hereby granted for the property located at **3349 EAST LIVINGSTON AVENUE (43227)**, insofar as said sections prohibit a 100-unit apartment building with an increased building height of forty-five (45) feet and a parking space reduction from 200 required spaces to 65 space; said property being more particularly described as follows:

**3349 EAST LIVINGSTON AVENUE (43227)**, being 3.1± acres located on the south side of East Livingston Avenue, 132± feet east of Barnett Road, and being more particularly described as follows:

Being situated in the State of Ohio, County of Franklin, City of Columbus, being part of the Northeast Quarter of Section 19, Township 12, Range 21, Refugee Lands, and being part of the original 6.00 acre tract conveyed to Grant Hospital by Deed of Record in Deed Book 3273, Page 279, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Commencing at a point in the centerline of Livingston Avenue, which said point bears South 89° 59' West, a distance of 181.94 feet, from the centerline intersection of Barnett Road (60.0 feet wide) and said Livingston Avenue, as the said intersection is shown in the platted subdivision known as Liv-Moor Heights No. 3, of Record in Plat Book 28, Pages 36 and 37, Recorder's Office, Franklin County, Ohio, (the intersection of the centerline of said Barnett Road and Livingston Avenue also represents the northeast corner of Northeast Quarter Section 19, and the northwest corner of Northwest Quarter Section 20), said point being the northeast corner of the original 6.00 acre tract;

Thence South 00° 15' 45" West, along part of the east line of the south 6.00 acre tract, a distance of 40.00 feet to an iron pin, said pin being in the south right-of-way line of East Livingston Avenue and being the southeast corner of the City of Columbus 0.069 acre tract as recorded in Deed Book 2332, Page 173, and the true point of beginning of this description;

Thence South 00° 15' 45" West, continuing along the east line of the said 6.00 acre tract, and along the west line of Reserve "A" and Lots 1 to 10 inclusive of Liv-Moor Heights No. 3 of Record in Plat Book 28, Page 36, a distance of 831.20 feet to an iron pin, said pin being the southeast corner of this said original 6.00 acre tract;

Thence South 89° 59' West, along the south line of said 6.00 acre tract and along the north line of Lots 12, 13, 14 and 15 of said Liv-Moor Heights No. 3, a distance of 300.00 feet to an iron pin, said pin being the southwest corner of the said original 6.00 acre tract;

Thence North 00° 15' 45" East, along the west line of the said 6.00 acre tract and along part of the east line of Liv-Moor Heights subdivision as recorded in Plat Book 26, Page 49, a distance of 388.94 feet to an iron pin;

Thence South 89° 24' 42" East, across the said 6.00 acre tract, a distance of 259.50 feet to an iron pin, said pin being in line 40.50 feet west of and parallel with the east line of the said 6.00 acre tract;

Thence North 00° 15' 45" East, across the said 6.00 acre tract, along a line 40.50 feet west of and parallel with the east line of the said 6.00 acre tract, a distance of 365.00 feet to an iron pin;

Thence North 06° 30' 49" West, across the said 6.00 acre tract, a distance of 80.52 feet to an iron pin in the south right-of-way line of Livingston Avenue (said line being 40.0 feet south of and parallel with the centerline of Livingston Avenue), said pin also being in the south line of the said City of Columbus 0.069 acre tract;

Thence North 89° 59' 00" East, along the said south right-of-way line of Livingston Avenue and the south line of the said City of Columbus 0.069 acre tract, a distance of 50.0 feet to the place of beginning, containing 3.090 acres of land.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a multi-family residential development not to exceed 100 units, or those uses permitted in the C-2, Commercial District.

**SECTION 3.** That this ordinance is further conditioned on the Subject Site being developed in general conformance with the plans titled, "**PROPOSED SITE PLAN**," and "**ENLARGED PROPOSED ENTRY PLAN**," drawn by Berardi Partners, dated April 24, 2009, and signed by Robert A. Meyer, Attorney for the Applicant. The plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plans shall be subject to review and approval by the Director of the Department of Development, or his designee, upon submission of the appropriate data regarding the proposed adjustment.

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

**SECTION 5.** That this ordinance is further conditioned on the applicant dedicating sixty feet of right-of-way from the center line of East Livingston Avenue at the time of site plan review.

**SECTION 6.** ~~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:** 0681-2009

**Drafting Date:** 04/30/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

## **Explanation**

### **1. BACKGROUND:**

- A. **Need.** This legislation authorizes the Director of Public Utilities to modify the construction contract with Jay Dee-Michels-Traylor Joint Venture (JDMT JV) for the Big Walnut Augmentation/Rickenbacker Sanitary Interceptor (BWARI) Project and the Big Walnut Outfall Sewer System Capacity Augmentation (BWOAS) Project. This contract modification is necessary to complete these two projects by the end of 2009 in order to comply with a state consent agreement. After a lengthy negotiation and mediation process, a settlement agreement was reached between the Contractor and City resulting in the proposed contract modification. The JDMT JV modification amount requested under this ordinance is \$5,930,308.64. The contract total including this modification is \$96,709,933.64. These additional monies will fund the cost of the 650430.1 contract Change Order/Modification as follows:

**BWOAS-CO-012, BWOAS-RFP-034 (650430.1):**

Compensation to JDMT JV for costs to complete the BWOAS project as described in the referenced RFP

**Total of this modification to the JDMT JV contract is \$5,930,308 and is a change order to the existing WPCLF loan.**

**BWARI-CO-012, BWARI- RFP-035 (650491.1):**

1.) Reduction in JDMT JV BWARI contract value for non-performance of remaining work associated with specification 09900 corrosion protection liner as described in the reference RFP; 2.) Compensation to JDMT JV BWARI Contractor for any and all costs incurred in the Specification 09900 C.P.L. claim as described in the referenced RFP; 3.) Compensation to JDMT JV BWARI Contractor for costs to complete the BWARI Project as described in the referenced RFP

**Total Net Amount of \$5,999,725.00 is included in the JDMT JV original contract and is a change order to the existing WPCLF loan.**

B. **Contract Compliance No.:** CCN: 320092124 | Status: Majority | Expires: May 4, 2011

C. **Emergency Designation:** The Division of Sewerage and Drainage is requesting City Council to designate this ordinance an emergency measure in order to allow for the completion of this work by the end of 2009. This expediency is justified in order to fulfill the City's capital improvement project scheduling commitments set forth within the consent agreement between the City and the Ohio Attorney General's Office that addresses the City's wet weather wastewater overflows.

2. **FISCAL IMPACT:**

This ordinance authorizes the Director of Public Utilities to modify a contract with JDMT JV in the amount of \$5,930,308.64 within the existing OWDA/WPCLF loan funds (Loan #4018 and #4131) with approval of two change orders. Funding through OWDA/WPCLF funds will be provided via a cancellation of EL004680-001 in the amount of \$5,930,308.64 with McNally Contractors and then a reestablishment of the same amount through this modification with JDMT JV. There will also be an amendment to the 2008 Capital Improvements Budget to create sufficient budget authority for this expenditure.

**Title**

To authorize the Director of Public Utilities to execute a contract modification with Jay Dee-Michels-Traylor Joint Venture for the Big Walnut Augmentation/Rickenbacker Sanitary Interceptor Project (scope change) and the Big Walnut Outfall Sewer System Capacity Augmentation Project; to amend the 2008 Capital Improvements Budget; to authorize the expenditure of \$5,930,308.64 within the Ohio Water Pollution Control Loan Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$5,930,308.64).

**Body**

**WHEREAS**, Contract No. EL003819 was authorized by Ordinance No.2079-2003, as passed by Columbus City Council on November 10, 2003 for purposes of authorizing the Director of Public Utilities to enter into a construction contract with Jay Dee-Michels-Traylor Joint Venture (JDMT JV) for the Big Walnut Augmentation/Rickenbacker Sanitary Interceptor (BWARI) Project; this was executed on November 28, 2003, and was approved by the City Attorney on December 4, 2003 in the amount of \$90,779,625.00; and

**WHEREAS**, it is necessary to modify this contract to provide additional monies to cover the cost of negotiated claims between the Contractor and the City, and for the additional work necessary to complete the corrosion protection liner for the BWARI tunnel project and the BWOAS tunnel project; and

**WHEREAS**, it is necessary to authorize an amendment to the 2008 Capital Improvements Budget for the purpose of creating sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, it is necessary for City Council to authorize the expenditure of funds from the Ohio Water Pollution Control Loan Fund; 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 to authorize the Director of Public Utilities to modify the construction contract with JDMT JV for the completion of the BWARI and BWOAS tunnel projects by the end of 2009, in order to fulfill the City's capital improvement project scheduling commitments set forth within the consent agreement between the City and the Ohio Attorney General's Office that addresses the City's wet weather wastewater overflows; 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 modify Contract No. EL003819 with Jay Dee-Michels-Traylor Joint Venture (JDMT JV), 3881 Schoolcraft Road, Livonia, Michigan, 48150, for construction completion of the BWARI and the BWOAS project, in order to settle a negotiated claim between the City and the Contractor, and to provide for needed additions to the contract work via an agreed upon scope change, in accordance with the terms and conditions as shown in the contract modification on file in the office of the Division of Sewerage and Drainage and set forth in change orders BWARI-CO-012, BWARI- RFP-035 and BWOAS-CO-012, BWOAS-RFP-034.

**Section 2.** That the 2008 Capital Improvements Budget Ordinance No.0690-2008 is hereby amended as follows, to create sufficient budget authority for the award of the agreement stated herein.

Project No. | Project Name | Current Authority | Revised Authority | (Change)  
650430-100001 | BWOAS | \$0.00 | \$5,930,309 | (+\$5,930,309)

**Section 3.** That the expenditure of \$5,930,308.64, or as much thereof as may be needed, is hereby authorized from the Ohio Water Pollution Control Loan Fund | Fund No. 666 | Division 60-05 as follows: Big Walnut Outfall Sewer System Capacity Augmentation | Project 650430-100001 | OCA Code 666430 | Object Level Three 6630.

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

**Section 5.** That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

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

**Section 7.** That 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:** 0683-2009

**Drafting Date:** 04/30/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This ordinance authorizes the expenditure of \$190,000.00 to make payments to The Commercial Partnership for a building maintenance services contract covering all building operation expenses, except utilities for 174

and 182 East Long Street, occupied by the Central Ohio Area Agency on Aging.

Fiscal Impact: This authorization is for the third year of a three-year contract term. The original contract with Property One, now The Commercial Partnership, was authorized by Ordinance 0756-2007, passed May 21, 2007.

Emergency action is requested to ensure that daily building services continue uninterrupted.

The Commercial Partnership Contract Compliance No. is 26-1183167 (effective through 2/26/2010)

Title

To authorize the expenditure of \$190,000.00 from the Recreation and Parks Grant Fund to make payments to The Commercial Partnership for the third year of a three-year building maintenance service contract; and to declare an emergency. (\$190,000.00)

Body

WHEREAS, it is necessary to authorize the expenditure of \$190,000.00 from the Recreation and Parks Grant Fund in order to provide payments to The Commercial Partnership for the third year of a three-year term for a building maintenance services contract covering operation expenses, except utilities, and

WHEREAS, an emergency exists in the usual daily operation of Recreation and Parks Department in that it is immediately necessary to make said payments so that daily building services continue uninterrupted; 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 expenditure of \$190,000.00 or so much thereof as may be necessary, in order to make payments necessary to The Commercial Partnership, for the third year of a three-year term for a building maintenance services contract, be and is hereby authorized from the Recreation and Parks Grant Fund 286, Department No. 51, Object Level 3370, to pay the cost as follows:

Grant: Passport, Project Number: 518139, OCA Number: 511675, Amount: \$120,272.00  
Grant: Senior Options, Project Number: 518335, OCA Number: 514554, Amount: \$47,520.00  
Grant: Title IIIA, Project Number: 518324, OCA Number: 514497, Amount: \$12,500.00  
Grant: Volunteer Guardian, Project Number: 518018, OCA Number: 514117, Amount: \$4,160.00  
Grant: Title IIIE, Project Number: 518307 OCA Number: 518307 Amount: \$4,180.00  
Grant: Title IIIB Project Number: 518301 OCA Number: 514505 Amount: \$1,368.00  
Total: \$190,000.00

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:** 0690-2009

**Drafting Date:** 05/01/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation** To authorize and direct the City Auditor to transfer funds within department 51-01 from the Recreation and Parks Special Purpose Fund 223 to The Recreation and Parks State Grant Fund 764; and to declare an emergency (\$57,536.90).

**Background:**

The Clean Ohio Grant #515764: Mock to Innis supplied much needed parkland for the Alum Creek Greenway and Trail. However, there were some expenses that the grant would not support, but were necessary to secure the parkland for the Community. The disallowed amount is \$57,536.90.

Funds were previously expended from Grant# 515764 in the amount of \$485,835.00 prior to the City's knowledge that some of the land acquisition fees would not be reimbursed by the State of Ohio.

The funds to be transferred come from the Recreation and Parks Special Purpose Fund 223, Subfund 025. This fund mainly consists of parkland dedication funding. The purpose of the Parkland Dedication Ordinance is to provide new parkland/developed parks for developing areas. With trails being our most popular program enjoyed by neighborhoods and communities it is recommended that PDO funding in Planning Area 12, which has a balance of \$109,193.80 be used to make up the difference in the grant fund.

**Title**To authorize and direct the City Auditor to transfer \$57,536.90 within the Department of Recreation and Parks from the Special Purpose Fund (Donations-various Park Improvements Sub-Fund) to the State Issue II Grants Fund; and to declare an emergency (\$57,536.90).

**Body**

WHEREAS, a need exists for this transfer of funds to Grant 764 to fix the deficit within the grant incurred due to various land acquisition fees not meeting the requirements of the grant , and;

WHEREAS, funding is available within fund 223 sub fund 025 as part of the parkland dedication ordinance account, and;

WHEREAS, the fund 223 parkland dedication funding will provide funds for land acquisition, legal expenses, and property demolition within planning area 12; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to transfer funds to secure the parkland at the earliest possible opportunity, thereby preserving the public health, peace, property, safety, and welfare; now therefore,

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

**SECTION 1.** That from the the unappropriated monies in the Special Purpose Fund 223, in the sum of \$57,536.90, Subfund 025-Variou Park Improvements, Division 51-01, OCA 511220, Code Object Level 1 10 Object Level 3 5501.

**SECTION 2.** That the City Auditor be directed to transfer between Funds as follows:

From:

Fund Special Purpose Fund 223, Subfund 025-Variou Park Improvements, Div 51-01, OCA 511220, Code Object Level 1 10 Object Level 3 5501, **\$57,536.90.**

To:

Fund 764 State Issue II, Grant 515764-Alum Creek Corridor, Div 51-01, OCA 515764, Code Object Level 1 80 Object Level 3 0886, **\$57,536.90.**

**SECTION 3.** That from the unappropriated monies in Fund 764, and from all monies estimated to come into said fund from and any and all sources and unappropriated for any other purpose, the sum of \$57,536.90 is appropriated to Division 51-01, Grant 515764, OCA Code 515764, Object Level 3 6621.

**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 legislation.

**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:** 0692-2009

**Drafting Date:** 05/01/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

#### **Background:**

This ordinance will authorize the Director of Recreation and Parks to enter into a contract with Kathy Grace, 1340 Hunter Avenue, Columbus, Ohio, SS# 196-44-4763 for the purpose of instructing ceramics classes at the Cultural Arts Center.

This contract will be for services from September 1, 2009 through January 31, 2010, and will be entirely reimbursed by student registration fees.

Due to the unique skills, abilities and teaching experience necessary, the department is requesting the waiver of the bidding provisions of the Columbus City Codes to enter into a contract with Kathy Grace.

Emergency action is requested so contract can be processed, funding is in place for necessary expenditures, and no classes need to be cancelled.

#### **Fiscal Impact:**

\$12,000.00 is budgeted from the Recreation and Parks Operating Fund to meet the financial obligation of this contract.

#### **Title**

To authorize and direct the Director of Recreation and Parks to enter into a contract with Kathy Grace for instructing ceramics classes at the Cultural Arts Center; to authorize the expenditure of \$12,000.00 from the Recreation and Parks Operating Fund; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency (\$12,000.00).

#### **Body**

**WHEREAS**, it is in the best interest of the City of Columbus to waive the requirements of competitive bidding and contract with Kathy Grace for the purpose of instructing ceramics classes at the Cultural Arts Center from September 1, 2009 through January 31, 2010; and

**WHEREAS**, the Director of Recreation and Parks be and is hereby authorized and directed to enter into contract with Kathy Grace to provide instruction of ceramics classes at the Cultural Arts Center from September 1, 2009 through January 31, 2010; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department, in that it is immediately necessary to enter into agreement so funding is in place for said expenditures and that no classes need to be cancelled, 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 Recreation and Parks be and he is hereby authorized and directed to enter into contract with Kathy Grace to provide instruction of ceramics classes at the Cultural Arts Center from September 1, 2009

through January 31, 2010.

**SECTION 2.** That the expenditure of \$12,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Operating Fund as follows, to pay the cost thereof:

**SECTION 3.** That this Council finds it in the best interest of the City of Columbus to waive requirements of competitive bidding for professional services for the instruction of ceramics classes at the Cultural Arts, and does hereby waive provisions of Section 329.06(b) of the Columbus City Codes.

**Fund Type:** Operating / **Division:** 51-01 / **Object Fund:** 285 / **OCA:** 510628 /  
**Object Level 3:** 3346 / **Amount:**\$12,000.00

**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 legislation.

**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:** 0694-2009

**Drafting Date:** 05/01/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**Background:**

This ordinance will authorize the Director of Recreation and Parks to enter into a contract with the Columbus Zoological Park Association for transportation and admission for children from Recreation and Parks' playgrounds to the Columbus Zoo and Aquarium as part of the Melvin B. Dodge Summer Zoo Days.

This special summer program will serve thirty city playgrounds and transport approximately 2,000 playground participants to the Zoo.

Melvin Dodge is the former Director of Recreation and Parks for the City of Columbus and a former board member of the Columbus Zoo.

The Columbus Zoo and Aquarium, through its Melvin B. Dodge Fund, will provide the following in-kind services:

Transportation	\$ 10,000.00
Admissions	1,500.00
Back Packs	4,500.00
Novelties	<u>1,500.00</u>
TOTAL	\$ 17,500.00

Emergency action is requested to be ready for the program to begin when playgrounds open.

**Fiscal Impact:** N/A

**Title**

To authorize the Director of Recreation and Parks to enter into a contract with the Columbus Zoological Park Association to provide transportation, shirts and novelties for children from Recreation and Parks' playgrounds to the Columbus Zoo and Aquarium as a part of the Melvin B. Dodge Summer Zoo Days; and to declare an emergency.

**Body**

**WHEREAS**, this special summer program will serve thirty city playgrounds and transport approximately 2,000 playground participants to the Zoo to be a part of the Melvin B. Dodge Summer Zoo Days; and,

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into an agreement with the Columbus Zoological Park Association for the preservation of public health, peace, property and safety; now, therefore

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

**SECTION 1.** That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into a contract with the Columbus Zoological Park Association for playground participants to be a part of the Melvin B. Dodge Summer Zoo Days.

**SECTION 2.** That the Columbus Zoological Park Association will provide \$17,500.00 in-kind services for playground participants to be a part of the Melvin B. Dodge Summer Zoo Days.

**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:** 0695-2009

**Drafting Date:** 05/04/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation****BACKGROUND:** The Division of Fire budgeted \$22,500.00 in the 2009 General Fund operating budget for EMS billing refunds and damage claims. An additional \$10,000 was recently transferred into this line item from another part of the Fire Division operating budget to settle a pending claim. The first quarter financial review projects the need for additional appropriation of approximately \$55,000 for claims and refunds. This legislation is a request to transfer funds from Finance and Management's citywide account to the Division of Fire in order to provide funds for existing claims and allow for refunds for EMS billing reimbursements. This ordinance will also reimburse the Fire Division's services budget with funds that were transferred as referenced above to settle a claim of approximately \$10,000.

**Bid Information:** N/A

**Contract Compliance:** N/A

**Emergency Designation:** Emergency action is requested to make these funds available for immediate use.

**FISCAL IMPACT:** The first quarter financial review reflects projected deficits of approximately \$55,000 in claims. This ordinance authorizes a transfer of \$50,000 from the Department of Finance and Management's City-Wide account specifically for liability payments. Similar expenditures totaled approximately \$70,000 in 2008 and over \$250,000.00 in 2007.

Title To authorize and direct the transfer of \$50,000.00 within the General Fund, from the Department of Finance and Management's citywide account to the Department of Public Safety, Division of Fire, to cover the costs for damage claims and EMS billing refunds; and to declare an emergency. (\$50,000.00)

Body **WHEREAS**, there is a need to transfer \$50,000.00 within the General Fund from the Department of Finance and Management to the Department of Public Safety, Division of Fire, to cover the projected deficit in current year EMS

billing refunds and damage claims; and

**WHEREAS**, approximately \$10,000 of the \$50,000 will be transferred to reimburse funds that were recently transferred from Contractual Services to pay claims; and

**WHEREAS**, funds were budgeted in the Department of Finance and Management's City-Wide account specifically for this purpose; and

**WHEREAS**, a emergency situation exists in the usual daily operation of the Department of Public Safety, Division of Fire, in that it is immediately necessary to transfer funds for the aforementioned purpose for the preservation of the public health, peace, property, safety, and welfare; Now, Therefore,

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

**SECTION 1.** That the City Auditor be and is hereby authorized and directed to transfer \$50,000.00 within the General Fund, Fund 010, as follows:

From:

Department/Division 45-01| Department of Finance and Management|Object Level One 10|Object Level Three 5501|OCA Code 904508|Amount \$50,000.

To

Department/Division 30-04|Division of Fire|Object Level One 5|Object Level Three 5512|OCA Code 301481|Amount \$40,000.

and

Department/Division 30-04|Division of Fire|Object Level One 3|Object Level Three 3336|OCA Code 301499|Amount \$10,000.

**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 or vetoes the same.

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**Legislation Number:** 0696-2009

**Drafting Date:** 05/04/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**Background:** The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Alum Creek Drive Improvement Project.

**Fiscal Impact:** Funding for this project is from the Public Service Department, Division of Design and Construction, Federal-State Highway Engineering Fund

**Emergency Justification:** Emergency action is requested to allow the acquisition of the parcels necessary for this project to proceed without delay in order that the project may meet its deadline.

