

Columbus City Bulletin



Bulletin #30
July 25, 2009

Proceedings of City Council

Saturday July 25, 2009



SIGNING OF LEGISLATION

All Legislation was signed by Council President Michael C. Mentel on the night of the Council meeting, Monday, *July 20, 2009*; by Mayor Michael B. Coleman on Tuesday, *July 21, 2009*; and attested by the City Clerk, prior to Bulletin publishing.

The City Bulletin Official Publication of the City of Columbus

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

Council Journal (minutes)



City of Columbus
Journal - Final
Columbus City Council

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

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

Monday, July 20, 2009

5:00 PM

Columbus City Council

Columbus City Council

Journal

July 20, 2009

**REGULAR MEETING NO. 36 OF COLUMBUS CITY COUNCIL, JULY 20, 2009 at
5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

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

READING AND DISPOSAL OF THE JOURNAL

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

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

C0020-2009

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY
CLERK'S OFFICE AS OF WEDNESDAY JULY 15, 2009:

New Type: C1, C2
To: B & F Carryout Inc
DBA Buckeye Fast Mart
1294 Bethel Rd
Columbus OH 43220
Permit # 0347985

New Type: D2
To: Curry & Kabab Inc
DBA Curry & Kabab
2412 N High St
Columbus OH 43202
Permit # 1853420

New Type: C1, C2, D6
To: 4275 LLC
2465 N High St
Columbus OH 43202
Permit # 2850895

New Type: D5A, D6
To: V J P Hospitality LTD
DBA Sheraton Airport
3030 Plaza Properties Blvd
Columbus OH 43219
Permit # 9181107

New Type: D1
To: Noodle Shop Co Colorado Inc
2116 N High St
Columbus OH 43201
Permit # 64316440010

New Type: D3, D3A, D6
To: LN Granville Inc
2400 E Dublin Granville Rd
Columbus OH 43229
Permit # 5245060

Transfer Type: C1, C2
To: Sober Investments LLC
1065 Livingston Ave
Columbus OH 43205
From: Shawnae Sellers
1065 Livingston Ave
Columbus OH 43205
Permit # 83432800005

Transfer Type: C1, C2
To: Nasif Inc
DBA M & M Market & Carryout
1596 Oakland Park Av
Columbus OH 43224
From: Hiba Inc
DBA M & M Market & Carryout
1596 Oakland Park Av
Columbus OH 43224
Permit # 0370160

Liquor Agency Application
To: Tamarkin Co
DBA Giant Eagle 6528
5461 New Albany Rd W
Columbus OH 43054
Permit # 87906900620

Liquor Agency Application
To: 4275 LLC
2465 N High St
Columbus OH 43202
Permit # 2850895

Advertise: 07/25/2009

Return: 08/05/2009

Read and Filed

RESOLUTIONS OF EXPRESSION

TYSON

0109X-2009 To Recognize July as National Recreation and Parks Month.

Sponsors: Priscilla Tyson

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

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

ADDITIONS OR CORRECTIONS TO THE AGENDA

FIRST READING OF 30-DAY LEGISLATION

FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY

0939-2009 FR To authorize the Director of the Department of Finance and Management to enter into one year lease agreements with AARP Foundation and Grandparents Living Theatre, dba Senior Repertory of Ohio Theater Company for that City-owned property at 1393 East Broad Street.

Read for the First Time

PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER TAVARES

MENTEL

0986-2009 FR To vacate those unimproved streets and alleys south of Seventeenth Avenue and west of Stelzer Road that lie within the boundaries of that property identified as Parcel 010-146775, owned by the Columbus Regional Airport Authority; to retain a general utility easement in, on, over, across and through the streets and alleys herein vacated for the benefit of those utilities currently located within them; and to the extent that they may apply to waive the competitive bidding and Land Review Commission provisions of Columbus City Code.

Read for the First Time

SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL

0991-2009 FR To authorize and direct the Finance and Management Director to sell to Officer Timothy Shepard for the sum of \$1.00, a police canine with the registered name of "Benny", which has no further value to the Division of Police, and to waive provisions of the City Code-Sale of City Owned Personal Property. (\$1.00)

Read for the First Time

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

1006-2009 FR To accept the application (AN09-002) of Sari K. Silwani for the annexation of certain territory containing 0.17 ± acres in Prairie Township.

Read for the First Time

1016-2009 FR To approve an economic development plan for the Gay Street Neighborhood

and to state that the City may hereafter proceed with approval of the tax increment financing.

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

0938-2009 FR To authorize the Director of Public Utilities and the Division of Power and Water (Power) to reimburse the Division of Power and Water (Water) for capital equipment; to amend the 2009 Capital Improvements Budget; to authorize the transfer, and expenditure of \$438,861.64 from the Electricity Permanent Improvement Fund for the Division of Power and Water (Power). (\$438,861.64)

Read for the First Time

0944-2009 FR To authorize the Director of Public Utilities to enter into a construction contract with TP Mechanical Contractors, Inc., in connection with the Fairwood Facilities Improvements project; authorize the transfer and expenditure of \$76,118.00 from the Voted Sanitary Sewer Bond Fund; and to amend the 2009 Capital Improvements Budget for the Division of Sewerage and Drainage. (\$76,118.00)

Read for the First Time

0950-2009 FR To authorize the Director of Finance and Management to establish a blanket purchase order for Laboratory Supplies from an established Universal Term Contract with VWR Scientific Products for the Division of Sewerage and Drainage; and to authorize the expenditure of \$15,000.00 from the Sewerage System Operating Fund. (\$15,000.00)

Read for the First Time

0963-2009 FR To authorize the Director of Public Utilities to enter into an agreement with Floyd Browne Group for professional engineering services for the Hines Road Storage Tank Project; to authorize the appropriation and transfer of \$190,100.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$190,100.00 from the Water Works Enlargement Voted Bonds Fund for the Division of Power and Water. (\$190,100.00)

Read for the First Time

0972-2009 FR To authorize the Director of Public Utilities to enter into a guaranteed maximum cost reimbursement agreement in accordance with Section 186 of the City Charter, with the Gowdy Partners III, Inc., for the rehabilitation project located at 1145 Olentangy River Road (Gowdy Field) for the Division of Sewerage and Drainage; to authorize the transfer and appropriation of \$193,815.02 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$193,815.02 from the Voted Sanitary Sewer Bond Fund; and to amend the 2009 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$193,815.02)

Read for the First Time

0981-2009 FR To authorize the Director of Finance and Management to establish Blanket Purchase Orders for mainline parts from established Universal Term Contracts with Ferguson Enterprises, Inc. and HD Supply Waterworks LTD for the Division of Power and Water, to authorize the expenditure of \$108,000.00 from Water Systems Operating Fund. (\$108,000.00)

Read for the First Time

- 0994-2009** FR To authorize the Director of Public Utilities to modify an existing professional engineering contract for the Chestnut and Sixth Street Combined Sewer Rehabilitation and Naghten Street Storm Sewer Projects with the Ribway Engineering Group, Inc.; to authorize the transfer and appropriation of \$138,195.00 from the Sanitary Sewer Reserve Bond Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$138,195.00 from within the Voted Sanitary Sewer Bond Fund; for the Division of Sewerage and Drainage. (\$138,195.00)

Read for the First Time

- 1000-2009** FR To authorize and direct the Director of Public Utilities to modify present and future contracts with Metcalf & Eddy, Inc., to reflect a name and Federal Identification Number change to the companies as a result of their acquisition by AECOM USA, Inc. and to authorize the assignment of all existing obligations to the City of Columbus by Metcalf & Eddy, Inc., to AECOM USA, Inc; and to declare an emergency. (\$0.00)

Read for the First Time

- 1021-2009** FR To authorize and direct the transfer of funds received from FEMA, in the amount of \$422,890.00, from the General Government Grant Fund to various operating funds within the Department of Public Utilities as reimbursement for expenditures associated with the windstorm that occurred in the City in September, 2008. (\$422,890.00)

Read for the First Time**HEALTH, HOUSING & HUMAN SVC'S TAVARES, CHR. TYSON MILLER MENDEL**

- 0911-2009** FR To authorize and direct the Department of Finance and Management to renew five existing lease contracts, for the lease of clinic space for the WIC program, for the period of October 1, 2009 through September 30, 2010 and to authorize a total expenditure of \$142,660 from the Health Special Revenue Fund and the Health Department Grants Fund. (\$142,660)

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

- 0882-2009** FR To amend various sections of Columbus City Codes Chapter 550, Scrap Metal Dealers, relative to the regulation of scrap metal facility licensees.

Sponsors: Andrew Ginther

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

CRAIG

- 0106X-2009** CA To recognize Reverend Odell Waller's 35th Year Anniversary as Pastor of the Tabernacle Baptist Church.

Sponsors: Hearcel Craig

This Matter was Adopted on the Consent Agenda.

MENDEL

- 0108X-2009** CA To declare August 11, 2009 as the official opening for Ohio Dominican University's Bishop James A. Griffin Student Center.
Sponsors: Michael C. Mentel

This Matter was Adopted on the Consent Agenda.

TAVARES

- 0107X-2009** CA To Declare July 24, 2009 as the Official Dedication of Project Linden Inc.'s "Alvin R. Hadley Counseling Center".
Sponsors: Charleta B. Tavares

This Matter was Adopted on the Consent Agenda.

FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY

- 0928-2009** CA To authorize the City Auditor to enter into contract with SHI for a total of ten (10) Fujitsu Scanner Scancare Warranties for the Office of the Auditor, Income Tax Division, and to authorize the expenditure of \$23,030.00 and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- 1015-2009** CA To authorize and direct the City Auditor to amend ordinance 0100-2007 and to modify AC026685 to include the purchase of Income Tax Servers for the Income Tax Division from a Universal Term Contract passed July 6, 2009, and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- 1020-2009** CA To authorize the Director of the Department of Finance and Management to enter into a lease agreement with the Detroit Regional Office of the U. S. Census Bureau for that city-owned property commonly known as 1393 East Broad Street; and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- 1058-2009** CA To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Process Control Computer System Maintenance Services UTC with Televent USA Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

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

- 1011-2009** CA To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Parsons/Livingston Avenue Roadway Improvements Project, to authorize the expenditure of \$448,350.00 from the Department of Public Service, Federal State Highway Engineering Fund; and to declare an emergency. (\$448,350.00)

This Matter was Approved on the Consent Agenda.

SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL

- 0884-2009** CA To authorize and direct the Director of Finance and Management to execute

those documents necessary to enter into contracts for the acquisition of equipment and training for the Division of Fire Bomb Squad, in accordance with sole source procurement, with REMOTEC, Inc., Ideal Products, BOZ Robot, American Innovations, and AC Industrial; utilizing Homeland Security Grant funds; and to declare an emergency. (\$0.00)

This Matter was Approved on the Consent Agenda.

- 0974-2009 CA To authorize and direct the Director of Public Safety to authorize payment of prisoner medical bills to Ohio Health Corporation, dba Riverside Methodist Hospital, for the Division of Police, to authorize the expenditure of \$95,814.60 from the General Fund; and to declare an emergency. (\$95,814.60)

This Matter was Approved on the Consent Agenda.

- 1018-2009 CA To authorize the Finance and Management Director to modify a contract on behalf of the Facilities Management Division with Ohio Technical Services for lead abatement at the Police Indoor Crime Lab Shooting Range, 520 King Avenue; to authorize the expenditure of \$20,447.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$20,447.00)

This Matter was Approved on the Consent Agenda.

- 1019-2009 CA To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with TP Mechanical for the renovation of the first floor sprinkler system, 120 Marconi Boulevard; to authorize the expenditure of \$159,402.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$159,402.00)

This Matter was Approved on the Consent Agenda.

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

- 1033-2009 CA To authorize the Director of the Department of Development to enter into a Memorandum of Understanding and the estoppel agreement referenced therein with the Lincoln Theatre Association and the Ohio Cultural Facilities Commission; and to declare an emergency.

This Matter was Approved on the Consent Agenda.

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

- 0900-2009 CA To authorize and direct the City Auditor to enter into an agreement with Clark, Schaefer, Hackett & Co., Certified Public Accountants, for professional auditing services for calendar year 2009 and to authorize the expenditure of \$338,000 from the General Fund (\$338,000)

This Matter was Approved on the Consent Agenda.

- 0958-2009 CA To authorize the Director of the Department of Technology, on behalf of the Department of Public Utilities, to renew an annual software maintenance and technical support services agreement with Activant Solutions, Inc. for the Speedware software application, to authorize the expenditure of \$22,358.00 from the Department of Technology, Information Services Fund; and to declare an emergency. (\$22,358.00)

This Matter was Approved on the Consent Agenda.

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

- 0105X-2009** CA To amend Section 1 of Resolution No. 0014X-2009, adopted on March 2, 2009, to replace and correct the legal description in "Exhibit B" as attached thereto and to declare an emergency.
This Matter was Adopted on the Consent Agenda.
- 1007-2009** CA To authorize the acceptance of the Witness Assistance Program (WAP) Database Project & Domestic Violence Advocate, ARRA-VAWA-901 grant from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs; to authorize the appropriation of these grant funds in the amount of \$77,661.00; to authorize the transfer and appropriation of matching funds required by the acceptance of the grant in the amount of \$25,887.00; to authorize the expenditure of \$103,548 from said funds; and to declare an emergency. (\$103,548.00)
This Matter was Approved on the Consent Agenda.
- 1008-2009** CA To authorize the acceptance of the Stalking Investigative Specialist I & II, ARRA-VAWA-900 grant from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs; to authorize the appropriation of these funds in the amount of \$57,330.00; to authorize the transfer and appropriation of matching funds required by the acceptance of the grant in the amount of \$19,109.00; to authorize the expenditure of \$76,439.00 from said funds; and to declare an emergency. (\$76,439.00)
This Matter was Approved on the Consent Agenda.

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

- 0864-2009** CA To authorize the Director of Public Utilities to reimburse Nisource/Columbia Gas for relocation of gas utility lines, in connection with the Moler Road Stormwater System Improvements Project; to amend the 2009 Capital Improvements Budget; to authorize the transfer, and expenditure of \$71,628.66 from the Storm Sewer Bonds Fund for the Division of Sewerage and Drainage. (\$71,628.66)
This Matter was Approved on the Consent Agenda.
- 0922-2009** CA To realign the City of Columbus, Department of Public Utilities' 2009 budget appropriation; to reallocate the cost allocation formula utilized by the Department of Public Utilities; and to declare an emergency. (\$0.00)
This Matter was Approved on the Consent Agenda.
- 0933-2009** CA To authorize the Director of Finance and Management to enter into a purchase order with Utility Truck Equipment, Inc. for the purchase of a Heavy Duty, Tandem Axle Multi Reel Cable Trailer for the Division of Power and Water and to authorize the expenditure of \$24,990.00 from the Electricity Operating Fund. (\$24,990.00)
This Matter was Approved on the Consent Agenda.
- 0941-2009** CA To authorize the Director of Finance and Management to establish Blanket Purchase Orders, for water treatment chemicals, from established Universal Term Contracts with Pain Enterprises, MeadWestvaco, and Bonded Chemicals for the Division of Power and Water, to authorize the expenditure of \$955,137.60 from Water Systems Operating Fund. (\$955,137.60)
This Matter was Approved on the Consent Agenda.

0971-2009 CA To authorize the Director of Public Utilities to execute a construction contract with Conie Construction Company for construction of the Hap Cremean Water Plant Sludge Disposal Line Replacement - Part 1 Project; to authorize the appropriation and transfer of \$293,336.89 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize the expenditure of \$293,336.89 from the Water Works Enlargement Voted Bonds Fund for the Division of Power and Water; and to declare an emergency. (\$293,336.89)

This Matter was Approved on the Consent Agenda.

0977-2009 CA To authorize the Director of Public Utilities to execute a general engineering services contract with Stantec Consulting Services, Inc. for various engineering projects and for the design engineering of the Watershed Impervious Surface Pollution Reduction Project; to authorize the appropriation and transfer of \$686,641.40 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize the expenditure of \$686,641.40 from the Water Works Enlargement Voted Bonds Fund for the Division of Power and Water; and to declare an emergency. (\$686,641.40)

This Matter was Approved on the Consent Agenda.

0982-2009 CA To authorize the Director of Public Utilities to execute a construction contract with Conie Construction Company for construction of the Mt. Vernon Avenue Water Line Improvements Project; to provide for inspection and other related services to the Transportation Division; to authorize the appropriation and transfer of \$696,859.22 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize the expenditure of \$696,859.22 from the Water Works Enlargement Voted Bonds Fund for the Division of Power and Water; and to declare an emergency. (\$696,859.22)

This Matter was Approved on the Consent Agenda.

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

0912-2009 CA To authorize the Board of Health to enter into a contract with the Council On Healthy Mothers and Babies to provide health education/promotion for the Healthy Start grant program; to authorize the expenditure of \$34,049 from the Health Department Grant Funds to pay the cost thereof; and to declare an emergency. (\$34,049)

This Matter was Approved on the Consent Agenda.

1057-2009 CA To amend Section 2 of Ordinance 0782-2009, passed on June 1, 2009, to replace and correct the amount of the Hotel/Motel Excise Tax fund allocated to the Affordable Housing Trust Fund, and to declare an emergency.

This Matter was Approved on the Consent Agenda.

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

0987-2009 CA To authorize and direct the Director of Recreation and Parks to grant consent to Capital Crossroads Special Improvement District to apply for permission to sell alcoholic beverages at the following 2009 event: Independent's Day - September 19, 2009. (\$0.00)

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

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

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

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION**FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY****0946-2009**

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with PK Builders, LLC for the renovation of six salt barn roofs used by the Division of Planning and Operations; to authorize the transfer of monies within the General Permanent Improvement Fund; to authorize the expenditure of \$200,575.00 from the General Permanent Improvement Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$200,575.00)

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

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

PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER TAVARES MENTEL**1527-2008**

To authorize the Director of the Public Service Department to execute those documents required to transfer the 20 foot wide alley north of East Sixth Street, from Courtland Avenue to the east line of Pearl Street, and that portion of Pearl Street, from the north line of the alley north of East Sixth Street to a point approximately 201 feet south to Topvalco, Inc.; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency.

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

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

0509-2009

To authorize the Director of Public Service to enter into contract for an amount not to exceed \$3,000,000.00 for the cost of construction and construction inspection services in connection with the Federal Aid Routes 2009 Resurfacing Project; to authorize the appropriation and expenditure of \$3,000,000.00 from the Federal State Highway Engineering Fund; to waive the competitive bidding requirements of the Columbus City Code, 1959 for purposes of waiving final council approval of the contract award; and to

declare an emergency.

A motion was made by Craig, 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

0948-2009

To authorize the Director of Public Service to execute a quitclaim deed, prepared by the City Attorney's Office, which will transfer and release any interest the City may still have in any land falling within the original limits of Railroad Street as shown on the plat of Park Addition as more fully described in the body of this legislation; and to the extent that they may apply to waive the competitive bidding and Land Review Commission provisions of Columbus City Code.

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

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

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

1022-2009

To authorize the Director of the Department of Development to enter into a Guaranteed Maximum Price Reimbursement Agreement with Gowdy Partners III, LLC for pre-remediation brownfield clean up activities at the Gowdy North project site; to authorize the appropriation and expenditure of \$500,000 from the Northland and Other Acquisitions Fund; to waive the competitive bidding provisions of the Columbus City Codes; to allow for the substitution of an irrevocable letter of credit in place of a performance bond; and to declare an emergency. (\$500,000)

A motion was made by Ginther, 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

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

1005-2009

To authorize the transfer of funds within the Information Services Fund; to authorize the Director of Finance and Management to establish blanket purchase orders, for the Department of Technology, on behalf of various other fund city agencies, for the purchase of replacement desktop computers, printers, servers and computer related products and equipment from pre-established universal term contracts with Resource One Computer Systems, Inc., Pomeroy IT Solutions and Smart Solutions, Inc.; to authorize the expenditure of \$677,454.44 from the 2009 Department of Technology Information Services Fund; and to declare an emergency. (\$677,454.44)

A motion was made by Miller, 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

JUDICIARY & COURT ADMINISTRATION: PALEY, CHR CRAIG TYSON MENTEL

0989-2009

To authorize the Director of the Department of Finance and Management to enter into contract with the Franklin County Public Defender Commission to provide legal counsel to indigent persons charged with criminal offenses; to

authorize the expenditure of \$1,335,093 from the General Fund; and to declare an emergency. (\$1,335,093)

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

Abstained: 1 - Tyson

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

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

Abstained: 1 - Tyson

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

0998-2009

To authorize an appropriation of \$16,000.00 from the Public Safety Initiatives Fund; to authorize the Franklin County Municipal Court Clerk to expend up to \$16,000.00 from the Public Safety Initiatives Fund for the purchase of Kiosks for the Clerk's Office; and to declare an emergency. (\$16,000.00)

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

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

0920-2009

To authorize the Director of Public Utilities to enter into an agreement for software upgrades, software support and software license fees, with Inflection Point Solutions, LLC, for the Pretreatment Information Management System (PIMS), to waive the provisions of competitive bids of the Columbus City Code, and to authorize the expenditure of \$63,000.00 from the Sewerage System Operating Fund. (\$63,000.00)

A motion was made by Paley, 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

0978-2009

To authorize the Director of Public Utilities to execute a contract with Complete General Construction Company, for the River South Phase II Rich Street Sanitary Redirect Sewer and Front Street, Main Street & Ludlow Street Sanitary Sewer Improvements and River South Phase II Storm Sewer Project; to authorize the appropriation, transfer, and expenditure of \$1,912,855.44 from the Sewer System Reserve Fund to the Water Pollution Control Loan Fund for the division of Sewerage and Drainage; and to declare an emergency. (\$1,912,855.44)

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

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

0980-2009

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to grant a perpetual utility easement to the

Columbus Southern Power Company, for the purpose of providing electrical service to the new water booster station, located at 4674 Morse Road, Columbus, Ohio, and to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

A motion was made by Paley, 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

1000-2009

To authorize and direct the Director of Public Utilities to modify present and future contracts with Metcalf & Eddy, Inc., to reflect a name and Federal Identification Number change to the companies as a result of their acquisition by AECOM USA, Inc. and to authorize the assignment of all existing obligations to the City of Columbus by Metcalf & Eddy, Inc., to AECOM USA, Inc; and to declare an emergency. (\$0.00)

A motion was made by Paley, 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

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

0968-2009

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Continental Office Furniture for the purchase of furniture for the Columbus West Family Health and Wellness Center, 2300 West Broad Street; to authorize the Finance and Management Director to establish purchase orders with Continental Office Furniture and Central Business Group from State of Ohio Term Contracts for the purchase of additional furniture items not available on from State of Ohio Term Contracts; to authorize the expenditure of \$199,573.65 from the Health G.O. Bonds Fund; and to declare an emergency. (\$199,573.65)

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

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

0873-2009

To authorize the Director of Recreation and Parks to enter into a \$83,000.00 Guaranteed Maximum Cost contract with Wagenbrenner Management, Inc for the purpose of design services for the development of Harrison Park; to authorize the appropriation and expenditure of \$83,000.00 from the Harrison West Recreation Park Fund; and to declare an emergency. (\$83,000.00)

A motion was made by Tyson, 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

0979-2009

To authorize and direct the Director of Recreation and Parks to enter into contract with Builderscape, Inc. for the Carriage Place Playground Design/ Build Services Project; to authorize the expenditure of a contract amount of \$119,275.00 and contingency amount of \$30,725.00 from the Private Grants

Fund (\$75,000.00) and from the Voted 1999/2004 Parks and Recreation Bond Fund (\$75,000.00); and to declare an emergency. (\$150,000.00)

A motion was made by Tyson, 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

ADJOURNMENT

ADJOURNED: 6:32 P.M.

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

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



City of Columbus

Journal - Final

Zoning Committee

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

Priscilla Tyson, Chair; All Members

Monday, July 20, 2009

6:30 PM

Zoning Committee

Zoning Committee

Journal

July 20, 2009

REGULAR MEETING NO. 37 OF CITY COUNCIL (ZONING), JULY 20, 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 Ginther, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

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

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

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

0907-2009

To rezone 4393 WINCHESTER PIKE (43232), being 17.76± acres located on the south side of Winchester Pike, 2480± feet west of South Hamilton Road, From: R-1, Residential District, To: L-AR-4, Limited Apartment Residential District (Rezoning # Z09-008).

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

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

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

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

0924-2009

To rezone 280 EAST WHITTIER STREET (43230), being 2.5± acres located at the northeast corner of East Whittier and Jaeger Streets, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z09-005)

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

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

0940-2009

To rezone 1382 GRANDVIEW AVENUE (43212), being 0.81± acres located

on the east side of Grandview Avenue, 125± feet north of West Third Avenue, From: C-4, Commercial and L-P-1, Limited Parking Districts, To: CPD, Commercial Planned Development District (Rezoning # Z09-012).

TABLED UNTIL 7/27/09

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

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

0984-2009

To grant a Variance from the provisions of Sections 3363.01, M-manufacturing district, and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes; for the property located at 974 SOUTH FRONT STREET (43206), to permit an existing single-family dwelling with no parking spaces in the M, Manufacturing District (Council Variance # CV09-015).

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

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

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

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

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

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

1310-2008

To rezone 5157 NEW ALBANY ROAD (43054), being 0.31± acres located at the northwest corner of New Albany and Fodor Road, From: L-C-4, Limited Commercial District, To: CPD, Commercial Planned Development District. (Rezoning # Z07-031)

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

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

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

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

0859-2009

To 5923 CHESTNUT HILL DRIVE (43230), being 4.3± acres located on the south side of Chestnut Hill Drive, 400± feet east of North Hamilton Road, From: L-C-4, Limited Commercial District, To: L-AR-12, Limited Apartment Residential and L-M, Limited Manufacturing Districts (Rezoning # Z09-006).

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

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

0860-2009

To grant a variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential district use; and 3333.255, Perimeter yard, of the City codes, for the property located at 5923 CHESTNUT HILL DRIVE (43230), to permit two-family dwellings within a multi-family residential development with a reduced perimeter yard in the L-AR-12, Limited

Apartment Residential District (Council Variance # CV09-004).