**Title**

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary the Alum Creek Drive Improvement Project, to authorize the expenditure of \$569,750.00 from the Federal-State Highway Engineering Fund, and to declare an emergency.

(569,750.00).

**Body**

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Alum Creek Drive Improvement Project; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0030X-2008, on the 25th day of February, 2008, and Resolution No. 0040X-2009, on the 4th day of May, 2009 declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and

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

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

Section 1. That fee simple title and lesser interests in and to the parcels listed in Section 4 hereof, as are fully described in Resolution No. 0030X-2008, on the 25th day of February, 2008, and Resolution No. 0040X-2009, on the 4th day of May, 2009 said descriptions being incorporated herein, be appropriated for the public purpose of the Alum Creek Drive Improvement Project, #597015 (fka 561004), pursuant to the power and authority granted to the City of Columbus by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909.

Section 2. That the Council of the City of Columbus, Ohio, declares that the appropriation of said real property interests is necessary for the stated public purpose, and that the City of Columbus, Ohio, has been unable to agree with the owner(s) as to the just compensation to be paid by the City of Columbus, Ohio.

Section 3. That the Council of the City of Columbus hereby declares its intention to obtain immediate possession of the real property interests described herein.

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

1.	90WDV, 90T	O.J. Inc.	\$3,217.00	
2.	101WDV	Albert Dowden Juanita Dowden	\$4,439.00	
3.	102WDV, 102T	Sadie R. McGee	\$7,370.00	
4.	105WDV, 105SV, 105T	Family Dollar Stores of Ohio Inc.	\$60,750.00	
5.	112WDV, 112T	Michael A. Dennis	\$300.00	
6.	115WDV, 115T	Guy Wolfenbarger	\$3,658.00	
7.	121WDV	Nikita Bates	\$2,498.00	
8.	129WDV, 129T	Village @ Wms Creek Owners Assoc.	\$95,917.00	
9.	130WDV, 130T-1, 130T-2	Viking Properties	\$636.00	
10.	137WDV-1, 137WDV-2, 137CHV, 137SLV, 137T-1, 137T-2, 137T-3, 137T-4, 137T-5	JAL Realty Co.	\$7,365.00	
11.	142T-1, 142T-2	Coca Cola Company	\$300.00	
12.	143WDV, 143T	O'Creek Properties LLC	\$133,507.00	
13.	144WDV, 144T-1, 144T-2, 144T-3, 144T-4/ Old Dominion Freight Line Inc.		\$29,371.00	

14.	148WDV, 148SLV	Alum Creek Investment LLC	\$7,820.00
15.	151WDV	Tracy Hanks & Tracy L. Hanks	\$523.00
16.	152WDV, 152T	Amos Johnson Myrna M. Johnson	\$3,840.00
17.	155/WDV	Boots Fulton Partnership	\$103,202.00
18.	157WDV, 157T	Carl Wilson Sr., Phyllis K. Wilson	\$7,783.00
19.	163WDV, 163SLV	Robert Taylor Jr., Sherry A. Taylor	\$30,000.00
20.	168WDV, 168SLV	Curtis S. Hardaway, Debra Nappier Hardaway	\$30,000.00
21.	169WDV, 169T	Curtis S. Hardaway, Debra Nappier Hardaway	\$3,244.00
22.	173WDV, 173T	Cols. Jewish Cemetery Assoc.	\$19,356.00
23.	181WDV, 181SLV	Fieldstone Court Homes LLC	\$14,654.00

Section 5. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property, in a Court of competent jurisdiction, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

Section 6. That the City Attorney's Office, Real Estate Division, be and is hereby authorized to expend \$569,750.00, or so much thereof as may be necessary from fund 765, the Federal State Highway Engineering Fund, Department No. 59-12, Division of Design and Construction, Object Level One Code 06, Object Level Three Code 6601, AC027844 and AC029733, OCA 591294, Grant 597015, to pay those costs relative to the acquisition of the additional rights-of-way required for the Alum Creek Drive Improvement project.

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 its passage if the Mayor neither approves nor vetoes the same.

**Legislation Number:** 0701-2009

**Drafting Date:** 05/05/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

**Background:** This ordinance authorizes a supplemental appropriation of \$82,656.19 from the unappropriated balance of the Franklin County Municipal Court Clerk computer fund; authorizes and directs the Director of Finance and Management on behalf of the Franklin County Municipal Court Clerk to establish a purchase order with Resource One Computer Systems, Inc. for the purchase of a server and storage equipment. This equipment will greatly increase the storage capacity of the database and improve the reliability, speed, and database uptime for the Clerk's office. The purchase order will be made from a universal term contract FL003923; expiration date: March 31, 2011.

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

**Fiscal Impact:** Funds for the supplemental appropriation totaling \$82,656.19 are available within the Franklin County Municipal Court Clerk computer fund.

**Emergency:** Emergency declaration is requested to replace the server and storage equipment to meet the operating needs and standards of the Clerk's office.

**Contract Compliance:** 31-1419297

Expiration Date: May 6, 2011

### Title

To authorize a supplemental appropriation of \$82,656.19 from the unappropriated balance of the Municipal Court Clerk computer fund; to authorize and direct the Director of Finance and Management on behalf of the Municipal Court Clerk to establish a purchase order with Resource One Computer Systems, Inc. for the purchase of equipment; to authorize an expenditure of \$82,656.19 from the Municipal Court Clerk Computer Fund; and to declare an emergency. (\$82,656.19)

#### Body

**Whereas**, this ordinance will allow the Franklin County Municipal Court Clerk to appropriate said funds within the unappropriated balance of the Municipal Court Clerk computer fund; and

**Whereas**, that the funds are available within the Municipal Court Clerk computer fund; and

**Whereas**, it is necessary for the Franklin County Municipal Court Clerk to purchase the server and database storage equipment to increase the storage capacity of the database and improve the reliability, speed, and database uptime for the Clerk's office; and

**Whereas**, an emergency exists in the daily operations of the Franklin County Municipal Court Clerk in that it is immediately necessary to appropriate said funds to purchase said procurement from a universal term contract with Resource One Computer Systems, Inc. for the preservation of the public health, peace, safety, and welfare, now therefore

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

**Section 1.** That from the unappropriated monies in the Municipal Court Clerk computer fund and from all monies estimated to be deposited into said fund, the sum of \$82,656.19 be and is hereby appropriated within the Clerk's computer fund, department 2601, fund 227, subfund 02, oca code 260208, object level one - 06, object level three - 6649 - \$82,656.19.

**Section 2.** That the Director of Finance and Management on behalf of the Franklin County Municipal Court Clerk be and is hereby authorized to establish a purchase order with Resource One Computer Systems, Inc. for the purchase of a server and storage equipment through the universal term contract FL003923.

**Section 3.** That the expenditure of \$82,656.19 or so much thereof as may be necessary is hereby authorized to be expended from the Municipal Court Clerk computer fund, department 2601, fund 227, subfund 02, oca code 260208, object level one - 06, object level three - 6649 - \$82,656.19.

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

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**Legislation Number:** 0705-2009

**Drafting Date:** 05/05/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

#### Explanation

**Background:** This ordinance authorizes the Franklin County Municipal Court Clerk to enter into the second year of a three year contract with Capital Recovery Systems, Inc. for the provision of the Municipal Court Clerk's collection services and authorizes expenditure of \$90,000.00.

The second tier collection services have been ongoing since 1998. These services have been very successful in collecting fines and costs that would otherwise be uncollectible. Since the Franklin County Municipal Court Clerk's Office does not have the resources in-house to adequately pursue these services the Clerk believes it is in the City's best interest to out-source the collection services. The contract is self-funding in that the percentage charged for collecting the receivables is added to the total debt collected, pursuant to ORC 2335.24; thereby negating any costs to the City of Columbus for this service.

Contracts:

2008 -Original Contract - EL008218 - \$190,000.00; Ordinance 0825-2008

2009 - First Modification - \$90,000.00

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

**Contract Compliance Number:** 31-1570459

**Expiration Date:** 2/28/2010

**Fiscal Impact:** The contract is self-funding and will result in additional revenues to the general fund. No payment of services will be made until monies for the collection of the accounts receivables are deposited with the Municipal Court Clerk and subsequently with the City Treasurer. Funds totaling \$90,000.00 are available in the Municipal Court Clerk's 2009 collection fund budget appropriations.

**Emergency:** Emergency declaration is requested for the continuity of the collection process.

#### **Title**

To authorize and direct the Franklin County Municipal Court Clerk to enter into the second year of a three year contract with Capital Recovery Systems, Inc. for the provision of collection services; to authorize an expenditure of \$90,000.00 from the Clerk's Collection Special Revenue Fund; and to declare an emergency. (\$90,000.00)

#### **Body**

**Whereas**, it is necessary for the Franklin County Municipal Court Clerk to enter into a contract with Capital Recovery Systems, Inc., for the provision of collection services for the Municipal Court Clerk's accounts receivables; and,

**Whereas**, an emergency exists in the daily operations of the Franklin County Municipal Court Clerk, in that it is immediately necessary to authorize said contract for the collection services without interruption, for the immediate preservation of the public peace, health, safety and welfare, now therefore

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

**Section 1.** That the Franklin County Municipal Court Clerk is authorized and directed to enter into the second year of a three year contract with Capital Recovery Systems, Inc., to provide services for the collection of the Municipal Court Clerk's accounts receivables.

**Section 2.** That the expenditure of \$90,000.00 or so much thereof as may be necessary is hereby authorized to be expended from the Clerk's collection special revenue fund, department 2601, fund 295, subfund 002, oca 261295, object level one - 03, object level three - 3336.

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

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**Legislation Number:** 0706-2009

**Drafting Date:** 05/06/2009

**Current Status:** Passed

**Explanation**

**BACKGROUND:** The Board of Health is in need of maintenance services for the Health Department's closed circuit TV and video monitoring equipment located at 240 Parsons Avenue. This ordinance authorizes the Board of Health to enter into the third year of a three year competitively bid contract with KNS Services, Inc. for \$24,864.00 for video monitoring equipment maintenance.

Bid #SO024828 for CCTV Maintenance & PM services was posted March 12 through March 16, 2007. KNS Services, Inc., was awarded the contract with a bid of \$2,072 per month, or \$24,864 per year.

The contract compliance number of KNS Services, Inc. is 31-1460220 and is effective through December 31, 2010. This ordinance is submitted as an emergency to ensure that there is a continuation of necessary maintenance services.

**FISCAL IMPACT:** These monies were budgeted within the Health Department Special Revenue Fund, Fund No. 250.

**Title** To authorize the Board of Health to enter into contract with KNS Services, Inc., for video monitoring equipment maintenance services; to authorize a total expenditure of \$24,864.00 from the Health Department Special Revenue Fund; and to declare an emergency. (\$24,864.00)

**Body WHEREAS,** The Health Department is in need of closed circuit TV and video monitoring equipment maintenance services at the Health facility located at 240 Parsons Avenue; and,

**WHEREAS,** Bid #SO024828 for CCTV Maintenance and preventive maintenance services was posted March 12 through March 16, 2007, and KNS Services, Inc., was the successful bidder for the contract; and,

**WHEREAS,** it is the intent of the Health Department to contract with KNS Services, Inc. for \$24,864.00 for the third year of a three-year contract; and,

**WHEREAS,** this ordinance is submitted as an emergency to ensure that there is a continuation of these necessary maintenance services; and,

**WHEREAS,** an emergency exists in the usual, daily operations of the Department of Health in that it is immediately necessary to enter into a contract for maintenance services for the video monitoring equipment at the Health Department's 240 Parsons Avenue facility for the immediate preservation of the public peace, property, health, safety and welfare, now, therefore,

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

**SECTION 1.** That the Board of Health is hereby authorized to enter into a contract with KNS Services, Inc., for video monitoring equipment maintenance services for the period June 1, 2009 through May 31, 2010.

**SECTION 2.** That the expenditure of \$24,864.00 is hereby authorized from the Health Department Special Revenue Fund, Fund No. 250, Health Department, Division No. 50-01, Object Level One 03, Object Level Three 3372, OCA No. 500264.

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

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

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**Legislation Number:** 0707-2009

**Drafting Date:** 05/06/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

## **Explanation**

### **1. BACKGROUND**

The City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the Morse Road Improvement project. The purpose of this project is to create a gateway into the Northland community by controlling vehicular access and circulation, enhancing landscaping, upgrading lighting and providing pedestrian access to the businesses and amenities located along the Morse Road corridor between Indianola Avenue and Cleveland Avenue. Improvements contemplated by this project are a landscaped median, curb and gutters, street trees, sidewalks, improved streetlights and traffic signals and pedestrian crossing upgrades at intersections.

This project was divided into two phases, Phase 1 from Indianola Avenue to Karl Road and Phase 2 from Karl Road to Cleveland Avenue. Phase 1 acquisitions and construction are complete. The City is currently finalizing right-of-way acquisitions and construction has begun for Phase 2. Ordinance 1763-2005 (AC025198-002) authorized the expenditure of \$1,000,000.00 in preliminary funding for Phase 2 acquisition related activities. Ordinance 0363-2007 (AC026907) authorized the expenditure of an additional \$300,000.00 to continue the acquisition process. The remaining balance of these two (2) Auditor's Certificates totals approximately \$140,000.00. The City Attorney's Real Estate Division staff is finalizing acquisition related activities, including the settlement of five (5) lawsuits associated with this project. At this time, the City's total settlement obligation for these lawsuits is \$1,166,793.87; of this amount, \$405,191.00 was previously deposited with the Franklin County Clerk of Courts. An additional \$622,000.00, for settlement purposes, plus an additional \$30,000.00 for court costs, minor relocation costs and staff costs will be needed to allow finalization of right-of-way acquisition for this phase. The following legislation authorizes the expenditure of an additional \$652,000.00 for this purpose.

### **2. Fiscal Impact**

Monies to pay for these costs are available within the Streets and Highways G.O. Bonds Fund due to cancellation of encumbrances from completed projects. These funds will be transferred to the Morse Road Phase 2 Grant in the Fed State Highway Engineering Fund and be expended from there.

### **3. Emergency Justification**

Failure to place court ordered settlement funds on deposit with the court system in a timely manner can result in the assessment of penalties and interest therefore emergency action is requested to allow the City Attorney's Real Estate Division to place court ordered settlement funds on deposit with the Franklin County Clerk of courts as soon as possible

#### **Title**

To authorize the expenditure of \$652,000.00 or so much thereof as may be necessary to allow the City Attorney's Office, Real Estate Division, to complete acquisition of those remaining parcels needed for Phase 2 of the Morse Road Improvement project from the Fed-State Highway Engineering Fund; and to declare an emergency. (\$652,000.00)

#### **Body**

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the Morse Road Improvement project; and

**WHEREAS**, the purpose of this project is to create a gateway into the Northland community by controlling vehicular access and circulation, enhancing landscaping, upgrading lighting and providing pedestrian access to the businesses and amenities located along the Morse Road corridor between Indianola Avenue and Cleveland Avenue; and

**WHEREAS**, improvements contemplated by this project are a landscaped median, curb and gutters, street trees, sidewalks, improved streetlights and traffic signals and pedestrian crossing upgrades at intersections; and

**WHEREAS**, this project was divided into two phases, Phase 1 from Indianola Avenue to Karl Road and Phase 2 from

Karl Road to Cleveland Avenue; and

**WHEREAS**, Phase 1 acquisitions and construction are complete; and

**WHEREAS**, the City is currently finalizing right-of-way acquisitions and construction has begun for Phase 2; and

**WHEREAS**, Ordinance 1763-2005 (AC025198-002) authorized the expenditure of \$1,000,000.00 in preliminary funding for Phase 2 acquisition related activities; Ordinance 0363-2007 (AC026907) authorized the expenditure of an additional \$300,000.00 to continue the acquisition process; and

**WHEREAS**, the remaining balance of these two (2) Auditor's Certificates totals approximately \$140,000.00; and

**WHEREAS**, the City Attorney's Real Estate Division staff is finalizing acquisition related activities, including the settlement of five (5) lawsuits associated with this project; and

**WHEREAS**, at this time, the City's total settlement obligation for these lawsuits is \$1,166,793.87; of this amount, \$405,191.00 was previously deposited with the Franklin County Clerk of Courts; and

**WHEREAS**, an additional \$622,000.00, for settlement purposes, plus an additional \$30,000.00 for court costs, minor relocation costs and staff costs will be needed to allow right-of-way acquisition to be finalized for this phase of the project; and

**WHEREAS**, the following legislation authorizes the expenditure of an additional \$652,000.00 from the Fed State Highway Engineering Fund to complete right-of-way acquisition associated with this phase of the project; and

**WHEREAS**, failure to place court ordered settlement funds on deposit in a timely manner can result in the assessment of penalties and interest by the court system; 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 immediately necessary to authorize the expenditure of the additional funds needed to pay for acquisition related expenses associated with Phase 2 of this project thereby avoiding the assessment of penalties and interest and 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 2008 Capital Improvements Budget established within ordinance 0690-2008 be and hereby is amended due to cancellations as follows:

Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount  
530103-100000 / Arterial Street Rehabilitation (Carryover) / \$1,625,727.00 (Carryover) / \$235,643.00 (Carryover) / \$1,861,370.00 (Carryover)

**Section 2.** That the 2008 Capital Improvements Budget established within ordinance 0690-2008 be and hereby is amended to provide sufficient funding for this project as follows:

Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount  
530208-100000 / Fed-State Match (Carryover) / \$5,171,563.00 (Carryover) / (\$503,432.00) (Carryover) / \$4,668,131.00 (Carryover)  
530103-100000 / Arterial Street Rehabilitation (Carryover) / \$1,861,370.00 (Carryover) / (\$148,569.00) (Carryover) / \$1,712,801.00 (Carryover)  
530052-100000 / Morse Road Improvements (Carryover) / \$5,000,000.00 (Carryover) / \$652,000.00 / \$5,652,000.00 (Carryover)

**Section 3.** To appropriate \$503,431.11 within the Streets and Highways G.O. Bonds fund as follows:

Fund / Project # / Project / O.L. 01-03 Codes / OCA Code / Amount  
704 / 530208 / Fed-State Match / 10-5501 / 590047 / \$503,431.11

**Section 4.** To move cash and appropriation between projects within Fund 704, the Streets & Highways G.O. Bond Fund as follows:

**FROM:**

Fund / Project # / Project / O.L. 01-03 Codes / OCA Code / Amount  
704 / 530208 / Fed-State Match / 10-5501 / 590047 / \$503,431.11  
704 / 530103 / Arterial Street Rehabilitation / 06-6600 / 590041 / \$148,568.89

**TO:**

Fund / Project # / Project / O.L. 01-03 Codes / OCA Code  
704 / 530052 / Morse Road Improvements / 10-5501 / 591250 / \$652,000.00

**Section 5.** To authorize the transfer of funds between the Streets and Highways G.O. Bonds Fund and the Fed-State Highway Engineering Fund as follows:

FROM:

Fund / Project # / Project / O.L. 01-03 Codes / OCA Code  
704 / 530052 / Morse Road Improvements / 10-5501 / 591250 / \$652,000.00

TO:

Fund / Grant# / Grant / O.L. 01-03 Codes / OCA Code / Amount  
765 / 596009 / Morse Road Phase 2 / 80-0886 / 591293 / \$652,000.00

**Section 6.** That the City Attorney's Office, Real Estate Division, be and is hereby authorized to appropriate and expend \$652,000.00, or so much thereof as may be necessary from the Fed-State Highway Engineering Fund as follows: Project 596009; Department/Division 59-12; O.L. 01-03 Codes 06-6601; OCA Code 591293; to pay those costs relative to the acquisition of right-of-way required for Phase 2 of the Morse Road Improvement Project.

**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:** 0712-2009

**Drafting Date:** 05/06/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

BACKGROUND: For the option to purchase Specialty Equipment Parts, Supplies, and Accessories for Fleet Management. Specialty Equipment Parts, Supplies, and Accessories are needed to repair and maintain City vehicles and equipment.

The term of the proposed option contract is from the date of execution by the City up to and including November 30, 2011 with the right to extend for two (2) additional one year periods subject to mutual agreement by both parties. The

Purchasing Office opened formal bids on April 9, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003232). One Hundred Thirty Eight bids (138) were solicited; Six (6) bids were received.

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

NAPA Auto Parts / Wynns Transmission Machine Supplies; Partner Concrete Saw Parts; Driveline Parts; Stainless Steel Brake Lines; AC Delco Parts: CC#580254510 (Expires 3-7-10)

Hydro Supply Co. / Cylinders and Cylinder Parts; PTO Pumps & Spinner Parts: CC#311065617 (Expires 5-21-10)

Utility Truck Equipment, Inc. / Miscellaneous Cables and Rope: CC#310989420 (Expires 12-6-09)

Rim and Wheel Service Inc. of Columbus / Air Compressor Parts: CC#311146717 (Expires 2-12-10)

Capital Core Inc. / Transmission Parts: CC#311034112 (Expires 5-8-11)

R & R Products Inc. / Golf Cart, Mowing, and Turf Equipment Parts: CC#860258505 (Expires 5-8-11)

Total Estimated Annual Expenditure: \$150,000.00

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

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

FISCAL IMPACT: Funding to establish these option contracts is budgeted in the Mail, Print Services and UTC Fund. Fleet Management will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

#### **Title**

To authorize and direct the Finance and Management Director to enter into six (6) contracts for the option to purchase Specialty Equipment Parts, Supplies, and Accessories from NAPA Auto Parts, Hydro Supply Co., Utility Truck Equipment, Inc., Rim and Wheel Service Inc. of Columbus, Capital Core Inc., and R & R Products, Inc., to authorize the expenditure of six (6) dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$6.00).