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

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

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

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

0508-2008

To grant a Variance from the provisions of Sections 3332.02, R, Rural District and 3332.38, Private garage, for the property located at 2005 DYER ROAD (43123), to permit two single-family dwellings with a garage which exceeds 720 square feet, on a lot zoned in the R, Rural District. (Council Variance #CV06-065)

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

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

ADJOURNMENT

ADJOURNED: 7:09 P.M.

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

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

Ordinances and Resolutions

**City of Columbus
City Bulletin Report**

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

Legislation Number: 0105X-2009

Drafting Date: 07/09/2009

Version: 1

Current Status: Passed

Matter Type: Resolution

Explanation

BACKGROUND: Resolution No. 0014X-2009, adopted March 2, 2009, declared the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Riversouth Miscellaneous Downtown Projects, and to declare an emergency. It has since been determined that the legal description of the real property attached to the legislation as "Exhibit B", in "Section 1." of the resolution, was incorrect. The following legislation amends Resolution No. 0014X-2009 to replace and correct the legal description in "Exhibit B" attached thereto.

FISCAL IMPACT: No funds are required for this amendment.

EMERGENCY JUSTIFICATION: Emergency action is requested so that those real property interests necessary to the project may be acquired immediately and without delay.

Title

To amend Section 1 of Resolution No. 0014X-2009, adopted on March 2, 2009, to replace and correct the legal description in "Exhibit B" as attached thereto and to declare an emergency.

Body

WHEREAS, Resolution No. 0014X-2009, adopted March 2, 2009, declared the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Riversouth Miscellaneous Downtown Projects, and to declare an emergency; and

WHEREAS, it has since been determined that the legal description of the real property attached to the legislation as "Exhibit B" in "Section 1." of the resolution, was incorrect; and

WHEREAS, the legal description contained below-herein correctly identifies the real property which the City declares its intention and necessity to appropriate; and

WHEREAS, this resolution amends Resolution 0014X-2009 by replacing and correcting the legal description in "Exhibit B" attached thereto; and

WHEREAS, an emergency exists in the usual daily operation of the City Attorney's Office, in that it is immediately necessary to authorize the amendment to Resolution 0014X-2009, all for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

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

Section 1. That Section 1 of Resolution 0014X-2009 shall be amended to replace the existing legal description attached thereto in "Exhibit B" to read as follows:

TEMPORARY EASEMENT
0.043 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 16, Township 5, Range 22, Refugee Lands, being on, over, and across Lot 104 of that subdivision entitled "Plat of City of Columbus" of record in Deed Book "F", Page 332, Plat Book 3, Page 247, and Plat Book 14, Page 27 as conveyed to Bicentennial Plaza Holding Company, LTD. by deed of record in Official Record 33608109 (all references being those of the Recorder's Office, Franklin County, Ohio), and described as follows:

BEGINNING, at the northeasterly corner of said Bicentennial Plaza Holding Company tract, the intersection of the southerly right-of-way line of Rich Street and the westerly right-of-way line of Front Street;

thence South 08° 06' 35" East, with said westerly right-of-way line, a distance of 10.00 feet to a point;

thence South 81° 50' 15" West, across Grantor's tract, a distance of 187.50 feet to a point in the easterly right-of-way line of Ludlow Street;

thence North 08° 06' 31" West, with said easterly right-of-way line, a distance of 10.00 feet to a the intersection of said easterly and southerly right-of-way lines;

thence North 81° 50' 15" East, with said southerly right-of-way line, a distance of 187.50 feet to the POINT OF BEGINNING and containing 0.043 acre of land, more or less.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

Edward J. Miller Date

Registered Surveyor No. 8250 EJM: jrm/December 12, 2008, 0.043 ac esmt 80582te2.doc

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

Legislation Number: 0106X-2009

Drafting Date: 07/15/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To recognize Reverend Odell Waller's 35th Year Anniversary as Pastor of the Tabernacle Baptist Church.

Body

WHEREAS, Reverend Odell Waller assumed pastoral leadership of the Tabernacle Baptist Church on October 17, 1974; and

WHEREAS, prior to assuming the pastoral leadership at Tabernacle Baptist Church, Reverend Waller was Pastor of the Metropolitan Baptist Church in Little Rock Arkansas from 1968 to 1974; and

WHEREAS, since becoming Pastor of Tabernacle Baptist Church, some of Pastor Waller's foremost accomplishments include completing the church's resurfacing project and paying off the church's fifteen-year mortgage, which, through sound fiscal management, he accomplished in eight years; and

WHEREAS, Pastor Waller also worked to upgrade the church's transportation system and ensured that vehicles are available for those who need transportation to church; and

WHEREAS, in October 1987, Pastor Waller oversaw the addition of a much-needed Education/Administration wing in the church where he established a computer lab which holds classes each Saturday; and

WHEREAS, in 2005, Pastor Waller appointed a group of church members to establish the Geraldine Sain Waller Scholarship, which is now in its fourth year; and

WHEREAS, Pastor Waller has revised the church's system of receiving collections and has stressed the importance of academic tutoring and restructuring in then music department; and

WHEREAS, during his tenure as Pastor, Reverend Waller has served as President of the OBGIC Congress of Christian Education, President of the Ministerial Alliance and instructor of the Eastern Union Bible College as well as serving as Past Moderator of the Eastern Union Missionary Baptist Association; now, therefore

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

That we do hereby congratulate Reverend Odell Waller on 35 years as Pastor of the Tabernacle Baptist Church and do commend him for his service to the Columbus community.

Legislation Number: 0107X-2009

Drafting Date: 07/15/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To Declare July 24, 2009 as the Official Dedication of Project Linden Inc.'s "Alvin R. Hadley Counseling Center".

Legislation Number: 0108X-2009

Drafting Date: 07/15/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To declare August 11, 2009 as the official opening for Ohio Dominican University's Bishop James A. Griffin Student Center.

Body

WHEREAS, Ohio Dominican University is a four-year liberal arts institution on the north east side of Columbus, founded in 1911 in the Catholic and Dominican tradition; and

WHEREAS, Ohio Dominican University has a long standing history of providing quality community outreach programs to Central Ohio; and

WHEREAS, The Bishop James A. Griffin Student Center will create a community that will serve the physical, academic, and spiritual needs of the Ohio Dominican student; and

WHEREAS, The Bishop James A. Griffin Student Center will represent the "living room" of the campus and will be the focal point for student activities outside the classroom, providing a more vibrant community experience central to the mission at Ohio Dominican University; now, therefore

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

That we do hereby declare August 11, 2009 as the official opening for Ohio Dominican University's Bishop James A. Griffin Student Center.

Legislation Number: 0109X-2009

Drafting Date: 07/17/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To Recognize July as National Recreation and Parks Month.

Body

WHEREAS, Columbus Recreation and Parks Department joins public parks and recreation systems dedicated to enhancing the quality of life for millions of residents in our community and communities worldwide through recreation programming, leisure activities, and conservations efforts; and

WHEREAS, Parks, recreation activities, and leisure experiences provide opportunities for young people to live, grow, and develop into contributing members of society; create lifelines and continues life experiences for older members of the community; and, pay dividends to communities like Columbus by attracting business and jobs and increasing housing values; and

WHEREAS, The City of Columbus joins Recreation and Parks programs nationwide in recognizing the vital contributions of employees and volunteers in parks and recreation facilities; and

WHEREAS, These dedicated supporters keep our public parks clean and safe for visitors, provide educational programming on health, nutrition, first aid, and gardening, as well as fundraise for local improvements; and

WHEREAS, Partnering with these dedicated supporters, The City of Columbus ensures that parks and recreation facilities are safe and accessible places for all citizens to enjoy; and

WHEREAS, The National Recreation and Parks Association has declared "July is National Recreation and Parks Month,"; now, therefore

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

That we do hereby recognize July as National Recreation and Parks Month and encourage members of our community to enjoy what Columbus Recreation and Parks Department has to offer by taking part in their favorite sports, visiting the outdoors, spending time with family and friends, or just relaxing in our city parks or at our recreation centers.

Legislation Number: 0508-2008

Drafting Date: 03/12/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Council Variance Application: CV06-065

APPLICANT: James and Janice Conway; c/o Michael T. Shannon, Atty.; 500 South Front Street, Suite 1200; Columbus, Ohio 43215.

PROPOSED USE: Two single-family dwellings on one lot.

SOUTHWEST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Disapproval. This is a request for a second single-family dwelling on one lot zoned in the R, Rural District. A variance is required in that only one single-family residence is permitted on one lot. The applicant has already constructed the second dwelling. The applicant is also requesting a variance to permit a garage larger than 720 square feet, or larger than one-third of the size of the principal building. The primary residence is a 1,928 square foot single-family dwelling. The second dwelling includes 1,024 square feet of habitable space and a 1,024 square foot garage. The second dwelling is not compatible with development in the area. There is single-family residential development to the north, east and west of the subject property. There are large accessory structures on two lots approximately 600 feet (six lots) west of the subject property. They are both set back from the main residences and the land slopes away from the street, so they are not as imposing. The proposed second dwelling is out of scale with the adjacent single-family residences and is not consistent with the predominant development pattern in the area.

Title

To grant a Variance from the provisions of Sections 3332.02, R, Rural District and 3332.38, Private garage, for the property located at **2005 DYER ROAD (43123)**, to permit two single-family dwellings with a garage which exceeds 720 square feet, on a lot zoned in the R, Rural District. (Council Variance #CV06-065)

Body

WHEREAS, by application No. CV06-065, the owner of property at **2005 DYER ROAD (43123)**, is requesting a Council Variance to permit two (2) single-family dwellings on one lot in the R, Rural District; and

WHEREAS, Section 3332.02, R, Rural District, prohibits two single-family dwellings on one lot, while the applicant proposes to permit two (2) single-family dwellings on one lot; and

WHEREAS, Section 3332.38(F), permits a garage to be a maximum of 720 square feet or one-third of the minimum net floor area for living quarters of the principal residence, whichever is larger, while the applicant proposes a 1,024 square foot garage; and

WHEREAS, the Southwest Area Commission recommends approval of this request; and

WHEREAS, City Departments recommend disapproval because this request will permit a second dwelling on one lot which is not consistent or compatible with the predominant single-family residential development in the area; and

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

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

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

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **2005 DYER ROAD (43123)**, 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 3332.02, R, Rural District and 3332.38(F), Private garage, for the property located at **2005 DYER ROAD (43123)**, insofar as said sections prohibit two single-family dwellings, with a 1,024 square foot garage on one lot; said property being more particularly described as follows:

2005 DYER ROAD (43123), being 2.5± acres located south of the intersection of Dyer and Willowgate Roads, and being more particularly described as follows:

The following described real estate, situated in the County of Franklin, in the State of Ohio, and in the City of Columbus:

Legal Description
2005 Dyer Road (43123)

Situated in the City of Columbus, County of Franklin and the State of Ohio, as found in Deed Instrument #199707310059602, being known and designated as:

Beginning at a spike in the centerline of Dyer Road and North 88 degrees 7 East 1533.89 feet from an iron pin where the centerline of said road intersects the centerline of Gantz Road;

Continuing along the centerline of Dyer Road, North 80 degrees 7 East 134.54 feet to a spike;

Thence South 0 degrees 7 East (passing an iron pin at 18.1 feet) 746.28 feet to an iron pin;

Thence North 82 degrees West 171.69 feet to an iron pin;

Thence North 6 degrees 56 East 92.1 feet to an iron pin;

Thence North 2 degrees 8 East (passing an iron pin at 617.7 feet) 636.4 feet to the place of beginning, containing 2.509 acres, more or less, being Tract No. 23 of an unrecorded plat.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for two single-family dwellings, or those uses permitted in the R, Rural District.

SECTION 3. That this ordinance is further conditioned that the second dwelling shall not exceed 1,024 square feet of habitable space and that the garage shall not exceed 1,024 square feet.

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

Legislation Number: 0509-2009

Drafting Date: 03/25/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND:

This legislation authorizes the Director of Public Service to enter into a contract for the construction of the Federal Aid Routes 2009 Resurfacing Project. This project will be funded entirely with American Recovery and Reinvestment Act (ARRA) of 2009 funds through a Local Public Agency agreement between the City and the Ohio Department of Transportation.

This project involves the reconstruction and resurfacing of eight city streets and associated ADA curb ramps along those streets. The eight streets to be improved under this contract include:

- a. Hudson St. from East Ave. to Indianola Ave.
- b. Indianola ave. from Morse Rd. to Lincoln
- c. Miller Ave. from Cole to Livingston Ave.
- d. Mooberry St. from 18th Street to Fairwood Ave.

- e. Mt. Vernon from Champion Ave. to Taylor Ave.
- f. Taylor Ave. from Mt. Vernon to Leonard Ave.
- g. Tussing Road from Brice Rd. to Highland Park Drive (Corp. Limit)
- h. Woodcrest Rd. from Noe-Bixby Rd. to Livingston Ave.

This bid proposal has been configured to increase the amount of work through alternate bid items that may allow the contract to include Front Street, from Sycamore to just south of Liberty Street, depending on bid results.

2. WAIVER OF REGULATIONS:

The Department of Public Service is requesting that City Council declare this construction procurement effort a Non-Emergency Waiver of Regulations in accordance with Section 329.27 of the Columbus City Codes. This legislation and waiver are necessary to provide the Department with the ability to bid and award the construction contract prior to the return of City Council from their August recess. Due to the fact that roadway resurfacing work is limited to the spring through fall seasons and dependent upon the seasonal availability of asphalt, the Department needs to expedite this procurement activity to give the contractor as much opportunity to perform the work as is possible under the tight schedule and project review requirements associated with the ARRA 2009 Act.

3. EMERGENCY DESIGNATION:

The Department of Public Service is requesting City Council to designate this legislation as an emergency measure in order to allow the Director of Public Service to proceed with an expedited procurement schedule in conformance with the scheduling commitments contained in the City's agreement with ODOT.

4. FISCAL IMPACT

The anticipated project costs and funding for this project is limited to the \$3,000,000.00 of ARRA Funds which have been committed within the Local Public Agency Agreement between ODOT and the City of Columbus.

Title To authorize the Director of Public Service to enter into contract for an amount not to exceed \$3,000,000.00 for the cost of construction and construction inspection services in connection with the Federal Aid Routes 2009 Resurfacing Project; to authorize the appropriation and expenditure of \$3,000,000.00 from the Federal State Highway Engineering Fund; to waive the competitive bidding requirements of the Columbus City Code, 1959 for purposes of waiving final council approval of the contract award; and to declare an emergency.

Body **WHEREAS**, the City of Columbus, Department of Public Service in coordination with the Office of the Mayor, has aggressively pursued funding for the Federal Aid Routes 2009 Resurfacing Project from the American Recovery and Revitalization Act of 2009 (ARRA); and

WHEREAS, the use of these ARRA funds will require the city to comply with all federal and state requirements by following the Ohio Department of Transportation's (ODOT Project Development Process as delineated within the Local Public Agency Agreement between ODOT and the City of Columbus; and

WHEREAS, Ordinance No. 0755-2009, as passed by Columbus City Council on June 8, 2009 authorized the Director of Public Service, on behalf of the City to accept federal funding in connection with the ARRA of 2009, for the River South Phase 2 Improvements Project - PID 86314, the Parsons/Livingston Improvements Project - PID 86311; and the Federal Air Routes 2009 Resurfacing Project - PID 86578; and

WHEREAS, this contract will be awarded according to provisions of the city code regarding competitive bidding, however, due to the seasonal nature of resurfacing work, and to allow the City and its contractor to pursue their best efforts to maintain an accelerated schedule it is necessary to authorize the funding and award of this contract faster than the normal bidding process; and

WHEREAS, it is necessary to authorize the appropriation of these ARRA funds and to amend the 2009 Capital Improvements Budget; and

WHEREAS, it is in the best interest of the City for this City Council to declare a non-emergency waiver of the competitive sealed bidding requirements of the Columbus City Code, 1959, pursuant to the immediate award and construction of this project; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Design and Construction in that the funding should be authorized immediately to maintain an accelerated project schedule, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

Section 1. That the Director of Public Service be and is hereby authorized to enter into a contract in an amount not to exceed \$3,000,000.00 for the Construction of the Federal Aid Routes 2009 Resurfacing Project; and the cost of construction administration and inspection services.

Section 2. That the sum of \$3,000,000.00 be and hereby is appropriated from the unappropriated balance of Fund 765, the Federal State Highway Engineering 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 to Dept-Div. 59-12, the Division of Design and Construction as follows:

Fund / Grant / OCA / Grant Name / O.L. 01-03 Codes / Amount
765 / 598092 / 598092 / Federal Aid Routes 2009 / 06-6600 / \$3,000,000.00

Section 3. That for the purpose of paying the cost of the contract, and inspection the sum of \$3,000,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Federal State Highway Engineering Fund, No. 765 for the Division of Design and Construction, Dept.-Div. 59-12 as follows:

Fund / Grant / OCA / Grant Name / O.L. 01-03 Codes / Amount
765 / 598092 / 598092 / Federal Aid Routes 2009 / 06-6631 / \$3,000,000.00

Section 4. That in accordance with Section 329.27 of the Columbus City Code, City Council has determined that it is in the best interest of the City of Columbus that the formal competitive bidding requirements of Chapter 329 be and are hereby waived for the procurement construction services for this ARRA project.

Section 5. That this City Council recognizes this ordinance does not identify the contractor to whom the contract will be awarded and understands that its passage will give the Director of Public Service the final decision in the determination of the lowest, best, and most responsive bidder for such contract, and that this City Council is satisfied it is in the best interests of the City to delegate this contracting decision.

Section 6. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

Section 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0859-2009

Drafting Date: 06/09/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation
Rezoning Application Z09-006

APPLICANT: Lurie Family LP; c/o David L. Hodge, Atty.; 37 West Broad Street, Suite 725; Columbus, Ohio 43215.

PROPOSED USE: Multi-family residential development, parking, and self-storage.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on May 14, 2009.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 4.3± acre site is undeveloped and zoned in the L-C-4, Limited Commercial District. The applicant requests the L-AR-12, Limited Apartment Residential District for multi-family residential development on 3.3 acres and the L-M, Limited Manufacturing District on the remainder of the parcel for a self-storage unit and parking lot. The proposed L-AR-12 District would allow a maximum of 36 units on the site, and includes a companion Council variance (CV09-004) to permit two-family dwellings and reduced perimeter yard along the east property line. The proposed L-M District allows C-4, Commercial uses and is limited to self-storage as the only permitted industrial use with the parking lot to be used solely by the restaurant located to west of the site. The requested L-AR-12, Limited Apartment Residential and L-M, Limited Manufacturing Districts, with the proposed limitations, provide a transition from the commercial uses along North Hamilton Road and the multi-family residential development to the east. The request is compatible with development in the area.

Title

To **5923 CHESTNUT HILL DRIVE (43230)**, being 4.3± acres located on the south side of Chestnut Hill Drive, 400± feet east of North Hamilton Road, **From:** L-C-4, Limited Commercial District, **To:** L-AR-12, Limited Apartment Residential and L-M, Limited Manufacturing Districts (Rezoning # Z09-006).

Body

WHEREAS, application #Z09-006 is on file with the Building Services Division of the Department of Development requesting rezoning of 4.3± acres from L-C-4, Limited Commercial District, to L-AR-12, Limited Apartment Residential and L-M, Limited Manufacturing Districts; and

WHEREAS, the Columbus Public Health Healthy Places program reviews applications for active living features and recognizes that this development has bike racks and a sidewalk connection on Chestnut Hill Drive to the multi-family housing; and

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

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-AR-12, Limited Apartment Residential and L-M, Limited Manufacturing Districts, with the proposed limitations, provide a transition from the commercial uses along North Hamilton Road and the multi-family residential development to the east. The request is compatible with development in the area, now, therefore:

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

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

5923 CHESTNUT HILL DRIVE (43230), being 4.3± acres located on the south side of Chestnut Hill Drive, 400± feet east of North Hamilton Road, and being more particularly described as follows:

Subarea A

L-AR-12

3.33 Acres

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of that original 5.999 acre tract conveyed to Lurie Family Limited Partnership by

deed of record in Instrument Number 200103300065530 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and describe as follows:

Beginning, for reference, at the centerline intersection of Hamilton Road with Chestnut Hill Drive of record in Plat Book 75, Page 71;

thence South 86° 41' 48" East, with the centerline of said Chestnut Hill Drive, a distance of 513.08 feet to a point;

thence South 03° 18' 12" West, across the right-of-way of said Chestnut Hill Drive, a distance of 30.00 feet to a point on the southerly right-of-way line of said Chestnut Hill Drive, being the TRUE POINT OF BEGINNING;

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

South 86° 41' 48" East, a distance of 61.93 feet to a point of curvature to the left;

with the arc of said curve, having a central angle of 28° 20' 50", a radius of 780.00 feet, an arc length of 385.91 feet, a chord bearing and distance of North 79° 07' 47" East, 381.98 feet to a common corner of said 5.999 acre tract and that 3.875 acre tract conveyed to Ridge At Chestnut Hill, LTD. by deed of record in Instrument Number 199802110031377;

thence South 03° 25' 13" West, with the line common to said 5.999 and 3.875 acre tracts, a distance of 424.28 feet to a common corner of said 5.999 and 3.875 acre tracts being in the northerly line of the 10.053 acre tract conveyed to Highland Properties, Inc. by deed of record in Instrument Number 200612120246262;

thence North 86° 48' 23" West, with the line common to said 5.999 and 10.053 acre tracts, a distance of 371.50 feet to a point;

thence across said 5.999 acre tract, the following courses and distances:

North 03° 11' 37" East, a distance of 78.00 feet to a point;

North 18° 35' 12" West, a distance of 160.31 feet to a point;

North 03° 18' 12" East, a distance of 104.70 feet to the TRUE POINT OF BEGINNING and containing 3.33 acres of land, more or less.

This zoning description is for zoning purposes only and should not be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

To Rezone From: L-C-4, Limited Commercial District

To: L-AR-12, Limited Apartment Residential District

Subarea B
L-M
0.978 Acres

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of the 5.999 acre tract conveyed to The Lurie Family Limited Partnership by deed of record in Instrument Number 200103300065530, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Hamilton Road and Chestnut Hill Drive of record in Plat Book 75, Page 71, being North 03° 18' 12" East, a distance of 1046.63 feet from Franklin County Geodetic Survey Monument Number 6616 at the centerline intersection of said Hamilton Road and Morse Road;

Thence South 86° 41' 48" East, a distance of 545.35 feet, along the centerline of said Chestnut Hill Drive, to a point;

Thence South 03° 18' 12" West, a distance of 30.00 feet, to an iron pin set in the southerly right-of-way line of said Chestnut Hill Drive, at the True Point of Beginning;

Thence South 86° 41' 48" East, a distance of 52.73 feet, along said southerly right-of-way line, to an iron pin set;

The following three (3) courses and distances across said 5.999 acre tract:

1. Thence South 03° 18' 12" West, a distance of 104.70 feet, to an iron pin set;
2. Thence South 18° 35' 12" East, a distance of 160.31 feet, to an iron pin set;
3. Thence South 03° 11' 37" West, a distance of 78.00 feet, to an iron pin set in the northerly line of the 10.158 acre tract conveyed to Highland Properties Inc by deed of record in Instrument Number 200005300105746;

Thence North 86° 48' 23" West, a distance of 243.00 feet, along the northerly lines of said 10.158 acre tract, and the 2.005 acre tract conveyed to Highland Properties Inc by deed of record in Official Record 23973H17, to an iron pin set at the southeasterly corner of the 0.992 acre tract conveyed to Ben W. Hale Jr., Trustee by deed of record in Instrument Number 200401280019845;

Thence North 03° 18' 12" East, a distance of 160.00 feet, along the easterly line of said 0.992 acre tract, to an iron pin set at the northeasterly corner thereof;

The following six (6) courses and distances across said 5.999 acre tract:

1. Thence South 86° 48' 23" East, a distance of 3.10 feet, to an iron pin set;
2. Thence South 70° 44' 31" East, a distance of 41.56 feet, to an iron pin set;
3. Thence South 86° 48' 23" East, a distance of 118.49 feet, to an iron pin set;
4. Thence North 37° 18' 13" East, a distance of 28.04 feet, to an iron pin set;
5. Thence North 18° 35' 12" West, a distance of 125.73 feet, to an iron pin set;
6. Thence North 03° 18' 12" East, a distance of 43.21 feet, to the True Point of Beginning. Containing 0.978 acre of land, more or less.

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

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

The bearings in the above description are based on the bearing of North 03° 18' 12" East for the centerline of Hamilton Road.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

To Rezone From: L-C-4, Limited Commercial District

To: L-M, Limited Manufacturing District

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-AR-12, Limited Apartment Residential and L-M, Limited Manufacturing Districts 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 L-AR-12, Limited Apartment Residential and L-M, Limited Manufacturing Districts and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said plan being titled "LANDSCAPE PLAN," said text being titled "LIMITATION TEXT," both signed by Jeffrey L. Brown, Attorney for the Applicant, dated May 28, 2009, and the text reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-AR-12, L-M
PROPERTY ADDRESS: 5923 Chestnut Hill Drive
OWNER: Lurie Family LP
APPLICANT: Lurie Family LP
DATE OF TEXT: May 28, 2009
APPLICATION NUMBER: Z09-006

1. Introduction: The site is located on the south side of Chestnut Hill Drive east of Hamilton Road. The multi-family site is adjacent to the existing Ridge at Chestnut Hill apartments. The proposed self-storage facility is located behind existing commercial uses which front on Hamilton Road.

2. Subarea A: L-AR-12

PERMITTED USES: Those uses permitted in Section 3333.02 (AR-12) of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated in the written text, the applicable development standards shall be those standards contained in Chapter 3333 AR-12 of the Columbus Code.

A. DENSITY, HEIGHT, LOT AND /OR SETBACK COMMITMENTS:

1. Building setback from Chestnut Hill Drive shall be fifty feet.
2. Maximum number of dwelling units shall be 36.

B. ACCESS, LOADING, PARKING AND/OR OTHER TRAFFIC RELATED COMMITMENTS:

N/A

C. BUFFERING, LANDSCAPING, OPEN SPACE AND/OR SCREENING COMMITMENTS:

1. Within the parking setback along Chestnut Hill Drive the developer shall install 1 tree per 30 feet of frontage and headlight screening for any parking spaces which are adjacent to Chestnut Hill Drive. Headlight screening shall consist of a minimum 3 foot high planting hedge, wall or earth mound, individually or in any combination thereof. In addition a three or four board fence shall be installed within the building setback along the entire Chestnut Hill frontage.
2. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season whichever occurs first.