#### **Body**

WHEREAS, the Purchasing Office advertised and solicited formal bids on April 9, 2009 and selected the lowest, responsive, responsible and best bids; and

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

WHEREAS, because the Specialty Equipment Parts, Supplies, and Accessories are used to repair and maintain City vehicles and equipment, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Fleet Management Division in that it is immediately necessary to enter into contracts for an option to purchase Specialty Equipment Parts, Supplies, and Accessories, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the

following contracts for options to purchase Specialty Equipment Parts, Supplies, and Accessories in accordance with SA003232 from the date of execution by the City up to and including November 30, 2011 with the right to extend for two (2) additional one year periods subject to mutual agreement by both parties:

NAPA Auto Parts / Wynns Transmission Machine Supplies; Partner Concrete Saw Parts; Driveline Parts; Stainless Steel Brake Lines; AC Delco Parts: Amount: \$1.00

Hydro Supply Co. / Cylinders and Cylinder Parts; PTO Pumps & Spinner Parts: Amount: \$1.00

Utility Truck Equipment, Inc. / Miscellaneous Cables and Rope: Amount: \$1.00

Rim and Wheel Service Inc. of Columbus / Air Compressor Parts: Amount: \$1.00

Capital Core Inc. / Transmission Parts: Amount: \$1.00

R & R Products Inc. / Golf Cart, Mowing, and Turf Equipment Parts: Amount: \$1.00

SECTION 2. That the expenditure of \$6.00 is hereby authorized from the Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2284, 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:** 0717-2009

**Drafting Date:** 05/07/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

Background: This ordinance authorizes the City Attorney to modify and increase the contract with Bricker and Eckler, LLP for special legal counsel services. In 2007, the City Attorney retained the services of this law firm to provide advice on a variety of proposed City projects that required specialized legal services. In order to pay for services already rendered and to fund continued services contemplated by the original contract, the City Attorney is seeking to increase funding for this contract by an additional \$20,000.

Fiscal Impact: This modification will be funded from surplus funds from the City Attorney's budget for 2009. The amount of this contract modification is \$20,000.

Emergency Designation: This ordinance has been submitted as an emergency measure because there are outstanding invoices that must be paid at the earliest possible date.

Contract Compliance: Bricker and Eckler's contract compliance number is 314359739 and is valid through February 4, 2011.

### **Title**

To authorize the City Attorney to modify and increase the contract with Bricker and Eckler, LLP for special legal counsel services; to authorize and direct the City Auditor to transfer \$20,000.00 within the General Fund in the City Attorney's Office; to authorize the expenditure of up to \$20,000; to waive the competitive bidding provisions of the Columbus City Codes, 1959; and to declare an emergency. (\$20,000)

### **Body**

WHEREAS, in 2007, the City Attorney engaged the services of Bricker and Eckler, LLP to provide advice in evaluating certain loan documentation for proposed City projects and such other related services as the City Attorney may require; and

WHEREAS, it is necessary to modify and increase the existing contract in order to pay for services already rendered by Bricker and Eckler, LLP as well as to fund the performance of services agreed to in the original contract between the

parties; and

WHEREAS, funds are available within the City Attorney's budget to be transferred to pay for special legal counsel services; and

WHEREAS, such increased funding shall not exceed \$20,000; and

WHEREAS, it is necessary to waive the competitive bidding provisions of the Columbus City Codes, 1959 so that continuity of these specialized services is maintained; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to modify and increase this contract in order to timely pay invoices for services already rendered and to enable the City Attorney to have the ability to pay for continued legal advice relating to these matters for the preservation of public health, peace, property, safety and welfare; now, therefore

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

Section 1. That the City Attorney be and hereby is authorized to modify and increase the contract for special legal counsel services with Bricker and Eckler in an amount not to exceed \$20,000.

Section 2. That for the purpose specified in Section 1, the City Auditor is hereby authorized and directed to transfer \$20,000 within the General Fund, Fund 10, City Attorney's Office, Division 24-01 from Object Level One 1, Object Level Three 1101, OCA Code 240119 to Object Level One 3, Object Level Three 3324, OCA Code 240101.

Section 3. That for the purpose of paying costs of the modification, the City Attorney is hereby authorized to approve and expend \$20,000, or so much thereof as may be necessary, in accordance with the terms and conditions of such agreement, from the General Fund, Fund 10, City Attorney's Office, Division 24-01, OCA Code 240101, Object Level One 3, Object Level Three 3324.

Section 4. That for good cause shown, the competitive bidding provisions of Chapter 329 of the Columbus City Codes, 1959 are hereby waived.

Section 5. That for the reasons stated in the preamble hereto, which are hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force after 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:** 0718-2009

**Drafting Date:** 05/07/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

#### **BACKGROUND:**

Ordinance No. 1262-2007 authorized the Director of Development to enter into a Metro Park Development Agreement to provide for a Metro Park. This agreement requires that the City of Columbus to pay Metro Parks \$7.5 million entirely from TIF revenues. Semi-annual payments will be made and will be limited to the monies in the Rocky Fork-Blacklick Tax Increment Financing Fund.

#### **FISCAL IMPACT:**

This legislation authorizes the appropriation and expenditure of \$550,585.26 so that payment can be made to Metro Parks.

Emergency action is requested in order for the City to make the payment to Metro Parks according to the schedule established in the agreement.

**Title**

To authorize the appropriation of \$550,585.26 from the Rocky Fork-Blacklick Tax Increment Financing Fund; to authorize and direct the payment of \$550,585.26 to Metro Parks in accordance with the Metro Park Development Agreement; to authorize the expenditure of \$550,585.26 from the Rocky Fork-Blacklick Tax Increment Financing Fund; and to declare an emergency. (\$550,585.26)

**Body**

**WHEREAS**, Ordinance 1262-2007 authorized the Director of the Development Department to enter into a Metro Park Development Agreement; and

**WHEREAS**, the Agreement requires the City to make semi-annual payments to Metro Parks; and

**WHEREAS**, the amount due in June 2009 is \$550,585.26; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, is that it is immediately necessary to make the payment to Metro Parks in order to be in compliance with the schedule established in the Metro Park Development Agreement, all for the preservation of the public peace, health, property, safety and welfare; **NOW, THEREFORE,**

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

- Section 1.** That from the unappropriated balance in the Rocky Fork-Blacklick Tax Increment Financing Fund, Fund 421, and from any and all sources unallocated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$550,585.26, be and hereby is appropriated to the Development Department, Department 44-01, OCA 421001, Object Level Three 5514.
- Section 2.** That the City Auditor is hereby authorized and directed to make payment to Metro Parks in the amount of \$550,585.26.
- Section 3.** That the expenditure of \$550,585.26, or so much as may be necessary, be and is hereby authorized from the Development Department, Department 44-01, Rocky Fork-Blacklick Tax Increment Financing Fund, Fund 421, OCA 421001, Object Level Three 5514.
- Section 4.** That for the reasons stated in the preamble hereto, this ordinance is hereby declared to be an emergency and shall take effect and be in force from and after its passage and approval by the Mayor or ten days if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0719-2009

**Drafting Date:** 05/07/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This Ordinance authorizes the Director of Public Utilities to modify and increase the construction contract with Complete General Construction Company for the Fulton St./Franklin County Courthouse 15 KV Circuit Relocation Project, for the Division of Power and Water. At this time, the complete estimated cost breakdown is as follows:

- \$110,150.00 - Open cut installation of 6-5" PVC concrete encased conduit
- (\$38,500.00) - Credit given by Complete General for not being able to install the conduit through boring. (as was included in the original construction contract)
- \$7,165.00 - 10% Contingency

The total amount of this modification is \$78,815.00, a 73.5% increase from the original contract.

**1. Amount of additional funds to be expended: \$78,815.00**

Original Contract Amount: \$107,250.00

Amount of original contract and this modification: \$186,065.00

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

- The original contract price was based upon installation of the conduit through the means of underground boring. The bore was begun and proceeded approximately forty feet before the boring machine encountered signal interference.
- Interference with the boring machine's signal causes a significant safety issue in that the boring machine operator is unable to detect underground obstructions and may hit other buried utility lines.
- Multiple agencies including the contractor, Franklin County engineers, City of Columbus experts and the boring machine manufacturer attempted to locate, isolate and turn off the interference with no success.
- No one anticipated the signal interference. The boring machine manufacturer concluded that the interference was caused by significant cellular broadband usage in the area of the Franklin County Courthouse.

To complete the installation the construction had to be changed to open cut to install duct banks and the required conduit.

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

This modification keeps the contractor on the project and on schedule to finalize the Fulton Street/Franklin County Courthouse 15 KV Circuit Relocation Project. This work is one part of a larger project managed by Franklin County. The County has a project schedule that requires the circuit work to be completed by May 29, 2009. Franklin County is reimbursing the City of Columbus for this circuit relocation work. If the project is not completed according to established time lines, the County will be penalized through contractor delay charges. It was not practical to bid the additional work out to another contractor, in addition the additional cost and time associated with bidding out this work would well exceed any benefit.

**4. How cost of modification was determined:**

Costs were submitted by the Contractor and reviewed and verified by the construction administrator, Franklin County, the Division of Power and Water's Administrator and the project manager.

**Contract Compliance Information:** 31-4366382, expires 1/3/10, Majority

**Emergency Designation:** Emergency legislation is being requested to provide these services concurrently with the ongoing construction contract and to finish the work according to the established project schedule.

**FISCAL IMPACT:** This legislation includes an expenditure from the Division of Power and Water's Electricity Permanent Improvement Fund (Non-Bond) in the amount of \$78,815.00.

**Title**

To authorize the Director of Public Utilities to modify and increase the construction contract with Complete General Construction Company due to unforeseen conditions found during construction of the Fulton Street/Franklin County Courthouse 15 KV Circuit Relocation for the Division of Power and Water; to amend the 2008 Capital Improvement Budget: to authorize a transfer and expenditure of \$78,815.00 within the Division of Power and Water's Electricity Permanent Improvement Fund (Non-Bond); and to declare an emergency. (\$78,815.00)

**Body**

**WHEREAS**, Contract No. EL009234, for Complete General Construction Company was authorized by Ordinance No. 0401-2009, passed March 30, 2009, was executed on April 9, 2009, and was approved by the City Attorney on April 10, 2009; and

**WHEREAS**, the contract needs modified due to unforeseen conditions found during construction; and

**WHEREAS**, it is necessary to authorize an amendment to the 2008 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditures; and

**WHEREAS**, it is necessary for this Council to authorize the City Auditor to transfer funds within the Electricity Permanent Improvement Fund (Non-bond); and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water, that it is immediately necessary to authorize the Public Utilities Director modify and increase the existing contract with Complete General Construction Company due to unforeseen conditions found during construction of the Fulton Street/Franklin County Courthouse 15 KV Circuit Relocation Project, in an emergency manner provide services concurrently with ongoing construction and to finish the work according to Franklin County's project schedule. It is in the City's best interest to complete the work on time as these costs will be reimbursed to the City of Columbus by Franklin County; 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 existing construction contract with Complete General Construction Company due to unforeseen conditions found during construction of the Fulton Street/Franklin County Courthouse 15 KV Circuit Relocation Project, in the amount of \$78,815.00.

**SECTION 2.** That this contract 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 from the unappropriated monies in the Electricity Permanent 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, 2009, the sum of \$78,815.00, is hereby appropriated to the Division of Power and Water, Division 60-07, Fund 565, Object level One 06, Object level Three 6621, OCA 052043, Project No. 565999.

**SECTION 5.** That the City Auditor is hereby authorized and directed to transfer \$78,815.00 within the Permanent Improvement Fund, Fund No. 565, Object Level Three 6621, Division of Power and Water, Division 60-07, as follows:

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

565999 | Unallocated Balance | 052043 | -\$78,815.00

565100 | Fulton St. Franklin County Courthouse Circuit Relocation | 565100 | +\$78,815.00

**SECTION 6.** That the 2008 Capital Improvements Budget is hereby amended as follows:

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

565999-100000 | Unallocated Balance | \$ 15,961 | \$ 707,515 | +\$691,554

565999-100000 | Unallocated Balance | \$ 707,515 | \$ 628,700 | -\$78,815

565100-100000 | Fulton St. Franklin Co. Courthouse Circuit Relocation | \$109,750 | \$188,565 | + \$78,815

**SECTION 7.** That for the purpose of paying the cost of the contract, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division of Power and Water (Power), Dept./Div. No. 60-07, Electricity

Permanent Improvement Fund No. 565, Project 565100 OCA 565100, Object Level One 06, Object Level Three 6621, Amount \$78,815.00.

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

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

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

**SECTION 11.** That for 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:** 0721-2009

**Drafting Date:** 05/07/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation** This legislation authorizes the Director of the Recreation and Parks Department to recognize a moral obligation to pay wages to Mr. Ethan Gee. Mr. Gee was in the process of being hired to work at the Lazelle Wood Recreation Center as a part-time seasonal employee. Before his appointment was completed and he was formally on payroll, he was scheduled by his supervisor to work 28 hours, totaling \$231.00.

Emergency designation is requested so Mr. Ethan Gee can be paid his wages in a timely manner

**Title** To authorize and direct the Director of the Recreation and Parks Department to reimburse Mr. Ethan Gee for hours worked in Recreation and Parks, to authorize the expenditure of \$231.00, less appropriate deductions, from the Recreation and Parks Operating Budget Fund; and to declare an emergency.

**Body**

**WHEREAS**, it is necessary to recognize a moral obligation to pay Mr. Ethan Gee for hours worked for the Department of Recreation and Parks; and

**WHEREAS**, the 28 hours worked were before his appointment was completed and he was on payroll; and

**WHEREAS**, an emergency exists in the daily operations of the Department of Recreation and Parks, in that it is immediately necessary to recognize said moral obligation for the immediate preservation of 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 Recreation and Parks is hereby authorized and directed to pay Mr. Ethan Gee for wages earned for working 28 hours before his appointment was completed and he was on payroll.

**SECTION 2.** That the expenditure of \$231.00, or so much therefore as may be necessary be and is hereby authorized and

approved as follows:

**Fund:** 285 / **OCA:** 510081 / **Dept:** 51-01 / **Object Level 3:** 1112

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

**SECTION 4.** That for the reasons stated in the preamble hereto, which is made part hereof, this ordinance is hereby declared 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:** 0722-2009

**Drafting Date:** 05/07/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

Explanation

### 1. BACKGROUND

The Ohio Department of Transportation(ODOT) determined that it was in the public interest to design, construct, operate and maintain a Freeway Management System (FMS) for interstate highways and state and U.S. route numbered freeways and expressways within the City of Columbus. This program provides traffic delay information and suggests alternate routes to the public and media in order to expedite freeway traffic flow.

The City's initial consent authorization for this program was established by Ordinance 1708-1991. The present agreement between the Ohio Department of Transportation and the Department of Public Service, Division of Planning and Operations, for the operation and maintenance of the Freeway Management System was authorized by Ordinance 2016-2000. This Agreement has subsequently been extended biennially, aligned with ODOT's budget cycle. The last extension was authorized by Ordinance 1017-2007, passed by City Council July 9, 2007.

This legislation authorizes the Director of Public Service to enter into an agreement for the Freeway Management System program with the Ohio Department of Transportation, extending the program for 2 years from July 1, 2009 through June 30, 2011.

### 2. FISCAL IMPACT

Personnel expenses for two City employees are funded by the State of Ohio. The City provides space to house staff and central equipment. This ordinance appropriates funding within the General Government Grant Fund and authorizes appropriate program expenditures.

### 3. EMERGENCY DESIGNATION

Emergency Action is requested to make these funds available to the Division of Planning and Operations as soon as possible in order to provide for the uninterrupted operation of this program.

TitleTo authorize the Director of Public Service to enter into agreement to extend the program with the Ohio Department of Transportation for operation of the Freeway Management System for two years for the Division of Planning and Operations; to authorize the appropriation of \$320,000.00 within the General Government Grant Fund for this purpose; to authorize the expenditure of \$320,000.00 or so much thereof as may be needed from the General Government Grant Fund; and to declare an emergency. (\$320,000.00)

Body

**WHEREAS**, the Director of the Ohio Department of Transportation desires cooperation from the City of Columbus in the operation and maintenance of the Freeway Management program; and

**WHEREAS**, this program provides traffic delay information and suggests alternate routes to the public and media in order to expedite freeway traffic flow; and

**WHEREAS**, it is necessary to enter into an agreement with the Ohio Department of Transportation to extend the program

for 2 years from July 1, 2009 through June 30, 2011; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Planning and Operations in that it is immediately necessary to consent to a two year extension of the program in order to provide for its uninterrupted operation, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

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

**Section 1.** That the City of Columbus hereby agrees to cooperate with the Director of Transportation of the State of Ohio and grants consent to the Ohio Department of Transportation for the latter's operation, maintenance, development and execution of the program.

**Section 2.** That the Director of Public Service be and hereby is authorized on behalf of the City to enter into agreement with the Ohio Department of Transportation as necessary for the continued operation of the Freeway Management System program for two years from July 1, 2009 through June 30, 2011.

**Section 3.** The City agrees to host the ODOT Freeway Management System in the Traffic Management Center of the Division of Planning and Operations at 109 North Front Street and to provide operator staff for the program with personnel costs provided to the City by the Ohio Department of Transportation.

**Section 4.** That from the unappropriated monies in Fund 220, 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 fiscal year ending December 31, 2009, the sum of \$320,000.00 be and hereby is appropriated to Department No. 59-11, Division of Planning and Operations, Object Level One Code 01, Object Level Three Code 1101, with the OCA and Grant #s to be established by Auditor's Office at a later date.

**Section 5.** That dollars remaining as of December 31, 2009, and December 31, 2010, appropriated from the General Government Grant Fund be allowed to be rolled into the following year appropriation.

**Section 6.** That the monies appropriated in the foregoing sections 4 and 5 shall be paid upon order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**Section 7.** That for purposes of paying appropriate program personnel expenses, the sum of \$320,000.00 or so much thereof as may be needed be and hereby is authorized to be expended from Fund 220, the General Government Grant Fund, Department No. 59-09, Division of Planning and Operations, Object Level One Code 01, Object Level Three Code 1101, with the OCA and Grant #s to be established by Auditor's Office at a later date.

**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:** 0723-2009

**Drafting Date:** 05/08/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**ExplanationBackground:**

Bids were received by the Recreation and Parks Department on April 28, 2009, for the Roof Replacements at Various Facilities Project, as follows:

Status

Amount

K&W Roofing	Majority	\$126,506.00
General Maintenance & Engineering	Majority	\$134,093.00
Harold J Becker	Majority	\$157,040.00

A Project Contingency, which is included in the legislation, is \$22,000.00.

The work consists of the removal and replacement of roofing on the Cultural Arts Center - 139 W. Main Street, 43215, Antrim Park Shelter House - 5800 Olentangy River Road, 43085 and Westgate Park Shelter House - 3271 Wicklow, 43204 and other such work as may be necessary to complete the contract in accordance with the plans and specifications.

**Title** To authorize and direct the Director of Recreation and Parks to enter into contract with K & W Roofing, Inc., for the roof replacements at various facilities Project Phase 1, to authorize the expenditure of \$148,506.00 from the Voted 1999/2004 Recreation and Parks Bond Fund; and to declare an emergency. (\$148,506.00)

**Body** **WHEREAS**, bids were received by the Recreation and Parks Department on April 28, 2009, and the contract for the roof replacements at various facilities-Phase 1 was awarded on the basis of the lowest and best responsive and responsible bidder; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into contract so the project can begin immediately to prevent any further damage to the structure and better secure participant's safety.

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into contract so the project can begin immediately to prevent any further damage to the structure and better secure participant's safety in order to preserve the public peace, health, property, safety and welfare; **NOW, THEREFORE**,

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

**Section 1.** That the Director of Recreation and Parks be and is hereby authorized and directed to enter into contract with K & W Roofing, Inc., for the roof replacements at various facilities-Project Phase 1, in accordance with plans and specifications on file in the Recreation and Parks Department.

**Section 2.** That the expenditure of \$148,506, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1999/2004 Recreation and Parks Bond Fund No. 702, Dept. 51-01, as follows, to pay the cost thereof.

<u>Fund</u>	<u>Project No.</u>	<u>Object Level 3</u>	<u>OCA Code</u>	<u>Amount</u>
Facility	510035	6620	644526	\$148,506
Improv.				

**Section 3.** That for the purpose of paying for any contingencies which may occur during this project, the amount of \$22,000.00 has been included in Section 2, above. This amount will be expended only after approval by the Director of the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney.

**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 legislation.

**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.

Drafting Date: 05/11/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

**Explanation Background:**

Bids were received by the Recreation and Parks Department on April 28, 2009 for the Red Bank Marina Boat Launch Improvements Project, as follows:

	<u>Status</u>	<u>Amount</u>
ProCon Professional Construction Services	Majority	\$127,234.00
The Righter Company, Inc.	Majority	\$158,700.00
WB Republic Builders, LLC	Majority	\$178,800.00
Central Ohio Building Co.	Majority	\$190,070.00

Project Contingency to be included in the legislation, \$4,266.00, for project contingency.

The work for which proposals are invited consists of demolition, new concrete abutments, concrete support pads, steel piles, floating groundout dock, site work, electrical work and other such work as may be necessary to complete the contract in accordance with the plans and specifications.

Project improvements will be made possible through a grant from ODNR to replace and update the dock area at the Red Bank Boat Launch which has started to deteriorate. The sidewalk will be updated to make the site more ADA accessible. The overhead lighting will also be updated and replaced so that it is safer for the public.

Contract Compliance Number for ProCon Professional Construction Services, Inc. is #311701026. Contract compliant through: 08/06/2010

**Title**To authorize and direct the Director of Recreation and Parks to enter into contract with ProCon Professional Construction Services, Inc. for the Red Bank Marina Boat Launch Improvements Project, to authorize the expenditure of \$131,500.00 from the Recreation and Parks Grant Fund; and to declare an emergency. (\$131,500.00)

**Body****WHEREAS**, bids were received by the Recreation and Parks Department on April 28, 2009, and the contract for the Red Bank Marina Boat Launch Improvements was awarded on the basis of the lowest and best responsive and responsible bidder; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department, in that it is immediately necessary to enter into contract so project can begin immediately to allow for lead time of ordering the docks as well as completing the project within a low water time frame, 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 Recreation and Parks be and is hereby authorized and directed to enter into contract with ProCon Professional Construction Services, for the Red Bank Marina Boat Launch Improvements in accordance with plans and specifications on file in the Recreation and Parks Department.

**Section 2.** That the expenditure of \$131,500.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Grant Fund No. 286, Dept. 51-01, as follows, to pay the cost thereof:

<u>Fund Type</u>	<u>Project No.</u>	<u>Project Title</u>	<u>Object Level 3</u>	<u>OCA Code</u>	<u>Amount</u>
Grant	517041	Red Bank Recreation	6621	517041	\$131,500.00

**Section 3.** That for the purpose of paying for any contingencies which may occur during this project, the amount of \$4,266.00 has been included in Section 2, above. This amount will be expended only after approval by the Director of the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney.