3. One tree shall be planted for every ten parking spaces.
4. Minimum tree sizes at installation: deciduous trees 2 ½ inch caliper, ornamental trees 1 ½ inch caliper, and evergreen five feet in height.
5. For structures and paved areas, lot coverage shall not exceed eighty (80) percent. Internal sidewalks and bikeways shall not be considered as part of lot coverage.

D. BUILDING DESIGN AND/OR INTERIOR-EXTERIOR TREATMENT COMMITMENTS:

N/A

E. DUMPSTERS, LIGHTING, OUTDOOR DISPLAY AREAS AND/OR OTHER ENVIRONMENTAL COMMITMENTS:

1. Parking lot lighting standards shall not exceed eighteen 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 AR-12 Apartment-Residential district. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

G. MISCELLANEOUS COMMITMENTS:

1. The developer shall comply with the City's parkland dedication ordinance.
2. The developer shall connect the public sidewalk along Chestnut Hill Drive to the site's access drive.
3. The developer shall provide bicycle parking.

Subarea B: L-M

2. PERMITTED USES: Those uses permitted in Chapter 3356 C-4 of the Columbus City Code and self storage units. The following uses are not permitted:

- animal shelter
- crematory
- funeral home and services
- halfway house
- missions/temporary shelters

3. DEVELOPMENT STANDARDS: Unless otherwise indicated in the written text, the applicable development standards shall be those standards contained in Chapter 3363 M, Manufacturing of the Columbus City Code.

A. DENSITY, HEIGHT, LOT AND/OR SETBACK COMMITMENTS:

1. The parking spaces on the north side of the self storage building shall be reserved for the restaurant use on tax parcel 545-280873.
2. No truck rentals shall be permitted on the site.

B. ACCESS, LOADING, PARKING, AND/OR OTHER TRAFFIC RELATED COMMITMENTS:

N/A

C. BUFFERING, LANDSCAPING, OPEN SPACES AND/OR SCREENING COMMITMENTS:

1. The site shall be landscaped as shown on the conceptual site plan. The landscape plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time that landscaping and engineering plans are completed. Any slight adjustment to the landscape plan shall be reviewed and may be approved by the Director of Development or his designee upon the submission of the appropriate data regarding the proposed adjustment.
2. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season whichever occurs first.
3. Minimum tree sizes at installation: deciduous trees 2 ½ inch caliper, ornamental trees 1 ½ inch caliper, and evergreen five feet in height.
4. For structures and paved areas, lot coverage shall not exceed eighty (80) percent. Internal sidewalks and bikeways shall not be considered as part of lot coverage.
5. No outside storage or display shall be permitted on the site.

D. BUILDING DESIGN AND/OR INTERIOR-EXTERIOR TREATMENT COMMITMENTS:

1. The exterior building material for the self storage building shall be brick veneer with residential style garage doors on the south side of the building.

E. DUMPSTERS, LIGHTING, OUTDOOR DISPLAY AREAS AND/OR OTHER ENVIRONMENTAL COMMITMENTS:

1. Parking lot lighting standards shall not exceed twenty feet in height and shall have cut-off style fixtures; any lighting on the self storage building shall be shielded to minimize offsite light spillage.

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 M, Manufacturing district. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

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

Legislation Number: 0860-2009

Drafting Date: 06/09/2009

Version: 2

Current Status: Passed

Matter Type: Ordinance

Explanation

Council Variance Application # CV09-004

APPLICANT: Lurie Family LP; c/o David L. Hodge, Atty.; 37 West Broad Street, Suite 725; Columbus, Ohio 43215.

PROPOSED USE: Two-family dwellings and a reduced perimeter yard within a multi-family residential development.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and Development Commission for a concurrent rezoning (Z09-006) to the L-AR-12, Limited Apartment Residential District for the development of thirty-six (36) multi-family residential units. The applicant is requesting a variance to allow **up to** six (6) two-family dwellings within the multi-family residential development, and to

reduce the required perimeter yard of the subject property from twenty-five (25) feet to zero (0) feet along the east property line. Two-family dwellings are not permitted in the AR-12 District, but the mixture of unit sizes within the development does not pose any adverse affects. The proposed perimeter yard variance is supported because this development will serve as an extension of the existing multi-family residential development located to the east.

Title

To grant a variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential district use; and 3333.255, Perimeter yard, of the City codes, for the property located at **5923 CHESTNUT HILL DRIVE (43230)**, to permit two-family dwellings within a multi-family residential development with a reduced perimeter yard in the L-AR-12, Limited Apartment Residential District (Council Variance # CV09-004).

Body

WHEREAS, by application No. CV09-004, the owner of property at **5923 CHESTNUT HILL DRIVE (43230)** is requesting a Council Variance to permit two-family dwellings within a multi-family residential development with a reduced perimeter yard in the L-AR-12, Limited Apartment Residential District; and

WHEREAS, Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use, does not permit two-unit dwellings, while the applicant proposes **up to** six (6) two-family dwellings in a multi-family residential development in the L-AR-12, Limited Apartment Residential District; and

WHEREAS, Section 3333.255, Perimeter yard, requires a twenty-five (25) foot perimeter yard for a multiple dwelling development, while the applicant proposes a zero (0) foot perimeter yard along the east property line; and

WHEREAS, the City Departments recommend approval because the mixture of unit sizes within the development does not pose any adverse affects, and the proposed perimeter yard variance is supported because this development will serve as an extension of the existing multi-family residential development located to the east; and

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

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

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

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **5923 CHESTNUT HILL DRIVE (43230)**, 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 3333.02, AR-12, ARLD and AR-1 apartment residential district use; and 3333.255, Perimeter yard, are hereby granted for the property located at **5923 CHESTNUT HILL DRIVE (43230)**, insofar as said sections prohibit **up to** six (6) two-family dwellings within a multi-family residential development with a reduced perimeter yard from twenty-five (25) feet to zero (0) feet along the east property line in the L-AR-12, Limited Apartment Residential District, said property being more particularly described as follows:

5923 CHESTNUT HILL DRIVE (43230), being 3.3± acres located on the south side of Chestnut Hill Drive, 400± feet east of North Hamilton Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of that original 5.999 acre tract conveyed to Lurie Family Limited Partnership by deed of record in Instrument Number 200103300065530 (all references refer to the records of the Recorder's Office,

Franklin County, Ohio), and describe as follows:

Beginning, for reference, at the centerline intersection of Hamilton Road with Chestnut Hill Drive of record in Plat Book 75, Page 71;

thence South 86° 41' 48" East, with the centerline of said Chestnut Hill Drive, a distance of 513.08 feet to a point;

thence South 03° 18' 12" West, across the right-of-way of said Chestnut Hill Drive, a distance of 30.00 feet to a point on the southerly right-of-way line of said Chestnut Hill Drive, being the TRUE POINT OF BEGINNING;

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

South 86° 41' 48" East, a distance of 61.93 feet to a point of curvature to the left;

with the arc of said curve, having a central angle of 28° 20' 50", a radius of 780.00 feet, an arc length of 385.91 feet, a chord bearing and distance of North 79° 07' 47" East, 381.98 feet to a common corner of said 5.999 acre tract and that 3.875 acre tract conveyed to Ridge At Chestnut Hill, LTD. by deed of record in Instrument Number 199802110031377;

thence South 03° 25' 13" West, with the line common to said 5.999 and 3.875 acre tracts, a distance of 424.28 feet to a common corner of said 5.999 and 3.875 acre tracts being in the northerly line of the 10.053 acre tract conveyed to Highland Properties, Inc. by deed of record in Instrument Number 200612120246262;

thence North 86° 48' 23" West, with the line common to said 5.999 and 10.053 acre tracts, a distance of 371.50 feet to a point;

thence across said 5.999 acre tract, the following courses and distances:

North 03° 11' 37" East, a distance of 78.00 feet to a point;

North 18° 35' 12" West, a distance of 160.31 feet to a point;

North 03° 18' 12" East, a distance of 104.70 feet to the TRUE POINT OF BEGINNING and containing 3.33 acres of land, more or less.

This zoning description is for zoning purposes only and should not be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is developed with a multi-family residential development containing **up to** six (6) two-family dwellings, or those uses permitted in the L-AR-12, Limited Apartment Residential District.

SECTION 3. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

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

Legislation Number: 0864-2009

Drafting Date: 06/10/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to reimburse Nisource/Columbia Gas for relocation of gas utility lines in connection with the Moler Road Stormwater System Improvements Project. The gas utility lines had to be moved to accommodate the installation of storm sewer lines for the Moler Road Stormwater System Improvements Project. The City agreed to reimburse costs associated with the relocation because the gas lines were in an easement outside city right-of-way.

2. FISCAL IMPACT:

This legislation includes a transfer of funds within the Storm Sewer Bonds Fund and an amendment to the 2009 Capital Improvements Budget to allow sufficient cash and authority to be available in the proper project to cover the necessary expenditure.

Title

To authorize the Director of Public Utilities to reimburse Nisource/Columbia Gas for relocation of gas utility lines, in connection with the Moler Road Stormwater System Improvements Project; to amend the 2009 Capital Improvements Budget; to authorize the transfer, and expenditure of \$71,628.66 from the Storm Sewer Bonds Fund for the Division of Sewerage and Drainage. (\$71,628.66)

Body

WHEREAS, The City requested Nisource/Columbia Gas to relocate their gas utility lines to install storm sewer lines for the Moler Road Stormwater System Improvements Project; and

WHEREAS, the installation of this stormwater infrastructure provides improved sewer services to the area to mitigate flooding in the Moler Road area; and

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

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

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Storm Sewer Bonds Fund; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to reimburse Nisource/Columbia Gas for the installation of relocation of gas utility lines at the earliest practicable 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 reimburse Nisource/Columbia Gas for gas utility lines relocation services performed by them in relation to the Moler Road Stormwater System Improvements Project; in the amount of \$71,628.66;

Section 2. That the City Auditor is hereby authorized and directed to transfer and appropriate \$71,628.66 from within the Storm Sewer Bond Fund | Fund No. 685 | Div. 60-15 | OBJLVL3: 6621 | Division of Sewerage and Drainage as follows:

FROM:

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

610996-100000 | Briar Meadow Drive Culvert | 685996 | \$71,628.66

TO:

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

610769-100000 | Moler Road Stormwater System Improvements | 685769 | \$71,628.66

Section 3. That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows, to create and provide sufficient budget authority for the award of the agreement stated herein, and to supply necessary budget authority in the proper projects for the funds remaining cash.

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

610769-100000 | Moler Road Stormwater System Improvements | \$0 | \$71,629 | (+\$71,629)

610996-100000 | Briarmeadow Drive Culvert | \$84,178 | \$12,549 | (-\$71,629)

Section 4. The for the purpose of reimbursing Nisource/Columbia Gas for the construction services referenced herein, the expenditure of \$71,628.66 is hereby authorized from within the Storm Sewer Bond Fund | Fund No. 685| Div.: 60-15| Moler Road Stormwater System Improvements | Proj.No. 610769 | OCA Code 685769 | OBJLVL3: 6621.

Section 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

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

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

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

Legislation Number: 0873-2009

Drafting Date: 06/10/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation On June 23, 2008, Columbus City Council passed Ordinance No. 0851-2008 and on August 18, 2008, the City entered into a Guaranteed Maximum Reimbursement Agreement with Wagenbrenner Management, Inc., addressing, among other things, the demolition and remediation of Harrison Park.

This ordinance allows the Director of Recreation and Parks to authorize payment of TIF funds in Fund 788 to begin the survey work, design, engineering and bid document preparation for Harrison Park development.

This work is the second step in reclaiming a brownfield adjacent to the Olentangy River. The work proposed in this legislation will improve the water quality and establish much needed greenspace in the Harrison West Neighborhood.

The Harrison West Society (HWS) has a Parks subcommittee and is very involved in the issues surrounding the elimination of this brownfield and establishment of their Harrison Park. The HWS has been integrally involved in all aspects of the park design.

The Contract Compliance Number for Wagenbrenner Management Company is 31-1491162 and expires 06/04/2010.

Financial Impact:

The money is available under the Harrison West Recreation Park Fund:

Fund: 788 / **OCA:**788101 / **Dept:**51-01 / **Project:**788001 / **Object Level 3:** 6621 / **Amount:** \$83,000.00

with Wagenbrenner Management, Inc for the purpose of design services for the development of Harrison Park; to authorize the appropriation and expenditure of \$83,000.00 from the Harrison West Recreation Park Fund; and to declare an emergency. (\$83,000.00)

BodyWHEREAS, the Department of Recreation and Parks desires to enter into a Guaranteed Maximum Cost contract with Wagenbrenner Management, Inc., for the purpose of design services for the development of Harrison Park; 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, prosperity, 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 a Guaranteed Maximum Cost contract with Wagenbrenner Management, Inc., for the purpose of design services for the development of Harrison Park.

Section 2. That the appropriation and expenditure of \$83,000.00, or so much thereof as may be necessary, be and is hereby authorized from:

The money is available under the Harrison West Recreation Park Fund:

Fund: 788 / **OCA:**788101 / **Dept:**51-01 / **Project:**788001 / **Object Level 3:** 6621 / **Amount:** \$83,000.00

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

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

Legislation Number: 0884-2009

Drafting Date: 06/15/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation**BACKGROUND:** The Division of Fire was awarded a grant from the Department of Homeland Security to purchase Weapons of Mass Destruction (WMD) and Improvised Explosive Devices (IED) equipment and training for the Bomb Squad. The total cost of this equipment and training will be \$133,068.00, the payment of which will be issued by Franklin County, on behalf of the Department of Homeland Security and Ohio Emergency Management Agency. The City of Columbus and Franklin County entered into an Intergovernmental Agreement via Ordinance 1917-2005 to enable this type of purchase.

The vendors of this equipment and training include REMOTEC, Inc., Ideal Products, BOZ Robot, American Innovations, Inc., and AC Industrial.

This legislation will authorize and direct the Director of Finance and Management to execute those documents necessary for the acquisition of this equipment and training.

Bid Information: The Division of Fire was approved for a State Homeland Security Grant to purchase Weapons of Mass Destruction (WMD) and Improvised Explosive Devices (IED) equipment and training for the Bomb Squad. The grant requirements are such that purchasing this equipment and training pursuant to section 329.06 (Formal

Competitive Bidding) of the Columbus City Code is not possible due to the specialized nature of this equipment and training.

This specialized and proprietary equipment and training is unique and offered only by the aforementioned vendors. All equipment and training that is funded through US Homeland Security training grants must be approved by the United States Homeland Security Office of Domestic Preparedness to be eligible for funding. There is no other approved equipment and training that meets Fire's training requirement at this time. This equipment and training is specific for Bomb Squads, and is limited due to the sensitive nature and the small number of bomb squads in the United States.

This Company is not debarred according to the Excluded Parties listing of the Federal Government and is not listed in the Auditor of State database for Findings for Recovery.

Contract Compliance: REMOTEC, Inc. ~ 621090777; Ideal Products ~ 611282956; BOZ Robot ~ #611513193; American Innovations, Inc. ~ #133811586; AC Industrial ~ #631076054

Emergency Designation: This legislation is to be declared an emergency measure so that legislative approval can occur prior to expiration of the grant period.

FISCAL IMPACT: This ordinance authorizes the Director of Finance and Management to enter into an agreement to procure equipment and training in the amount of \$133,068.00 for the Division of Fire Bomb Squad using Homeland Security grant funds currently held by Franklin County. Therefore, there is no fiscal impact to the General Fund.

TitleTo authorize and direct the Director of Finance and Management to execute those documents necessary to enter into contracts for the acquisition of equipment and training for the Division of Fire Bomb Squad, in accordance with sole source procurement, with REMOTEC, Inc., Ideal Products, BOZ Robot, American Innovations, and AC Industrial; utilizing Homeland Security Grant funds; and to declare an emergency. (\$0.00)

Body**WHEREAS,** the Division of Fire needs to acquire Weapons of Mass Destruction (WMD) and Improvised Explosive Devices (IED) equipment and training for the Bomb Squad, and

WHEREAS, the Division of Fire has been awarded a grant from the Department of Homeland Security to purchase said equipment and training, and

WHEREAS, this acquisition is being made in accordance with Sole Source Provisions, and

WHEREAS, an emergency exists in the usual daily operations of the Division of Fire, Department of Public Safety, in that it is immediately necessary to authorize and direct the Director of Finance and Management to execute those documents necessary for the acquisition of said equipment and training prior to the expiration of the grant period, for the preservation of the public health, peace, property, safety and welfare; Now, therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Finance and Management be and is hereby authorized and directed to execute those documents necessary to enter into a contract with REMOTEC, Inc., Ideal Products, BOZ Robot, American Innovations, Inc., and AC Industrial, for the acquisition of Weapons of Mass Destruction (WMD) and Improvised Explosive Devices (IED) equipment and training for the Bomb Squad.

SECTION 2. There is no city related expenditure associated with this ordinance; grant funds from the Department of Homeland Security are being administered via Franklin County.

SECTION 3. That this Council finds it is in the best interest of the City of Columbus that this acquisition be in accordance with the provisions of Sole Source Provisions of Section 329.07(e), of the Columbus City Codes.

SECTION 4. That for 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 passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0900-2009

Drafting Date: 06/16/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation This ordinance will authorize the City Auditor to enter into an agreement for professional auditing services for the calendar year 2009, of the City of Columbus and the Office of Franklin County Municipal Court Clerk, and to authorize the expenditure of \$338,000.

At the direction of the Auditor of State an extensive request for proposals and evaluation process was conducted. Two proposals were received. Evaluations of these proposals were conducted by both the City Auditor's Office and the State Auditor's Office, independent of each other. Both offices concluded that the contract should be awarded to Clark, Schaefer, Hackett & Co., Certified Public Accountants. Contract Compliance expires on 08/21/2010 for FID# 31-0800053.

The audit agreement covers 5 years (2006-2010) with each year being subject to the authorizing appropriation of Council. This 2009 ordinance represents the fourth year of this five-year cycle. Annual costs of the audits are as follows:

<u>Audit Period</u>	<u>Audit Cost</u>
2006	\$ 308,750
2007	308,750
2008	325,000
2009	338,000
2010	347,750

Bids were also received for auditing services for the 2006-2010 five year period for other political subdivisions. These other political subdivisions will, however, pay Clark, Schaefer, Hackett & Co. directly for the audit costs. Such costs will not be channeled through the City. The other political subdivisions and the respective bids are:

<u>Year</u>	<u>Columbus Regional Airport Authority</u>	<u>Franklin Park Conservatory Joint Recreation District</u>	<u>RiverSouth Authority</u>
2006	\$ 57,000	\$ 23,750	\$ 14,250
2007	57,000	23,750	14,250
2008	60,000	25,000	15,000
2009	62,400	26,000	15,600
2010	64,200	26,750	16,050

It should be noted that 15% of this contract will be subcontracted to a minority firm of certified public accountants. This has been a subcontracting requirement in the City's audit contract since 1985.

FISCAL IMPACT

Funds are currently budgeted in the City Auditor's department for this expenditure.

Title To authorize and direct the City Auditor to enter into an agreement with Clark, Schaefer, Hackett & Co., Certified Public Accountants, for professional auditing services for calendar year 2009 and to authorize the expenditure of \$338,000 from the General Fund (\$338,000)

Whereas, all political subdivisions of Ohio are required to be audited by the Auditor of the State of Ohio or her designee, and

Whereas, the United States Office of Management and Budget through the Single Audit Act of 1996 has made it possible for all federal grants to be audited via one comprehensive audit, and

Whereas, the Auditor of the State of Ohio and the Columbus City Auditor have concurred that the most appropriate way to meet all such requirements is to engage Clark, Schaefer, Hackett & Co., Certified Public Accountants to conduct an independent audit of the City's 2009 accounting records and those of the Office of Franklin County Municipal Court Clerk including federal and state grants, and

Whereas, Clark, Schaefer, Hackett & Co., CPA's submitted the lowest bids for audits of all of the aforementioned political subdivisions, and

Whereas, maximum efficiencies can be achieved by including the Office of Franklin County Municipal Court Clerk; now, therefore

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

Section 1. That the City Auditor is hereby authorized and directed to enter into an agreement with the firm of Clark, Schaefer, Hackett & Co., Certified Public Accountants, to conduct an audit of the City's 2009 accounting records and financial statements and to render an opinion thereon.

Section 2. That this agreement include the audit of the Office of Franklin County Municipal Court Clerk.

Section 3. That the sum of \$338,000 or so much thereof as may be necessary, is hereby authorized to be expended from the General Fund 010, Department 22-01, Object Level-1 03, Object Level-3 3325, OCA 220145 for the aforesaid purpose.

Section 4. The City Auditor is hereby authorized to prorate the costs of this audit to the various funds of the City.

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

Legislation Number: 0907-2009

Drafting Date: 06/16/2009

Version: 2

Current Status: Passed

Matter Type: Ordinance

Explanation

Rezoning Application Z09-008

APPLICANT: WatCon Engineering; c/o Doug Tailford, Agent; 83 Shull Avenue; Gahanna, OH 43230.

PROPOSED USE: Multi-family residential or housing for the elderly development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on June 11, 2009.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested L-AR-4, Limited Apartment Residential District will allow a maximum of 153 units for multi-family residential development, housing for the elderly, or assisted living. The proposal contains appropriate use restrictions, landscaping and buffering provisions in consideration of surrounding single-family residential uses, exterior building material commitments, lighting controls, and commits to a 5± acre conservation area over the flood plain along the south and east portions of the site which will be deeded to Columbus Recreation and Parks Department. The request is compatible with the zoning and development patterns of the area.

Title

To rezone **4393 WINCHESTER PIKE (43232)**, being 17.76± acres located on the south side of Winchester Pike, 2480± feet west of South Hamilton Road, **From:** R-1, Residential District, **To:** L-AR-4, Limited Apartment Residential District (Rezoning # Z09-008).

Body

WHEREAS, application # Z09-008 is on file with the Building Services Division of the Department of Development requesting rezoning of 17.76± acres from R-1, Residential District, to L-AR-4, Limited Apartment Residential District; and

WHEREAS, the Columbus Public Health Healthy Places program reviews applications for active living features and recognizes that this development has five foot wide sidewalk on Winchester Pike, sidewalk access into the site, and centrally located bike racks; and

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

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-AR-4, Limited Apartment Residential District for a maximum of 153 multi-family units contains appropriate limitations and development standards in consideration of surrounding single-family residential uses. The request is compatible 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:

4393 WINCHESTER PIKE (43232), being 17.76± acres located on the south side of Winchester Pike, 2480± feet west of South Hamilton Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus and being 17.7609 acres out of a 139.19 acre tract conveyed to The Columbus & Southern Ohio Electric Company by Deed of Record in Deed Book 2616, Page 108, Recorder's Office, Franklin County, Ohio, said 17.7609 acre tract being more particularly described as follows:

Beginning at a spike in the centerline of Winchester Pike (Old State Route 33) at the northeasterly corner of a 3.877 acre tract conveyed to H. L. Taylor by Deed of Record in Deed Book 2749, Page 55, recorder's Office, Franklin County, Ohio; thence from the said place of beginning.

South 56° 33' 19" East, a distance of 905.78 feet along the centerline of said Winchester Pike to a spike in the easterly line of the said 139.19 acre tract and being in the center of a bridge over Big Walnut Creek; thence

South 21° 18' 55" East, a distance of 213.13 feet along the center of Big Walnut Creek and the easterly line of the said 139.19 acre tract to a point in the center of said Big Walnut Creek and the easterly line of the said 139.19 acre tract; thence

South 12° 11' 05" West, a distance of 119.46 feet along the easterly line of the said 139.19 acre tract to a point in said Big Walnut Creek and the easterly line of the said 139.19 acre tract; thence leaving said Big Walnut Creek

South 31° 41' 05" West, a distance of 500.28 feet along the easterly line of the said 139.19 acre tract to an iron pin being the southeasterly corner of the said 139.19 acre tract; thence

North 86° 48' 55" West, a distance of 631.62 feet along a southerly line of the said 139.19 acre tract to an iron pin being a corner of said 139.19 acre tract: thence

North 04° 03' 05" east, a distance of 1208.17 feet along a line of the said 139.19 acre tract and the easterly line of the said 3.877 acre tract to the place of beginning, containing 17.7609 acres of land, subject however, to all legal rights-of-way and easements.

This survey was completed by Richard W. Conrad
Registered Surveyor #5041

To Rezone From: from R, Rural, District

To: L-AR-4, Limited Apartment Residential District

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-AR-4, Limited Apartment Residential 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 L-AR-4, Limited Apartment Residential District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said plan being titled, "**LANDSCAPE BUFFER PLAN**," said text being titled, "**LIMITATION TEXT**," both signed by William A. Gerhardt, Owner, dated May 1, 2009, and the text reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-AR-4

PROPERTY ADDRESS: 4393 Winchester Pike, Columbus, Ohio 43232

OWNER(s): William A. Gerhardt

APPLICANT: WatCon Engineering

DATE OF TEXT: 5/1/09

APPLICATION NUMBER: Z09-008

1. INTRODUCTION

The site to be rezoned consists of approximately 17.76 acres of land intended to be used for residential use in the form of multi-family either for "Rent" and/or for "Sale". The Property is west of Big Walnut Creek and south of Winchester Pike. This area is currently zoned R-1.

2. PERMITTED USES

Within the Property to be rezoned the permitted uses shall consist of all AR-4 uses permitted under Section 3333.035 (1-15 and 19) of the Columbus Zoning Code. Uses as specified under Section 3333.035 (19) shall be limited to home for the aging, nursing home, rest home and shared living facility (limited to Assisted Living Facility).