**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 legislation.

**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:** 0733-2009

**Drafting Date:** 05/12/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This ordinance authorizes the Finance and Management Director to modify a contract on behalf of the Facilities Management Division with General Maintenance and Engineering Company for roof repairs at the Columbus Health Department, 240 Parsons Avenue. Ordinance No. 0122-2009, passed February 2, 2009, authorized the renovation of the roof at the Columbus Health Department. The original contract was formally bid (SO025748). The term of the contract is September 1, 2008 through August 31, 2009. The contract was bid with three renewal options.

This modification will authorize repairs to the North Dorm roof and the breezeway roof. The work shall include, but is not limited to, tuckpointing and caulking on the south side of the north wing, preparation for the new drain line, installation of a new roof drain in the breezeway roof, installation of a new 2" PVC drain line, replacement of missing roof tile, a metal ridge cap and clean up. These repairs are necessary in order to eliminate leaks occurring throughout the facility. Failure to make these necessary repairs will cause permanent structural damage to the building, necessitating more expensive repairs.

**EMERGENCY ACTION** is requested to repair the roof and to prevent further structural damage.

**FISCAL IMPACT:** The total amount of this request is \$6,693.00. Funding is available in the Health General Obligation Bonds Fund.

General Maintenance and Engineering Company, Contract Compliance #31-4188545, Expiration date March 19, 2010.

**Title**

To authorize the Finance and Management Director to modify a contract on behalf of the Facilities Management Division with General Maintenance and Engineering Company for roof repairs at the Columbus Health Department, 240 Parsons Avenue; to authorize the expenditure of \$6,693.00 from the Health General Obligation Bonds Fund; and to declare an emergency. (\$6,693.00)

**Body**

**WHEREAS,** the Facilities Management Division has a contract for roof maintenance at various City-owned facilities; and

**WHEREAS,** Bid SO025748 was awarded to General Maintenance and Engineering Company in 2006; and

**WHEREAS,** it is necessary to modify the existing contract with General Maintenance and Engineering Company to repair the roof and to prevent further structural damage at the Columbus Health Department, 240 Parsons Avenue; and

**WHEREAS,** an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to enter into a contract with General Maintenance and Engineering Company 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 Finance and Management Director is hereby authorized to modify a contract with General Maintenance and Engineering Company for roof repairs at the Columbus Health Department, 240 Parsons Avenue.

**SECTION 2.** That the expenditure of \$6,693.00, 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: 50-01  
Fund: 706  
Project: 570053  
OCA: 501713  
Object Level 1: 06  
Object Level 3: 6620  
Amount: \$6,693.00

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

**SECTION 4.** That for reasons stated in the preamble hereto, which is hereby made a part thereof, this ordinance is hereby declared 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:** 0734-2009

**Drafting Date:** 05/12/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

The contract between the City and FOP/Capital City Lodge #9 expired December 8, 2008. Pursuant to ordinance 0304-2008, the City engaged the law firm of Baker and Hostetler to provide assistance in negotiating a successor collective bargaining agreement beginning in October 2008. Negotiations are ongoing and are likely to require the use of the fact-finding and conciliation processes to achieve resolution of the remaining unresolved issues.

The contract between the City of Columbus and CMAGE/CWA Local 4502 expired August 23, 2008. Similarly, the negotiations between the City and CMAGE/CWA Local 4502 have been ongoing since July 2008. It is likely that the fact-finding process will be required to achieve resolution of the unresolved issues.

It is the Human Resources Department's desire to utilize the services of Baker and Hostetler for the ongoing negotiations with FOP/Capital City Lodge #9 and for fact-finding and conciliation proceedings as may be necessary for resolution of the issues involving both the FOP/Capital City Lodge #9 and CMAGE/CWA Local 4502.

The law firm of Baker and Hostetler was solicited to provide assistance in collective bargaining negotiations because of its experience representing the City of Columbus in previous negotiations.

This legislation will authorize the Director of Human Resources to enter into contract with Baker & Hostetler and will further authorize the expenditure of \$100,000.00 to compensate the contractor for services rendered in conjunction with the negotiations, fact-finding and conciliation. The competitive bid process would exacerbate an already protracted process and would not be conducive to bringing the negotiations to closure in an expeditious fashion. Therefore, competitive bidding requirements are being waived.

Fiscal Impact: These funds are budgeted within the Department of Human Resources 2009 budget. Baker and Hostetler's contract compliance number is 340082025.

#### **Title**

To authorize the Director of the Department of Human Resources to enter into contract with the law firm of Baker &

Hostetler for the purpose of providing ongoing assistance in the negotiation of a successor collective bargaining agreement with FOP/Capital City Lodge #9 and, where necessary, to represent the City in fact-finding and conciliation proceedings with the FOP/Capital City Lodge #9 and CMAGE/CWA Local 4502; to authorize the expenditure of \$100,000.00 from the Employee Benefits Fund; to waive the competitive bidding requirements of the Columbus City Codes; and to declare an emergency. (\$100,000.00)

**Body**

WHEREAS, the collective bargaining contract between the City and FOP/Capital City Lodge #9 expired December 8, 2008; and

WHEREAS, the law firm of Baker & Hostetler has provided ongoing assistance to the City of Columbus in negotiation a successor collective bargaining agreement with FOP/Capital City Lodge #9 since October 2008; and

WHEREAS, there are unresolved issues that are likely to require utilization of the fact-finding and conciliation processes; and

WHEREAS, the collective bargaining contract between the City of Columbus and CMAGE/CWA Local 4502 expired August 23, 2008; and

WHEREAS, collective bargaining negotiations are ongoing with CMAGE/CWA Local 4502 and are likely to require utilization of the fact-finding process to resolve the unresolved issues; and

WHEREAS, it is in the mutual best interest of the City, the FOP/Capital City Lodge #9, and CMAGE/CWA Local 4502 to finalize collective bargaining negotiations as expeditiously as possible, therefore requiring the waiver of the competitive bidding provisions set forth in the Columbus City Codes; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to enter into contract with Baker & Hostetler in order to finalize collective bargaining negotiations as soon as 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 the Department of Human Resources is hereby authorized to enter into a contract with Baker & Hostetler for the purpose of providing ongoing assistance in the negotiation of a successor collective bargaining agreement with FOP/Capital City Lodge #9 and, where necessary, to represent the City in fact-finding and conciliation proceedings with the FOP/Capital City Lodge #9 and CMAGE/CWA Local 4502.

SECTION 2. That the provisions of Chapter 329 of the Columbus City Codes are hereby waived.

SECTION 3. That the expenditure of \$100,000.00 or so much thereof as may be necessary is hereby authorized to be expended from the Employee Benefits Fund as follows:

Fund: Employee Benefits Fund 502 | Department: Human Resources 46 | Division: 46-02 | OBL 3: 3336 | OCA: 461048

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves or vetoes the same.

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**Legislation Number:** 0735-2009

**Drafting Date:** 05/12/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Background:**

Bids were received by the Recreation and Parks Department on May 5, 2009 for the Alkire Woods Park Development Project, as follows:

	<u>Status</u>	<u>Amount</u>
M&D Blacktop Sealing	Majority	\$136,260.00
Builderscape, Inc.	Majority	\$142,713.00
At Grade, Inc.	Majority	\$161,052.00
Columbus Asphalt Paving	Majority	\$163,800.00
Downing Construction	Majority	\$164,800.00
Dumar Hunston	Majority	\$169,950.00
Central Ohio Building Co.	Majority	\$179,720.00
WB Republic Builders	Majority	\$185,000.00
Mid-West Landscape	Majority	\$199,035.00
McDaniels Construction	MBE	\$265,288.00

Project Contingency to be included in the legislation, \$13,740.00, for project contingency.

The work for which proposals were invited consists of clearing, grubbing, & seeding, the installation of concrete & asphalt paths, a shelter house, site furnishings, a new playground & safety surfacing, and landscaping.

The Contract Compliance Number for Pavement Protectors dba M&D Blacktop Sealing is #311131599. Contract compliant through: 06/02/2010

**Title**To authorize and direct the Director of Recreation and Parks to enter into contract with Pavement Protectors dba M&D Blacktop Sealing for the Alkire Woods Park Development Project, to authorize the expenditure of \$150,000.00 from the Recreation and Parks Special Purpose Fund; and to declare an emergency. (\$150,000.00)

**Body****WHEREAS**, bids were received by the Recreation and Parks Department on May 5, 2009, and the contract for the Alkire Woods Park Development Project was awarded on the basis of the lowest and best responsive and responsible bidder; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department, in that it is immediately necessary to enter into contract so project can begin immediately to allow for completion during the current 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 Recreation and Parks be and is hereby authorized and directed to enter into contract with M & D Blacktop Sealing for the Alkire Woods Park Development Project in accordance with plans and specifications on file in the Recreation and Parks Department.

**Section 2.** That the expenditure of \$150,000.00, or so much thereof as may be necessary, be and is hereby authorized from: **Special Purpose Fund No:** 223 / **Dept:** 51-01 / **Subfund:** 025 / **Object Level 3:** 6621 / **OCA Code:** 511220.

**Section 3.** That for the purpose of paying for any contingencies which may occur during this project, the amount of \$13,740.00 has been included in Section 2, above. This amount will be expended only after approval by the Director of the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney.

**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 legislation.

**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:** 0736-2009

**Drafting Date:** 05/12/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to modify contract EL008299 with ATC Associates for lead-based paint testing, risk assessments, work specification preparation and final clearance testing for the Lead Safe Columbus program. The modification will increase the contract by \$100,000 with funds from the HUD Lead Hazard Reduction Demonstration lead grant fund.

ATC Associates Inc. was originally selected as a City of Columbus program contractor as a result of a competitive bidding process directed by Lead Safe Columbus. Contract compliance #46-0399408, expires on February 3, 2011.

Lead Safe Columbus provides grants to qualified property owners in order to remove lead based hazards in owner and tenant occupied units. This legislation is presented in an effort to increase the productivity for creating lead safe housing units, the numbers of which will increase as we meet the targets of our lead grant and comply with the Title X Federal regulations, which took effect September 15, 2000.

Emergency action is necessary to avoid an interruption in the delivery of vital program services.

**FISCAL IMPACT:** \$100,000 from the 2007 HUD Lead Hazard Reduction Demonstration lead grant fund has been allocated for this contract modification.

**Title**

To authorize the Director of the Department of Development to modify the Lead Safe Columbus program contract with ATC Associates; to authorize the expenditure of \$100,000 from the General Government Grant Fund; and to declare an emergency. (\$100,000)

**Body**

**Whereas,** the Director of the Department of Development desires to modify the Lead Safe Columbus program contract with ATC Associates; and

**Whereas,** ATC Associates performs lead-based paint testing, risk assessments, work specs and final clearance testing under this contract for the Lead Safe Columbus program; and

**Whereas,** the Lead Safe Columbus program provides grants to qualified property owners in order to remove lead-based paint hazards in owner and tenant occupied housing units; and

**Whereas,** an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to modify the Lead Safe Columbus program contract with ATC Associates in order to avoid an interruption in the delivery of vital program services, all for the preservation of the public peace, health, safety, and welfare; and **NOW, THEREFORE,**

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

- Section 1.** That the Director of the Department of Development is hereby authorized to modify contract EL008299 with ATC Associates by increasing the contract amount by \$100,000 for lead-based paint testing, risk assessments, work specs and final clearance testing with the Lead Safe Columbus program.
- Section 2.** That for the purpose as stated in Section 1, the expenditure of \$100,000 or so much thereof as may be necessary from the Department of Development, Housing Division, Department No. 44-10, Fund No. 220, Grant 447027, Object Level One 03, Object Level Three 3336, OCA 447027.
- Section 3.** That this contract modification is made pursuant to Section 329.16 of the Columbus Codes.
- Section 4.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, the 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 the passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0737-2009

**Drafting Date:** 05/12/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to modify contract EL008650 with the Franklin County Board of Health for lead-based paint testing, risk assessments, work specification preparation and final clearance testing for the Lead Safe Columbus program. The modification will increase the contract by \$70,000 with funds from the HUD Lead Hazard Reduction Demonstration lead grant fund. Lead Safe Columbus provides grants to qualified property owners in order to remove lead-based hazards in owner and tenant occupied units.

The Franklin County Board of Health was originally selected as a City of Columbus program contractor as a result of a competitive bidding process directed by Lead Safe Columbus. Contract compliance #31-1284784, expires February 3, 2011.

This legislation is presented in an effort to increase the productivity for creating lead safe housing units, the numbers of which will increase as we meet the targets of our lead grant and comply with the Title X Federal regulations, which took affect September 15, 2000.

Emergency action is necessary to avoid an interruption in the delivery of vital program services.

**FISCAL IMPACT:** \$70,000 from the 2007 HUD Lead Hazard Reduction Demonstration lead grant fund has been allocated for this contract modification.

#### **Title**

To authorize the Director of the Department of Development to modify the Lead Safe Columbus program contract with the Franklin County Board of Health; to authorize the expenditure of \$70,000 from the General Government Grant Fund; and to declare an emergency. (\$70,000)

#### **Body**

**Whereas,** the Director of the Department of Development desires to modify contract EL008650 with the Franklin County Board of Health; and

**Whereas**, the Franklin County Board of Health performs lead-based paint testing, risk assessments and final clearance testing under this contract for the Lead Safe Columbus program; and

**Whereas**, the Lead Safe Columbus program provides grants to qualified property owners in order to remove lead-based paint hazards in owner and tenant occupied housing units; and

**Whereas**, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to modify the Lead Safe Columbus program contract with the Franklin County Board of Health to avoid an interruption in the delivery of vital program services, all for the preservation of the public peace, health, safety, and welfare; and **NOW, THEREFORE**,

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

**Section 1.** That the Director of the Department of Development is hereby authorized to modify contract EL008650 with the Franklin County Board of Health by increasing the contract amount by \$70,000 for lead-based paint testing, risk assessments and final clearance testing with the Lead Safe Columbus program.

**Section 2.** That for the purpose as stated in Section 1, the expenditure of \$70,000 or so much thereof as may be necessary from the Department of Development, Housing Division, Department No. 44-10, Fund No. 220, Grant 447027, Object Level One 03, Object Level Three 3336, OCA 447027.

**Section 3.** That this contract modification is made pursuant to Section 329.16 of the Columbus Codes.

**Section 4.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, the 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 the passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0739-2009

**Drafting Date:** 05/12/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

BACKGROUND: For the option to purchase Pharmaceuticals on an as needed basis for use by the Department of Public Safety, Division of Fire EMS personnel. The term of the proposed option contract will be through August 31, 2012 with the option to extend this contract for One (1) additional year. The Purchasing Office opened formal bids on April 2, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003211). Twenty Six (26) Bids were solicited (MBR:1). Six (6) Bids were received.

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

Bound Tree Medical, LLC CC#311739487 (expires 3-17-2011)

Total Estimated Annual Expenditure: \$350,000.00

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, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. The Department of Public Safety will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

**Title**

To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase Pharmaceuticals on an as needed basis with Bound Tree Medical LLC, to authorize the expenditure of One dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

**Body**

WHEREAS, the Purchasing Office advertised and solicited formal bids April 2, 2009 and selected the lowest responsive, and responsible bidder; 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 Department of Public Safety to obtain Pharmaceuticals on an as needed basis; and

WHEREAS, these Pharmaceuticals are necessary to allow the Department of Public Safety to maintain their operations, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, in that it is immediately necessary to enter into a contract for an option to purchase Pharmaceuticals, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the following contract for an option to purchase Pharmaceuticals for the term ending August 31, 2012 with the option to extend for One (1) additional year in accordance with Solicitation No. SA003211 as follows:

Bound Tree Medical LLC: 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:** 0742-2009

**Drafting Date:** 05/12/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

Ordinance No. 2780-99 authorized the Director of Development to execute a Tax Increment Financing (TIF) and Economic Development Agreement with Crewville LTD. This agreement requires that Crewville LTD make semi-annual service payments in lieu of taxes to the County Treasurer who in turn, remits the service payments to the City. Once the

service payments are received by the City, the City deposits the funds into the Crewville Urban Redevelopment Tax Increment Equivalent Fund.

The Crewville TIF district includes the 22-acre former site of Columbus Auto Parts (off I-71 & Hudson). The TIF agreement provides that Crewville LTD would build a street improvement, namely, the extension of Silver Drive. This improvement would then be purchased by the City, which would make semi-annual payments to Crewville LTD as TIF revenues accrued. The Silver Drive extension provides access to a new retail shopping center, to the Crew Stadium and to the Ohio Historical Center. Crewville LTD is being reimbursed from the TIF Fund as service payments in lieu of taxes accrue.

Emergency action is requested in order for the City to make the payment to Nationwide Realty Investors, Ltd. dba Crewville LTD according to the schedule established in the agreement.

**FISCAL IMPACT:**

This legislation authorizes the appropriation and expenditure of \$58,916.17 so that payment can be made to Nationwide Realty Investors, Ltd. dba Crewville LTD.

**Title**

To authorize the appropriation of \$58,916.17 from the Crewville TIF Fund; to authorize and direct the payment of \$58,916.17 to Nationwide Realty Investors, Ltd. dba Crewville, LTD in accordance with the Tax Increment Financing and Economic Development Agreement; to authorize the expenditure of \$58,916.17 from the Crewville TIF Fund; and to declare an emergency. (\$58,916.17)

**Body**

**WHEREAS**, Ordinance 2780-99, authorized the Director of the Development Department to enter into a Tax Increment Financing and Economic Development Agreement with Crewville LTD; and

**WHEREAS**, the Tax Increment Financing and Economic Development Agreement requires that Crewville LTD make semi-annual payments in lieu of taxes to the Franklin County Treasurer; and

**WHEREAS**, the Franklin County Treasurer forwards a portion of these payments to the City; and

**WHEREAS**, the City has established the Crewville Urban Redevelopment Tax Increment Fund to deposit these payments; and

**WHEREAS**, the City will make semi-annual payments to Nationwide Realty Investors, Ltd dba Crewville LTD; and

**WHEREAS**, the balance of the Crewville Account of the Crewville Urban Redevelopment Tax Increment Equivalent Fund as of May 1, 2009 was \$58,916.17; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, is that it is immediately necessary to make payment to Nationwide Realty Investors, Ltd. dba Crewville LTD according to the schedule established in the Tax Increment Financing and Economic Development Agreement in order to preserve the public peace, health, property, safety and welfare; **NOW, THEREFORE,**

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

**Section 1.** That from the unappropriated balance in the Crewville TIF Fund, Fund 408, and from any and all sources unallocated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$58,916.17, be and hereby is appropriated to the Auditor's Office, Department 22-01, OCA 040800,

Object Level Three 5513.

- Section 2.** That the City Auditor is hereby authorized and directed to make payment to Nationwide Realty Investors, Ltd. dba Crewville LTD in the amount of \$58,916.17.
- Section 3.** That the expenditure of \$58,916.17, or so much as may be necessary, be and is hereby authorized from the Auditor's Office, Department 22-01, Crewville TIF Fund, Fund 408, OCA 040800, Object Level Three 5513.
- Section 4.** That for the reasons stated in the preamble hereto, this ordinance is hereby declared to be an emergency and shall take effect and be in force from and after its passage and approval by the Mayor or ten days if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0743-2009

**Drafting Date:** 05/13/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

BACKGROUND: For the option to purchase Miscellaneous Medical Supplies on an as needed basis for use by the Department of Public Safety, Division of Fire EMS personnel. Items bid were divided into 6 Groups of like products. The term of the proposed option contracts will be through June 30, 2012 with the option to extend these contracts for One (1) additional year. The Purchasing Office opened formal bids on April 9, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003228). Seventy (70) Bids were solicited (MBR:2 M1A:1 F1:2). Ten (10) Bids were received.

The Purchasing Office is recommending award to the lowest, responsive, responsible and best bidders by group, responsive bidders having bid all products in a group:

Alliance Medical Inc., DBA AllMed CC#431465457 (expires 3-12-2010) Groups 1 and 4

Bound Tree Medical, LLC CC#311739487 (expires 3-17-2011) Groups 2,3,5 and 6

Total Estimated Annual Expenditure groups 1 and 4 \$350,000.00

Total Estimated Annual Expenditure groups 2,3,5 and 6: \$650,000.00

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

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

FISCAL IMPACT: Funding to establish these options contracts are budgeted in the Mail, Print Services and UTC Fund. The Department of Public Safety will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

#### **Title**

To authorize and direct the Finance & Management Director to enter into contracts for the option to purchase Miscellaneous Medical Supplies on an as needed basis with Alliance Medical Inc., DBA AllMed Groups 1 and 4 and Bound Tree Medical LLC Groups 2, 3, 5 and 6, to authorize the expenditure of Two dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$2.00)

#### **Body**

WHEREAS, the Purchasing Office advertised and solicited formal bids April 9, 2009 and selected the lowest responsive,

and responsible bidders by group; 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 Department of Public Safety to obtain Miscellaneous Medical Supplies on an as needed basis; and

WHEREAS, these Miscellaneous Medical Supplies are necessary to allow the Department of Public Safety to maintain their operations, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, in that it is immediately necessary to enter into contracts for the option to purchase Miscellaneous Medical Supplies, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the following contracts for the option to purchase Miscellaneous Medical Supplies for the term ending June 30, 2012 with the option to extend for One (1) additional year in accordance with Solicitation No. SA003228 as follows:

Alliance Medical Inc., DBA AllMed: Groups 1 and 4 Amount \$1.00  
Bound Tree Medical LLC: Groups 2,3,5 and 6 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:** 0744-2009

**Drafting Date:** 05/13/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation Background:**

This ordinance provides for the appropriation of special purpose funds to continue purchasing supplies, additional part time staffing, and providing services in 2009 that are supported by donations and fees.

Emergency legislation is required in order to have funding available for necessary expenditures during summer season.

**Fiscal Impact:**

The fiscal impact of this ordinance will be to reduce the Special Purpose Fund's unappropriated balance by \$173,989.83.

**Title**

To authorize the appropriation of \$173,989.83 from the unappropriated balance of the Recreation and Parks Special Purpose Fund to continue purchasing supplies, part time labor and providing services during 2009, and to declare an emergency. (\$173,989.83)

**Body**

**WHEREAS**, this ordinance provides for the appropriation of lapsed funds in order to continue purchasing supplies, part time labor, and providing services during 2009; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Recreation and Parks, in that it is

immediately necessary to establish purchase orders so that there is not an interruption of local telephone services with AT &T 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 from the unappropriated monies in the Recreation and Parks Special Purpose Fund, Fund No. 223, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$173,989.83 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

<u>Project Title</u>	<u>Sub Fund</u>	<u>OCA Code</u>	<u>Object Level 3</u>	<u>Amount</u>
Various Park Improvement Donations	025	511220	6621	\$144,377.67
Recreation Center Donations	028	510966	1112	\$ 21,000.00
Recreation Center Donations	028	510966	2269	\$ 3,459.84
Christopher Columbus Invitational	052	511873	2269	<u>\$5,152.32</u>
		<b>TOTAL</b>		<b>\$173,989.83</b>

**SECTION 2.** That the monies in the foregoing Section 1 shall be paid upon order of the Director of Recreation and Parks, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

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

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

**Legislation Number:** 0746-2009

**Drafting Date:** 05/13/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation1. BACKGROUND**

This legislation authorizes the City to enter into a contract in an amount up to \$206,317.56 for the Bridge Cleaning and Sealing 2009 project and to pay construction inspection costs up to \$27,400.00. This project involves cleaning (power washing) of bridge structures as well as sealing of bridge concrete surfaces with an epoxy or non-epoxy sealant for 18 bridges. Expansion joints and other bridge components such as beam seats and bearings will also be power washed and drainage systems will be cleaned. The contractor is to supply Maintenance of Traffic including a Police Officer with a Police Cruiser when authorized.

The estimated Notice to Proceed date is August 17, 2009. This project has been given 365 days to complete. The project was let by the Office of Support Services and was advertised in the City Bulletin, Dodge Reports, and by the Builders Exchange. 2 bids were received (2 majority, 0 minority) on May 7, 2009 and tabulated on May 8, 2009 as follows:

<u>Company</u>	<u>City, State</u>	<u>Status</u>	<u>Amount</u>
Charter Contracting Corp.	Campbell, OH	Majority	\$206,317.56
Contract Sweepers	Columbus, OH	Majority	\$292,151.88

Award is to be made to Charter Contracting Corp., as the lowest, best, most responsive and most responsible bidder.

## 2. CONTRACT COMPLIANCE

Charter Contracting Corp. Contract Compliance number is 26-3139843 and expires 4/30/11.

## 3. FISCAL IMPACT

Funding for this project is budgeted within the Division of Planning and Operation's Street Construction Maintenance and Repair Fund for this work.

Title To authorize the Director of Public Service to enter into a contract with Charter Contracting Corporation for the Bridge Cleaning and Sealing 2009 Project, and to authorize the expenditure of \$233,717.56 from the Street Construction Maintenance and Repair Fund for the Division of Planning and Operations. (\$233,717.56)

Body WHEREAS, bids were received on May 7, 2009, and tabulated on May 8, 2009, for the Bridge Cleaning and Sealing 2009 project and a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction inspection costs; 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 Charter Contracting Corp., 468 Park Drive, Campbell, OH, 44405, for the construction of the Bridge Cleaning and Sealing 2009 project in the amount of \$206,317.56, for the Division of Planning and Operations in accordance with the specifications and plans on file in the office of the Director of Public Service, which are hereby approved and to obtain and pay for the necessary inspection costs associated with the project up to \$27,400.00.

**Section 2.** That for the purpose of paying the cost of the contract and inspection the sum of \$233,717.56 or so much thereof as may be needed, is hereby authorized to be expended from the Street Construction Maintenance and Repair Fund, No. 265 for the Division of Planning and Operations, Dept.-Div. 59-11, OCA Code 591117, and Minor Object Code 3375.

**Section 3.** That Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Charter Contracting Corp.

**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:** 0747-2009

**Drafting Date:** 05/13/2009

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

### **Explanation**

#### **Background**

This legislation will authorize the expenditure of up to \$55,000,000.00 to increase various contracts for the provision of PASSPORT home care and Assisted Living services for older adults in Central Ohio.

Ordinance No. 0709-2008, passed May 19, 2008, authorized various PASSPORT contracts for a two-year period, July 1, 2008 - June 30, 2010, in accordance with grant requirements. This ordinance authorizes funding for the second year of said contracts per the attached contract list.

Emergency action is requested so that there are sufficient funds available to pay for Medicaid home care services through these said contracts within a 30 day period, as required by the grant.

**Fiscal Impact**

\$55,000,000.00 is required and budgeted from the Recreation and Parks Grant Fund to meet the financial obligation for the second year of said contracts.

**Title**

To authorize the expenditure of up to \$55,000,000.00 from the Recreation and Parks Grant Fund in order to increase various contracts for the provision of PASSPORT home care and Assisted Living services administered by the Central Ohio Area Agency on Aging; ~~and to declare an emergency.~~ (\$55,000,000.00)

**Body**

**WHEREAS**, the funds to enter increase said contracts have been made available from the Ohio Department of Aging; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Recreation and Parks, in that it is immediately necessary to increase said contracts, per the attached list, so there is no interruption of Medicaid-funded services for PASSPORT home care and Assisted Living clients 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 expenditure of \$55,000,000.00, or so much thereof as may be necessary, be and is hereby authorized from Recreation and Parks Grant Fund No. 286, Department No. 51, Object Level Three-3337, Project No. 518139, OCA 511675, to pay the cost thereof, for the second year of the (2) year contract period, July 1, 2008 - June 30, 2010.

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

Section 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 passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes same~~ **That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.**

**Legislation Number:** 0748-2009

**Drafting Date:** 05/13/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

In 2004 the City Attorney entered into a contract with McNees, Wallace & Nurick LLC, a law firm knowledgeable in electric purchase power issues, to assist in drafting and negotiating the purchase power agreement with AEP which currently provides the City's power needs through May 31, 2012. Because wholesale electric prices are currently driven by the volatile and escalating costs of natural gas and coal which are used to generate electricity, the present cost of providing purchase power to the City may be significantly higher by the year 2012. In order to select the best purchase power contract for the City, the Department of Public Utilities has been authorized to request proposals from potential suppliers and to negotiate contract terms and conditions. The new agreement would provide power through May 31, 2014. McNees, Wallace & Nurick LLC has expertise with purchase power issues, and the City desires their assistance. The law firm will assist the City in reviewing the proposals, provide specialized legal advice on issues relating to the evaluation of the proposals, preparing the subsequent contract as well as assist with PURPA (Public Utility Regulatory Policies Act) related issues. Therefore, the following legislation authorizes the City Attorney's to extend and modify its existing contract

with McNees, Wallace & Nurick LLC to provide specialized legal services regarding issues related to the purchase of power for the Division of Power and Water.

Contract Compliance Number: 231256003, Expires 05/18/11

FISCAL IMPACT: Funding for this expenditure will come from the Electricity Operating Fund. \$50,000 was budgeted for these services in 2009.

EMERGENCY JUSTIFICATION: Ordinance 0629-2009, passed on May 11, 2009 authorizes the Director of Public Utilities to negotiate and enter into contract for purchase power for the Division of Division of Power and Water. Emergency action is requested to allow for the immediate extension of McNees, Wallace & Nurick LLC's contract as not to delay the evaluation process.

**Title**

To authorize the City Attorney's Office to modify and extend its existing contract with McNees, Wallace & Nurick LLC to provide specialized legal service regarding issues related to the purchase of power for the Division of Power and Water for the years 2012 to 2014, and to authorize the expenditure of \$50,000.00 from the Division of Electricity Operating Fund; and to declare an emergency. (\$50,000.00)

**Body**

WHEREAS, in 2004, the City Attorney entered into a contract with McNees, Wallace & Nurick LLC, a law firm knowledgeable in electric purchase power issues, to provide specialized legal services for the Division of Power and Water (City) relating to the Power Purchase and Sale Agreement between the City and Constellation Commodities Group(Constellation); and

WHEREAS, McNees, Wallace & Nurick LLC subsequently, assisted the City in the drafting and negotiating a purchase power agreement with AEP which currently provides the City's power needs through May 31, 2012; and

WHEREAS, Ordinance 0629-2009, passed on May 11, 2009 authorizes the Director of Public Utilities to negotiate and enter into contract for purchase power for the Division of Division of Power and Water for years 2012 to 2014; and

WHEREAS, it is estimated that an additional \$50,000.00 is needed to cover the specialized legal services regarding the evaluation of purchase power proposals and the negotiations of new purchase power agreements anticipated in 2009; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division Sewerage and Drainage, in that it is necessary to authorize the Cit Attorney to extend its existing contract with McNees, Wallace & Nurick LLC for specialized legal service pertaining to purchase power, so that there will be no delay in the aforementioned project for the immediate preservation of the public peace, property, health and safety; now, therefore: now, therefore:

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

SECTION 1. That the City Attorney is hereby authorized to modify an existing contract with McNees, Wallace & Nurick LLC, in the amount of \$50,000.00, for special legal counsel service necessary to the evaluation of purchase power proposals related to the purchase of power for the Division of Power and Water for the years 2012 to 2014 and to assist in negotiating the terms and conditions of a purchase power contract.

SECTION 2. That to pay the cost of the aforesaid contract modification, the expenditure of \$50,000.00, or so much thereof as may be needed, is hereby authorized from the Division of Power and Water - Power, Division No. 60-07, Operating Fund 550, OCA 600830, Object Level Three 3324.

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

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**Legislation Number:** 0751-2009

**Drafting Date:** 05/14/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**Background:**

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

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

Fiscal Impact will be to reduce the Recreation and Parks Private Leisure Assistance for Youth (P.L.A.Y.) program unappropriated balance by \$37,000.00.

**Title**

To authorize the appropriation of \$37,000.00 from the unappropriated balance of the Recreation and Parks Private Leisure Assistance for Youth (P.L.A.Y.) Fund to the Recreation and Parks Department in order to provide scholarships for economically disadvantaged youth; and to declare an emergency. (\$37,000.00)

**Body**

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

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department, in that it is immediately necessary to appropriate funds to have funding available for necessary expenditures, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

**SECTION 1.** That from the unappropriated monies in the Recreation and Parks Private Leisure Assistance for Youth (P.L.A.Y.) Fund No. 233, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose, the sum of \$37,000.00. is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

<u>Project Title</u>	<u>Fund No.</u>	<u>O. C. A.</u>	<u>O. L. 3</u>	
P.L.A.Y. Prog. Donation Expend.	233	233001	2269	\$2,000.00
P.L.A.Y. Prog. Donation Expend.	233	233001	3346	\$6,000.00
P.L.A.Y. Prog. Donation Expend.	233	233001	3385	<u>\$29,000.00</u>
				\$37,000.00

**SECTION 2.** That the monies in the foregoing Section 1 shall be paid upon order of the Director of Recreation and Parks, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City

Auditor.

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

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

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**Legislation Number:** 0754-2009

**Drafting Date:** 05/14/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

Memorandum of Understanding (MOU) #2009-01 was executed by representatives of the City and the Fraternal Order of Police/Ohio Labor Council, Inc. This MOU permits the forfeiture of forty (40) paid hours during 2009 in an effort to avoid further layoffs as a result of the \$13 million 2009 budget deficit. The passage of this ordinance indicates Council's acceptance of MOU #2009-01, a copy of which is attached hereto.

The estimated savings (wages and benefits) from this agreement is \$37,361.35.

### **Title**

To accept Memorandum of Understanding #2009-01 executed between representatives of the City of Columbus and the Fraternal of Police/Ohio Labor Council, Inc. which amends the terms of the Collective Bargaining Agreement April 2, 2007 through April 1, 2010; and to declare an emergency.

### **Body**

**WHEREAS**, representatives of the City of Columbus and Fraternal of Police/Ohio Labor Council, Inc. (FOP/OLC) entered into Memorandum of Understanding (MOU) #2009-01, a copy of which is attached hereto, to allow for the forfeiture of forty (40) paid hours during 2009 in an effort to avoid further layoffs as a result of the \$13 million 2009 budget deficit; and

**WHEREAS**, an emergency exists in the usual daily operation of the City in that it is immediately necessary to amend the terms of the Collective Bargaining Agreement between the City and the FOP/OLC Inc. by accepting MOU #2009-01 so that implementation can proceed at the earliest possible date, 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 MOU #2009-01 amends the terms of the Collective Bargaining Agreement between the City and FOP/OLC, Inc., April 2, 2007 through April 1, 2010.

**Section 2.** That City Council, in the best interests of the City, hereby recognizes and accepts MOU #2009-01, a copy of which is attached hereto, executed between the City and FOP/OLC, Inc., to be effective following passage by City Council.

**Section 3.** For reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten (10) days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0765-2009

**Drafting Date:** 05/18/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

The American Recovery and Reinvestment Act of 2009 appropriated \$1 billion nationally, in Community Development Block Grant (CDBG) funds, to states and local governments to carry out eligible activities under the CDBG program. This grant program under Title XII is commonly referred to as the CDBG Recovery (CDBG-R) program and is administered by the U.S. Department of Housing and Urban Development (HUD).

The City of Columbus was awarded \$1,728,023 of CDBG-R funds from HUD. This funding requires that the City of Columbus submit to HUD a CDBG-R application and make a substantial amendment to the city's Consolidated Plan 2008 Action Plan. The CDBG-R City of Columbus' grant application to HUD is an attachment to this legislation and describes the proposed activities and funding levels.

On May 20, 2009, the city will begin a 7 day public comment period. Citizens, public agencies and other interested parties may make public comments to the city on the CDBG-R grant application through May 27, 2009. In addition, the application will be presented at the Health, Housing and Human Services Committee hearing on May 20, 2009 where public testimony will be accepted.

HUD requires that the city submit an application no later than June 5, 2009. Emergency legislation is needed to satisfy HUD's short grant application period. This legislation authorizes the city to submit a CDBG-R application to HUD and to make a substantial amendment to the city's Consolidated Plan's 2008 Action Plan.

### **FISCAL IMPACT:**

This CDBG-R grant application is for \$1,728,023. The city anticipates using CDBG-R funds to expand economic development and housing opportunities through the Economic Development Loan Program and the Affordable Housing Opportunity Fund, where future loan repayments will generate grant program income. Matching funds are not required for this grant.

### **Title**

To adopt the Community Development Block Grant Recovery Program; to authorize the filing of the Community Development Block Grant Recovery application with the U. S. Department of Housing and Urban Development; and to make a substantial amendment to the Consolidated Plan's 2008 Action Plan; and to declare an emergency.

### **Body**

WHEREAS, the American Recovery and Reinvestment Act of 2009 authorizes the U.S Department of Housing and Urban Development (HUD) to allocate \$1 billion nationally, in Community Development Block Grant (CDBG) funds, to states and local governments to carry out eligible activities; and

WHEREAS, HUD's grant program under Title XII is commonly referred to as the CDBG Recovery (CDBG-R) program; and

WHEREAS, the city of Columbus has developed a CDBG-R grant application, which will allow the city to expand economic development and housing opportunities as well as providing nuisance abatement activities; and

WHEREAS, the city of Columbus has received a CDBG-R grant award of \$1,728,023 from HUD; and

WHEREAS, the CDBG-R application requires a substantial amendment to the 2008 Action Plan which implements the city of Columbus' five year Consolidated Plan; and

WHEREAS, HUD must receive the City of Columbus' CDBG-R grant application by the deadline of June 5, 2009; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize the filing of the CDBG-R Program with HUD in order to meet the grant application deadline thereby preserving the public health, peace, safety, and welfare; now, therefore:

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

SECTION 1: That the city of Columbus hereby adopts the recommended Community Development Block Grant Recovery program, as set forth in the attachment "ORD0765-2009CDBG-Rapplication".

SECTION 2: That the city of Columbus Community Development Block Grant Recovery application, as provided for under Title XII of the American Recovery and Reinvestment Act of 2009, is hereby approved, and that the Mayor, acting on behalf of the City of Columbus, is hereby authorized and directed to file such application with the U.S. Department of Housing and Urban Development and make a substantial amendment to the Consolidated Plan's 2008 Action Plan.

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

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**Legislation Number:** 0770-2009

**Drafting Date:** 05/21/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

**Background:** The RiverSouth Authority issued bonds in 2004 and 2005 to purchase and rehabilitate the former downtown Lazarus Department Store. The City entered into a Master Lease Agreement and a First Supplemental Lease Agreement with The RiverSouth Authority on June 21, 2004 (Ordinance No. 1009-2004). The City entered into a Second Supplemental Lease Agreement with RiverSouth on July 25, 2005 (Ordinance No. 1312-2005). These agreements call for the City to make lease payments to The RiverSouth Authority in annual amounts equal to the bond service charges.

**Fiscal Impact:** The 2008 Capital Improvement Budget is hereby amended to allow for this expenditure.

### **Title**

To authorize the appropriation of \$5,154,976.26 from the Special Income Tax Fund to the City Auditor; to authorize the City Auditor to transfer said funds from the Special Income Tax Fund to the Northland and Other Acquisitions Fund; to authorize the appropriation of said funds in the Northland and Other Acquisitions Fund; to authorize the Director of the Department of Development to expend up to \$5,154,976.26 from the Northland and Other Acquisitions Fund for 2009 lease rental payments to The RiverSouth Authority; and to amend the 2008 Capital Improvement Budget. (\$5,154,976.26) Section 55(B) of the City charter.

### **Body**

WHEREAS, pursuant to Ordinance No. 1009-2004 adopted by City Council on June 21, 2004 the City entered into a

Master Lease Agreement and a First Supplemental Lease Agreement with The RiverSouth Authority (RiverSouth); and

**WHEREAS**, pursuant to Ordinance No. 1312-2005 adopted by this Council on July 25, 2005 the City entered into a Second Supplemental Lease Agreement with The RiverSouth Authority; and

**WHEREAS**, these Lease Agreements call for the lease rental payments from the City to RiverSouth equal to the bond service charges on the following bonds issued by RiverSouth:

- RiverSouth Areas Redevelopment 2004 Bonds Series A
- RiverSouth Areas Redevelopment 2005 Bonds Series A; and

**WHEREAS**, these lease rental payments are due to The RiverSouth Authority starting on May 22, 2009 for the June 1, 2009 payment date and again on November 21, 2009 for the December 1, 2009 payment date; and

**WHEREAS**, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund, and this transfer should be considered as a temporary funding method; and

**WHEREAS**, the aggregate principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$5,154,976.26; and

**WHEREAS**, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue code of 1986, as amended) with respect to the project described in this ordinance (the "Project").

**WHEREAS**, the 2008 Capital Improvement Budget (Ordinance 0690-2008) is hereby amended to allow for this expenditure; and **NOW THEREFORE**,

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

**Section 1.** That from the unappropriated balance of the Special Income Tax Fund, Fund No. 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purchase during the fiscal year ending December 31, 2009, sum of \$5,154,976.26 or so much thereof as may be necessary is hereby appropriated to the Department of the City Auditor, Div. No. 22-01, Object Level One 10, Object Level Three 5502 OCA 902023 for the purpose stated in Section 4.

**Section 2.** That the City Auditor is hereby authorized to transfer said funds to Fund 735 Northland and Other Acquisitions, Dept-Div 44-01, Project 441748 Downtown Revitalization, OCA 735748, Object Level Three 0886 at such time as is deemed necessary by the City Auditor.

**Section 3.** That the amount of \$5,154,976.26 or so much thereof as may be necessary is hereby appropriated within Fund 735 Northland and Other Acquisitions, Dept/Div 44-01, Project 441748, OCA 735748, Object Level Three 6621.

**Section 4.** That the Director of Development is hereby authorized to expend \$5,154,976.26 or so much thereof as may be necessary from Fund 735 Northland and Other Acquisitions, Dept/Div 44-01, Project 441748, OCA 735748, Object Level Three 6621 for the purpose of making lease rental payments to The River South Authority.

**Section 5.** That upon obtaining other funds for this project, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 2 above, and said funds are hereby deemed appropriated for such purpose.

**Section 6.** That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of the funds transferred in Section 2 above.

**Section 7.** That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$5,154,976.26 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

**Section 8.** That the 2008 Capital Improvements Budget (Ordinance 0690-2008) is hereby amended as follows:

<u>Project</u>	<u>Current Budget</u>	<u>Budget as Amended</u>
Columbus Downtown Development Corp.	\$2,890,000	\$7,908,890

**Section 9.** That for the reasons stated in the preamble hereto, which is hereby made a part herof, and in accordance with Section 55(b) of the Charter of the City of Columbus, this ordinance shall take effect and be in force from and immediately after passage and approval by the mayor or ten days after passage if the Mayor neither approves or vetoes the same.

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**Legislation Number:** 0777-2009

**Drafting Date:** 05/21/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**Background:** The City of Columbus is contemplating entering into mineral leases with outside companies for the use of city-owned property for mining purposes. This ordinance establishes a special revenue fund titled the "Mined Assets Fund" to allow the Real Estate Management Office to deposit any revenue collected from a non-City entity for activities related to feasibility determination, exploration, lease, or license of any city property for mining purposes. The ordinance further establishes that the purpose of any monies collected is for payment of costs of acquisition, maintenance, operation, or construction of city-owned property or activities required for the establishment of mineral lease or license agreements.

**Fiscal Impact:** Annual income associated with this project can not be fully determined at this time. Monies to be appropriated by this ordinance are to come from anticipated income and will be used for payment of activities required for the establishment of lease or license agreements for use of city property for mining purposes.

**Emergency action** is requested so that all payments may be deposited into the special revenue fund as soon as they are received.

### **Title**

To authorize the City Auditor to establish a special revenue fund, titled the "Mined Assets Fund," for the deposit of payments from non-city tenants related to feasibility determination, exploration, lease, or license of any city property for mining purposes; to appropriate \$20,000.00 within the Mined Assets Fund; and to declare an emergency. (\$20,000.00)

### **Body**

**WHEREAS**, the City of Columbus is contemplating the use of city-owned property for mining purposes and wishes to collect revenue from activities related to feasibility determination, exploration, lease, or license of any city property for mining purposes; and

**WHEREAS**, it is necessary to create a special revenue fund titled the "Mined Assets Fund," in order to deposit revenue from non-City entities for feasibility determination, exploration, lease, or license of any city property for mining purposes;

and

**WHEREAS**, it is necessary to appropriate \$20,000 or as much thereof as necessary, for payment of activities required for the establishment of lease or license agreements for use of city property for mining purposes; and

**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to establish the "Mined Assets Fund" so that payments associated with feasibility determination and exploration of city-owned property for mining purposes can be deposited as soon as they are received for the immediate preservation of the public health, peace, property, safety and welfare, now, therefore:

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

**SECTION 1.** That the City Auditor is hereby authorized and directed to establish a special revenue fund titled the "Mined Assets Fund", Fund No. XXX, which is authorized to accept funds from non-City entities for activities related to feasibility determination, exploration, lease, or license of any city property for mining purposes.