3. DEVELOPMENT STANDARDS

A. Density, Lot, **Height** and/or Setback Commitments.

1. The density of the Property shall be limited to a maximum of 153 residential units.
- 2. The first row of buildings closest to Winchester Pike will be a maximum of two stories in height.**

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

1. Access to the Property from the north shall be by way of the private drive to be constructed from the full service curb cut on Winchester Pike. All streets shall be a minimum of 20' wide, and all streets, parking areas and drive aisles on the Property shall be privately owned, and shall be maintained by the owner of the Residential development.
2. All circulation, curb cuts, access points, and road improvements, including a left turn lane (if required) shall be subject to the approval of the Franklin County Engineer's Office or other applicable governmental agency.
3. Sidewalks and/or Pathway. Applicant agrees to construct 5' wide sidewalks and/or pathways (i) along the south side of Winchester Pike; (ii) along the internal road providing access to the site from Winchester Pike. Centrally located bike rack(s) shall be installed for residents, employees and/or visitors.

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

1. Street trees shall be planted evenly spaced along Winchester Pike at a ratio of not less than one tree per thirty (30) feet of frontage.
2. A landscape buffer consisting of trees and shrubs shall be provided along the west property line near the residential structure on the parcel just to the west of this parcel. Landscape buffer shall be consistent with Exhibit "A" attached herein. The trees comprising the landscape buffer shall be the following species: Shade trees shall be Green Mountain Sugar Maple, and/or Green Spire Linden; Ornamental trees shall be Ohio Pioneer Hawthorn (thornless) or any of the various varieties of Crabapple; and Evergreen trees shall be Colorado Blue Spruce or Norway Spruce.
3. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
4. All trees shall meet the following minimum size at the time of planting: Shade trees - 2 ½" caliper; Ornamental trees - 1 ½" caliper; Evergreen trees - 5 feet in height. Tree caliper is measured six inches (6") from the ground.

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

1. Pitched Roof. All buildings shall have a pitched or angled roof.
2. Rooftop Mechanicals Screening. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view to prevent the equipment from being visible from the property line of the parcel. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials. This section shall not require screening of wall- or ground-mounted utility meter boxes.

3. Building Height. Buildings constructed on the Property shall not exceed thirty-five feet (35') in height as measured from finish grade at the base of the building.

4. Building Materials. Building materials shall be a combination of natural materials (brick, stone, etc.) and vinyl siding.

E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.

1. Lighting.

i. Light standards shall not exceed fifteen feet (15') in height.

ii. Lights shall meet current City of Columbus standards and specifications for residential community streets and parking lots.

iii. For aesthetic compatibility, lights shall be from the same or similar type, color and supplied by the same manufacturer.

iv. Lighting shall not exceed 0.1 foot-candle, measured horizontally, anywhere along a property line.

2. Conservation Area, Parkland and/or Bikeway.

i. Prior to the issuance of zoning clearance, Applicant shall convey title to the City of Columbus Recreation and Parks Department a 5+/- acre parcel of land along the west and north of Big Walnut Creek, for parkland. There shall be a 25' easement/setback along the new adjoining parcel line for all structures with the exception of access paths. This parcel shall be kept as near to existing grades and conditions as possible to facilitate the future construction of a trail. Grading plans for the proposed development shall be presented for approval to the Columbus Recreation and Parks Department prior to construction.

F. Graphics and/or Signage Commitments

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

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

Legislation Number: 0912-2009

Drafting Date: 06/17/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The Board of Health has a need to make funds available to contract with Council On Healthy Mothers and Babies. The Council On Healthy Mothers and Babies will provide health education/promotional services, support the Local Health System Action Plan, hold public forums, meetings, committees, prenatal care committees, and link pregnant women with appropriate providers through Pregnancy Care Connection (centralized first PNC appointment scheduling system). The contract period is July 1, 2009 through May 31, 2010. This contract will total an amount not to exceed \$34,049. The Federal ID number is 421546970.

Emergency action is required to ensure the continued operation of the Healthy Start Program.

FISCAL IMPACT: This contract is entirely funded by a grant from the U.S. Department of Health and Human Services. The program does not generate revenue or require a City match. The monies are budgeted in the 2009 Health Department Grants Fund.

Title

To authorize the Board of Health to enter into a contract with the Council On Healthy Mothers and Babies to provide health education/promotion for the Healthy Start grant program; to authorize the expenditure of \$34,049 from the Health Department Grant Funds to pay the cost thereof; and to declare an emergency. (\$34,049)

Body

WHEREAS, proposals were formally submitted through the RFP process for health education/promotion services for the Healthy Start grant program; and,

WHEREAS, the bid from the Council On Healthy Mothers and Babies, a local non-profit organization, was determined to be the lowest responsive, responsible bid; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to enter into contract with the Council On Healthy Mothers and Babies for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized and directed to enter into contract with the Council On Healthy Mothers and babies for health education/promotion for the Healthy Start grant program for the period June 1, 2009 through May 31, 2010.

SECTION 2. That to pay the costs of said contracts, the expenditure of \$34,049 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Health Department, Division 50-01, Grant No. 509117, OCA Code 509117, Object Level One 03, Object Level Three 3337.

SECTION 3. That these contract is awarded in accordance with Sections 329.11 of the Columbus City Code.

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

Legislation Number: 0920-2009

Drafting Date: 06/18/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

The purpose of this legislation is to authorize the Director of Public Utilities to enter into an agreement for software upgrades, support and license fees for the Division of Sewerage and Drainage for the Pre-Treatment Information Management System (PIMS) Software This ordinance is being processed in accordance with waiver provisions of

Columbus City Code Section 329.27. The PIMS Software was originally developed by Black and Veatch and the company has established an agreement with Inflection Point Solutions, LLC as the sole provider of the support and service of the software.

The Pre-Treatment Section currently is working under a PIMS system that is approximately 8 years old. The Department of Public Utilities considered replacing the system in 2009. Request for Proposals were received by the Director of Public Utilities on June 12, 2009. One RFP was received and the cost the new system would cost \$121,780.00.

The Division of Sewerage and Drainage contacted Inflection Point Solutions LLC the current PIMS provider to discuss upgrade options to the current system. After negotiations between the Inflection Point and Pre-Treatment staff the current system can be upgraded to the most current version for \$63,000.00. The Department of Public Utilities has made an operational decision in the best interest of the City of Columbus to enter into an agreement with the current software supplier for software upgrades instead of purchasing a new system, a savings of \$68,000.00. The upgrade will be completed in November of 2009. A copy of the proposal from Inflection Point Solutions LLC is attached.

The software is used to schedule and track pretreatment samples. Information is shared between this software and the Laboratory Information Management System (LIMS), with regards to the results of the samples that are collected. The agreement includes costs for complete software upgrade, one (1) year of support, go live training and license fees. The upgrade will provide for the following enhancements:

User Interface: web-page enhancements

Document Generation: documents will be custom designed by each user

Notification: interface with Outlook to provide user notifications of due and past due

Compliance Engines: enhanced compliance reporting

Data Conversion: integration with other City-wide reporting tools and software

Web-Based: allow each desk top to include the software and enhance support of DoT

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

SUPPLIER: Inflection Point Solutions, LLC (20-2009707) Expires 2-19-11

FISCAL IMPACT: \$63,000.00 is needed for this agreement and budgeted.

\$24,000.00 was spent in 2008 - Annual software support only

\$24,000.00 was spent in 2007- Annual software support only

Title

To authorize the Director of Public Utilities to enter into an agreement for software upgrades, software support and software license fees, with Inflection Point Solutions, LLC, for the Pretreatment Information Management System (PIMS), to waive the provisions of competitive bids of the Columbus City Code, and to authorize the expenditure of \$63,000.00 from the Sewerage System Operating Fund. (\$63,000.00)

Body

WHEREAS, the Department of Public Utilities is responsible to maintain the Pretreatment Information Management System (PIMS) utilized by the Pre-Treatment Section within the Division of Sewerage and Drainage, and

WHEREAS, the PIMS Software was developed by Black and Veatch who has established an agreement with Inflection

Point Solutions, LLC to provide support and maintenance for said software, and

WHEREAS, this software is used to schedule and track pretreatment samples, then information is shared between this software and the Laboratory Information Management System (LIMS) with regards to the results of the samples that are collected, and

WHEREAS, the Pre-Treatment Section currently is working under a PIMS system that is approximately 8 years old. The Department of Public Utilities considered replacing the system in 2009. Request for Proposals were received by the Director of Public Utilities on June 12, 2009. One RFP was received and the cost the new system would cost \$121, 780.00 and

WHEREAS, the Division of Sewerage and Drainage contacted Inflection Point Solutions LLC the current PIMS provider to discuss upgrade options to the current system which is Version 1.5.8 and is 8 years old. After negotiations with the Inflection Point and Pre-Treatment staff the current system can be upgraded to Version 10 for \$63,000.00.

WHEREAS, the Department of Public Utilities has made an operational decision in the best interest of the City of Columbus to enter into an agreement with the current software supplier for software upgrades instead of purchasing a new system a savings of \$68,000.00. The upgrade will be completed in November of 2009. A copy of the proposal from Inflection Point Solutions LLC is attached, and

WHEREAS, this ordinance authorizes the Director of Public Utilities to enter into an agreement with Inflection Point Solutions Inc. The agreement includes costs for complete software upgrade, one (1) year of support, go live training and license fees, and

WHEREAS; this ordinance is being submitted in accordance with waiver of competitive bids provisions of the Columbus City Code now, therefore,

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

Section 1. That the Director of Public Utilities be and is hereby authorized to enter into an agreement for software upgrades, software support and software licenses fees with Inflection Point Solutions, LLC for the Division of Sewerage and Drainage, Pre-Treatment Section.

Section 2. That the expenditure of 63,000.00 or as much thereof as may be needed, is hereby authorized from Sewerage System Operating Fund, Fund 650,

OCA Code 605592

Object Level 1: 03

Object Level 3: 3369

Section 3. That this Council finds it in the best interest of the City of Columbus to waive the competitive bidding provisions of the Columbus City Codes.

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

Legislation Number: 0922-2009

Drafting Date: 06/18/2009

Current Status: Passed

Explanation

This ordinance realigns the 2009 Department of Public Utilities (DPU) appropriation. Realigned responsibilities for street cleaning and snow removal have shifted cost to the Stormwater Enterprise Fund. Increased cost for provision of the Department of Technology services have also added to the cost within each of the enterprise funds for the Department of Public Utilities. In order to more accurately reflect the allocation of these increased costs to the department, a review of the internal cost allocation formula was done in January. The revised formula takes into consideration not only the customer counts within each enterprise but also considers the authorized strength and budget of each enterprise. This review shifts some cost responsibility from the Stormwater enterprise and allocates this cost to the Sanitary Sewer, Water and Electricity enterprise funds. No change in the total enterprise appropriations is required to accomplish the cost allocation but the budget appropriation for the Department of Public Utilities is affected. In order to properly identify and align the Department of Public Utilities 2009 budget appropriation the following changes are requested.

See Attachment: DPU - 2009 Department Appropriation Revisions.xls

Title

To realign the City of Columbus, Department of Public Utilities' 2009 budget appropriation; to reallocate the cost allocation formula utilized by the Department of Public Utilities; and to declare an emergency. (\$0.00)

Body

WHEREAS, In order to accurately reflect the allocation of expenses related to services provided by both the Department of Technology (DOT) to the Department of Public Utilities, and by the Department of Public Utilities to its external customers, a change in the Department of Public Utilities' operating budget appropriation is necessary; and

WHEREAS, This requested appropriation change results from a review of and change to the internal cost allocation formula used by the Department of Public Utilities (DPU); and

WHEREAS, A change in the Department of Public Utilities cost allocation formula is necessary; and

WHEREAS, This ordinance realigns the 2009 Department of Public Utilities (DPU) budget appropriation; and

WHEREAS, An emergency exists in the usual daily operation of the City of Columbus, Department of Public Utilities in that it is immediately necessary to adjust the 2009 Department of Public Utilities budget appropriation and the cost allocation formula utilized by the department, 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 Auditor is hereby authorized and directed to reallocate the Department of Public Utilities 2009 budget appropriation and allocation formula as follows:

See Attachment: DPU - 2009 Department Appropriation Revisions.xls

Section 2. That the current Department of Public Utilities (DPU) cost allocations formula is hereby reallocated by the following rates:

See Attachment: DPU - 2009 Department Appropriation Revisions.xls

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the

Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

]

Legislation Number: 0924-2009

Drafting Date: 06/18/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Rezoning Application Z09-005

APPLICANT: Giant Eagle Inc.; c/o Jackson B. Reynolds III, Atty., Smith and Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Adding a pharmacy drive-through to an existing grocery store.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on May 14, 2009.

COLUMBUS SOUTH SIDE AREA COMMISSION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested CPD, Commercial Planned Development District would allow for the addition of a drive-through to an existing grocery store. The proposal is consistent *South Side Plan - Merion Schumacher Amendment* and with the development pattern of the area.

Title

To rezone **280 EAST WHITTIER STREET (43230)**, being 2.5± acres located at the northeast corner of East Whittier and Jaeger Streets, **From:** CPD, Commercial Planned Development District, **To:** CPD, Commercial Planned Development District. (Rezoning # Z09-005)

Body

WHEREAS, application #Z09-005 is on file with the Building Services Division of the Department of Development requesting rezoning of 2.5± acres from the CPD, Commercial Planned Development District to the CPD, Commercial Planned Development District; and

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

WHEREAS, the South Side Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval because the requested CPD, Commercial Planned Development District would allow for the requested CPD, Commercial Planned Development District would allow for the addition of a pharmacy drive-through to an existing grocery store. The proposal is consistent *South Side Plan - Merion Schumacher Amendment* and with the development pattern 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:

280 EAST WHITTIER STREET (43230), being 2.5± acres located at the northeast corner of East Whittier and Jaeger Streets, and being more particularly described as follows:

LEGAL DESCRIPTION

Description of Big Bear property in German Village:

Parcel 1

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of Lot 5 of the plat of part of the land of the Estate of C.F. Jaeger, being part of Half Section No. 28. Township 5. Range 22, as recorded on Plat Book (P.B.) 3, pg. 203, Franklin County Recorder's Office, and being further described as follows:

Beginning at an iron pin set at the intersection of the north line of Whittier St. (60' wide formerly Schiller St.) and the east line of Jaeger St. (60' wide);

Thence North 03 degrees 08' 53" East 464.28 feet, along the east line of said Jaeger St., to a point, said point being the intersection of the east line of said Jaeger St. and the south line of Kossuth St.(50' wide), said point being referenced by a found ¾" iron pipe located 0.40 feet north;

Thence South 87 degrees 01' 13" East 221.30 feet, along the south line of said Kossuth St., to an Mag Nail set, said Mag Nail being the intersection of the south line of said Kossuth St. and the west line of Grant Ave.(10' wide);

Thence South 03 degrees 10' 00" West 465.65 feet, along the west line of said Grant Ave., to an Mag Nail set, said Mag Nail being the intersection of the west line of said Grant Ave. and the north line of said Whittier St.;

Thence North 86 degrees 39' 57" West 221.15 feet, along the north line of said Whittier St., to the Place of Beginning, containing 102,861 square feet, or 2.361 acres, more or less, subject to all legal easements and the right of ways of record.

Bearings are referenced to the west line of said Grant Ave., as being South 03 degrees 10' 00" West assumed. Documents referred to are recorded in the Franklin County Recorder's Office. Iron pins set are 5/8" in diameter rebar, 30" long, with a plastic cap stamped "J & J Surveying".

Parcel 2

Situated in the State of Ohio, County of Franklin, City of Columbus, and being all of Lot 157, and being north 12 feet of a 20 foot alley vacated by Ord. #2355-85, bounded on the south by Lots 105 thru 108, and on the north by said Lot 157, as shown on the plat of Blesch and Kremer's Subdivision, as recorded in P.B. 4, pg. 25, Franklin County Recorder's Office, containing 0.124 acres, and being further described as follows:

Beginning for reference at the intersection of the north line of Whittier St. (60' wide formerly Schiller St.) and the east line of Grant Ave., being the southwest corner of said Lot 105;

Thence North 03 degrees 10' 00" East 128.00 feet, along the east line of said Grant Ave. being the west line of said Lot 105, to a Railroad Spike found, said spike being the True Place of Beginning for the herein described 0.124 acre tract;

Thence North 03 degrees 10' 00" East 43.00 feet, continuing along the west line of said Grant Ave. being the west line of said vacated alley, the west line of said Lot 157, to a ¾" iron pin found, said iron pin being northwest corner of said LOT 157;

Thence South 86 degrees 39' 56" East 124.96 feet, along the north line of said Lot 157, to a ¾" iron pin found in the west line of Ebner St. (50' wide), said iron pin being the northeast corner of said Lot 157;

Thence South 03 degrees 07' 14" West 43.00 feet, along the west line of said Ebner St., being the east line of said Lot 157, and being the east line of said vacated alley, to an iron pin set;

Thence North 86 degrees 39' 56" West 125.00 feet, crossing said vacated alley, to the True Place of Beginning, containing 5400 square feet, or 0.124 acres, more or less, subject to all legal easements and right of ways of record.

Bearings are referenced to the west line of said Grant Ave., as being South 03 degrees 10' 00" West assumed. Documents referred to are recorded in the Franklin County Recorder's Office. Iron pins set are 5/8" in diameter rebar, 30" long with a plastic cap stamped "J & J Surveying".

To Rezone From: CPD, Commercial Planned Development District,

To: CPD, Commercial Planned Development District.

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

SECTION 3. That the Director of the Department of 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, "**PROPOSED PHARMACY DRIVE-THRU FOR GIANT EAGLE MARKET #6508,**" and text titled, "**CPD COMMERCIAL PLANNED DEVELOPMENT TEXT,**" both signed by Jackson B. Reynolds III, Attorney for the Applicant, both signed and dated May 27, 2009, and the text reading as follows:

CPD

COMMERCIAL PLANNED DEVELOPMENT TEXT

APPLICATION : Z09-005
LOCATION: 280 EAST WHITTIER STREET
REQUEST: CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT
PROPOSED USE: GROCERY STORE WITH PHARMACY DRIVE THRU
APPLICANT(S): GIANT EAGLE, INC.
PROPERTY OWNERS(S): WHITTIER - TWO EIGHTY LLC
DATE OF TEXT: May 27, 2009

1. INTRODUCTION: The subject sites consist of 2.5± total acres with 2.4± acres being an existing Giant Eagle Store located on the northeast of East Whittier Street and Jaeger Street. The remaining 0.1± acres being an existing parking lot is located on the west side of Ebner Street, 140± feet north of East Whittier Street.

In 1983 the subject site was included in an area-wide re-zoning, which placed the property in the R-4, Residential District. The surrounding residential areas were placed in the R-2F Zoning District in 1999 under an area wide rezoning. The current CPD, Commercial Planned Development District brought the site in line with the actual use of the property, a Giant Eagle Store. The request made by this application would modify the site plan to allow a pharmacy drive thru for prescription pickup.

2. PERMITTED USES:

A. The following primary uses shall be permitted on the subject property:

Grocery Store
Supermarket

B. In addition, the following secondary uses shall be permitted, but not limited to the following on the subject property in

conjunction with the operation of a grocery store and/or supermarket:

Delicatessen
Pharmacy with Drive Thru
Ice Cream and Dairy Product Sale
Meat Market
Financial Services
Small Appliance Sale
Bakery (Retail)
Florist Shop (Retail)
Photography Supplies (Retail)
Fish Market
Poultry Store (Dressing for sale)
Household and Hardware goods
Beer, Wine, and Beverage
Dry Cleaner Pick-up/Drop-off

3. DEVELOPMENT STANDARDS:

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

1. The property shall be subject to the thirty-five (35) foot height district.
2. The total building area of the site shall not exceed 31,900 square feet. The structure shall be confined to the Buildable area as defined on the site plan.
3. Setbacks are as shown on the site plan.

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

1. Existing and proposed access points are as shown on the site plan and are subject to review of the Traffic Engineering and Parking Division.
2. The existing loading dock consisting of a three-bay area and a mechanical/dumpster area at the northwest corner of the structure, adjacent to the loading dock is as shown on the site plan. The deliveries and trash collection will be restricted between the hours of 7:00 a.m. and 8:00 p.m.

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

1. The landscaping shall be maintained by the property owner. Dead or damaged material shall be replaced within six (6) months or the next available planting season, whichever occurs first. Installation of a new deciduous trees shall be a minimum caliper of two and one-half (2 1/2") inches.
2. Landscaping along Jaeger Street shall consist of no less than one (1) deciduous tree for every forty (40) feet of frontage. Along East Whittier Street the landscaping shall consist of no less than one (1) deciduous tree for every fifty (50) feet of frontage. In addition, a continuous hedge of evergreen shrubs with a minimum height of thirty-six (36) inches shall be installed adjacent to the parking lot along East Whittier Street. This evergreen shrubbery shall have a minimum opacity of seventy (70) percent. The existing landscaping along Kossuth Street will remain as shown on the site plan.
3. The landscaping adjacent to any access point shall contain no less than two (2) deciduous trees, two (2) ornamental trees and two (2) evergreen shrubs. The applicant will also provide stylized trash receptacles at these areas. The curb cut at East Whittier and Jaeger Streets shall be removed and replaced with a pedestrian walkway and landscaped area. The landscaping shall consist of no less than three (3) deciduous trees, four (4) evergreen shrubs, and three (3) ornamental trees. The pedestrian walkway shall include a handicap accessible ramp. A wrought iron fence shall be used as a landscape

feature along East Whittier and Jaeger streets. The fence shall be located adjacent to the curd cut(s) and extend no less than twelve (12) feet from the curb cut. At the intersection of East Whittier and Jaeger streets, the fence shall extend for no less than twenty-five (25) feet adjacent to both streets.

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

1. Any proposed additions to the existing building shall be finished on all four (4) sides with a brick, limestone, and glass facade.
2. All building signage shall be mounted to the building faced and shall be individually internally illuminated letters. All building signage will conform with the City Graphics code. All building illumination shall be of the west and south facades as shown on the site plan. In addition, the building illumination shall be cut-off type fixtures and shall not spill light onto the adjacent residential property.

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

1. Dumpsters shall be screened from view on all sides. The screening is an existing condition and will be maintained by the applicant. Any new parking lot lighting shall be cut-off fixtures (downlighting) and shall not spill an light onto any adjacent residentially zoned property.
2. The height of the existing parking light fixtures within patron parking areas to the west and south of the building is thirty (30) feet in height above the paved surface. The height of any new parking light poles within patron parking areas to the west and south of the building shall not exceed twenty-two (22) feet in height above the paved surface. Along Grant Alley there shall be Wall Pack lighting no less than (1) fixture for every sixty (60) feet. The height of these fixtures shall be no more than fourteen (14) feet above pavement. The applicant is responsible for the upkeep and general appearance of the property. The tenant will perform scheduled maintenance and clean up of the parking lot, landscaped areas and adjacent sidewalks along East Whittier and Jaeger Streets.

F. Graphics and Signage commitments.

1. Any new graphics shall comply with the Columbus Graphics Code as it applies to C-4, Commercial District

G. Other CPD Requirements.

1. Natural Environment: The natural environment of this site is an existing commercial building with paved parking lot covering the majority of the site.
2. Existing Land Uses: This property is currently developed as a Giant Eagle grocery store. The site is entirely surrounded by an existing neighborhood that contains single and multi-family residences, and a dry cleaner and a restaurant directly to the south.
3. Circulation: Access to the current development is as shown on the current site plan. The site can be accessed from the west on Jaeger Street and from the south on East Whittier Street.
4. Visible Form of the Environment: The site is located on the northeast corner of East Whittier Street and Jaeger Streets. German Village abuts the site to the north, south and west.
5. Visibility: The site, being located on the northeast corner of East Whittier Street and Jaeger Street is visible from both street frontages.
6. Proposed Development: A pharmacy drive up window is being added to the west side of the building with the requisite stacking spaces and a partial bypass lane.
7. Behavior Patterns: Since the grocery store has been located on this site since the early 1960's, making minor additions

to the building and rearranging the parking layout will have no adverse affect on the existing behavior patterns.

8. Emission: The development will conform to the 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. Miscellaneous commitments. N/A

I. Variances

1. The Applicant is seeking a variance to provide a partial bypass lane for the pharmacy drive up window - (Section 3342.07)

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

Legislation Number: 0928-2009

Drafting Date: 06/19/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The Division of Income Tax is in need of post warranty maintenance and service agreements periods for Fujitsu scanners for four Fujitsu 5900 scanners, three Fujitsu 6770 scanners and three Fujitsu 5750C scanners. Office of the Auditor, Income Tax Division issued a Request for Proposal (SA) SA003282 for ten (10) Fujitsu Scanners Scancare Warranties. Nine (9) vendors submitted responses which were reviewed and evaluated. It was determined that Software House International (SHI) was the lowest and best responsive. SHI's contract compliance number is 22-3009648, expiring on 11/19/2009.

Fiscal Impact:

The total expenditure for four Fujitsu 5900C Scancare plus NBD post warranty maintenance and service agreement, three Fujitsu 5750C Scancare Basic Plus post warranty maintenance and service agreements, and three Fujitsu 6770 Scancare Basic Plus post warranty maintenance and service agreements with Software House International (SHI) is \$23,030.00.

Title To authorize the City Auditor to enter into contract with SHI for a total of ten (10) Fujitsu Scanner Scancare Warranties for the Office of the Auditor, Income Tax Division, and to authorize the expenditure of \$23,030.00 and to declare an emergency.

Body WHEREAS, the Office of the City Auditor, Division of Income Tax requires a contract for Fujitsu Scanner Scancare Warranties; and

WHEREAS, competitive bids were solicited for Fujitsu Scanner Scancare Warranties through Solicitation SA003282, with SHI submitting the winning bid; 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 enter into contract with SHI for the purchase of ten (10) Fujitsu Scanners Scancare Warranties.

Section 2. That the expenditure of \$23,030.00 or so much thereof as may be necessary is hereby authorized from

Department 22-02, General Fund 01-100, Character 03, Minor Object 3372, Index Code 220202, to pay the cost thereof.

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

Legislation Number: 0933-2009

Drafting Date: 06/19/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Director of Finance and Management to enter into a purchase order with Utility Truck Equipment, Inc. for the purchase of a Heavy Duty, Tandem Axle Multi Reel Cable Trailer for the Division of Power and Water (Power). This trailer is necessary to replace existing equipment that is in poor condition and past its useful life.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA003272). Four vendors were solicited and one (MAJ) bid was received and opened on June 4, 2009. The bid received from Utility Truck Equipment, Inc., in the amount of \$24,990.00, met specifications and an award is recommended.

SUPPLIER: Utility Truck Equipment, Inc., Contract Compliance Number: 310989420, expires 12/06/2009. This supplier does not hold MBE/FBE status.

FISCAL IMPACT: This item was not budgeted in the 2009 Electricity Operating Fund, however, other purchases have been deferred to allow sufficient authority within the current budget for this purchase. There were no similar purchases in 2007 or 2008.

Title

To authorize the Director of Finance and Management to enter into a purchase order with Utility Truck Equipment, Inc. for the purchase of a Heavy Duty, Tandem Axle Multi Reel Cable Trailer for the Division of Power and Water and to authorize the expenditure of \$24,990.00 from the Electricity Operating Fund. (\$24,990.00)

Body

WHEREAS, a Heavy Duty, Tandem Axle Multi Reel Cable Trailer is required by the Division of Power and Water for its everyday operation; and

WHEREAS, the Purchasing Office opened formal bids on June 4, 2009 for the purchase of a Heavy Duty, Tandem Axle Multi Reel Cable Trailer for the Division of Power and Water (Power); and

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

WHEREAS, a purchase order will be issued by the Finance Department, Purchasing Office in accordance with the terms, conditions and specifications of Solicitation Number: SA003272 on file in the Purchasing Office; now, therefore

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

SECTION 1. That the Director of Finance and Management be and is hereby authorized to establish a purchase order with Utility Truck Equipment, Inc. for the purchase of a Heavy Duty, Tandem Axle Multi Reel Cable Trailer for the Division of Power and Water, in accordance with specifications on file in the Purchasing Office.

SECTION 2. That the expenditure of \$24,990.00, or so much thereof as may be needed, be and the same hereby is authorized from the Electricity Operating Fund, Fund No. 550, OCA 606723, Object Level 1: 06, Object Level 3: 6652.

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

Legislation Number: 0941-2009

Drafting Date: 06/24/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Purchasing Office has established Universal Term Contracts for water treatment chemicals with the companies listed below. The Division of Power and Water needs to establish Blanket Purchase Orders, based on these current contracts, for the purchase of water treatment chemicals during 2009. None of the vendors listed below have certified MBE/FBE status.

<u>Vendor</u>	<u>Contract #</u>	<u>Contract Compliance #</u>
Pain Enterprises (carbon dioxide)	FL004280	35-1178215
MeadWestvaco (powdered activated carbon)	FL004285	31-1797999
Bonded Chemicals (soda ash)	FL004281	61-1162384

Contract Compliance Exp. Date

Pain Enterprises	June 3, 2011
MeadWestvaco	February 13, 2011
Bonded Chemicals	August 18, 2010

FISCAL IMPACT: The Division of Power and Water has allocated \$18,392,110.00 for water treatment chemicals in the 2009 Budget.

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

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

Title

To authorize the Director of Finance and Management to establish Blanket Purchase Orders, for water treatment chemicals, from established Universal Term Contracts with Pain Enterprises, MeadWestvaco, and Bonded Chemicals for the Division of Power and Water, to authorize the expenditure of \$955,137.60 from Water Systems Operating Fund. (\$955,137.60)

Body

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

WHEREAS, it has become necessary in the usual daily operation of the Division of Power and Water, Department of Public Utilities, to authorize the Finance and Management Director to establish Blanket Purchase Orders, for water treatment chemicals, based on the above mentioned Universal Term Contracts, 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 Blanket Purchase Orders, for water treatment chemicals, from current Universal Term Contracts, for the Division of Power and Water, Department of Public Utilities.

Section 2. That the expenditure of \$955,137.60 or as much thereof as may be needed, is hereby authorized from Water Works Fund 600, Department 60-09, Object Level One 02, Object Level Three numbers, vendors, contract numbers with expiration dates, OCA Codes, and amounts listed below, to pay the cost thereof.

<u>Vendor/ Chemical</u>	<u>OCA</u>	<u>UTC #</u>	<u>Code</u>	<u>OBL 3</u>	<u>Amount</u>
Pain Enterprises Carbon Dioxide Exp. March 31, 2012	FL004280	602532	2204		\$28,500.00
MeadWestvaco Powdered Activated Carbon Exp. March 31, 2012	FL004285	602417	2204		\$194,040.00 <u>\$284,760.00</u> \$478,800.00
Bonded Chemicals Soda Ash Exp. March 31, 2012	FL004281	602532	2204		\$447,837.60
Grand Total					\$955,137.60

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

Legislation Number: 0946-2009

Drafting Date: 06/24/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Director of Finance and Management to enter into a contract on behalf of the Office of Construction Management with PK Builders, LLC, for the renovation of six salt barn roofs (500 Scherers Court, 650 West Nationwide Boulevard, 2260 Lockbourne Road, 4380 Currency Drive, 1850 East 25th Avenue [east and west barns], and 25th Avenue west barn south elevation total re-roof. The renovations are necessary due to windstorm damage. Salt barns are used by the Division of Planning and Operations to store snow and ice melting material for use during winter weather events.

Formal bids were solicited and five companies submitted bids on June 10, 2009 as follows (0 FBE, 0 MBE):

Nesser	\$116,230.00
PK Builders, LLC	\$182,375.00
General Maintenance and Engineering	\$290,650.00
K & W	\$291,978.00
Fields	\$323,685.00

The bid submittal of the apparent low bidder, Nesser, was incomplete as they failed to include Alternate #1. Furthermore,

Nesser withdrew its bid after discovery on its part that it failed to account for all project expenses. PK Builders, LLC bid contained a clerical error in bidding Alternate #1. PK Builders, LLC bid is technically non-responsive. However, PK Builders, LLC can perform the work at the best price. Therefore, it is in the best interest of the City to waive the competitive bidding provisions of the Columbus City Codes and to accept the bid submitted by PK Builders, LLC.

The City has received \$52,307.00 for repairs from the Federal Emergency Management Agency (FEMA), and \$44,911.52 from insurance due to the damage caused by the windstorm in September 2008. Additionally, \$41,205.48, will be received from the insurance company once the contract(s) for this project is submitted indicating that the repairs are being completed.

PK Builders, LLC. Contract Compliance #31-1630301 Expiration date January 11, 2011

Emergency action is requested to allow this project to proceed as quickly as possible, thereby preventing further damage to the facilities.

FISCAL IMPACT: The cost of this ordinance is \$192,875.00 for the contract with PK Builders, LLC and \$7,700.00 for administrative fees for the Office of Construction Management, for a total of \$200,575.00. Funding for this Project is available within the General Permanent Improvement Fund.

Title

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with PK Builders, LLC for the renovation of six salt barn roofs used by the Division of Planning and Operations; to authorize the transfer of monies within the General Permanent Improvement Fund; to authorize the expenditure of \$200,575.00 from the General Permanent Improvement Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$200,575.00)

Body

WHEREAS, it is necessary to renovate six salt barn roofs at various City-owned facilities due to windstorm damage; and

WHEREAS, formal bids were solicited and five companies responded; and

WHEREAS, PK Builders, LLC is the most responsive, responsible and best bidder to complete the renovations; and

WHEREAS, it is necessary to waive the competitive bidding requirements of the Columbus City Codes because of a clerical error on the bid submission; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to enter into a contract for the renovation of six salt barn roofs at various City-owned facilities in order to prevent further damage to the facilities, thereby preserving the public health, peace, property, safety, and welfare: now therefore:

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

SECTION 1. That the Director of Finance and Management is hereby authorized to enter into a contract for the Office of Construction Management for the renovation of six salt barns at various City-owned facilities.

SECTION 2. That the sum of \$164,912.00 be and hereby is appropriated from the unappropriated balance of Fund 748, the General 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 as follows:

Dept-Div / Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
59-11 / 748 / 590132 / Facility Improvements / 06-6600 / 748132 / \$120,000.00
45-01 / 748 / 748999 / Unallocated Balance / 06-6600 / 643114 / \$44,912.00

SECTION 3. That the transfer of cash and appropriation between projects within the General Permanent Improvement Fund be authorized as follows:

Transfer From:

Dept-Div / Fund / Project Number / Project Name / O.L. 01-03 Codes / OCA / Amount

59-12 / 748 / 537650 / General Roadway Street Improvement / 06-6600 / 591266 / \$35,663.00

45-01 / 748 / 748999 / Unallocated Balance / 06-6600 / 643114 / \$44,912.00

Transfer To:

Dept-Div / Fund / Project Number / Project Name / O.L. 01-03 Codes / OCA / Amount

59-11 / 748 / 590132 / Facility Improvements / 06-6600 / 748132 / \$80,575.00

SECTION 4. That the expenditure of \$200,575.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Dept-Div / Fund / Project Number / Project Name / O.L. 01-03 Codes / OCA / Amount

59-11 / 748 / 590132 / Facility Improvements / 06-6621 / 748132 / \$200,575.00

SECTION 5. That in accordance with the Columbus City Codes, City Council has determined it is in the best interest of the City of Columbus that the bidding requirements be and hereby are waived for the action authorized in SECTION 1.

SECTION 6. That for the reasons state in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0948-2009

Drafting Date: 06/25/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND

By virtue of the plat titled "Park Addition", of record in Plat Book 2, Page 51, Recorder's Office, Franklin County, Ohio, the City of Columbus ("City") is the owner of right-of-way identified as Rail Road Street, from Neil Avenue east to School Alley. Subsequent to the dedication of this right-of-way, the City granted the Columbus, Springfield & Cincinnati Railroad a license to use the north ½ of this road for railway purposes. There is no indication this road was ever vacated as public right-of-way, however the Cleveland, Cincinnati, Chicago & St. Louis Railway Company (a successor to the Columbus, Springfield & Cincinnati Railroad) transferred a portion of this road to Hamilton Parker Company in 1979 and Hamilton Parker Company subsequently transferred this property to Columbus and Southern Power Company. Columbus Southern Power Company in turn transferred this property to NWD Investments, LLC. NWD Investments, LLC recently requested the City quit claim any rights they may have in and to any land falling within the original limits of Railroad Street, as dedicated for public use on that plat titled Park Addition, to clear a cloud on the title to this property. The following legislation authorizes the Director of the Department of Public Service to execute a quitclaim deed, prepared by the City Attorney's Office, which will transfer and release any interest the City may still have in any land falling within the original limits of Rail Road Street as shown on the plat of Park Addition as more fully described in the body of this legislation.

2. FISCAL IMPACT

N/A

Title

To authorize the Director of Public Service to execute a quitclaim deed, prepared by the City Attorney's Office, which will transfer and release any interest the City may still have in any land falling within the original limits of Railroad Street as shown on the plat of Park Addition as more fully described in the body of this legislation; and to the extent that they may

apply to waive the competitive bidding and Land Review Commission provisions of Columbus City Code.

BodyWHEREAS, that right-of-way identified as Rail Road Street, from Neil Avenue east to School Alley, was dedicated as public right-of-way on the plat titled Park Addition, of record in Plat Book 2, Page 51; and

WHEREAS, subsequent to the dedication of this right-of-way the City granted the Columbus, Springfield & Cincinnati Railroad a license to use the north ½ of the road for railway purposes; and

WHEREAS, there is no indication this road was ever vacated as public right-of-way, however the Cleveland, Cincinnati, Chicago & St. Louis Railway Company (a successor to the Columbus, Springfield & Cincinnati Railroad) transferred a portion of this road to Hamilton Parker Company in 1979; and

WHEREAS, Hamilton Parker Company subsequently transferred this property to Columbus and Southern Power Company who in turn transferred to NWD Investments, LLC; and

WHEREAS, to clear a cloud on the title to this property NWD Investments, LLC has requested the City quit claim any rights they may have in and to any land falling within the original limits of Railroad Street as dedicated for public use on that plat titled Park Addition; now, therefore

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

Section 1. That, as requested by NWD Investments LLC the Director of the Department of Public Service be and is hereby authorized to execute those documents prepared by the City Attorney's office that will clear a cloud on the title and quitclaim the City's interest, if any, to the following described portion of Railroad Street property, to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Half Section 10 (Section 8), Township 5, Range 22, Refugee Lands, being in Railroad Street, of record in "Park Addition", a subdivision of record in Plat Book 2. Page 51, and part of the original 4.912 acre tract conveyed to NWD Investments, LLC by deed of record in Instrument Number 199902180041487 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning, for reference, at an iron pin set at a northeast corner of said 4.912 acre tract, the southeast corner of the remainder of the 0.604 acre tract conveyed to City of Columbus by deed of record in Instrument Number 199912300318818 (of which 0.509 acres was abandoned by City of Columbus Ordinance 0061-2008, and southwest corner of 1.768 acres dedicated as roadway of record in City of Columbus Ordinance Number 0536-2006, being the southwesterly terminus of Kilbourne Street as dedicated by said Ordinance Number 0536-2006 and also being the northwesterly terminus of "Columbus Convention Center Drive and School Alley Dedication and Easements" a plat of record in Plat Book 109, Pages 86 and 87;

Thence North 86°27'56" West, with the line common to said 0.604 and 4.192 acre tracts, the southerly right-of-way line of said Railroad Street (abandoned) , a distance of 391.51 feet to an iron pin set at a corner thereof, being the TRUE POINT OF BEGINNING;

Thence North 86°27'56" West, with the southerly right-of-way line of said Railroad Street, across said 4.912 acre tract, a distance of 109.13 feet to an iron pin set on the easterly right-of-way line of Neil Avenue, of record in said "Park Addition", being the line common to said Half Section 10 and Half Section 9, Township 5, Range 22;

Thence North 03°34'59" East, with said easterly right-of-way line and the westerly line of said 4.912 acre tract, with said common Half Section line, a distance of 49.99 feet to an iron pin set at the common corner of said 4.912 and 0.604 acre tracts, being the intersection of said easterly right-of-way line with the northerly line of said Railroad Street, also being a southwesterly corner of said 1.768 acre tract and an angle point in the easterly right-of-way line of Neil Avenue, as dedicated in City of Columbus Ordinance Number 0536-2006;

Thence South 61°50'47" East, across said Railroad Street, partially with said easterly right-of-way line as dedicated in City of Columbus Ordinance Number 0536-2006, and with the line common to said 4.912 and 0.604 acre tracts (passing an iron pin set at 24.61 feet), a distance of 120.00 feet to the TRUE POINT OF BEGINNING and containing 0.063 acre of land, being out of Auditor's Parcel Number

010-247808;

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

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

The bearings shown herein are based on the same meridian as the bearings shown on the subdivision plat entitled "Huntington Park" of record in Plat Book 112, Pages 24 and 25, Recorder's Office, Franklin County, Ohio. On said plat of record, the centerline of Huntington Park Lane has a bearing of North 03°05'07" East.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King, Registered Surveyor No. 8307

Section 2. That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.29 with regards to the vacation of this right-of-way.

Section 3. That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be transferred without requiring a recommendation from Land Review Commission and hereby waives the Land Review Commission provision of Columbus City Codes (1959) Revised, Section 328.01 with regards to the vacation of this right-of-way.

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

Legislation Number: 0958-2009

Drafting Date: 06/25/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

This legislation authorizes the Director of the Department of Technology (DoT), on behalf of the Department of Public Utilities, to renew an annual software maintenance and technical support services agreement, for the Speedware software application, with Activant Solutions, Inc. The Department of Technology requires technical support and software maintenance services, from Activant Solutions, Inc. to support ongoing operations of the City's Speedware software application, which supports several business applications utilized by the Department of Public Utilities, Division of Electricity. Without the software maintenance and technical support services provided by Activant Solutions, Inc. the City will not be able to deploy web-based applications that affect Division of Electricity accounts and billing systems, the Street Light billing system as well as the Miscellaneous billing system, and the Division of Electricity will lose the capability to upgrade current software applications and vendor technical support, as well as software maintenance for both server-side and client-side components.

Also, renewing this agreement will allow the City to continue receiving software upgrades, technical support and related services for the Speedware software application. This application offers various software products to enhance productivity and improve business performance.

The associated coverage period for this annual renewal is from September 1, 2009 through August 31, 2010.

EMERGENCY DESIGNATION:

Emergency designation is being requested to immediately facilitate prompt payment; to continue with services that are necessary to support daily operation activities; to ensure no service interruption.

FISCAL IMPACT:

The cost during years 2007 and 2008 were \$18,478.00 and \$25,325.80, respectively with Activant Solutions, Inc. for the annual software maintenance and technical support services for the Speedware software application. The 2009 cost for this

annual maintenance and support agreement is \$22,358.00 and covers the term period from September 1, 2009 through August 31, 2010. This expenditure is budgeted and available in the Department of Technology, Information Services Fund. With this renewal, the aggregate contract cost will total \$61,161.80.

CONTRACT COMPLIANCE:

Vendor Name: Activant Solutions, Inc. FID/CC#: 94-2160013 Expiration Date: 2/20/2010

Title

To authorize the Director of the Department of Technology, on behalf of the Department of Public Utilities, to renew an annual software maintenance and technical support services agreement with Activant Solutions, Inc. for the Speedware software application, to authorize the expenditure of \$22,358.00 from the Department of Technology, Information Services Fund; and to declare an emergency. (\$22,358.00)

Body

WHEREAS, the Department of Technology (DoT), on behalf of the Department of Public Utilities, has a need to renew an annual agreement for software maintenance and technical support services from Activant Solutions Inc., for the Speedware software application; and

WHEREAS, the cost associated with the 2009 Activant Solutions, Inc. agreement is \$22,358.00, with a coverage period from September 1, 2009 through August 31, 2010; and

WHEREAS, without the software maintenance and technical support services agreement, the City will not be able to maintain applications that affect the Division of Electricity accounts and billing systems, the Street Light billing system as well as the Miscellaneous billing system, and the Division of Electricity will lose the capability to upgrade current software applications, citywide desktop software used for data maintenance and analysis, and vendor technical support, as well as software maintenance for both server-side components and client-side components; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology, in that it is immediately necessary to renew an annual software maintenance and technical support services agreement with Activant Solutions, Inc. for the Speedware software application, to ensure uninterrupted support services associated with this agreement, for the preservation of the public health, property, 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, on behalf of the Department of Public Utilities, be and is hereby authorized to renew an annual software maintenance and technical support services agreement, with Activant Solutions, Inc. for the Speedware software application in the amount of \$22,358.00, for the coverage period of September 1, 2009 through August 31, 2010.

SECTION 2: That the expenditure of \$22,358.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Div.: 47-01|**Fund:** 514|**Subfund:** 550|**OCA Code:** 514550|**Obj. Level 1:** 03|**Obj. Level 3:** 3369 |**Amount:** \$22,358.00

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.

Legislation Number: 0968-2009

Drafting Date: 06/29/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Finance and Management Director to issue purchase orders for shelving and office furniture at the Columbus West Family Health and Wellness Center, 2300 West Broad Street, per the terms and conditions of State of Ohio Term Contracts with Continental Office Furniture and Central Business Group. As well, this ordinance also authorizes the Finance and Management Director to enter into a contract with Continental Office Furniture for the purchase of task chairs, stools, side chairs and task lights. The contract was formally bid (SA003237) by the Finance and Management Department, Purchasing Office. Eight companies submitted bids. The bids were opened on April 16, 2009 as follows (2 ^FBE):

Loth, Inc.	\$64,247.90
Osterman Cron, Inc.	\$68,159.31
^EOI, Inc. dba Medical Resources	\$75,703.84
The Ives Group dba Office City Express	\$77,328.34
Continental Office Furniture	\$79,403.00
Friends Business Source	\$81,790.55
^King Business Interior, Inc.	\$87,485.35
OM Workspace	\$94,235.44

Loth, Inc. and Osterman Cron, Inc. were deemed non-responsive, as they quoted alternates, which did not meet bid specifications. EOI, Inc. dba Medical Resources and The Ives Group dba Office City Express were deemed non-responsive, as they did not include all items in their bid. The Office of Construction Management recommends the bid award be made to the most responsive and responsible and best bidder, Continental Office Furniture.

The West Side Family Health and Wellness Center is scheduled to open in September 2009.

Emergency action is requested to ensure the opening of the new Columbus West Family Health and Wellness Center is not delayed, thereby providing necessary health services to eligible residents.

FISCAL IMPACT: The amount of the contracts are as follows: Continental Office Furniture \$79,403.00; Continental Office Furniture (State Term Contracts 7771401007, 7771400105, and 7771400908-1) \$87,270.65; and Central Business Group (State Term Contract) \$32,900.00. The total amount authorized by this ordinance is \$199,573.65.

Continental Office Furniture Contact Compliance #31-4413238, expiration date, April 11, 2010.

Central Business Group Contract Compliance #31-0875228, expiration date, June 22, 2010.

Title

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Continental Office Furniture for the purchase of furniture for the Columbus West Family Health and Wellness Center, 2300 West Broad Street; to authorize the Finance and Management Director to establish purchase orders with Continental Office Furniture and Central Business Group from State of Ohio Term Contracts for the purchase of additional furniture items not available on from State of Ohio Term Contracts; to authorize the expenditure of \$199,573.65 from the Health G.O. Bonds Fund; and to declare an emergency. (\$199,573.65)

Body

WHEREAS, the Purchasing Office, in conjunction with the Office of Construction Management, solicited formal bids for furniture and also requested pricing from State Term Contracts; and

WHEREAS, it is necessary to authorize the Finance and Management Director to enter into a contract with Continental Office Furniture for the purchase of furniture for the Columbus West Family Health and Wellness Center, 2300 West Broad Street; and

WHEREAS, it is necessary to authorize the Finance and Management Director to establish purchase orders with Continental Office Furniture and Central Business Group in accordance with State of Ohio Term Schedule Contracts; and

WHEREAS, an emergency exists in the usual operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to enter into a contract with Continental Office Furniture for the purchase of furniture for the Columbus West Family Health and Wellness Center and to authorize the Finance and Management Director to establish purchase orders with Continental Office Furniture and Central Business Group from State of Ohio Term Contracts for the purchase of furniture for the Columbus West Family Health and Wellness Center, to ensure the opening of the new health center is not delayed, thereby providing necessary health services to the residents of the West side; now, therefore:

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

SECTION 1. That the Finance and Management Director is hereby authorized to enter into a contract with Continental Office Furniture in the amount of \$79,403.00 for the purchase of furniture for the Columbus West Family Health and Wellness Center, 2300 West Broad Street per the terms and conditions of SA003237.

SECTION 2. That the Finance and Management Director is authorized to establish purchase orders with Continental Office Furniture in the amount of \$87,270.65 in accordance with State of Ohio Term Schedule 7771401007, expires on May 31, 2011, 7771400105, expires November 30, 2009, and 7771400908-1, expires on April 30, 2010.

SECTION 3. That the Finance and Management Director is authorized to establish a purchase order with Central Business Group in the amount of \$32,900.00 in accordance with State of Ohio Term Schedule Contract 7714300106 expires on September 30, 2009.

SECTION 4. That the sum of \$199,573.65 or so much thereof may be necessary, in regard to the action authorized in SECTIONS 1 through SECTION 3, is hereby authorized to be expended as follows:

Division: 50-01
Fund: 706
Project: 500504
OCA: 706504
Object Level: 06
Object Level: 6640
Amount: \$199,573.65

SECTION 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0971-2009

Drafting Date: 06/29/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Conie Construction Company for the Hap Cremean Water Plant Sludge Disposal Line Replacement - Part 1 Project; in the amount of \$293,336.89; and to transfer \$293,336.89 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened four bids on June 24, 2009. Bids were received from: Conie Construction Company - \$273,336.89; John Eramo & Sons, Inc. - \$317,150.09; Complete General Construction Company - \$321,362.69; Bale Contracting, Inc. - \$626,529.75.

The lowest and best bid was from Conie Construction Company in the amount of \$273,336.89. Their Contract Compliance Number is 31-0800904 (expires 11/10/2010, Majority). Due to the potential for unanticipated problems with the bore and jack work under the intersection of Bethel Road and Olentangy River Road an additional contingency amount of \$20,000 will be added to the bid price. This contingency will be considered Force Account and will be utilized following the requirements for Force Account set forth in the contract documents. Additional information regarding all bidders, description of work, contract time frame and detailed amounts can be found on the attached Legislation Information Form.

3. FISCAL IMPACT: This legislation includes a transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund as a temporary measure until such time as the proceeds from a bond sale can be made available. Monies for this contract from the Water System Reserve Fund will be provided from an upcoming Bond Sale via the transfer detailed in this Ordinance.

4. JUSTIFICATION FOR EMERGENCY DESIGNATION: This project is being performed in the general vicinity of previous leaks on the sludge line. The Ohio EPA has expressed concerns regarding sludge line leaks and has encouraged the City DOPW to demonstrate improvements are being implemented on the sludge line in order to avoid escalated enforcement action. The City DOPW has indicated to OEPA construction on this project will begin during this year's summer construction season.

Title

To authorize the Director of Public Utilities to execute a construction contract with Conie Construction Company for construction of the Hap Cremean Water Plant Sludge Disposal Line Replacement - Part 1 Project; to authorize the appropriation and transfer of \$293,336.89 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize the expenditure of \$293,336.89 from the Water Works Enlargement Voted Bonds Fund for the Division of Power and Water; and to declare an emergency. (\$293,336.89)

Body

WHEREAS, four bidders for the Hap Cremean Water Plant Sludge Disposal Line Replacement - Part 1 Project were received and publicly opened in the offices of the Director of Public Utilities on June 24, 2009; and

WHEREAS, the lowest and best bid was from Conie Construction Company in the amount of \$273,336.89; and

WHEREAS, unanticipated problems with the bore and jack work under the intersection of Bethel Road and Olentangy River Road may cause additional contingency funds to be needed and an amount of \$20,000.00 will be added to the bid price; and

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

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

WHEREAS, an emergency exists in the usual daily operation of the Division of Power and Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract for the Hap Cremean Water Plant Sludge Disposal Line Replacement - Part 1 Project, to authorize the appropriation and transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, for the preservation of the public health, peace, property and safety; now therefore,

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

SECTION 1. That the Director of Public Utilities be and hereby is authorized to award and execute a construction contract for the Hap Cremean Water Plant Sludge Disposal Line Replacement - Part 1 Project with the lowest and best bidder, Conie Construction Company; 1340 Windsor Avenue, Columbus, Ohio 43211; in the amount of \$293,336.89; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water.