**SECTION 2.** Monies accounted for in Mined Assets Fund No. XXXX shall be used for the acquisition, maintenance, operation, or construction of city-owned property or for activities required for establishment of lease or license agreements for use of city property for mining purposes.

**SECTION 3.** That from the unappropriated monies in the Mined Assets Fund (Fund XXX), and from the monies estimated to come into said fund from any and all sources unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$20,000 be and hereby is appropriated to the Real Estate Management Office, Dept/Div: 45-51, Object Level One Code xxx, Object Level Three Code xxxx, OCA Code xxxxxx. The funds appropriated are not to exceed the available cash in the Mined Assets Fund.

**SECTION 4.** That the monies appropriated in the foregoing Section 3 shall be paid upon the order of the Director of Finance and Management, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 5.** The City Auditor is hereby directed and authorized to deposit all revenues received from any non-City entity for activities associated with feasibility determination, exploration, lease, or license of any city-owned property for mining purposes into the Mined Assets Fund.

**SECTION 6.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be in force 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:** 0782-2009

**Drafting Date:** 05/21/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Affordable Housing Trust for Columbus and Franklin County combines public and private funding through a variety of sources to support the development of housing within the City. Both rental units and homeownership projects are developed.

In 2009 the City will commit its annual contribution of the hotel/motel tax receipts to the Affordable Housing Trust for Columbus and Franklin County at an estimated \$1,125,000 or whatever greater or lesser sum of money may be received through the portion of the Hotel/Motel Excise Tax fund allocated to the Affordable Housing Trust for Columbus and Franklin County. The amount allocated (\$1,125,000) is based on 0.43% in relation to the 5.1% total city rate, less \$266,000. Ordinance 0495-2009, passed 3/30/09, transferred \$150,000 from the Housing Trust Fund to the Health Special Revenue Fund to support the Columbus Neighborhood Health Centers. A subsequent ordinance will allocate \$100,000 to

the Municipal Court Judges for purposes of expanding the Specialty Court Docket, and \$16,000 for the Municipal Court Clerk.

This legislation is presented as an emergency because of the need to continue program services without interruption.

**FISCAL IMPACT:** This legislation authorizes and directs the appropriation and expenditure of 0.43% of the combined rates of 5.1% of the Hotel/Motel Excise Tax fund, less \$266,000, presently estimated at \$1,125,000.

**Title**

To authorize the Director of the Development Department to enter into a contract with the Affordable Housing Trust for Columbus and Franklin County to facilitate the production of affordable housing and enhance home ownership opportunities in Columbus; to authorize the appropriation and expenditure of 0.43% (presently estimated at \$1,125,000) of the combined rates of 5.1% of the Hotel/Motel Excise Tax, less \$266,000 to authorize the transfer of \$116,000 to the Public Safety Initiatives Fund and to repeal ordinance 0657-2009; and to declare an emergency. (\$1,125,000)

**Body**

**WHEREAS**, the Mayor commissioned a Columbus Housing Task Force (Task Force) in May 2000 to design the City's first housing trust fund and to recommend a structure whereby an Affordable Housing Trust for Columbus and Franklin County could facilitate the production of housing in Columbus; and

**WHEREAS**, the goal of the Housing Trust Fund is that 50% of the City's leveraged funding would go to benefit citizens who are at or below 60% of the median income; and

**WHEREAS**, Section 371.02(c) of the Columbus City Codes, 1959, specifies that up to 0.43 percent of the combined rates of 5.1 percent of the revenues of the Hotel/Motel Excise Tax are to be used to support the production of affordable housing and create home ownership opportunities within the city of Columbus through the Columbus Housing Trust; and

**WHEREAS**, ordinance 0495-2009, passed 3/30/09, transferred \$150,000 from the Housing Trust Fund to the Health Special Revenue Fund; and

**WHEREAS**, an additional \$116,000 will be allocated, \$100,000 to the Municipal Court Judges for purposes of expanding the Specialty Court Docket, and \$16,000 for the Municipal Court Clerk; and

**WHEREAS**, the City has determined to adjust the annual distribution of hotel/motel tax receipts to allow for on-going contributions in the amount of 0.43% (presently estimated at \$1,125,000) of the combined rates of 5.1% of the Hotel/Motel Excise Tax fund, less \$150,000, to Affordable Housing Trust for Columbus and Franklin County for this effort and \$116,000 for Municipal Court Judges and the Municipal Court Clerk; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to authorize the appropriation and expenditure of said funds for the Affordable Housing Trust for Columbus and Franklin County to continue program services without interruption, in order to preserve the public peace, health, safety, and welfare; and **NOW, THEREFORE**,

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

**Section 1.** That the Director of the Development Department is hereby authorized to enter into a contract with the Affordable Housing Trust for Columbus and Franklin County to support the production of affordable housing in the City of Columbus.

**Section 2.** For the purpose of paying the costs thereof, \$1,009,000 is hereby deemed appropriated and authorized to be expended from the Department of Development, Division No. 44-10, the Hotel/Motel Excise Tax Fund 236, Object Level One 03, Object Level Three 3336, OCA Code 236002.

**Section 3.** That the City Auditor be authorized to appropriate and transfer \$116,000 as follows:

**From:**

Fund 236 Hotel/Motel Excise Tax, Div 44-01, OCA 236002, OL3 5501

**To:**

Fund 016 Public Safety Initiatives, Div 44-01, OCA 441601, OL3 0886

**Section 4.** Said contract shall provide for payment by the City for such services in accordance with Chapter 371.02(c) of Columbus City Codes, 1959.

**Section 5.** That Ordinance 0657-2009, passed May 11, 2009 is hereby repealed.

**Section 6.** That in the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

**CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED INSTANTLY AT:**  
<http://finance.columbus.gov/AboutUs/Purchasing/VSFB.asp>

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

**EQUAL OPPORTUNITY CLAUSE:** Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

**WITHHOLDING OF INCOME TAX:** All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

**DELINQUENT PERSONAL PROPERTY TAX:** All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

**LOCAL CREDIT:** For all contracts EXCEPT PROFESSIONAL SERVICE CONTRACTS: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$10,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSALS CALL THE LISTED DIVISION

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - June 10, 2009 12:00 pm

SA003285 - Pest Management Service

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The Columbus Healthy Homes Program (HHP) of Columbus Public Health, Division of Environmental Health has a need for up to two providers of Integrated Pest Management (IPM) for Cockroach and Rodent control services using least toxic methods in up to 110 various residential sites throughout the city of Columbus. Integrated pest control applications will generally consist of up to 3 applications per unit. Applications will be made every two to four weeks depending on need. Any additional treatments must be authorized by the program within two weeks of the last (third) treatment.

1.2 Classification: The mission of the HHP is to prevent injury and disease resulting from unhealthy behaviors and conditions of the housing environment, through a holistic approach that incorporates assessment, consultation, education, and partnership building. All proposals should be based on single unit flat rate pricing. Applications will be in single units only, including single units of multi-unit buildings. Formal contracts are not necessary at this time. All proposals can be in the form of a written price list and description of services provided. Contract(s) awarded will be valid through March 31, 2012.

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: May 29, 2009

SA003269 - OCM-RENOV OF SALT BARN ROOFS

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

RENOVATION OF SALT BARN ROOFS FOR THE CITY OF COLUMBUS, DEPARTMENT OF PUBLIC SERVICE

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain formal bids to establish a contract for: RENOVATION OF SALT BARN ROOFS FOR THE CITY OF COLUMBUS, DEPARTMENT OF PUBLIC SERVICE for May 19 thru June 10, 2009.

1.2 Classification: Renovation/repair of the roofing systems for six area salt barns. This is a single prime project. There will be a prebid and site walk thru on Tuesday, May 19 at 10:30AM., at 1881 East 25th Avenue, Room "C", Columbus, Ohio 43219. A second scheduled walk thru will be conducted on Tuesday, May 26 at 10:30 A.M. starting at 1881 East 25th Avenue parking lot. This is a prevailing wage project requiring bonding and insurance.

Brief description- Renovation of six area Transportation salt barns. Four of the six locations are asphalt shingled, one is in need of metal seam roof replacement/repair, and one needs siding replacement/repair.

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.

Printing- Specifications will be available May 19, at 90 West Broad Street, Room B-41, Columbus, Ohio 43215. No cost for the first set. Addendums will be issued accordingly.

ORIGINAL PUBLISHING DATE: June 02, 2009

BID OPENING DATE - June 11, 2009 11:00 am

SA003282 - FUJITSU SCANNER M&S/INCOME TAX

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus, Income Tax Division, to obtain formal bids to establish a contract for the purchase of post warranty maintenance and service agreements for qty 10 Fujitsu Scanners.

1.2 Classification: The successful bidder will be providing service agreements for the scanners listed below. The corresponding part number for the type and level service is listed beside the scanner. No Substitutions will be allowed.

Item NO	QTY	Scanner Type/ Model	Item/Service Level	Part No.	Service Level
1	4	Fujitsu 5900C	CG01000-518201		Scancare Plus NBD*
2	3	Fujitsu 5750C	CG01000-516701		Basic Plus NBD*
3	3	Fujitsu 6770	CG01000-516701		Basic Plus NBD*

\*NBD- Next Business Day

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: May 27, 2009

SA003286 - FLEET/ULTRA LOW SULFUR DIESEL/BIODIESEL

1.1 Scope: It is the intent of the City of Columbus, Fleet Management Division to obtain proposals to establish a Universal Term Contract(s) (UTC) to supply Ultra Low Sulfur Diesel and Biodiesel Fuel for various City vehicles up to and including February 28, 2012.

1.2 Classification: The contract(s) resulting from this bid proposal will provide for the option of purchase of Ultra Low Sulfur Diesel and Biodiesel Fuel for various City vehicles per bid document.

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: May 30, 2009

BID OPENING DATE - June 12, 2009 2:00 pm

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003284 - OCM-RENOV OF SPRINKLER @ 120 MARCONI

ADVERTISEMENT FOR BIDS

RENOVATION OF 1ST FLOOR SPRINKLER REPAIR,  
120 MARCONI BLVD., COLUMBUS, OHIO 43215

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain formal bids to establish a contract for RENOVATION OF 1ST FLOOR SPRINKLER REPAIR, 120 MARCONI BLVD., COLUMBUS, OHIO 43215. Work to be completed within 60 calendar days upon notification of award of contract.

1.2 Classification: Renovation of the 1st floor sprinkler system. To include but not limited too the installation of heat trace on existing piping, wiring back to existing panel and selective demolition. There will be a pre-bid meeting on June 1, 2009 at 10:00 a.m. at 120 Marconi Blvd., 1st floor lobby. This is a prevailing wage project. A 10% proposal bond/100% performance bond required. All questions and concerns pertaining to the specifications shall be directed in writing to the Office of Construction Management. to the attention of Matt Van Wienen via fax (614) 418-0614 or e-mail (mvanwienen@bird-houk.com). Deadline for questions will be June 9, 2009 at 12:00 p.m. Addendums will be issued accordingly. The budget estimate for this project is \$140,000.00 including contingency.

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 02, 2009

SA003252 - Pretreatment Information Mgmt System

**THE CITY BULLETIN**  
**BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS**

SCOPE: The City of Columbus, Ohio is soliciting Request for Proposal (RFP) pursuant to Columbus City Code 329.14 from experienced software firms to assist the Department of Public Utilities with replacing the City's existing Pretreatment Information Management System (PIMS) used by the Division of Sewerage and Drainage and various MS Access and MS Excel solutions with a new commercial off-the-shelf (COTS) software solution.

The selected vendor will develop and document a plan to accomplish the above described replacement. The selected vendor will be required to provide training to end users and support staff and provide on-going support of the PIMS.

SUBMISSION DATE: Final date for submission is 4:00 p.m. (EST) Friday, June 12, 2009. Six (6) hard copies of the proposal documents and a CD with a PDF version shall be submitted. Proposals are to be in a sealed envelope(s) and mailed on or before the submission date to Jeffrey L. Bertacchi, Pre-Treatment Program Manager, 1250 Fairwood Avenue, Columbus OH 43206. Late submittals will not be accepted.

CLASSIFICATION: There is not a pre-bid conference for this RFP. Questions can be directed to Jeffrey L. Bertacchi by fax (614) 645-0227 or by E-mail [jlb@columbus.gov](mailto:jlb@columbus.gov)

All questions must be received no later than Friday May 22, 2009 1:00 PM (EST). Answers to all questions received and any addendums will be posted on the City's Vendor Services website <http://vendorservices.columbus.gov> on Tuesday, May 29, 2009 4:00 PM (EST)

For additional information concerning this request, including procedures for obtaining a copy of the of the RFP, 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: May 30, 2009

**BID OPENING DATE - June 18, 2009 3:00 pm**

SA003283 - STATE RTE BRIDGE MAIN 09 SERVICES CONTRA

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus, Department of Public Service, is receiving proposals until 3:00 P.M., June 18, 2009, for STATE ROUTE BRIDGE MAINTENANCE 2009 SERVICES CONTRACT, 1654 Drawer A. Proposals are being received at the Department of Public Service, Office of Support Services, 90 W. Broad St., Room 301, Columbus, OH, 43215. The scope of the project shall consist of routine maintenance to several bridges on State Routes within the City and such other work as may be necessary to complete the contract in accordance with the plans and specifications. The identified work will be completed within 60 days, but the contract duration shall be through June 30, 2010. The City will issue a Notice to Proceed on or about September 21, 2009.

1.2 Classification: Prevailing wage rates apply. The bidder is required to submit a proposal bond in the form provided in the Bid Submittal documents. The amount of the guaranty shall be expressed in dollars and cents or as a percentage of the bid amount, and shall not be less than ten (10) percent of the bid, including all alternates submitted which increases the bid. Each offeror shall submit with its proposal an active City of Columbus Contract Compliance Certification Number, or a completed application for certification. Plans can be purchased at 109 N. Front St, Room 301 for \$10.00. A pre-bid meeting will be held at 9:00 am on June 4, 2009 at 1800 E. 17th Avenue. All questions concerning the project are to be sent to [capitalprojects@columbus.gov](mailto:capitalprojects@columbus.gov). The last day to submit questions is June 10, 2009. Responses will be posted on the Vendor Services web site as an addendum and an e-mail will be sent to each firm who purchased plans. Phone calls will not be accepted.

For additional information concerning this bid go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov/e-proc/>) and view this solicitation number in the "open solicitations" listing.

Additional information:

It is highly recommended that proposals are hand delivered and not mailed as US Mail is not delivered directly to this building.

ORIGINAL PUBLISHING DATE: May 28, 2009

BID OPENING DATE - June 24, 2009 3:00 pm

SA003287 - MT VERNON AVE WATER MAIN IMP

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: The City of Columbus Department of Public Utilities, Division of Power and Water is receiving proposals for the Mount Vernon Avenue Water Main Improvement. The work for which proposals are invited consists of the installation of water lines and appurtenances, and other such work as may be necessary to complete the contract in accordance with the plans (C-1139) and specifications. All water main, services and appurtenance work shall be completed within 120 days from the date of the Notice to Proceed. All remaining work shall be completed within 180 days from the date of the Notice to Proceed.

CLASSIFICATIONS: There is not a Pre-Bid Conference for this bid. Prevailing wage rates apply. A 10% (ten percent) proposal guaranty (proposal bond or certified check) and a 100% (one hundred percent) performance and payment bond are required for this bid. Plans are available to prospective bidders through the office of Stantec Consulting Services, Inc. 1500 Lakeshore Drive, Suite 100, Columbus, Ohio 43204 after June 6, 2009. The Bid Date for the project is June 24, 2009.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: June 04, 2009

SA003288 - HAP CREMEAN WATER PLANT SLUDGE LINE

**THE CITY BULLETIN**  
**BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS**

SCOPE: Sealed proposals will be received by the Director of Public Utilities of the City of Columbus at the office of the Director of Public Utilities, 910 Dublin Road, Room 4002, Columbus, Ohio 43215 until 3:00 p.m., Local Time on June 24, 2009 and publicly opened and read at the hour and place for construction of the HAP CREMEAN WATER PLANT SLUDGE LINE REPLACEMENT - PART 1, CONTRACT NO. 1149, PROJECT NO. 690510.

The work for which proposals are invited consists of furnishing of all materials, equipment, and labor necessary for the installation and reconnection of approximately 700 feet of 12-inch ductile iron force main by open cut and bore and jack methods, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Such other work includes, but is not limited to, abandonment of the existing force main within the project limits, disposal of lime sludge within the force main, maintenance of traffic, and restoration of disturbed roadway surfaces and traffic control devices, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. All work shall be completed within 60 days from date of the Notice to Proceed. Copies of the Bid Submittal Documents will be on file and available to be purchased by prospective bidders on or after June 8, 2009 at Key Blueprint, 195 East Livingston Ave, Columbus, Ohio 43215 at 614-228-3285 or via Plan Well at [www.keycompanies.com](http://www.keycompanies.com) upon payment of \$20.00 per set. Payment shall be made payable to Key Companies. No refunds will be made.

CLASSIFICATION: There is no Pre-Bid Conference for this bid. Prevailing wage rates apply. A 10% (ten percent) proposal bond and a 100% (One hundred percent) performance bond are required for this bid. Bid documents will be available beginning Monday June 8, 2009.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing. From the solicitation listing, click on the box marked "continue" and open the Bidder's Guide for this additional information.

ORIGINAL PUBLISHING DATE: June 04, 2009

BID OPENING DATE - June 25, 2009 11:00 am

SA003276 - ABB Low Voltage Drives

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage to solicit formal bids to purchase ABB low voltage drives ACS800 Series for use by the Jackson Pike Wastewater Treatment Plant. These drives will be used for the centrifuges at the wastewater treatment plant

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase 1 each 100 HP drive, 1 each 30 HP drive and 2 each 500 HP drive and start-up assistance by qualified manufacturers representative. All installation requirements will be done by the City of Columbus, Jackson Pike Wastewater Treatment Plant 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: June 03, 2009

BID OPENING DATE - July 2, 2009 11:00 am

SA003268 - Seepex Pump Parts UTC

1.1 Scope: It is the intent of the City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage to solicit bids to establish a Universal Term Contract for the purchase of Seepex Progressive Cavity Pump Parts. The pumps are used at the two (2) wastewater treatment plants to convey secondary settled raw sludge from gravity thickening facilities to the sludge control buildings for dewatering. The bidder shall submit firm fixed prices for the items listed on the proposal pages. The proposed contract will be in effect for two (2) years from the date of execution by the City of Columbus to and including December 31, 2011. The City estimates spending \$30,000.00 annually for this contract

1.2 Classification: This bid proposal and the resulting Universal Term Contract will provide for the purchase and delivery of Seepex Progressive Cavity Pump Parts. The City of Columbus will provide all installation requirements. All orders will be placed on as needed basis.

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 04, 2009

BID OPENING DATE - July 7, 2009 11:00 am

SA003277 - POLICE INTELLIGENCE CASE MANAGMENT SYST.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope:

The Columbus Division of Police is seeking bids through this Request for Proposal (RFP) to acquire and implement an Intelligence/Case Management System with the latest technology available. The preferable system will be compatible and be able to fully interface with the Division of Police utilizing Microsoft SQL Server.

The Division of Police is a service to the public and operates 24 hours/7 days a week for both sworn and civilian staff. It is vital that systems for public safety and officer safety such as an Intelligence/Case Management Identification System be available to investigative personnel during all hours of operation. Support staff maintains and updates the information. Sworn staff must have access to the data from all environments including, but not limited to remote sites, as well as the Central Headquarters.

The start date of the contract will be based on the date on the executed contract page for a term of three (3) years. This contract may be renewed for maintenance and software support on its anniversary date for two (2) additional one-year renewals beyond the initial term contingent upon mutual agreement of both parties.

1.2 Classification:

Submit one (1) original unbound and five (5) copies. So that the evaluation is fair for all proposals, we need a uniform proposal format. Bidders are advised that City of Columbus Division of Police desires that proposals prepared in response to this RFP be submitted on recycled paper, and that all copies be printed on both sides of paper. While the appearance of proposals is important, and professionalism in proposal presentation should not be neglected, the use of non-recyclable or non-recycled glossy materials is discouraged. In addition, it is requested that proposals be in flat bound form to facilitate filing. Please do not submit proposals in loose-leaf binders

Bidders must describe their organizational size and structure, and state to what extent they are based locally, regionally, nationally, or internationally as well as their relationship to any parent firms, sister firms or subsidiaries.

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: May 20, 2009

BID OPENING DATE - July 14, 2009 11:00 am

SA003281 - POLICE PRISONER MEDICAL CLAIMS

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope:

The City of Columbus, Division of Police (referenced as City) intends to contract with a managed health care organization (referenced as Contractor) who shall provide medical invoice management services for the City's prisoner medical claims to improve the administration and containment costs.

Acting as the secondary payer, the City is legally responsible for the settlement and payment of fees for medical services rendered to individuals in police custody at the time of service. The City utilizes various area hospitals (including but not limited to Mt. Carmel, Riverside, Grant and Ohio State) and medical providers to ensure the timely and quality care for those individuals in police custody. During 2008, the City received 2,182 prisoner medical claims, processed 836 and determined that 1,346 were duplicate billed accounts. Of those processed, 719 claims were paid totaling \$334,172. The remaining 117 claims were denied.

Term: This proposed contract shall be in effect from the date of execution, by all parties, for one year, thereafter the contract may be renewed for two additional one-year terms. Consequently, the term of the contract is potentially three years.

Annual Extension: Subject to mutual agreement, the period covered by the ensuing contract, under the same terms and conditions stated herein can be extended for two one-year periods.

1.2 Classification:

The Contractor will submit detailed service and cost proposals and services being provided marked "original" and five (5) copies each marked as "copy". The five (5) copies shall be bound with tabbed sections. The original with tabs shall be submitted unbound.

Key RFP Dates

RFP available to bidders      No later than Thursday, May 21, 2009.

Pre-Bid Conference      Wednesday, June 3, 2009 @ 9:00 A.M., Room 116, Police Headquarters, 120 Marconi Blvd., Columbus, Ohio 43215

Email available for questions      Until Wednesday, June 17, 2009 @ 4:00 P.M. (EST).  
dalexander@columbuspolice.org. No questions will be answered after this date.