SECTION 2. That 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 \$293,336.89, is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

SECTION 3. That the City Auditor is hereby authorized and directed to transfer \$293,336.89 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, Fund No. 606, into the appropriate project account as specified within Section 4 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

SECTION 4. That the appropriation and expenditure of \$293,336.89 is hereby authorized for the Hap Cremean Water Plant Sludge Disposal Line Replacement - Part 1 Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690510, Object Level Three 6621, OCA Code 642900.

SECTION 5. That upon obtaining other funds for the purpose of funding water system capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 3 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 all contracts or contract modifications associated with this Ordinance.

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

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

SECTION 9. That the City 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 \$293,336.89 (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 Water System Reserve Fund 603, which is the fund from which the advance for costs of the Project will be made.

SECTION 10. That said construction company shall conduct the work to the satisfaction of the Director of Public and the Administrator of the Division of Power and Water.

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

Legislation Number: 0974-2009

Drafting Date: 06/29/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes an expenditure of \$95,814.60 for the Division of Police to pay prisoner medical bills to Ohio Health Corporation, dba Riverside Methodist Hospital. The Division of Police is responsible for medical care provided to prisoners in police custody (i.e. before being taken to the Franklin County Jail). The Division of Police works with the City Attorney's office to determine if individuals were incarcerated or in the custody of the Division of Police during the specified dates of services on the medical invoices.

Contract Compliance: 31-4394942 - NPO

Emergency Designation: Emergency legislation is requested for this ordinance in order to pay outstanding prisoner medical bills.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$95,814.60 from the General Fund for payment of prisoner medical bills to Ohio Health Corporation, dba Riverside Methodist Hospital. The Division of Police budgeted \$375,000.00 in the 2009 General Fund budget for medical services for prisoners. Thus far in 2009, almost \$136,000.00 has been encumbered or expended for these medical claims. The Division spent approximately \$363,000.00 for prisoner medical bills in 2008.

Title

To authorize and direct the Director of Public Safety to authorize payment of prisoner medical bills to Ohio Health Corporation, dba Riverside Methodist Hospital, for the Division of Police, to authorize the expenditure of \$95,814.60 from the General Fund; and to declare an emergency. (\$95,814.60)

WHEREAS, individuals were incarcerated or in the custody of the Division of Police during the specified dates of services on the medical invoices; and

WHEREAS, pursuant to the City Attorney's office and the Division of Police findings, the Division is responsible for the medical bills; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary for payment of medical invoices to Ohio Health Corporation d.b.a. Riverside Methodist Hospital for the 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 Public Safety be and is hereby authorized and directed to pay Ohio Health Corporation d.b.a. Riverside Methodist Hospital for prisoner medical bills.

SECTION 2. That the expenditure of \$95,814.60, or so much thereof as may be needed, be and the same is hereby authorized as follows:

<u>DIV</u>	<u>FUND</u>	<u>OBJ LEV (1)</u>	<u>OBJ LEV (3)</u>	<u>OCA#</u>
30-03	010	03	3413	301382

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be enforced 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: 0977-2009

Drafting Date: 06/30/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a general engineering services contract with Stantec Consulting Services for various engineering services for the Division of Power and Water (Water). This legislation will transfer and appropriate \$686,641.40 for the Watershed Impervious Surface Pollution Reduction Project from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund.

2. BID INFORMATION: The selection of the firm providing the professional engineering services has been performed in accordance with the procedures set forth in Columbus City Code, Section 329.14, "Awarding professional service contracts through requests for proposals." In addition to the evaluation criteria set forth in this Code, additional evaluation criteria for this contract also included: 1. proposal quality, 2. project schedule, 3. environmentally preferable offeror, and 4. local workforce. Requests for Proposals (RFP's) were received on May 16, 2008 from URS Corporation; Stantec Consulting Service, Inc.; Ribway Engineering Group, Inc.; EMH&T, Inc; ME Companies; and Poggemeyer Design Group.

Upon review of the technical proposals, the bidders were ranked using the criteria mentioned above and Stantec Consulting Service, Inc. was the firm selected to perform general engineering services for various projects. Their Contract Compliance Number is 11-2167170 (expires 1/7/10, Majority). Additional information regarding each bidder, description of work, contract time frame and detailed amounts can be found on the attached Legislation Information Form.

3. FUTURE MODIFICATIONS: Work items shall consist of all field investigations, surveying, and all other

professional design services as necessary for the completion of a design report, plans and specifications, and engineering services during construction as it relates to various water distribution and facility projects. This contract will continue through 2011.

Original Contract	\$686,641.40
Future Modification	\$400,000.00 (estimated)
Total Contract	\$1,086,641.40

4. FISCAL IMPACT: This legislation includes a transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund as a temporary measure until such time as the proceeds from a bond sale can be made available. Monies for this contract from the Water System Reserve Fund will be provided from an upcoming Bond Sale via the transfer detailed in this Ordinance.

5. JUSTIFICATION FOR EMERGENCY DESIGNATION: The construction portion of the Watershed Impervious Surface Pollution Reduction Project has been awarded American Recovery and Reinvestment Act (ARRA) stimulus funding and is scheduled to begin in early fall. Emergency designation is requested to ensure design is completed in time to begin construction according to schedule which will eliminate the risk of losing the ARRA (stimulus) funding.

Title

To authorize the Director of Public Utilities to execute a general engineering services contract with Stantec Consulting Services, Inc. for various engineering projects and for the design engineering of the Watershed Impervious Surface Pollution Reduction Project; to authorize the appropriation and transfer of \$686,641.40 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize the expenditure of \$686,641.40 from the Water Works Enlargement Voted Bonds Fund for the Division of Power and Water; and to declare an emergency. (\$686,641.40)

Body

WHEREAS, six bids were received and publicly opened in the offices of the Director of Public Utilities on May 16, 2008 for general engineering service; and

WHEREAS, now the Division of Power and Water needs design engineering services performed for the Watershed Impervious Surface Pollution Reduction Project and to encumber and expend \$686,641.40; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a general engineering services contract for the aforementioned project to Stantec Consulting Services, Inc.; and

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

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

WHEREAS, an emergency exists in the usual daily operation of the Division of Power and Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a general engineering services contract for various engineering projects including the Watershed Impervious Surface Pollution Reduction Project, to expend \$686,641.40; and to authorize the appropriation and transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, for the preservation of the public health, peace, property and safety; now therefore,

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

SECTION 1. That the Director of Public Utilities be and hereby is authorized to award and execute a general engineering services contract for various water projects including the Watershed Impervious Surface Pollution Reduction Project based

upon bids received and award in compliance with the Columbus City Code Section 329.14 to Stantec Consulting Services, Inc.; 1500 Lake Shore Drive, Suite 100, Columbus, Ohio 43204, in the amount of \$686,641.40.

SECTION 2. That from the unappropriated monies in the Water System Reserve Fund, Fund 603, 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 \$686,641.40, is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

SECTION 3. That the City Auditor is hereby authorized and directed to transfer \$686,641.40 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, Fund No. 606, into the appropriate project account as specified within Section 4 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

SECTION 4. That the appropriation and expenditure of \$686,641.40 is hereby authorized for the Watershed Impervious Surface Pollution Reduction Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690506, Object Level Three 6677, OCA Code 642900.

SECTION 5. That upon obtaining other funds for the purpose of funding water system capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 3 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 all contracts or contract modifications associated with this Ordinance.

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

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

SECTION 9. That the City 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 \$686,641.40 (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 Water System Reserve Fund 603, which is the fund from which the advance for costs of the Project will be made.

SECTION 10. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0978-2009

Drafting Date: 06/30/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to execute a construction contract with Complete General Construction Company, for the River South Phase II Rich Street Sanitary Redirect Sewer and Front Street, Main Street & Ludlow Street Sanitary Sewer Improvements and River South Phase II Storm Sewer Project. This legislation will additionally authorize the appropriation, transfer, and expenditure of \$1,912,855.44 from the Sewer System Reserve Fund to the Water Pollution Control Loan Fund 666. A Water Pollution Control Loan Fund (WPCLF) loan to reimburse projects expenditures and up to \$1,171,678 in subsidies from the American Recovery and Reinvestment Act (ARRA) of 2009 for Stimulus Projects will be utilized to reduce the principal amount of the WPCLF loan is tentatively scheduled for the Ohio Water Development Authority (OWDA) July 30, 2009 board meeting.

The proposed contract work with Complete General Construction Company consists of the construction of approximately 1,975 feet of 12-inch to 48-inch diameter storm sewer in Front, Rich and Main Streets; 175 feet of 8-inch diameter and 65 feet of 18-diameter sanitary sewer in Rich Street, rehabilitation of approximately 2081 feet of 10-inch diameter to 27-inch diameter sewer in Front, Ludlow, and Main Streets utilizing the Cured-in-Place-Pipe (CIPP) process; rehabilitation of approximately 8 brick manholes; cleaning of the sewers, pre and post videos, confirmation of the status of service laterals and their reinstatement, bypass pumping, maintenance of traffic, and other such work as may be necessary to complete the contract in accordance with the plans (CC-15505, CC-15531 & E-2712) and specifications.

The contract was advertised in the City Bulletin, and bids were received and opened on June 24, 2009, as follows:

1. Complete General Construction Company | Majority Firm | \$1,912,855.44
2. George J. Igel Company, Inc. | Majority Firm | \$2,690,680.08
3. Kokosing Construction Co., Inc. | Majority Firm | \$2,944,128.18

The Engineer's construction cost estimate was \$3,229,872.60

Award is recommended to the lowest and best bidder.

B. **Contract Compliance No.:** 31-4366382 (Majority | Expiration 01/30/2010)

C. **Emergency Designation:** Construction must begin in September to avoid conflict with the proposed Rich Street Bridge project

2. **FISCAL IMPACT:**

This ordinance authorizes the transfer and appropriation of funds in the amount of \$1,912,855.44 from the Sewer System Reserve fund to the Water Pollution Control Loan Fund in order to fund this proposed expenditure. This transaction is a temporary measure that is required until such time as the Division is able to execute a WPCLF loan with the Ohio Water Development Authority and reimburse the Sewer System Reserve Fund. The loan award is tentatively scheduled for the July 30, 2009 OWDA board meeting; and up \$1,171,678 in subsidies from the American Recovery and Reinvestment Act (ARRA) of 2009 for Stimulus Projects will be utilized to reduce the principal amount of the WPCLF loan.

Title

To authorize the Director of Public Utilities to execute a contract with Complete General Construction Company, for the River South Phase II Rich Street Sanitary Redirect Sewer and Front Street, Main Street & Ludlow Street Sanitary Sewer

Improvements and River South Phase II Storm Sewer Project; to authorize the appropriation, transfer, and expenditure of \$1,912,855.44 from the Sewer System Reserve Fund to the Water Pollution Control Loan Fund for the division of Sewerage and Drainage; and to declare an emergency. (\$1,912,855.44)

Body

WHEREAS, three competitive bids for construction of the River South Phase II Sanitary and Storm Sewer project were received and opened on June 24, 2009 in the offices of the Director of Public Utilities; and

WHEREAS, the Division of Sewerage and Drainage engineering personnel have determined it necessary to enter into a construction contract with Complete General Construction Company, in order to provide for project construction; and

WHEREAS, sufficient monies will be available within the Sewer System Reserve Fund and transferred to the Water Pollution Control Loan Fund for the aforementioned project expenditure; and

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

WHEREAS, The loan award is tentatively scheduled for the July 30, 2009 OWDA board meeting; and up \$1,171,678 in subsidies from the American Recovery and Reinvestment Act (ARRA) of 2009 for Stimulus Projects will be utilized to reduce the principal amount of the WPCLF loan; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary for this Council to authorize the Director of Public Utilities to execute a construction contract with Complete General Construction Company in connection with the River South Phase II Sanitary and Storm Sewer project, in order to fulfill the City's capital improvement project scheduling commitments in the Downtown south area, and so that this project can begin in September, 2009 to avoid conflict with the proposed Rich Street Bridge project, for the immediate preservation of the public health, peace, property, and safety; Now, Therefore

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

Section 1. That the Director of Public Utilities be, and hereby is, authorized to enter into a contract with Complete General Construction Company, 11221 E. Fifth Avenue, Columbus, Ohio 43219, for construction of the River South Phase II Rich Street Sanitary Redirect Sewer and Front Street, Main Street & Ludlow Street Sanitary Sewer Improvements and River South Phase II Storm Sewer Project in accordance with the terms and conditions as shown in the contract on file in the office of the Division of Sewerage and Drainage.

Section 2. That from the unappropriated monies in the Sewer System Reserve Fund 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated from any other purpose for the River South Phase II Rich Street Sanitary Redirect Sewer and Front Street, Main Street & Ludlow Street Sanitary Sewer Improvements and River South Phase II Storm Sewer Project, the sum of \$1,912,855.44 is hereby appropriated to the Division of Sewerage and Drainage; Division 60-05 | ObjLv11 10 | ObjLv13 5502 | OCA Code 901654

Section 3. That the City Auditor is hereby authorized to transfer \$1,912,855.44 to the Water Pollution Control Loan Fund No. 666, into the appropriate project accounts as specified in the below section, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

Section 4. That the expenditure of \$1,912,855.44, or as much thereof as may be needed, be and the same is hereby appropriated and authorized for under the Water Pollution Control Loan Fund No. 666 | Division 60-05 | ObjLv13 6621 | as follows:

Proj. No | Proj. Name | OCA Code | Amount:

650404.39 | River South Phase II Rich Street Sanitary Redirect Sewer and Front Street, Main Street & Ludlow Street Sanitary Sewer Improvements and River South Phase II Storm Sewer | 666404 | \$1,912,855.44

Section 5. That upon obtaining other funds for the purpose of funding the sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sewer System Reserve Fund the amount transferred under the above section, and said funds are hereby deemed appropriated for such purpose.

Section 6. That upon final approval, tentatively scheduled for the Ohio Water Development Authority (OWDA) July 30, 2009 board meeting, \$1,171,678 in subsidies from the American Recovery and Reinvestment Act (ARRA) of 2009 for Stimulus Projects will be utilized to reduce the principal amount of the WPCLF loan.

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 \$1,912,855.44 (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 to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

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

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

Section 11. That for the reasons stated in the preamble hereto, which is 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: 0979-2009

Drafting Date: 06/30/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation Background:

This project includes the design and purchase of a universally accessible play structure at Carriage Place Park. The equipment will be installed by the community with contractor supervision and the rubberized safety surface and base material will be installed by the contractor.

Proposals were received by the Recreation and Parks Department on June 25, 2009 for the Carriage Place Playground Design/Build Services Project, as follows:

	<u>Status</u>	<u>Amount</u>
Builderscapes	MAJ	\$119,275.00
Playworld Midstates	MAJ	\$130,000.00

Project Contingency to be included in the legislation is \$30,725.00.

The community was involved with the selection of the contractor as well as the design of the play equipment. They will also be involved with the installation of the equipment.

The Contract Compliance Number for Builderscape, Inc. is #20-0537419.

Contract compliant through: 8/21/09 (they are in the process of updating)

Financial Impact:

Money is available under the Voted 1999/2004 Parks and Recreation Bond Fund, and the Private Grants Fund as follows:

Fund: 702 / Project: 510017/ OCA: 644526/ Obj Level 3: 6621 / Amount: \$75,000.00

Fund: 291 / Grant: 519043 /OCA: 519043/ Obj Level 3: 6621 / Amount: \$75,000.00

TitleTo authorize and direct the Director of Recreation and Parks to enter into contract with Builderscape, Inc. for the Carriage Place Playground Design/ Build Services Project; to authorize the expenditure of a contract amount of \$119,275.00 and contingency amount of \$30,725.00 from the Private Grants Fund (\$75,000.00) and from the Voted 1999/2004 Parks and Recreation Bond Fund (\$75,000.00); and to declare an emergency. (\$150,000.00)

Body WHEREAS, bids were received by the Recreation and Parks Department on June 25, 2009, and the contract for the Carriage Place Playground Design/ Build Services Project was awarded to the lowest bidder; and

WHEREAS, said contract will provide design and purchase of a universally accessible play structure at Carriage Place Park; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Recreation and Parks, in that it is immediately necessary to complete this project by this fall 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 Recreation and Parks is hereby authorized to enter into contract with Builderscape, Inc. for the Carriage Place Playground Design/ Build Services Project.

SECTION 2. That expenditure of \$150,000.00, or so much thereof as may be necessary, be and is hereby authorized from:

Fund: 702 / Project: 510017/ OCA: 644526/ Obj Level 3: 6621 / Amount: \$75,000.00

Fund: 291 / Grant: 519043 /OCA: 519043/ Obj Level 3: 6621 / Amount: \$75,000.00

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.

Legislation Number: 0980-2009

Drafting Date: 06/30/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background: The Department of Public Utilities, Division of Power and Water ("City"), is engaged in the construction of a second water booster station on that city owned real property commonly known as 4674 Morse Road, Columbus, Ohio. The City desires to grant the Columbus Southern Power Company ("AEP") a perpetual non-exclusive utility easement for the purpose of constructing a transformer pedestal and pad which will provide electric service to the new booster station. The Division of Water has determined that the electrical service provided by the transformer will benefit the City, and that it is in the best interest of the City to grant the easement at no charge. The following legislation authorizes the Director of the Public Service Department to execute those instruments necessary to grant the requested easement.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested as not to delay the benefit to the City, which will result from the construction and installation of the electric equipment.

Title

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to grant a perpetual utility easement to the Columbus Southern Power Company, for the purpose of providing electrical service to the new water booster station, located at 4674 Morse Road, Columbus, Ohio, and to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

Body

WHEREAS, The Department of Public Utilities, Division of Power and Water ("City"), is engaged in the construction of a water booster station on that city owned real property commonly known as 4674 Morse Road, Columbus, Ohio; and

WHEREAS, the City desires to grant the Columbus Southern Power Company ("AEP") a perpetual non-exclusive utility easement for the purpose of constructing a transformer pedestal and pad which will provide electric service to the new booster station; and

WHEREAS, the Division of Water has determined that the electrical service provided by the transformer will benefit the City and that it is in the best interest of the City to grant the easement at no charge; and

WHEREAS, after investigation, the Department of Public Utilities has determined that the electrical service provided by the underground power line will benefit the City and should be granted at no charge; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the Director of the Department of Public Utilities to execute those instruments approved by the Real Estate Division, Department of Law, necessary to grant an utility easement to the Columbus Southern Power Company in order to provide electricity to the new booster station, 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 Public Utilities be and hereby is authorized to execute those documents approved by the Real Estate Division, Department of Law, necessary to grant a perpetual non-exclusive utility easement to Columbus Southern Power Company for the purpose of constructing a transformer pedestal and pad which will provide electric service to the new booster station located at 4674 Morse Road, Columbus, Ohio

ELECTRIC EASEMENT
0.025 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 4, Township 2, Range 17, United States Military Lands, being on, over, and across that original 5.78 acre

tract conveyed to City of Columbus by deed of record in Deed Book 2929, Page 99 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the southeasterly corner of said 5.78 acre tract, being on the centerline of Morse Road (120 feet wide);

thence North 03° 39' 04" East, with the easterly line of said 5.78 acre tract, partly across the right-of-way of said Morse Road, a distance of 201.28 feet to a point;

thence North 86° 20' 56" West, across said 5.78 acre tract, a distance of 40.41 feet to the TRUE POINT OF BEGINNING;

thence continuing across said 5.78 acre tract, the following courses and distances:

South 12° 28' 05" West, a distance of 10.00 feet to a point;

North 77° 31' 55" West, a distance of 106.90 feet to a point;

North 12° 28' 05" East, a distance of 10.00 feet to a point;

South 77° 31' 55" East, a distance of 106.90 feet to the TRUE POINT OF BEGINNING and containing 0.025 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King Date

Registered Surveyor No. 8307

Section 2. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby waive the requirements of Columbus City Codes (1959) Revised, Chapter 328 (*Land Review Commission*) and Section 329.29 (*competitive bidding*) to the extent that they may apply to this transaction with regards to this ordinance only.

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

Legislation Number: 0982-2009

Drafting Date: 06/30/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Conie Construction Company for the Mt. Vernon Avenue Water Line Improvements Project; in the amount of \$601,541.22; to encumber funds with the Transportation Division for inspection and other related services in the amount of \$95,318.00; and to transfer \$696,859.22 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened seven bids on June 24, 2009. Bids were received from: Conie Construction Company - \$601,541.22; Complete General Construction Company - \$684,153.25; Fields Excavating, Inc. - \$685,766.50; Columbus Asphalt Paving - \$710,212.86; John Eramo & Sons, Inc. - \$740,428.26; George J. Igel & Co., Inc. - \$806,146.77; McDaniel's Contracting, Corp - \$855,855.70.

The lowest and best bid was from Conie Construction Company in the amount of \$601,541.22. Their Contract Compliance Number is 31-0800904 (expires 11/10/2010, Majority). Additional information regarding all bidders, description of work, contract time frame and detailed amounts can be found on the attached Legislation Information Form.

3. FISCAL IMPACT: This legislation includes a transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund as a temporary measure until such time as the proceeds from a bond sale can be

made available. Monies for this contract from the Water System Reserve Fund will be provided from an upcoming Bond Sale via the transfer detailed in this Ordinance.

4. JUSTIFICATION FOR EMERGENCY DESIGNATION: We are requesting to use emergency legislation to meet the immediate needs of development in the area. The project will improve fire flow in the area.

Title

To authorize the Director of Public Utilities to execute a construction contract with Conie Construction Company for construction of the Mt. Vernon Avenue Water Line Improvements Project; to provide for inspection and other related services to the Transportation Division; to authorize the appropriation and transfer of \$696,859.22 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize the expenditure of \$696,859.22 from the Water Works Enlargement Voted Bonds Fund for the Division of Power and Water; and to declare an emergency. (\$696,859.22)

Body

WHEREAS, seven bidders for the Mt. Vernon Avenue Water Line Improvements Project were received and publicly opened in the offices of the Director of Public Utilities on June 24, 2009; and

WHEREAS, the lowest and best bid was from Conie Construction Company in the amount of \$601,541.22; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide payment for inspection and related services for the aforementioned project; and

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

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

WHEREAS, an emergency exists in the usual daily operation of the Division of Power and Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract for the Mt. Vernon Avenue Water Line Improvements Project, to encumber funds for inspection and related services; to authorize the appropriation and transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, for the preservation of the public health, peace, property and safety; now therefore,

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

SECTION 1. That the Director of Public Utilities be and hereby is authorized to award and execute a construction contract for the Mt. Vernon Avenue Water Line Improvements Project with the lowest and best bidder, Conie Construction Company; 1340 Windsor Avenue, Columbus, Ohio 43211; in the amount of \$601,541.22; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water; and to obtain the necessary inspection and related services from the Transportation Division; and to pay up to a maximum amount of \$95,318.00.

SECTION 2. 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 \$696,859.22, is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

SECTION 3. That the City Auditor is hereby authorized and directed to transfer \$696,859.22 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, Fund No. 606, into the appropriate project account as specified within Section 4 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof

as may be necessary.

SECTION 4. That the appropriation and expenditure of \$696,859.22 is hereby authorized for the Mt. Vernon Avenue Water Line Improvements Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690236, Object Level Three 6621, OCA Code 642900.

SECTION 5. That upon obtaining other funds for the purpose of funding water system capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 3 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 all contracts or contract modifications associated with this Ordinance.

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

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

SECTION 9. That the City 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 \$696,859.22 (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 Water System Reserve Fund 603, which is the fund from which the advance for costs of the Project will be made.

SECTION 10. That said construction company shall conduct the work to the satisfaction of the Director of Public and the Administrator of the Division of Power and Water.

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

Legislation Number: 0984-2009

Drafting Date: 06/30/2009

Current Status: Passed

Version: 3

Matter Type: Ordinance

Explanation

Council Variance Application: CV09-015

APPLICATION: Blades Enterprises LLC; c/o Rusty Blades; 1678 Rathmell Road; Lockbourne, Ohio 43215.

PROPOSED USE: To conform an existing single-family dwelling in the M, Manufacturing District.

BREWERY DISTRICT COMMISSION RECOMMENDATION: ~~Pending July 2, 2009 meeting.~~ **Approval.**

CITY DEPARTMENTS' RECOMMENDATION: Approval. This variance will allow an existing single-family dwelling to be conforming in the M, Manufacturing District. A Council variance is necessary in that single-family dwellings are prohibited in the M, Manufacturing District. The *Brewery District Plan* (1992), Southern Tier Subarea, recommends that the area be rezoned to a mixed-use district that allows residential and low intensity commercial uses, and encourages the preservation of the residential character. Until such time that an area-wide rezoning is complete, Council variances are the most suitable means to allow non-conforming uses. A hardship exists because the non-conforming nature of the site precludes financing options and the dwelling has long been established on this lot.

Title

To grant a Variance from the provisions of Sections 3363.01, M-manufacturing district, and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes; for the property located at **974 SOUTH FRONT STREET (43206)**, to permit an existing single-family dwelling with no parking spaces in the M, Manufacturing District **and to declare an emergency** (Council Variance # CV09-015).

Body

WHEREAS, by application No. CV09-015, the owner of property at **974 SOUTH FRONT STREET (43206)**, is requesting a Council variance to permit an existing single-family dwelling in the M, Manufacturing District; and

WHEREAS, Section 3363.01, M-manufacturing district, prohibits single-family dwelling use, while the applicant proposes to make an existing single-family dwelling a conforming use on the property; 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 uphold the sale contract and the lending bank to authorize the purchase **for the immediate preservation of the public peace, property, health and safety; and**

WHEREAS, Section 3342.28, Minimum number of parking spaces required, requires two (2) parking spaces per dwelling unit, while the applicant proposes to maintain zero (0) on-site parking spaces for the existing dwelling but has one off-site parking space via a perpetual easement on Parcel Number 010-028135; and

WHEREAS, the Brewery District Commission recommends **approval**; and

WHEREAS, City Departments recommend approval because the requested variance will allow an existing single-family dwelling to be conforming in the M, Manufacturing District. A Council variance is necessary in that dwellings are not permitted in the M, Manufacturing District. A hardship exists because the non-conforming nature of the site precludes financing options and the dwelling has long been established on this lot. The use of the property as a single-family dwelling is consistent with the surrounding development pattern; and

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

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

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **974 SOUTH FRONT STREET (43206)**, in using said property as desired; now, therefore:

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

SECTION 1. A Variance from the provisions of Sections 3363.01, M-manufacturing district, and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes is hereby granted for the property located at **974 SOUTH FRONT STREET (43206)**, insofar that said sections prohibit a single-family dwelling with no parking spaces in the M, Manufacturing District; said property being more particularly described as follows:

974 SOUTH FRONT STREET (43206), being 0.06± acres located on the east side of South Front Street, 144± feet south of Frederick Street, being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and in the City of Columbus:
Being 98 feet off the entire west end of Lot Number Twenty-three (23) of Frederick Michael's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 114, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-029360
Address: 974 South Front Street, Columbus, Ohio 43206

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a single-family dwelling, or those uses permitted in the M, Manufacturing District.

SECTION 3. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**

Legislation Number: 0987-2009

Drafting Date: 07/01/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This ordinance will grant permission to the Capital Crossroads Special Improvement District to apply for a temporary liquor permit authorizing the sale of alcoholic beverages at Independent's Day, to be held on September 19, 2009.

This organization wishes to sell alcoholic beverages to eligible patrons on various city streets and city property to be used for the event. There were no reports of public intoxication at Independent's Day last year.

The City of Columbus, acting by and through its Director of Recreation and Parks, is required to grant approval to the organizer of this event so they may obtain the required permit from the Ohio Department of Commerce, Division of Liquor Control.

This legislation allows City streets to be the host site for this charitable organization to host an event as a community fundraising endeavor with proceeds going back to the community.

This legislation has the support of the charitable organization that will benefit from its passage. Event coordinator will still need to secure street closure signatures from neighborhood property owners before closing streets.

The sale of alcoholic beverages at the following special event to be held during 2009:

- 1) Independent's Day - September 19, 2009

Fiscal Impact:

N/A

TitleTo authorize and direct the Director of Recreation and Parks to grant consent to Capital Crossroads Special Improvement District to apply for permission to sell alcoholic beverages at the following 2009 event: Independent's Day - September 19, 2009. (\$0.00)

Body

WHEREAS, the following special event will take place during 2009: Independent's Day, September 19, 2009; and

WHEREAS, following precedent, the organizer of this event wishes to sell alcoholic beverages at said event:

- 1) Independent's Day - September 19, 2009

WHEREAS, to this end, permission from the City of Columbus is required as it is the property owner involved; and

WHEREAS, that this ordinance shall take effect and be in force from and after the earliest date allowed by law;
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 grant consent on behalf of the City of Columbus to the Capital Crossroads S.I.D. to apply for appropriate liquor permits to enable the non-profit group to sell alcoholic beverages during the hours specified in said permits and at a specified location during their 2009 special event:

- 1) Independent's Day - September 19, 2009

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

Legislation Number: 0989-2009

Drafting Date: 07/01/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBACKGROUND: The Franklin County Public Defender Commission performs all the duties and responsibilities under Section 12 of the City Charter, Chapter 173 of the Columbus City Codes, 1959, and Sections 120.13 and 120.14(e) of the Ohio Revised Code in providing legal counsel to indigent persons charged with criminal offenses. Since 1976, the City has contracted with the Commission to represent in the Franklin County Municipal Court all indigent persons (based on poverty guidelines as determined by the United States Department of Health and Human Services) charged with violations of an ordinance of the City of Columbus. Except for State-charged misdemeanors, the City funds the Municipal Unit while the Franklin County Commissioners fund the balance.

Award of this contract meets the procurement provisions of Chapter 329.29 of the Columbus City Codes, 1959.

Emergency action is requested since the start of this contract was January 1, 2009, action prior to now was not possible until the 2008 contract expenses had been reconciled.

FISCAL IMPACT: This contract is presented on an understanding that the total contract for services is \$4,131,178, of which the Franklin County Commissioners' portion is 57% and the City's portion is 43%. After 25% reimbursement from the State Public Defender Commission, it is expected that the net cost to the City will be \$1,335,093. In the event the actual State-charged misdemeanors differs from the estimate, and/or the State reimburses at a different rate, the contract may be amended upward or downward and the city may owe the County or be due reimbursement. A reconciliation will be done at year-end to determine the final charges.

This contract is a budgeted expense.

Title

To authorize the Director of the Department of Finance and Management to enter into contract with the Franklin County Public Defender Commission to provide legal counsel to indigent persons charged with criminal offenses; to authorize the expenditure of \$1,335,093 from the General Fund; and to declare an emergency. (\$1,335,093)

Body WHEREAS, The City of Columbus recognizes its responsibilities as defined in Section 12 of the City Charter, Chapter 173 of the Columbus City Codes, 1959, and Sections 120.13 and 120.14(e) of the Ohio Revised Code to provide legal counsel to indigent persons charged with criminal offenses; and

WHEREAS, the City of Columbus in furtherance of the execution of its legal responsibilities, desires to provide such legal services to the City's indigent citizens and others so situated, and to do so in cooperation with the Franklin County Public Defender Commission; and

WHEREAS, this contract is presented on the understanding that the total contract for services is \$4,131,178, of which the Franklin County Commissioners' portion is 57% and the City's portion is 43%, and that after 25% reimbursement from the State Public Defender Commission, the net cost to the City will be \$1,335,093; and

WHEREAS, at the completion of the contract a reconciliation payment is made or received by the City based on actual expenditures vs. anticipated expenditures, actual State-charged misdemeanors vs. anticipated, and actual State Public Defender Commission reimbursement vs. anticipated reimbursements; and

WHEREAS, an emergency exists in the usual daily operation of government of the City of Columbus that it is immediately necessary to authorize a contract with the Franklin County Public Defender Commission in order to assure the continuity of legal services to indigent persons in Columbus thereby preserving the public peace, property, health, safety and welfare; now, therefore,

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

SECTION 1. That the Director of the Department of Finance and Management be and is hereby authorized to contract with the Franklin County Public Defender Commission of Columbus, Ohio for the period of January 1, 2009 through December 31, 2009.

SECTION 2. That the sum of \$1,335,093 be and hereby is authorized to be expended from the General Fund, Sub-Fund 01-100, Department of Finance and Management, Department 45-01, Object Level One 03, OCA Code 450015, Object Level Three 3337, to pay the cost thereof.

SECTION 3. That award of this contract meets the procurement provisions of Chapter 329 of the Columbus City Code, 1959.

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

Legislation Number: 0998-2009

Drafting Date: 07/06/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background:

This ordinance authorizes an appropriation of \$16,000.00 from the Public Safety Initiatives Fund and authorizes the

Municipal Court Clerk to expend up to \$16,000.00 for the purchase of two Kiosks for the Clerk's Office.

The Kiosk process will offer a convenient on-line credit card payment option to pay traffic fines in the courthouse. In addition the Clerk's Office will provide an on-line link through the Kiosk to the Bureau of Motor Vehicles (BMV) to pay reinstatement fees. The total annual on-line savings to the taxpayers is projected to be approximately \$100,000.00.

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.

Fiscal Impact: Sufficient funds are available within the Public Safety Initiatives Fund.

Title

To authorize an appropriation of \$16,000.00 from the Public Safety Initiatives Fund; to authorize the Franklin County Municipal Court Clerk to expend up to \$16,000.00 from the Public Safety Initiatives Fund for the purchase of Kiosks for the Clerk's Office; and to declare an emergency. (\$16,000.00)

Body

Whereas, it is necessary to purchase two Kiosks to save taxpayer dollars, while providing a valuable service to the public; and

Whereas, an emergency exists in the daily operations of the Franklin County Municipal Court Clerk Office, in that it is immediately necessary to appropriate and expend said funds for the purchase of two Kiosks, 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 from the unappropriated monies in the Public Safety Initiatives Fund, and from any and all sources unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$16,000.00 be and is hereby appropriated to the Municipal Court Clerk, Department No. 26-01, Fund 016, OCA 260172, Object Level One - 06, Object Level Three - 6649 for the purchase of two Kiosks for the Clerk's Office.

Section 2. That the Municipal Court Clerk is hereby authorized and directed to expend up to \$16,000.00 or so much thereof as may be necessary from the Municipal Court Clerk, Department No. 26-01, Fund 016, OCA 260172, Object Level One - 06, Object Level Three - 6649.

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.

Legislation Number: 1000-2009

Drafting Date: 07/06/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to accept name and Federal Identification number changes of Metcalf & Eddy, Inc. and the assignment of all their present and future contracts with the City of Columbus to AECOM USA, Inc. These actions are a result of AECOM USA, Inc.'s acquisition of Metcalf & Eddy, Inc. and the name change is

effective immediately. The Department currently has numerous professional engineering and service agreements with Metcalf & Eddy, Inc. and AECOM USA, Inc. will continue to provide the required services in accordance with the existing contract terms and provisions.

2. FISCAL IMPACT:

This legislation will not alter the balances of any of the existing contracts covered by this assignment.

3. EMERGENCY DESIGNATION:

The Department of Public Utilities is requesting City Council to declare this ordinance an emergency measure in order to allow the existing contracts to be assigned to AECOM USA, Inc.'s vendor number, which is necessary for the subject services to continue without interruption, and to allow financial transactions to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

Title

To authorize and direct the Director of Public Utilities to modify present and future contracts with Metcalf & Eddy, Inc., to reflect a name and Federal Identification Number change to the companies as a result of their acquisition by AECOM USA, Inc. and to authorize the assignment of all existing obligations to the City of Columbus by Metcalf & Eddy, Inc., to AECOM USA, Inc; and to declare an emergency. (\$0.00)

Body

WHEREAS, the Director of the Department of Public Utilities, has entered into multiple contracts with Metcalf & Eddy, Inc. in connection with numerous engineering agreements; and

WHEREAS, the it is necessary to alter existing contracts with Metcalf & Eddy, Inc. to reflect a name and Federal Identification Number change to the companies as a result of their acquisition by AECOM USA, Inc.; and

WHEREAS, AECOM USA, Inc., has informed the Director of Public Utilities of its intentions to fulfill the contractual obligations of Metcalf & Eddy, Inc.; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately required for this Council to authorize the Director of the Department to assign the aforementioned contractual obligations of Metcalf & Eddy, Inc. to the professional engineering services firm of AECOM USA, Inc.; so as to avoid any interruption in the performance of services that are necessary to ensure the continued operation of the City of Columbus' Department of Public Utilities projects and services; 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 the Director of Public Utilities is hereby authorized and directed to modify present and future contracts to reflect the change of company names and Federal Identification Numbers from Metcalf & Eddy, Inc., to AECOM USA, Inc.

Section 2. That the Director of Public Utilities is hereby authorized to assign AECOM USA, Inc. all existing contractual obligations between the City of Columbus and Metcalf & Eddy, Inc., in accordance with AECOM USA, Inc. acquisition of Metcalf & Eddy, Inc.

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.

Drafting Date: 07/06/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND

This legislation authorizes the Director of Finance and Management to establish blanket purchase orders, for the Department of Technology, on behalf of various other fund city agencies, for the purchase of replacement desktop computers, printers, servers and computer related products and equipment. These purchases will be made from pre-established universal term contracts (UTC's), FL003923 (BPCMP01H), with Resource One Computer Systems, Inc., expiration date March 31, 2011, FL003934 (BPCMP07F), with Pomeroy IT Solutions, Inc. expiration date March 31, 2011 and FL003922 (BPCMP01G), with Smart Solutions, Inc., expiration date March 31, 2011.

This legislation also authorizes the City Auditor to transfer funds between Object Levels to allow for funding to be available within the appropriate Object Level for the upgrade/replacement of existing computers within the City of Columbus, Department of Technology, on behalf of the Department of Transportation. The desktop computers, printers, servers and computer related products and equipment being replaced are outdated and/or obsolete. The computer equipment being replaced is used for the operation of applications that are vital to the daily operations of the City of Columbus. Replacement of these computers are crucial for continued efficiency, so that the City of Columbus can access applications critical to daily operations.

FISCAL IMPACT

This purchase will expend \$677,454.44 for the purchase of replacement desktop computers, printers, servers and computer related products and equipment, on behalf of various other fund city agencies. Also, this purchase will require a transfer of funds between object levels within the 2009 Department of Technology's Information Services Fund. Funds are identified and available in the 2009 Department of Technology's Information Services Budget to fund this purchase, which in the aggregate totals \$677,454.44, distributed between the vendors as follows: \$630,449.64 with Resource One Computer Systems, Inc., \$20,000.00 with Pomeroy IT Solutions and \$27,004.80 with Smart Solutions, Inc.

EMERGENCY DESIGNATION

Emergency designation is being requested by the various other fund city agencies to immediately facilitate this purchase as the equipment being purchased is crucial to city operations.

CONTRACT COMPLIANCE

Vendor Name: Resource One Computer Systems, Inc.	CC#: 31-1419297	Expiration Date: 5/6/2011
Vendor Name: Smart Solutions, Inc.	CC#: 34-1403269	Expiration Date: 3/10/2011
Vendor Name: Pomeroy IT Solutions	CC#: 61-1352158	Expiration Date: 10/24/2009

Title

To authorize the transfer of funds within the Information Services Fund; to authorize the Director of Finance and Management to establish blanket purchase orders, for the Department of Technology, on behalf of various other fund city agencies, for the purchase of replacement desktop computers, printers, servers and computer related products and equipment from pre-established universal term contracts with Resource One Computer Systems, Inc., Pomeroy IT Solutions and Smart Solutions, Inc.; to authorize the expenditure of \$677,454.44 from the 2009 Department of Technology Information Services Fund; and to declare an emergency. (\$677,454.44)

Body

WHEREAS, this legislation authorizes the Director of Finance and Management to establish blanket purchase orders, for the Department of Technology, on behalf of various other fund city agencies, for the purchase of replacement desktop computers, printers, servers and computer related products and equipment; and

WHEREAS, the desktop computers, printers, servers and computer related products and equipment used by various

agencies within the City of Columbus are obsolete and no longer meet the City's current minimal specifications/standards and are in need of replacement; the replacement of these desktop computers and computer related products and equipment will mitigate computer related performance problems and will ensure that the City of Columbus can continue to operate at peak efficiency; and

WHEREAS, it is necessary to transfer funds within the 2009 Department of Technology Information Services Fund in order to ensure the proper funding is available for the necessary purchases; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology, in that there is an immediate need to authorize the Director of Finance and Management to establish blanket purchase orders, for the Department of Technology, on behalf of various other fund city agencies, for the purchase of replacement desktop computers, printers, servers and computer related products and equipment, from pre-established universal term contracts (UTC'S) with Resource One Computer Systems, Inc., Pomeroy IT Solutions and Smart Solutions, Inc. for the preservation of the public health, peace, property, safety and welfare; now, therefore

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

SECTION 1. That the City Auditor is hereby authorized to transfer funds within the 2009 Department of Technology's Information Services Fund as follows:

FROM:

Dept/Div: 47-01| Fund: 514| Subfund: 265| OCA Code: 514265 | OBJ Level 1: 02| OBJ Level 3: 2193| Amount: \$10,000.00

TO:

Dept/Div: 47-01| Fund: 514| Subfund: 265| OCA Code: 514265 | OBJ Level 1: 06| OBJ Level 3: 6647| Amount: \$10,000.00

SECTION 2. That the Director of Finance and Management is authorized to establish blanket purchase orders, for the Department of Technology, on behalf of various other fund city agencies, for the purchase of replacement desktop computers, printers, servers and computer related products and equipment, from pre-established universal term contracts (UTC'S), FL003923, with Resource One Computer Systems, Inc., expiration date March 31, 2011, FL003934, with Pomeroy IT Solutions, expiration date March 31, 2011 and FL003922, with Smart Solutions, Inc., expiration date March 31, 2011.

SECTION 3. That the expenditure of \$677,454.44 or so much thereof as may be necessary is hereby authorized to be expended from:

Division: 47-02| Fund: 514| Subfund: 001| OCA Code: 472417| OBJ Level 1: 02| OBJ Level 02: 2193| Amount: \$19,906.56 (DoT - Smart Solutions)

Division: 47-01| Fund: 514| Subfund: 550| OCA Code: 514550| OBJ Level 1: 02| OBJ Level 02: 2193| Amount: \$213.04 (DPU/Electricity - Smart Solutions)

Division: 47-01| Fund: 514| Subfund: 600| OCA Code: 514600| OBJ Level 1: 02| OBJ Level 02: 2193| Amount: \$1,355.08 (DPU/Water - Smart Solutions)

Division: 47-01| Fund: 514| Subfund: 650| OCA Code: 514650| OBJ Level 1: 02| OBJ Level 02: 2193| Amount: \$1,519.23 (DPU/Sewers & Drain - Smart Solutions)

Division: 47-01| Fund: 514| Subfund: 675| OCA Code: 514675| OBJ Level 1: 02| OBJ Level 02: 2193| Amount: \$405.13
(DPU/Stormwater - Smart Solutions)

Division: 47-02| Fund: 514| Subfund: 001| OCA Code: 470204| OBJ Level 1: 02| OBJ Level 02: 2193| Amount: \$3,605.76
(DoT - Smart Solutions)

Division: 47-01| Fund: 514| Subfund: 550| OCA Code: 514550| OBJ Level 1: 02| OBJ Level 02: 2193| Amount:
\$29,692.95 (DPU/Electricity - Resource One)

Division: 47-01| Fund: 514| Subfund: 600| OCA Code: 514600| OBJ Level 1: 02| OBJ Level 02: 2193| Amount:
\$188,866.62 (DPU/Water - Resource One)

Division: 47-01| Fund: 514| Subfund: 650| OCA Code: 514650| OBJ Level 1: 02| OBJ Level 02: 2193| Amount:
\$211,744.79 (DPU/Sewers & Drain - Resource One)

Division: 47-01| Fund: 514| Subfund: 675| OCA Code: 514675| OBJ Level 1: 02| OBJ Level 02: 2193| Amount:
\$56,465.28 (DPU/Stormwater - Resource One)

Division: 47-02| Fund: 514| Subfund: 001| OCA Code: 472411| OBJ Level 1: 02| OBJ Level 02: 2193| Amount:
\$28,680.00 (DoT/End User - Resource One)

Division: 47-01| Fund: 514| Subfund: 265| OCA Code: 514265| OBJ Level 1: 02| OBJ Level 02: 2193| Amount:
\$100,000.00 (Planning & Operations - Resource One)

Division: 47-01| Fund: 514| Subfund: 599| OCA Code: 514599| OBJ Level 1: 02| OBJ Level 02: 2193| Amount:
\$15,000.00 (Design & Construction - Resource One)

Division: 47-01| Fund: 514| Subfund: 265| OCA Code: 514265| OBJ Level 1: 02| OBJ Level 02: 2193| Amount:
\$10,000.00 (Planning & Operations - Pomeroy IT Solutions)

Division: 47-01| Fund: 514| Subfund: 265| OCA Code: 514265| OBJ Level 1: 06| OBJ Level 02: 6647| Amount:
\$10,000.00 (Planning & Operations - Pomeroy IT Solutions)

TOTALS: Smart Solutions, Inc.: \$27,004.80| Resource One Computer Systems, Inc.: \$630,449.64|Pomeroy IT Solutions:
\$20,000.00

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

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1007-2009

Drafting Date: 07/07/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

This legislation will authorize the City Attorney to accept an American Recovery and Reinvestment Act (ARRA) Violence Against Women Act (VAWA) grant award from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs and will further authorize the transfer and appropriation of matching funds required by the grant award. This is a one time grant that requires a 25% match from City funds.

This grant partially funds a Domestic Violence Victim Advocate who serves the Franklin County community within the City Attorney's Prosecution section. The DV Victim Advocate works with victims of domestic violence, stalking in their initial court appearances frequently within days of the incident, assists them with obtaining emergency protection orders and supports them throughout the prosecution process. In addition this grant will fund the design and implementation of a database that will allow the integration of three existing databases used by the Domestic Violence, Stalking and Intake units of the City Attorney's Office. These databases are used to maintain records and statistics on victims and suspects as well as to generate reports.

Emergency action is requested to allow for the earliest possible commencement of the grant program.

Fiscal Impact:

The required matching funds of \$25,887.00 are included in the City Attorney's General Fund Budget.

Project period: 05/01/09 - 07/31/10

Federal Share: \$ 77,661.00

City Match: \$ 25,887.00

Total Grant: \$103,548.00

Title

To authorize the acceptance of the Witness Assistance Program (WAP) Database Project & Domestic Violence Advocate, ARRA-VAWA-901 grant from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs; to authorize the appropriation of these grant funds in the amount of \$77,661.00; to authorize the transfer and appropriation of matching funds required by the acceptance of the grant in the amount of \$25,887.00; to authorize the expenditure of \$103,548 from said funds; and to declare an emergency. (\$103,548.00)

Body

WHEREAS, the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs, has awarded the City of Columbus, City Attorney's Office, a grant in the amount of Seventy-seven Thousand Six Hundred Sixty-one Dollars (\$77,661.00) for the Witness Assistance Program Database Project & Domestic Violence Advocate, ARRA-VAWA-901 grant for the period of May 1, 2009 through July 31, 2010; and

WHEREAS, the acceptance of this grant requires the City supply matching funds in the amount of Twenty-five Thousand Eight Hundred Eighty-seven Dollars (\$25,887.00); and

WHEREAS, an emergency exists in the daily operation of the City in that it is necessary to immediately accept and appropriate the grant funds and transfer and appropriate the matching funds in order that the services supported may commence as soon as possible and for the preservation of the public health, peace, property, safety and welfare, and, now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO

SECTION 1. That the City Attorney be and hereby is authorized to accept the Witness Assistance Program Database

Project & Domestic Violence Advocate, ARRA-VAWA-901 grant in the amount of Seventy-seven Thousand Six Hundred Sixty-one Dollars (\$77,661.00) from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs.

SECTION 2. That the amount of Twenty-five Thousand Eight Hundred Eighty-seven Dollars (\$25,887.00) is hereby transferred as follows:

FROM: department 2401, general fund, fund number 010, organizational cost account 240564, object level three 1101, \$20,125.00 and from organizational cost account 240101, object level three 3336, \$5,762.00.

TO: department 2401, general fund, fund number 010, organizational cost account 240564, object level one 10, object level three 5501.

FROM: department 2401, general fund, fund number 010, organizational cost account 240564, object level one 10, object level three 5501.

TO: department 2401, Witness Assistance Program Database Project & Domestic Violence Advocate grant fund, grant number 249271, fund number 220, organizational cost account 249271, object level three 0886.

SECTION 3. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project award period the sum of One Hundred Three Thousand Five Hundred Forty-eight Dollars (\$103,548.00) is appropriated as follows: department 2401, Assistance Program Database Project & Domestic Violence Advocate grant, grant number 249271, fund number 220, organizational cost account 249271, object level three 1100 the amount of \$20,125.00 and object level three 3336 the amount of \$83,423.00.

SECTION 4. That the expenditure of One Hundred Three Thousand Five Hundred Forty-eight Dollars (\$103,548.00), or so much thereof as may be necessary, from the City Attorney's Office, department 24-01, grant number 249271, fund number 220, organizational cost account 249271, object level three 1100 \$20,125.00 and object level three 3336 \$83,423.00, for the aforesaid purposes is hereby authorized.

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1008-2009

Drafting Date: 07/07/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

This legislation will authorize the City Attorney to accept an American Recovery and Reinvestment Act (ARRA) Violence Against Women Act (VAWA) grant award from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs and will further authorize the transfer and appropriation of matching funds required by the grant award. This is a one time grant that requires a 25% match from City funds.

The funds shall be used to retain two Stalking Investigative Specialists who will work with the City Attorney's Domestic Violence unit to assist in the investigation of stalking cases, assist victims, and fill liaison roles with municipal police departments sharing information and maintaining data collection on stalking suspects. In addition these funds will cover the cost of city staff involvement in the administration of the grant.

Emergency action is requested to allow for the earliest possible commencement of the grant program.

Fiscal Impact:

The required matching funds of \$19,109.00 are included in the City Attorney's General Fund Budget.

Project period: 05/01/09 - 07/31/10

Federal Share: \$57,330.00

City Match: \$19,109.00

Total Grant: \$76,439.00

Title

To authorize the acceptance of the Stalking Investigative Specialist I & II, ARRA-VAWA-900 grant from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs; to authorize the appropriation of these funds in the amount of \$57,330.00; to authorize the transfer and appropriation of matching funds required by the acceptance of the grant in the amount of \$19,109.00; to authorize the expenditure of \$76,439.00 from said funds; and to declare an emergency. (\$76,439.00)

Body

WHEREAS, the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs, has awarded the City of Columbus, City Attorney's Office, a grant in the amount of Fifty-seven Thousand Three Hundred Thirty Dollars (\$57,330.00) for the Stalking Investigative Specialist I & II Grant, ARRA-VAWA-900 for the period of May 1, 2009 through July 31, 2010; and

WHEREAS, the acceptance of this grant requires the City supply matching funds in the amount of Nineteen Thousand One Hundred Nine Dollars (\$19,109.00); and

WHEREAS, an emergency exists in the daily operation of the City in that it is necessary to immediately accept and appropriate the grant funds and transfer and appropriate the matching funds in order that the services supported may commence as soon as possible and for the preservation of the public health, peace, property, safety and welfare, and, now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO

SECTION 1. That the City Attorney be and hereby is authorized to accept the Stalking Investigative Specialist I & II Grant, ARRA-VAWA-900 in the amount of Fifty-seven Thousand Three Hundred Thirty Dollars (\$57,330.00) from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs.

SECTION 2. That the amount of Nineteen Thousand One Hundred Nine Dollars (\$19,109.00) is hereby transferred as follows:

FROM: department 2401, general fund, fund number 010, organizational cost account 240564, object level three 1101 \$7,359.00 and from organizational cost account 240101, object level three 3336 \$11,750.00.

TO: department 2401, general fund, fund number 010, organizational cost account 240564, object level one 10, object level three 5501.

FROM: department 2401, general fund, fund number 010, organizational cost account 240564, object level one 10, object level three 5501.