Answers to email questions posted as addendum on website      Wednesday June 24, 2009 @ 4:00 P.M. (EST)

Proposals due/Public Opening      Tuesday, July 14, 2009 @ 11:00 A.M. (EST).

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: May 22, 2009

# City RFPs, RFQs, and Bids

# 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:** PN0002-2009

**Drafting Date:** 12/26/2008

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title OFFICIAL NOTICE  
CIVIL SERVICE COMMISSION  
COMPETITIVE EXAMINATION ANNOUNCEMENTS**

**Notice/Advertisement Title:** Civil Service Commission Notice

**Contact Name:** Annette Bigham

**Contact Telephone Number:** 614.645.7531

**Contact Email Address:** eabigham@columbus.gov

**Body**

OFFICIAL NOTICE  
CIVIL SERVICE COMMISSION  
COMPETITIVE EXAMINATION ANNOUNCEMENTS

APPLY ON-LINE 24 HOURS A DAY, 7 DAYS A WEEK OR APPLY IN PERSON 9:00 A.M. to 4:00 P.M. MONDAY, WEDNESDAY or THURSDAY.

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is located on our website at [www.csc.columbus.gov](http://www.csc.columbus.gov) <<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:** PN0034-2009

**Drafting Date:** 10/02/2008

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** 2009 Meeting Schedule - City of Columbus Records Commission

**Contact Name:** Toya Johnson, Records Commission Coordinator

**Contact Telephone Number:** 645-7293

**Contact Email Address:** tjjohnson@columbus.gov

**Body**

**CITY BULLETIN NOTICE  
MEETING SCHEDULE  
CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2009 are scheduled as follows:

**Monday, February 2, 2009**

**Monday, May 4, 2009**

**Monday, September 21, 2009**

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) 645-7380.

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**Legislation Number:** PN0059-2009

**Drafting Date:** 03/02/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** 2009 Recreation and Parks Committee/Administration Committee Meeting Notice

**Contact Name:** Carl Williams

**Contact Telephone Number:** (614) 645-2932

**Contact Email Address:** [CGWilliams@columbus.gov](mailto:CGWilliams@columbus.gov)

**Body**

Council Member Priscilla R. Tyson will host a Recreation and Parks Committee Meeting on the dates listed below. Unless otherwise noted, the meetings will begin at 5:30 P.M. in City Council Chambers, located on the second floor of City Hall, 90 West Broad Street, Columbus, Ohio.

A valid picture ID is needed to enter City Hall. Members of the general public wishing to address the meeting must fill out a speaker slip. These speaker forms will be made available in Council Chambers from 5:30 until 6:00 P.M. on the day of the meeting.

- Thursday, April 16, 2009
- Thursday, May 21, 2009
- Thursday, June 18, 2009
- Thursday, July 16, 2009
- Thursday, September 17, 2009
- Thursday, October 15, 2009
- Thursday, November 19, 2009

*Meeting dates and times subject to change*

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**Legislation Number:** PN0060-2005

**Drafting Date:** 02/23/2005

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Published Columbus City Health Code

**Contact Name:** Richard Hicks

**Contact Telephone Number:** 654-6189

**Contact Email Address:** rickh@columbus.gov

**Body**"The Columbus City Health Code is updated and maintained by the Columbus Health Department.

To view the most current City Health Code, please visit:

<http://www.publichealth.columbus.gov/>

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**Legislation Number:** PN0119-2009

**Drafting Date:** 05/11/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** DPU R&R 09-04 Usage of Fire Hydrants

**Contact Name:** Christina K. Burden

**Contact Telephone Number:** 645-8508

**Contact Email Address:** CKBurden@columbus.gov

**Body**

Please see attachment

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**Legislation Number:** PN0129-2009

**Drafting Date:** 05/28/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Property Maintenance Appeals Board Meeting

**Contact Name:** Toni Gillum-Boehm

**Contact Telephone Number:** 614-645-5884

**Contact Email Address:** tgBoehm@columbus.gov

**Body**

**PROPERTY MAINTENANCE APPEALS BOARD**

**Monday, June 8, 2009**

**1:00 PM - 757 Carolyn Avenue**

**Hearing Room**

**1. Approval of prior meeting minutes**

**2. Case Number PMA-187**

**Appellant:** Herschel M. Sigall  
**Property:** 5105 Maple Ridge Drive  
**Inspector:** Jeremiah Evans  
**Order #:** 09440-01590

**3. Case Number PMA-188**

**Appellant:** Albert Simmons  
**Property:** 369 East 149th Street, 7th Floor  
**Inspector:** Noell Rader  
**Order #:** 09440-04180

**NOTE:** A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Regulations Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call Toni Gillum at 645-5884 or TDD 645-3293.

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**Legislation Number:** PN0130-2009

**Drafting Date:** 05/28/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Property Maintenance Board Meeting - 6/8/09

**Contact Name:** Toni Gillum-Boehm

**Contact Telephone Number:** 614-645-5884

**Contact Email Address:** tgboehm@columbus.gov

**Body**

**PROPERTY MAINTENANCE APPEALS BOARD**

**Monday, June 8, 2009**

**1:00 PM - 757 Carolyn Avenue**

**Hearing Room**

**1. Approval of prior meeting minutes**

**2. Case Number PMA-187**

**Appellant:** Herschel M. Sigall  
**Property:** 5105 Maple Ridge Drive  
**Inspector:** Jeremiah Evans  
**Order #:** 09440-01590

**3. Case Number PMA-188**

**Appellant:** Albert Simmons  
**Property:** 1401 Atcheson Street  
**Inspector:** Noell Rader  
**Order #:** 09440-04180

**NOTE:** A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Regulations Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call Toni Gillum at 645-5884 or TDD 645-3293.

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**Legislation Number:** PN0131-2009

**Drafting Date:** 05/28/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** City Council Zoning Agenda for 06/08/2009

**Contact Name:** Shezronne Zaccardi

**Contact Telephone Number:** 614-645-1695

**Contact Email Address:** sezaccardi@columbus.gov

**Body**

**REGULAR MEETING NO. 28**

**CITY COUNCIL (ZONING)**

**JUNE 8, 2009**

**6:30 P.M.**

**COUNCIL CHAMBERS**

**ROLL CALL**

**READING AND DISPOSAL OF THE JOURNAL**

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

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

**0337-2009**

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District, 3342.28, Minimum number of parking spaces required; and 3342.28(a), Driveway; of the Columbus City Codes for the property located at 866 SOUTH THIRD STREET (43206), to permit an exercise facility with reduced development standards in the R-2F, Residential. (Council Variance #CV08-025).

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**Legislation Number:** PN0132-2009

**Drafting Date:** 05/28/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Graphics Commission Meeting - 6/16/09

**Contact Name:** Dave Reiss

**Contact Telephone Number:** 614-645-7973

**Contact Email Address:** djreiss@columbus.gov

**Body**

**GRAPHICS COMMISSION  
CITY OF COLUMBUS, OHIO  
JUNE 16, 2009**

The Columbus Graphics Commission will hold a public hearing on the following applications on **TUESDAY, JUNE 16, 2009 at 4:15 p.m.** in the First Floor Hearing Room of the Building Services Division, 757 Carolyn Avenue.

The Graphics Commission hears requests for Variances, Special Permits, Appeals, Graphics Plans and certain Miscellaneous Graphics, as provided by the Columbus Graphics Code, Title 33, Article 15, of the Columbus City Code. Specific case information may be obtained by contacting the Building Services Division, 757 Carolyn Avenue, 645-7314.

**SPECIAL NOTE TO APPLICANT: YOU OR YOUR REPRESENTATIVE MUST ATTEND THIS MEETING.** It is the rule of the Commission to withdraw an application when a representative is not present.

**SIGN LANGUAGE INTERPRETER:** An interpreter will be made available for anyone in need of this service. To request an interpreter, please contact the City of Columbus, Building Services Division at 645-4522 at least four (4) hours before the scheduled meeting time.

**1. Application No.: 09320-00105**

**Location:** 4401 CLEVELAND AVENUE (43224), located at the southwest corner of Morse Rd. & Cleveland Ave.  
**Area Comm./Civic:** Northland Community Council  
**Existing Zoning:** C.P.D., Commercial Planned Development District  
**Request:** Variance(s) to Section(s):  
3377.04, Graphic area, sign height and setback.  
To reduce the established setback of a non-conforming sign (C.C. 3381.08) by permit from 26 ft. to 0 ft.  
**Proposal:** A drug store.  
**Applicant(s):** Walgreens; c/o Donald Plank; Plank & Brahm  
145 E. Rich St.  
Columbus, Ohio 43215  
**Property Owner(s):** LRC Morse Investors, Ltd.; c/o Donald Plank; Plank & Brahm  
145 E. Rich St.  
Columbus, Ohio 43224  
**Attorney/Agent:** Donald Plank; c/o Plank & Brahm  
145 E. Rich St.  
Columbus, Ohio 43215  
**Case Planner:** Dave Reiss, 645-7973  
**E-mail:** DJReiss@columbus.gov#http://DJReiss@columbus.gov#

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**Legislation Number:** PN0133-2009

**Drafting Date:** 06/02/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**  
The Columbus Art Commission - June 2009 Meeting Announcement  
Daniel Thomas  
645-8405  
djthomas@columbus.gov

**Body**  
**Public Hearings -- Columbus Art Commission**

The Columbus Art Commission is scheduled to hold two meetings in June 2009:

- Business Meeting (no applications heard)  
8:30 to 10:30 a.m. on Wednesday, June 10, 2009  
At the King Arts Complex, 867 Mt. Vernon Ave., Columbus OH

- Regular Commission Meeting  
6:00 to 8:00 p.m. on Thursday, June 25, 2009  
At the Columbus Health Department room 119-C, 240 Parson's Avenue, Columbus OH

For more information contact: Daniel Thomas at 645-8404 or djthomas@columbus.gov

A sign language interpreter will be made available provided the Planning Division has at least 48 hours notice before the meeting. Call 645-8036 to make arrangements.

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**Legislation Number:** PN0134-2009

**Drafting Date:** 06/03/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** South Side Community Town Hall Forum

**Contact Name:** John Ivanic

**Contact Telephone Number:** 614-645-6798

**Contact Email Address:** jpivanic@columbus.gov

**Body**

Councilmembers will convene a South Side Community Town Hall Forum on Thursday, June 11 from 5:30-7:00 pm at the Shamrock Club (60 W Castle Rd, Columbus, OH 43207).

**Date:**

Thursday, June 11, 2009

**Time:**

5:30 pm

**Location:**

Shamrock Club  
60 West Castle Rd  
Columbus, OH 43207

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**Legislation Number:** PN0135-2009

**Drafting Date:** 06/03/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

Columbus Building Commission June 16, 2009 Meeting

Keith Wagenknecht

645-5990

kewagenknecht@columbus.gov.

**Body**

**AGENDA**  
**COLUMBUS BUILDING COMMISSION**  
**JUNE 16, 2009 - 1:00 p.m.**  
**757 CAROLYN AVENUE**  
**HEARING ROOM - LOWER LEVEL**

1. **ROLL CALL**
2. **APPROVAL OF MAY 19, 2009 MEETING MINUTES**
3. **ADJUDICATION ORDER #A/O2009-014FXR  
MICHAEL BOYD, SR.  
1954 CLAY CT.**
4. **ITEMS FROM THE FLOOR (as approved by the Board)**

A sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call 645-6079 or TDD 645-3293. Should you have any questions regarding this policy, please contact the City of Columbus, Human Resources Department, at 645-6373.

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**Legislation Number:** PN0136-2009

**Drafting Date:** 06/03/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

Board of Zoning Adjustment, June 23, 2009 Meeting Announcement  
Jamie Freise  
645-6350  
jffreise@columbus.gov

**Body**

See attached Board of Zoning Adjustment June 23, 2009 Meeting Agenda

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**Legislation Number:** PN0138-2009

**Drafting Date:** 06/04/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** City Council Zoning Agenda for 06/15/2009  
**Contact Name:** Shezronne Zaccardi  
**Contact Telephone Number:** 614-645-1695  
**Contact Email Address:** sezaccardi@columbus.gov

**Body**

**REGULAR MEETING NO. 30  
CITY COUNCIL (ZONING)  
JUNE 15, 2009  
6:30 P.M.  
COUNCIL CHAMBERS**

**ROLL CALL**

**READING AND DISPOSAL OF THE JOURNAL**

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

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

**0663-2009**

To rezone 5800 FOREST HILLS BOULEVARD (43231), being 19.9± acres located at the southwest corner of Forest Hills Boulevard and Ponderosa Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Z08-067).

**0641-2009**

To rezone 1941 STELZER ROAD (43219), being 6.25± acres located at the southwest corner of Stelzer Road and Citygate Drive, From: R, Rural District, To: L-M, Limited Manufacturing, and CPD, Commercial Planned Development Districts (Rezoning # Z07-037).

**0551-2009**

To rezone 3700 SULLIVANT AVENUE (43228), being 5.0± acres located on the north side of Sullivant Avenue, 1065± feet west of Wilson Road, From: M, Manufacturing District, To: L-AR-12, Limited Apartment Residential District (Rezoning # Z08-063).

**0588-2009**

To grant a Variance from the provisions of Sections 3333.16, Fronting: 3333.255, Perimeter yard; and 3342.28 Minimum Number of Parking Spaces; of the Columbus City Codes for the property located at 3700 SULLIVANT AVENUE (43228), to permit a maximum of sixty dwelling units with reduced development standards in the L-AR-12, Limited Apartment Residential District. (Council Variance # CV08-036).

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**Legislation Number:** PN0307-2008

**Drafting Date:** 12/22/2008

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

Title

**Notice/Advertisement Title:** 2009 REGULAR MEETINGS OF COLUMBUS RECREATION AND PARKS COMMISSION

**Contact Name:** Chris Snyder

**Contact Telephone Number:** 645-7468

**Contact Email Address:** crsnyder@columbus.gov

Body

EXHIBIT A

NOTICE OF REGULAR MEETINGS

COLUMBUS RECREATION AND PARKS COMMISSION

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercises certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at 8:30 a.m. on the following dates

and locations (unless otherwise posted):

**Wednesday, January 14, 2009 - 1111 East Broad Street, 43205**

**Wednesday, February 11, 2009 - 1111 East Broad Street, 43205**

**Wednesday, March 11, 2009 -- 1111 East Broad Street, 43205**

**Wednesday, April 8, 2009 -- 1111 East Broad Street, 43205**

**Wednesday, May 13, 2009 - 1111 East Broad Street, 43205**

**Wednesday, June 10, 2009 - Gillie Recreation Center, 4625 Morse Centre Drive, 43229**

**Wednesday, July 8, 2009 - Westgate Shelterhouse, 3271 Wicklow Road, 43204**

**August Recess - No meeting**

**Wednesday, September 9, 2009 - Schiller Recreation Center, 1069 Jaeger Street, 43206**

**Wednesday, October 14, 2009 - Mentel Golf Course, 6005 Alkire Road, Galloway, 43119**

**Wednesday, November 11, 2009 - 1111 East Broad Street, 43205**

**Wednesday, December 9, 2009 - 1111 East Broad Street, 43205**

**AGENDA  
BOARD OF ZONING ADJUSTMENT  
CITY OF COLUMBUS, OHIO  
JUNE 23, 2009**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, JUNE 23, 2009 at 6:00 P.M.** in the First Floor Hearing Room of the Building Services Division, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Building Services Division, 757 Carolyn Avenue, 645-7314.

**SPECIAL NOTE TO THE APPLICANT:** It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

**SIGN LANGUAGE INTERPRETER:** An interpreter will be made available for anyone in need of this service. To request an interpreter, please contact the City of Columbus, Building Services Division at 645-4522 at least four (4) hours before the scheduled meeting time.

**THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M., AFTER ANY APPEAL(S):**

1.     **Application No.:**     **09310-00106**  
      **Location:**         **3223 MORSE ROAD (43231)**, located on the south side of Morse Road, approximately 200' east of Westerville Road.  
      **Area Comm./Civic:** North East Area Commission  
      **Existing Zoning:** LARLD, Apartment Residential District  
      **Request:**         Variance(s) to Section(s):  
                          3333.23, Minimum side yard permitted.  
                                  To reduce the minimum side yard from 5' to 0'.  
                          3342.28, Minimum number of parking spaces required.  
                                  To reduce the minimum number of parking spaces from 84 to 33.  
                          3333.25, Side or rear yard obstruction.  
                                  To allow a structure (8 ft. fence) in the side yard.  
      **Proposal:**         A 3 story, 42 unit apartment building.  
      **Applicant(s):**     Samantha A. Shuler  
                          1680 Watermark Drive  
                          Columbus, OH 43215  
      **Property Owner(s):** Dogwood Glenn, LLC, c/o Community Housing Network, Inc.  
                          1680 Watermark Drive  
                          Columbus, OH 43215  
      **Case Planner:**     Dave Reiss, 645-6350  
      **E-mail:**         DJReiss@Columbus.gov#<http://DJReiss@Columbus.gov#>

2. **Application No.:** 09310-00107  
**Location:** 1644 NORTH HIGH STREET (43201), located at the northeast corner of High Street and Chittenden.  
**Area Comm./Civic:** University Area Commission  
**Existing Zoning:** C-4, Commercial District  
**Request:** Variance(s) to Section(s):  
3342.28, Minimum number of parking spaces required.  
To reduce the minimum number of parking spaces from 25 to 0.  
**Proposal:** To convert an existing retail space to restaurant use.  
**Applicant(s):** Pressly, LLC, c/o Stephen J. Smith  
250 West Street  
Columbus, OH 43215  
**Property Owner(s):** James P. Dawson  
1644 North High Street  
Columbus, OH 43201  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** [JFFreise@Columbus.gov](mailto:JFFreise@Columbus.gov)<http://JFFreise@Columbus.gov>

3. **Application No.:** 09310-00109  
**Location:** 2496-98 SUMMIT STREET (43201), located on the east side of Summit Street, approximately 130' south of Hudson Street.  
**Area Comm./Civic:** University Area Commission  
**Existing Zoning:** C-4, Commercial District  
**Request:** Variance(s) to Section(s):  
3342.28, Minimum number of parking spaces required.  
To reduce the minimum number of parking spaces from 26-10.  
**Proposal:** To convert an existing retail space to restaurant use.  
**Applicant(s):** Suzan Mustafa  
5208 Karl Road  
Columbus, OH 43229  
**Property Owner(s):** Applicant  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** [JFFreise@Columbus.gov](mailto:JFFreise@Columbus.gov)<http://JFFreise@Columbus.gov>

4. **Application No.:** 09310-00110  
**Location:** 1146 HARRISON AVENUE (43201), located on the east side of Harrison Avenue, approximately 120' north of West Third Avenue.  
**Area Comm./Civic:** Victorian Village Area Commission  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):  
3332.38, Private garage  
To increase the allowable height of a garage from 15' to 24'5".  
**Proposal:** To increase the allowable height of a garage.  
**Applicant(s):** Michael Bongiorno  
1146 Harrison Ave.  
Columbus, OH 43201  
**Property Owner(s):** Applicant  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** [JFFreise@Columbus.gov#http://JFFreise@Columbus.gov](mailto:JFFreise@Columbus.gov#http://JFFreise@Columbus.gov)
5. **Application No.:** 08310-00376  
**Location:** 90 WEST HUBBARD AVENUE (43215), located on the north side of Hubbard Ave., approximately 150' west of Park Street.  
**Area Comm./Civic:** Victorian Village Commission  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):  
3332.24, Side yard.  
To reduce the minimum side yard from 3' to 0'.  
**Proposal:** To replace an existing garage.  
**Applicant(s):** Steven Camper  
90 W. Hubbard Ave.  
Columbus, OH 43215  
**Property Owner(s):** Applicant  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** [JFFreise@Columbus.gov#http://JFFreise@Columbus.gov#](mailto:JFFreise@Columbus.gov#http://JFFreise@Columbus.gov#)

# KING-LINCOLN DISTRICT REDEVELOPMENT OPPORTUNITY

## 879 and 905 East Long Street

Request for Proposals  
City Owned Real Estate



**879 E. Long Street "The Edna"**



**905 E. Long Street "The Charles"**

**City of Columbus  
Department of Development  
Land Redevelopment Office  
109 N. Front Street  
Columbus, OH 43215  
(614) 645-5263**

**Application deadline:**

**June 5, 2009 at 12:00 p.m.**

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# The City of Columbus Department of Development

## NOTICE

Seeking Redevelopment Proposals  
879 E. Long Street  
905 E. Long Street  
Columbus, Ohio 43203

In order to implement the development objectives of the *King-Lincoln District Plan*, The City of Columbus is looking for creative ideas from qualified developers. Only the highest quality applicant(s) will be selected to partner with the City to redevelop one or two City-owned structures on East Long Street.

This notice invites developers with innovative ideas and concepts that have the proven skills, resources, and commitment needed to successfully redevelop these sites.

A Request for Qualifications can be downloaded from the City of Columbus website at:

<http://td.ci.columbus.oh.us/Bizdevelopment/BuyCityProperty/Index.asp>.

Please call (614) 645-LAND (5263) for more information

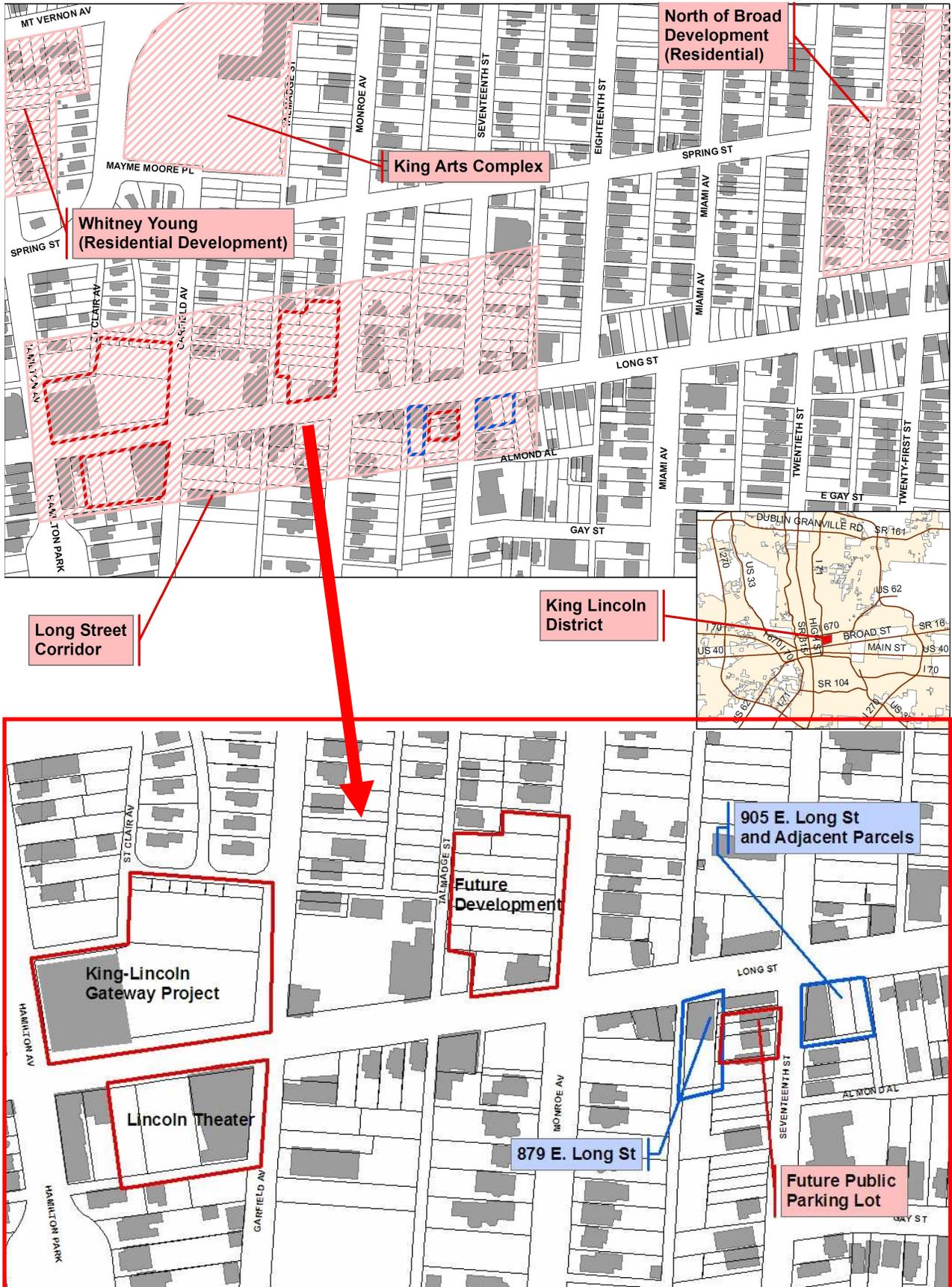
### KEY DATES

Notice Released .....Saturday, March 14, 2009  
Pre-submittal Meeting..... Wednesday, April 1, 2009 at 5:30 p.m.  
Proposals Due.....Friday, June 5, 2009 at 12:00 p.m.

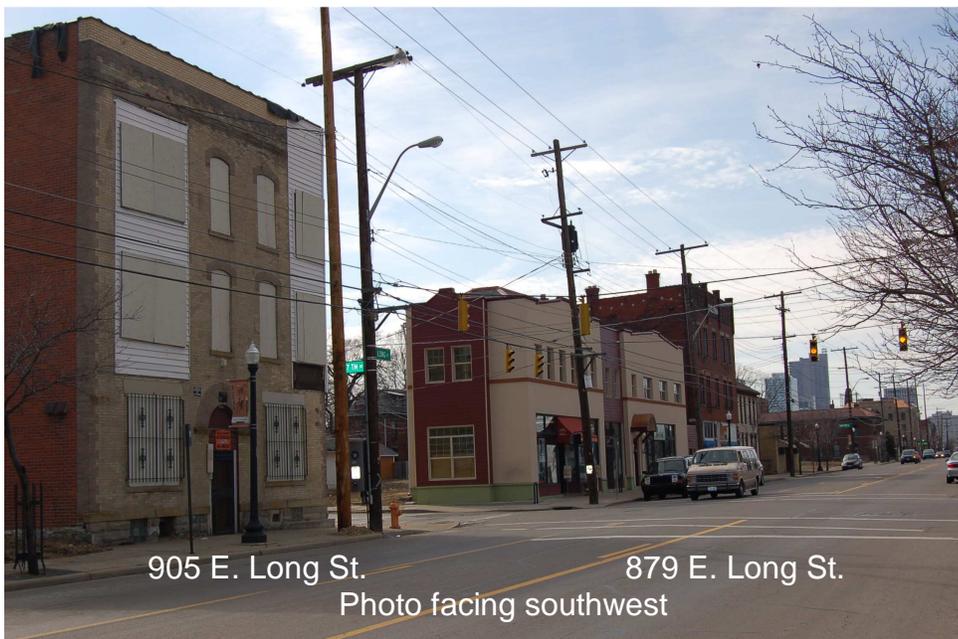
Submit proposals by deadline to:  
City of Columbus - Department of Development  
Land Redevelopment Office  
109 N. Front Street  
Columbus, Ohio 43215

Interior inspection/walk-thru may be scheduled by appointment only.

# LOCATION MAPS AND PHOTOS



# PROPERTY PHOTOS





## 879 E. LONG STREET “THE EDNA”

**Parcel #:** 010-052142

**Property Address:** 879-881 E. Long Street

**Building Description:** 3 Story Brick, Metal fire escape

**Construction Date:** Pre-1920

**Lot Size:** Irregular 50' x 145'

**Building Sq. Ft.:** 8,694 Sq Feet

**Zoning:** R2F

**Area Commission:** Near East Area Commission

**General Condition:** Poor

**Price:** Negotiable

### Notes:

1. The interior is in a deteriorated state due to significant interior water damage and may need a complete replacement of floor joists, mechanical systems, and finishes.
2. The City of Columbus removed and completely rebuilt the roof, including replacement of all structural components and rubber.
3. The City of Columbus performed an asbestos remediation of the interior, most surfaces removed completely.
4. A public 15-space parking lot is planned for the adjacent parcels, to the east of the site.

*DISCLAIMER: The City of Columbus, by and through its representatives, believes the information provided herein to be accurate; however, applicants shall not rely on such information without independent verification. The City of Columbus has compiled this information and provides the same in a good faith effort to assist applicants; however, the City of Columbus shall not be held responsible for inaccuracies, omissions, or errors in substance or content.*



## 905 E. LONG STREET “THE CHARLES”

**Parcel #:** 010-049313 (plus, the adjacent lots 010-038048 and 010-035014)

**Property Address:** 905 E. Long Street

**Building Description:** 3 Story Brick

**Construction Date:** 1930

**Lot Size:** Irregular 32.5' x 93', .085 acres, (3,736) sq/ft

**Building Sq. Ft.:** 10,785 Sq Feet

**Zoning:** R2F

**Area Commission:** Near East Area Commission

**General Condition:** Poor

**Price:** Negotiable

### Notes:

1. The interior is gutted to the studs, the building will need a complete replacement of all interior components.
2. The building is two structures joined by an interior stairwell.
3. Previous to City ownership, the building was used as an 11-unit apartment building. Both residential and/or commercial uses will be considered.
4. The City owns the two adjacent parcels to the east which could be included in the proposal as parking, a building expansion, or complementary new construction.

*DISCLAIMER: The City of Columbus, by and through its representatives, believes the information provided herein to be accurate; however, applicants shall not rely on such information without independent verification. The City of Columbus has compiled this information and provides the same in a good faith effort to assist applicants; however, the City of Columbus shall not be held responsible for inaccuracies, omissions, or errors in substance or content.*

# **SUBMISSION PROCEDURES**

The following is a list of information and development proposal requirements needed from the responding applicant.

## **A. Experience**

Summary of qualification: Include information on project lead(s), team members and past projects including scope and project cost.

## **B. Plans**

- Detailed site plans showing open space, pedestrian entrances and circulation, auto access points/entrances, amenities, floor plans, orientation of building footprints, streets, etc.
- Detailed design graphics, elevations floor plans and/or sample models to represent the intent of the developer.
- Submit at least one (1) color foam core board (minimum 48" x 36" ) of the detailed site plan

## **C. Financial Proposition**

- Offer Price.
- Estimate of total project costs, broken out into hard and soft cost line items.
- Cash flow, pro-forma spreadsheet statements for at least a 10-year period (Detailing costs, financing, revenues, and expense analysis, and all relevant assumptions upon which these calculations are based.).
- Method of financing, including sources of debt supportable and equity funds available to finance the project.
- Specific information on how the proposed development is to be financed, and on the formulas and assumptions used to derive debt and equity (and these amounts).
- Statement from bank or other financial institution demonstrating the developer has obtained such financing in the past.
- Statement of expected public (city and other) participation included in methods of financing. Recognizing that City resources are limited, the City will consider limited assistance on the projects in response to a specific proposal.
- Statement of LLC statutory agent (if applicable)
- Incorporation papers.
- Contingent commitment letters from any and all development, building or financing partners.

## **D. Development Schedule**

- Specifying the point when the following items will occur:
  1. Design completion
  2. Commitment of permanent and construction financing
  3. Scheduled dates of public approvals
  4. Construction timetable dates
  5. Construction start
  6. Number of construction phases
  7. Duration of construction phases
  8. Final project completion and Mayor's ribbon-cutting ceremony

## **E. Community Relations**

Submit a detailed plan of community relations activities that includes presentations to neighborhood groups and business associations as well as periodic community updates for the duration of the project.

## **F. Marketing Plan**

Include goals, activities and budget (include source)

**Five (5) copies of the application must be submitted.**

**One or both structures may be included in a proposal**

# GENERAL DEVELOPMENT OBJECTIVES AND DESIGN STANDARDS

(Please refer to the adopted *King-Lincoln District Plan* and *Near East Area Plan* for more details. Copies can be obtained at the Columbus Planning Office, or on-line at: <http://td.ci.columbus.oh.us/Bizdevelopment/PlanList/index.asp>)

## Overall Goals:

- Establish and promote strong, distinct, and vibrant neighborhoods and an enhanced quality of life for residents.
- Provide and encourage an atmosphere that encourages job creation and economic growth by providing a vibrant economy offering all persons an opportunity to share in its prosperity.
- Inspire a spirit of cooperation, pride and responsibility among residents, business persons, stakeholders and visitors alike.
- Provide high-quality, efficient, and flexible participation in the realization of these goals.

## Residential Goals and Strategies related to infill housing from *King-Lincoln District Plan*

- Preserve historic architectural features of the District.
- Develop new housing.
- Increase and support homeownership, including condominiums.
- Encourage an appropriate mix of housing opportunities for all income levels.
- Encourage the investment of financial and non-profit institutions in the improvement and maintenance of the housing stock.
- Encourage mixed-use development, including residential uses, in appropriate locations.
- Target homeownership development resources to the development of infill housing to owner-occupied and mixed-use developments.

## SELECTION CRITERIA

### Experience: 25%

- Demonstrates a thorough understanding of the development and construction processes.
- Has successfully completed similar projects in a timely manner.

### Project Concept: 25%

- Clearly state how ideas match the general goals and design of the standard district.
- State how development ideas are feasible and what amenities set the ideas apart from other applicants.
- Overall development project's (square footage, number of units, etc.) level of consistency with city objectives and guidelines.

### Financial: 30 %

Prospective financial statements submitted by the developer must be analyzed by city staff and outside experts.

The procedures for analyzing the pro-forma will include the examination of the following general areas:

- Overall financial plan.
- Accuracy (the math is clear/correct/coherent).
- Completeness (financial elements are clear and comprehensive).
- Reasonableness (Testing the major assumptions used to generate the pro-forma; measuring the developer's risk and return against the City's risk and return).
- Flexibility in key financial variables.

### Development Schedule 10%

Development schedules should be timely and reasonable.

- Reasonable schedules.
- Evidence of permanent and construction financing.
- Reasonable construction starts, number of construction phases, and duration of construction phases.

### Community Relations and Marketing 10%

Plan should demonstrate knowledge of the King-Lincoln District neighborhood and residents

- Includes all major commissions, civics and business associations
- Demonstrates commitment to community involvement

- Demonstrates capacity for responsiveness to community
- Evidence of consistent communication with community Plan should demonstrate knowledge of target audience and capacity for implementation
- Goals are measurable
- Activities are diverse and specific
- Financial commitment is reasonable

## **SELECTION PROCESS**

A Review Committee will review and score the proposals. An oral presentation before the Review Committee may be required of some or all respondents. Scheduling of these presentations is at the City's discretion and may impact the panel's final recommendation. The Review Panel will make a recommendation to the City's Development Director. The Development Director will make the final decision. Prior to legislative action awarding the contract, the selected developer is required to make a presentation to the Near East Area Commission general meeting at the earliest possible date. Failure to do so in a timely manner may result in retraction of the award. The Request for Proposals or the Review Committee's recommendation shall not obligate the City of Columbus to award, transfer or convey subject real property. The City of Columbus hereby reserves the absolute right to accept or reject any and all land use/development proposals submitted in response to this Request for Proposal before, or during the selection process.

Five (5) complete copies of the proposal must be included in the submission, with each copy of the proposal presented in a single, clearly marked packet. Submissions must be received at the offices of the Department of Development by 12:00 p.m. June 5, 2009, addressed to:

**City of Columbus  
Land Redevelopment Office  
RE: Response to RFP King-Lincoln District  
109 N. Front Street  
Columbus, Ohio 43215**



City of Columbus  
Mayor Michael B. Coleman

**Department of Public Utilities**  
Tatyana Arsh, P.E. Director

**RULE AND REGULATION NO. 09-04**  
**Division of Power & Water**  
**Department of Public Utilities**

**April 2009**

**SUBJECT: USAGE OF FIRE HYDRANTS**

Pursuant to the authority granted under Columbus City Codes Sections 1113.03 and 2517.04, the Director of the Department of Public Utilities hereby adopts, establishes and publishes this rule and regulation to be effective July 1, 2009. This rule and regulation supersedes Division of Power and Water Rule and Regulation 06-05, published June 24, 2006 and July 1, 2006 in the *City Bulletin* of Columbus, Ohio. This rule and regulation is in addition to any established requirements that have not been superseded or rescinded by this or any previous act.

**APPLICATION:**

This Rule and Regulation applies to all fire hydrants connected directly or indirectly to the City of Columbus distribution system, with the exception of wholesale contract areas.

**DEFINITIONS:**

*Retail Contract Area:* Areas or Municipalities that own water main lines but have a contract with the Division of Power and Water to provide water and to maintain the water main lines.

*Wholesale Contract Area:* Areas or Municipalities that own and maintain their own water distribution systems, but have a contract with the Division of Power and Water to provide water service through a master meter.

**GENERAL REGULATION:**

In accordance with Sections 1113.03 and 2517.04 of the Columbus City Codes, 1959, this rule and regulation is hereby established regarding fire hydrant usage on the City of Columbus, Division of Power & Water distribution system.

Fire hydrants on the City of Columbus, Division of Power & Water distribution system are for the purpose of fighting fires and the protection and preservation of public health, property and safety.

Utilities Complex	910 Dublin Road	Columbus, Ohio 43215
Director's Office	614/645-6141	FAX: 614/645-8019 TDD: 614/645-6454
Power and Water Division	614/645-7020	FAX: 614/645-8177 TDD: 614/645-7188

Fairwood Complex	1250 Fairwood Avenue	Columbus, Ohio 43206
Sewerage and Drainage Division	614/645-7175	FAX: 614/645-3801 TDD: 614/645-6338

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A hydrant permit shall be obtained from the City of Columbus prior to any connection to a hydrant, with exception made for other City of Columbus Departments and Retail Contract Areas using the hydrant(s) for operational uses such as street cleaning, sewer cleaning or system flushing and testing. In lieu of obtaining a hydrant permit, these excluded entities must follow the Hydrant Usage Guidelines and Requirements developed by the City of Columbus Division of Power and Water.

The hydrant permit shall be signed by an authorized agent of the Division of Power & Water and the applicant. Such **permits will be available for only a select number of hydrants**, as authorized by the Director of Public Utilities or an authorized agent. A permit may be issued for a hydrant other than the usually designated hydrants only for use on Capital Improvement Projects (CIP) and contracted sewer cleaning operations funded by the City of Columbus or their Retail Contract Areas. In order to receive this consideration, the applicant must provide either documentation of contract with the City of Columbus or Retail Contract Area or a confirmation letter from the City of Columbus or Retail Contract Area's CIP representative of said project at the time of permit application. The Division of Power & Water maintains the right to refuse granting a permit, based on privately owned hydrant, water quality issues, water main age or safety measures associated with the ability to fight fires.

A fire hydrant use permit may be obtained for any of the following purposes:

1. New construction (metered service is not available).
2. Nurseries
3. Water hauling
4. Dust control and/or street cleaning during construction/demolition

Any other use must be authorized, in writing, by the Director of Public Utilities. In such cases, a Fire Official must operate the hydrant and remain at the hydrant during its use.

Fire hydrants shall not be used for:

1. Watering established lawns
2. Drawing water from hydrants within a designated watering restriction area
3. Drawing water from a hydrant to circumvent a metering system
4. Filling Residential (single family) swimming pools

Fire hydrants located within a Retail Contract Area **will require an additional permit** from the corresponding jurisdiction. This permit will be required prior to the issuing of a permit by the City of Columbus.

Each City of Columbus hydrant permit will apply to only one (1) fire hydrant and for the time period and purpose stated on the permit. The time period will be consecutive days, but will not exceed thirty (30) days, unless approved by the Appointing Authority.

The charge for a City of Columbus hydrant permit will be thirty dollars (\$30.00). In addition, there will be a water usage charge of fifty dollars (\$50.00) per day for each day this permit is in effect, with the exception of community swimming pools. The water usage charge for filling community swimming pools will be based upon the volume of the pool and current water usage rates. Payment shall be made in advance with no prorating of charges. No metering system shall be permitted with the connection for the purpose of billing.

An approved backflow prevention device (a two single check device at minimum) and fire hydrant wrench shall be used on all fire hydrant connections. A limited number of these backflow prevention devices are available for loan from the Division with a six hundred dollar (\$600.00) deposit. Fire hydrant wrenches are available for loan with a one hundred dollar (\$100.00) deposit. Connections and wrenches are property of the City of Columbus, Division of Power & Water, and may not under any circumstances be kept by the permit holder past the scheduled date of return, unless a new permit is obtained.

An agent designated by the applicant shall be located at the hydrant each day of hydrant use from the time that the connection is made, to the time the connection is removed. The applicant shall maintain an air gap (equal to twice the diameter of pipe at point of use from the collection receptacle) at all points of use. The agent shall have the applicant's copy of the valid fire hydrant permit at the location of the hydrant during use. This permit shall be presented to any individual employed by the City of Columbus or the corresponding jurisdiction (if any) upon request of inspection of the permit.

The backflow prevention device and hydrant wrench shall be immediately removed from fire hydrant whenever water is not being actively drawn from hydrant and shall be removed from the hydrant site each day, upon completion of daily hydrant usage.

The applicant shall pump dry, to the foot valve or a minimum of five (5) feet below the existing ground surface around the hydrant, the barrel of any fire hydrant used between the dates of September 15<sup>th</sup> and April 15<sup>th</sup>, immediately after each time the fire hydrant is operated.

Upon expiration of the permit or as the Division of Power & Water deems necessary, an inspection of the permitted fire hydrant will be made.

#### **SPECIAL EVENTS REGULATION:**

Special Events (carnivals, charity events, festivals, etc.) requesting temporary water usage for public consumption will be required to submit a Special Event Fire Hydrant Application/Permit.

All temporary connections to fire hydrants for Special Events shall have a Reduced Pressure Zone (RPZ) backflow prevention device in accordance with American

Society of Sanitary Engineers (ASSE) Standard 1013. The RPZ backflow preventer must be tested by a certified backflow inspector after installation.

A Special Event Fire Hydrant Application/Permit form must be submitted to the Division of Power and Water a minimum of thirty (30) days prior to the event. The charge for the Special Event Fire Hydrant Application/Permit will be seventy-five dollars (\$75.00) per permit when using five (5) or fewer hydrants and one hundred fifty dollars (\$150.00) per permit when using more than five (5) hydrants. The charge for water used from a fire hydrant will be fifty dollars (\$50.00) per day for each day the applicant has use of the fire hydrant(s). Fees must be paid to the City of Columbus, Division of Power and Water in advance of issuance of the permit.

If the Special Event requires construction of temporary water lines by the City, a site plan and five hundred dollar (\$500.00) refundable security deposit shall be submitted at least thirty (30) days prior to the event so that work can be planned and scheduled. The event coordinator is responsible for all labor costs for this work and replacement costs for equipment or materials damaged during the event. If the total cost exceeds the security deposit, a separate bill will be sent to the event coordinator for the balance due. If the total cost is less than the deposit, the remaining balance will be refunded to the event coordinator.

If the event coordinator elects to provide all labor and materials required for the construction of the temporary water lines, a fifty dollar (\$50.00) fire hydrant inspection fee will be required to inspect the fire hydrant for operational integrity before and after the event.

Unless waived by the Appointing Authority or an appointed designee, a one hundred dollar (\$100.00) late fee shall be assessed if the permit application is submitted less than thirty (30) days prior to the event or if all fees have not been paid within ten (10) days of the event. This late fee is non-refundable.

#### **DAMAGE TO HYDRANT**

The applicant shall be responsible for all damage to the fire hydrant and water system caused by the applicant's use of the fire hydrant. A surety bond, other security, or insurance may be required at the time of application for the permit.

#### **PENALTY FOR VIOLATION**

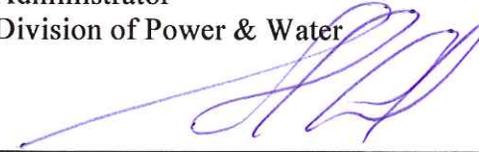
Violators of the rule and regulation will be penalized in accordance with Columbus City Code Sections 1113.03, 1113.035, 2501.99 and 2517.04. As written, penalties may comprise up to and including, a misdemeanor of the first degree, an unauthorized water usage charge, loss of deposit amount(s), the cost for repair of any damage to the hydrant, and the revocation of all current fire hydrant permits. Unauthorized water use charge and the cost to repair any damage to a hydrant shall be

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paid before any future hydrants permits are issued to the applicant. No future permits will be issued if the applicant violates this rule and regulation or conditions of the permit more than two (2) times in a one year (365 days) period.

APPROVED:   
RICHARD C. WESTERFIELD, Ph.D., P.E.  
Administrator  
Division of Power & Water

4-29-09  
DATE

  
TATANYA ARSH, P.E.  
Director  
Department of Public Utilities

4/29/9  
DATE

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