TO: department 2401, Stalking Investigative Specialist I & II grant fund, grant number 249004, fund number 220, organizational cost account 249004, object level three 0886.

SECTION 3. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project award period the sum of Seventy-six Thousand Four Hundred Thirty-nine Dollars (\$76,439.00) is appropriated as follows: department 2401, Stalking Investigative Specialist I & II grant fund, grant number 249004, fund number 220, organizational cost account 249004, object level three 1100 the amount of \$7,359.00 and object level three 3336 the amount of \$69,080.00.

SECTION 4. That the expenditure of Seventy-six Thousand Four Hundred Thirty-nine Dollars (\$76,439.00), or so much thereof as may be necessary, from the City Attorney's Office, department 24-01, grant number 249004, fund number 220, organizational cost account 249004, object level three 1100 \$7,359.00 and object level three 3336 \$69,080.00 for the aforesaid purposes is hereby authorized.

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: 07/07/2009

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 Livingston and Parsons Avenue Roadway Improvement Project.

Fiscal Impact: It has been determined that Funding for this project will come from the Department of Public Service, Division of Design and Construction, Streets and Highways G.O. Bonds Fund.

Emergency Justification: Emergency action is requested to allow appropriation actions to proceed without delay thereby allowing this project to meet it acquisition schedule.

Title

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Parsons/Livingston Avenue Roadway Improvements Project, to authorize the expenditure of \$448,350.00 from the Department of Public Service, Federal State Highway Engineering Fund; and to declare an emergency. (\$448,350.00)

Body

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Parsons/Livingston Avenue Roadway Improvements Project; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0038X-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 Department of Public Service, Division of Design and Construction, in that it is necessary to appropriate such real property interests so that there will be no delay in the aforementioned project, and for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT 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. 0038X-2009, on the 4th day of May, 2009, said descriptions being incorporated herein, be appropriated for the public purpose of the Parsons/Livingston Avenue Roadway Improvements Project, #598091, 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 declares the value of said fee simple title and /or lesser interests as follows:

1.	1WD, T	Board of Education	\$113,750.00
2.	3T	Evergreen Quality Catering, Inc.	\$4,170.00
3.	5T	Richard C. & Sharon M. Sorensen	\$1,570.00
4.	7WD, T	Platinum Auto Wash, LLC	\$15,398.00
5.	8WD, T	E-Z Loan Pawn Shop, Inc.	\$13,485.00
6.	10WD, T	Howard B. & Marcie T. Zeldin	\$13,609.00
7.	11WD, T	The Bobb Chevrolet Company	\$3,940.00
8.	12WD, T	The Bobb Chevrolet Company	\$141,477.00
9.	20WD, T	KFC US Properties	\$138,010.00
10.	35WD, T	Board of Education	\$300.00
11.	38 T	Anthony C. & Betty J. Moracco	\$300.00
12.	62WD, T	Annetta Patterson Jinna	\$300.00
13.	63 T	Cline Triple D, LLC	\$300.00
14.	68WD, SH, T	Autozone	\$1,441.00
15.	69WD	Quawn Hill	\$300.00

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

Section 6. That the expenditure of \$448,350.00, or so much thereof as may be necessary from the Federal State Highway Engineering Fund, Dept.-Div. 59-12; Grant No. 598091; OCA Code 598091; Object Level Three 6601, Auditor Certificate(s) #AC030040 for acquisition costs related to the aforesaid purpose is hereby authorized.

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 promulgated pursuant to the Internal Revenue Code of 1986, as amended.

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

Section 9. That for the reasons state in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1015-2009

Drafting Date: 07/08/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The Division of Income Tax is in need of replacing the existing Tax Servers (Purchased in 1997/1999) since they are past end-of-life as far as the manufacturer HP is concerned. The Department of Technology has reviewed and recommends that we upgrade to a Linux environment which will have some additional cost savings to the city. With these replacements servers some of the major advantages will be: RAM size increased from 8GB to 16GB, increased processor speed, true failover environment, no maintenance cost for three years on the new equipment. Purchase of servers will be in accordance with an existing Universal term Contract for HP products and Services.

Fiscal Impact: N/A Funding already established via AC026685

This legislation is considered an emergency measure to ensure that The Department of Technology can continue its replacement schedule of Income Tax Servers within the required time frame.

TitleTo authorize and direct the City Auditor to amend ordinance 0100-2007 and to modify AC026685 to include the purchase of Income Tax Servers for the Income Tax Division from a Universal Term Contract passed July 6, 2009, and to declare an emergency.

Body**WHEREAS**, The Servers for the Income Tax Department have reached end of Life; and

WHEREAS, funding is available on Auditor Certificate (AC026685); and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to ensure that the contract is in place so that the Auditor's Office and Finance may begin work on the program as quickly as possible to be a beta test site.; thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

Section 1. That the City Auditor is authorized to amend ordinance 0100-2007 and to modify AC026685 to include the purchase of Income Tax Servers for the Income Tax Division.

Section 2. That the City Auditor is authorized to enter into a Universal Term Contract with Agilysys Inc. for the Purchase of Income Tax Servers per the specs of the Department of Technology to Purchase two Income Tax Servers and related hardware.

Section 3. Monies needed to carry out the purpose of this ordinance are already established on AC026685 and available for this purpose.

Section 4. That the City Auditor is hereby authorized to transfer the unencumbered balance account within the same fund upon receipt of certification that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

Section 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1018-2009

Drafting Date: 07/08/2009

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 Ohio Technical Services for cleaning and lead abatement at the Police Indoor Crime Lab Shooting Range, 520 King Avenue. The contract was formally bid in March 2007 (SA002349). It was not bid for a particular building but encompassed all buildings under the purview of Facilities Management. Bidders provided their hourly rates. It was modified by Ordinance Number 1897-2008, in the amount of \$12,695.00 and by Ordinance Number 0355-2009, in the amount of \$216,587.00. This ordinance modifies the second of three one-year renewal options and authorizes necessary expenditures for this work. The contract term is April 1, 2009 through March 31, 2010. The Police Division will utilize this blanket contract in order to complete this project.

The contractor shall clean and dispose of lead dust from the crime lab's indoor shooting range. This will include wiping down all ledges, all surfaces, taking ceiling tiles out of the grid and disposing of and cleaning the grid for new tile, wiping all lights, and sanitizing the floor. The abatement will take approximately four days to complete. This abatement is

necessary to provide a safe working environment for Police Division and Facilities Management Division personnel.

EMERGENCY ACTION is requested to ensure the abatement and disposal of lead can occur in accordance with federal and state regulations.

Ohio Technical Services Contract Compliance Number 31-1640431, Expiration date 03/11/2011

FISCAL IMPACT: This ordinance authorizes an expenditure of \$20,447.00 from existing cash in the Safety Voted Bond Fund.

Title

To authorize the Finance and Management Director to modify a contract on behalf of the Facilities Management Division with Ohio Technical Services for lead abatement at the Police Indoor Crime Lab Shooting Range, 520 King Avenue; to authorize the expenditure of \$20,447.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$20,447.00)

Body

WHEREAS, the Facilities Management Division formally bid a contract with Ohio Technical Services through SA002349; and

WHEREAS, said contract needs to be renewed for the period April 1, 2009 through March 31, 2010, and

WHEREAS, the Police Division has a need for cleaning and lead abatement services at the Indoor Crime Lab Shooting Range; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management in that it is immediately necessary to authorize the Finance and Management Director to modify a contract with Ohio Technical Services for lead abatement services at the Police Indoor Crime Lab Shooting Range, to ensure that abatement and disposal of lead can occur in accordance with federal and state regulations, thereby protecting the users of the firing range from medical complications thereby preserving the public peace, property, health, safety, and welfare; now, therefore:

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

SECTION 1. That the Finance and Management Director is hereby authorized to modify a contract on behalf of the Facilities Management Division with Ohio Technical Services in order to accomplish lead abatement at the Police Indoor Crime Lab Shooting Range, 529 King Avenue.

SECTION 2. That the expenditure of \$20,447.00, 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: 30-03
Fund: 701
Project: 330021
OCA Code: 644476
Object Level 1: 06
Object Level 3: 6620
Amount: \$20,447.00

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

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

Legislation Number: 1019-2009

Drafting Date: 07/08/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with TP Mechanical for the renovation of the first floor sprinkler system, 120 Marconi Boulevard. This includes, but is not limited to, the installation of heat tracing on existing pipes, wiring back to the existing panel and selective demolition. This renovation is necessary due to system failure on colder days. Failure to renovate the sprinkler system will cause damage to the building, necessitating more repairs.

Formal bids were solicited and three companies submitted bids on June 12, 2009 as follows (1 ^FBE, MBE):

TP Mechanical	\$159,402.00
^Bomar Construction	\$161,406.00
Fox Mechanical	\$180,000.00

The Office of Construction Management recommends the bid award be made to the most responsive and responsible and best bidder, TP Mechanical.

Emergency action is requested so that work may begin as quickly as possible in order to bring the sprinkler system up to code.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$159,402.00 from existing cash in the Safety Voted Bond Fund.

TP Mechanical Contract Compliance Number 20-0251494 Expiration date 4/29/10

Title

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with TP Mechanical for the renovation of the first floor sprinkler system, 120 Marconi Boulevard; to authorize the expenditure of \$159,402.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$159,402.00)

Body

WHEREAS, the first floor sprinkler system at 120 Marconi Boulevard is in need of renovation; and

WHEREAS, formal bids were solicited and three companies responded; and

WHEREAS, TP Mechanical is the most responsive, responsible, and best bidder to complete the renovation of the first floor sprinkler system; and

WHEREAS, an emergency exists in the usual daily operation of the Office of Construction Management in that it is immediately necessary to authorize the Finance and Management Director to enter into a contract with TP Mechanical for the renovation of the first floor sprinkler system, 120 Marconi Boulevard, so that work may begin as quickly as possible in order to bring the sprinkler system up to code, thereby preserving the public health, property, safety, and welfare, now therefore:

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

SECTION 1. That the Finance and Management Director is hereby authorized to enter into a contract on behalf of the Office of Construction Management with TP Mechanical for the renovation of the first floor sprinkler system, 120 Marconi

Boulevard.

SECTION 2. That the expenditure of \$159,402.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized an approved as follows:

Division: 30-03
Fund: 701
Project: 330021
OCA Code: 644476
Object Level: 06
Object Level 3: 6620
Amount: \$159,402.00

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 and after its passage and approved by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1020-2009

Drafting Date: 07/08/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The City owns real property located at 1393 East Broad Street that houses the Near East Neighborhood Pride Center and several non-profit agency tenants. This ordinance authorizes the Director of the Department of Finance and Management to execute those documents necessary to enter into a new lease agreement with the Detroit Regional Office of the U. S. Census Bureau for a one year term including option(s) for an additional term(s) totaling one year in length for lease of office space. According to a study by the U.S. Conference of Mayors, for each person that is not counted in the Census, a city loses \$2,263 in funding over the decade. Columbus must have an accurate, complete count to fight for fair funding and to show our growing success. In addition, the U.S. Census is hiring nearly 1,000 central Ohio residents in the coming year, a much needed stimulus in the current economy. It is in the City's best interest to assist the Bureau by providing leased office space within its 1393 East Broad Street building.

Emergency Action is requested to finalize this lease to allow the U.S. Census Bureau to immediately move into the office space upon execution of the lease agreement.

Fiscal impact: Passage of this ordinance will provide the City with rental income to be deposited into the "General Permanent Improvement Fund," Project #590701, Fund #748 to offset building maintenance expenses.

To authorize the Director of the Department of Finance and Management to enter into a lease agreement with the Detroit Regional Office of the U. S. Census Bureau for that city-owned property commonly known as 1393 East Broad Street; and to declare an emergency.

Body

WHEREAS, the City of Columbus, Ohio owns certain real property commonly known as 1393 East Broad Street; and

WHEREAS, the City of Columbus desires to enter into a lease agreement with the Detroit Regional Office of the U. S. Census Bureau to lease office space in the real property commonly known as 1393 East Broad Street; and

WHEREAS, an emergency exists in the daily operation of the City of Columbus, in that it is immediately necessary to authorize the Director of the Department of Finance and Management to enter into a lease agreement with the Detroit Regional Office of the U. S. Census Bureau for the rental of real property located at 1393 East Broad Street, and for the immediate preservation of the public health, peace, property and safety; now, therefore:

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

Section 1. That the Director of the Department of Finance and Management be, and hereby is, authorized to execute those documents, as approved by the Department of Law, Division of Real Estate, necessary to enter into a one (1) year lease agreement, including option(s) for additional term(s) totaling one year in length, for the rental of real property located at 1393 East Broad Street by and between the City of Columbus (Lessor) and the Detroit Regional Office of the U. S. Census Bureau (Lessee) for lease of office space for use by the U.S. Bureau of Census.

Section 2. That the terms and conditions of these leases shall be in a form approved by the City Attorney's Office and shall include the following:

- a) The lease shall have an initial term of one (1) year including option(s) for an additional term(s) totaling one year in length.
- b) The rent payments shall be deposited in the "General Permanent Improvement Fund," Project #590701, Fund #748, to offset building operating expenses to cover expenses related to maintenance and/or repair of the building and components.
- c) Such other terms and conditions as are required and/or approved by the City Attorney's Office.

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

Legislation Number: 1022-2009

Drafting Date: 07/09/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background: The purpose of this legislation is to authorize the Director of Development to enter into a Guaranteed Maximum Price Reimbursement Agreement with Gowdy Partners III, LLC under Section 186 of the Columbus City Charter for pre-remediation brownfield clean up activities at the Gowdy North project site. This past year, Gowdy Partners III, LLC was awarded \$3,000,000 for a Round 6 Clean Ohio Revitalization Fund Grant for the cleanup and redevelopment of the four to seven acre +/- portion of the former Gowdy Field landfill. Terms of the Clean Ohio Revitalization Fund grant application included a \$500,000 contribution by the City of Columbus to be used for pre-remediation activities. The Department of Development is interested in the cleanup and redevelopment of the Gowdy North site to serve as additional offices and other facilities for the Ohio State University Medical Center.

Fiscal Impact: \$500,000 is available as cash in the 2009 Capital Improvements Budget in the Economic & Community Development Project under Northland and Other Acquisitions Fund 735.

Emergency Justification: This portion of the environmental remediation must be complete to satisfy the conditions of receiving the \$3 million Clean Ohio Revitalization Fund Grant. Full remediation must start immediately in order to adhere to the construction schedule for the Ohio State University Medical Center.

Title

To authorize the Director of the Department of Development to enter into a Guaranteed Maximum Price Reimbursement Agreement with Gowdy Partners III, LLC for pre-remediation brownfield clean up activities at the Gowdy North project site; to authorize the appropriation and expenditure of \$500,000 from the Northland and Other Acquisitions Fund; to waive the competitive bidding provisions of the Columbus City Codes; to allow for the substitution of an irrevocable letter of credit in place of a performance bond; and to declare an emergency. (\$500,000)

Body

WHEREAS, the City of Columbus currently owns the property commonly known as Gowdy North and has granted Gowdy Partners III, LLC an option to purchase the property for development; and

WHEREAS, a \$3 million Clean Ohio Revitalization Fund grant was awarded to Gowdy Partners III, LLC for brownfield remediation of the site; and

WHEREAS, a condition of the grant application included a \$500,000 contribution by the City for pre-remediation activities; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to enter into a Guaranteed Maximum Price Reimbursement Agreement with Gowdy Partners III, LLC and to appropriate and expend said funds in order to satisfy the conditions of receiving the \$3 million Clean Ohio Revitalization Fund Grant and to adhere to the construction schedule for the Ohio State University Medical Center, 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 Development is hereby authorized to enter into a Guaranteed Maximum Price Reimbursement Agreement with Gowdy Partners III, LLC under Section 186 of the Columbus City Charter for \$500,000 to conduct preliminary remediation activities in order to satisfy the terms of the \$3 million grant for the Gowdy North site.

Section 2. That the contract for the remediation work shall contain provisions, which in the opinion of the Director of Development, provide adequate environmental insurance protection to the City and reasonable assurances, guarantees or other surety arrangements providing for the completion of the remediation work necessary to obtain a No Further Action Letter from the Director of the Ohio Environmental Protection Agency.

Section 3. That for the purpose stated in Section 1, the expenditure of up to \$500,000 from the Development Department, Division No. 44-01, Fund No. 735 Northland and Other Acquisitions, Project No. 590415 Economic and Community Development, OCA Code 440735, Object Level Three 6680 is hereby appropriated and authorized.

Section 4. 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 funds.

Section 5. That the competitive bidding provisions of Chapter 329 of the City Code be and hereby are waived.

Section 6. That Section 329.21 of the Columbus City Code is hereby waived in order to permit Gowdy Partners III, LLC to substitute in place of a performance bond an irrevocable letter of credit from a solvent banking institution in a form and amount satisfactory to the City.

Section 7. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1033-2009

Drafting Date: 07/13/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The purpose of this ordinance is to give the Director of the Department of Development the authority to enter into a Memorandum of Understanding (MOU) with the Lincoln Theatre Association and the Ohio Cultural Facilities Commission (Commission). This MOU serves as interim confirmation of the Commission's commitment to provide State funding and identifies various actions and/or conditions that must be fulfilled by the Lincoln Theatre Association prior to the Commission approving the expenditure of \$350,000 for the renovation of the Lincoln Theatre. While the MOU is between the Lincoln Theatre Association and the Commission, the City serves as a signator on the agreement because it is the Lessor and Fee Simple Owner of the premises.

Emergency action is requested to allow the Director of Development to enter into the MOU with the Lincoln Theatre Association and Ohio Cultural Facilities Commission in order to meet the deadline required by the Commission for submission.

FISCAL IMPACT: There are no immediate costs to the City associated with the MOU.

Title

To authorize the Director of the Department of Development to enter into a Memorandum of Understanding and the estoppel agreement referenced therein with the Lincoln Theatre Association and the Ohio Cultural Facilities Commission; and to declare an emergency.

Body

WHEREAS, the City of Columbus owns certain real property commonly known as the Lincoln Theatre, 769 E. Long Street, Columbus, Ohio 43203; and

WHEREAS, the City of Columbus, as the fee simple owner of the premises, entered into a lease agreement with the Lincoln Theatre Association for the use of the Facility for a term commencing on July 23, 2007 and terminating on July 22, 2106; and

WHEREAS, on behalf of the City of Columbus, Ohio, the Director of Development, as the Lessor and fee simple owner, desires to enter into the MOU and estoppel agreement referenced therein; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to authorize the Director of Development to enter into an agreement with the Lincoln Theatre Association and the Commission in order to meet the deadline required by the Commission for submission, all for the preservation of the public health, peace, property, safety and welfare; **NOW THEREFORE,**

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

Section 1. That the Director of the Department of Development is hereby authorized to enter into a Memorandum of Understanding and the estoppel agreement referenced therein with the Lincoln Theatre Association and the Ohio Cultural Facilities Commission.

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

Legislation Number: 1057-2009

Drafting Date: 07/15/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: Ordinance 0782-2009 passed on June 1, 2009, authorized 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. It has since been determined the dollar amount for purposes of paying the costs thereof in Section 2 is incorrect. The following legislation amends Ordinance 0782-2009 to replace and correct Section 2.

FISCAL IMPACT: No funds are required for this amendment.

EMERGENCY JUSTIFICATION: Emergency action is requested because of the need to continue program services without interruption.

Title

To amend Section 2 of Ordinance 0782-2009, passed on June 1, 2009, to replace and correct the amount of the Hotel/Motel Excise Tax fund allocated to the Affordable Housing Trust Fund, and to declare an emergency.

Body

WHEREAS, Ordinance 0782-2009, passed June 1, 2009, authorized 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; and

WHEREAS, It has since been determined the dollar amount for purposes of paying the costs thereof in Section 2 is incorrect; and

WHEREAS, the amendment contained below-herein corrects the dollar amount of the Hotel/Motel Excise Tax fund allocated to the Affordable Housing Trust; and

WHEREAS, this ordinance amends Ordinance 0782-2009 by replacing and correcting Section 2; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development because of the need to continue program services without interruption; now, therefore,

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

Section 1. That Section 2 of Ordinance 0789-2009 shall be amended to read as follows:

For the purpose of paying the costs thereof, \$859,000 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 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1058-2009

Drafting Date: 07/15/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Process Control Computer System Maintenance Services. Process Control Computer System Maintenance Services are used by the Department of Utilities / Power and Water to maintain the systems that control and process the water purification and distribution for all City Water facilities.

The term of the proposed option contract would be three (3) years. Contract is through July 31, 2012. The contract may be extended for one (1) additional one year subject to mutual agreement by both parties. The Purchasing Office opened formal bids on July 9, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA003313) sixty nine (MBE:4, FBE:2) bids were solicited; One (1) bid proposal (MBE:0, FBE:0) was received.

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

Televent USA Inc., CC#364334564 (Expires 07/10/2011)

Total Estimated Annual Expenditure: \$ 10,000.00

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.

Title

To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Process Control Computer System Maintenance Services UTC with Televent USA Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on July 9, 2009 and selected the lowest, responsive, responsible and best bid. One (1) bid were received; 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, Process Control Computer System Maintenance Services UTC will be used to maintain the systems that control and process the water purification and distribution for all City Water facilities., 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 one (1) contract for an option to purchase Process Control Computer System Maintenance Services to ensure uninterrupted supply of materials and 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 Finance & Management Director be and is hereby authorized and directed to enter into the following contract for an option to purchase Process Control Computer System Maintenance Services with Solicitation SA003313; contract is through July 31, 2012 and may be extended for one (1) additional one year subject to mutual agreement by both parties:

Televent USA, Inc.; Awarded all items; Amount \$1.00.

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 1310-2008

Drafting Date: 08/04/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Rezoning Application Z07-031

APPLICANT: The Kroger Co.; c/o Jeffrey L. Brown, Atty.; Smith and Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Retail fuel sales.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on July 10, 2008.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This site consists of 0.305+/- acres located within the parking area of an existing grocery store. The current zoning permits C-4 uses with a number of exceptions. This request will allow fuel sales as an additional permitted use for the subject property. The applicant's CPD request is consistent with

surrounding zoning and land uses and will leave the grocery store with more than the minimum Code required parking spaces after the development of the gasoline station.

Title

To rezone **5157 NEW ALBANY ROAD (43054)**, being 0.31± acres located at the northwest corner of New Albany and Fodor Road, **From:** L-C-4, Limited Commercial District, **To:** CPD, Commercial Planned Development District. (Rezoning # Z07-031)

Body

WHEREAS, application #Z07-031 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.31± acres from the L-C-4, Commercial District to the CPD, Commercial Planned Development District; and

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

WHEREAS, the City Departments recommend Approval of said zoning change because the site consists of 0.305+/- acres located within the parking area of an existing grocery store. The current zoning permits C-4 uses with a number of exceptions. This request will allow fuel sales as an additional permitted use for the subject property. The applicant's CPD request is consistent with surrounding zoning and land uses and will leave the grocery store with more than the minimum Code required parking spaces after the development of the gasoline station; 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:

5157 NEW ALBANY ROAD (43054), being 0.31± acres located at the northwest corner of New Albany and Fodor Road, and being more particularly described as follows:

**DESCRIPTION OF A 0.305 ACRE LEASE TRACT
WEST OF NEW ALBANY ROAD, NORTH OF FODOR ROAD,
CITY OF COLUMBUS, FRANKLIN CO., OHIO**

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 3, Township 2 North, Range 16 West, United State Military Lands, and being a tract of land for lease purposes through a portion of a 15.994 acre tract of land conveyed to T&R New Albany Development LLC, by deed of record in Instrument 199911120283572, all records referenced to the Recorder's Office, Franklin County, Ohio, said lease tract bounded and described as follows;

Beginning, for reference, at a point at a corner of said 15.994 acre tract and at the southwest corner of a 0.876 acre tract of land conveyed to Burger King Corporation by deed of record in Instrument 200112170293879;

thence N 45° 10' 14" W crossing a portion of said 15.994 acre tract a distance of 45.87 feet to a point at the true place of beginning;

thence crossing a portion of said 15.994 acre tract the following four (4) courses:

1. WEST a distance of 90.00 feet to a point;
2. NORTH a distance of 147.50 feet to a point;
3. EAST a distance of 90.00 feet to a point;
4. SOUTH a distance of 147.50 feet to the true place of beginning;

containing 13,275 square feet (= 0.305 acre) of land more or less.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697 of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyor, Columbus, Ohio from best available Court House records in June, 2007. Basis of bearings is the centerline of New Albany Road, being N 3° 34' 19" E, as shown upon the plat of Fodor Road and New

Albany Road Dedication and Easements, of record in Plat Book 83, Pages 11 & 12, Recorder's Office, Franklin County, Ohio.

To Rezone From: L-C-4, Limited Commercial District,

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District 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, "**KROGER N881 5125 HAMPSTEAD VILLAGE CENTER WAY COLUMBUS, OHIO 43054 SITE PLAN**," signed by Steve Fuller, Real Estate Manager for the Applicant, and dated July 28, 2008; and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," signed by Aaron Underhill, Attorney for the Applicant, and dated June 30, 2008, and the text reading as follows:

**COMMERCIAL
PLANNED DEVELOPMENT TEXT**

PROPOSED DISTRICT: CPD-Commercial

PROPERTY ADDRESS: 5167 New Albany Road

OWNER: T & R New Albany Development LLC

APPLICANT: The Kroger Co.

DATE OF TEXT: 6/30/08

APPLICATION NUMBER: Z07-031

1. INTRODUCTION: This site consists of 0.305+/- acres found within the parking area of an existing grocery store and located to the northwest of the intersection of New Albany Road and Fodor Road. The subject property was originally zoned L-C-4 in 1996 as part of a larger project that set development guidelines for 39+/- acres found south of the State Route 161 Expressway, north of Fodor Road, and east and west of New Albany Road. The current zoning permits C-4 uses with a number of exceptions. This request will allow fuel sales as an additional permitted use for the subject property. A majority of the standards below are similar to those which already apply to the site.

2. PERMITTED USES: Permitted uses shall include gasoline sales and those uses contained in Section 3356.03 (C-4, Commercial) of the Columbus City Code unless otherwise indicated within this text.

3. DEVELOPMENT STANDARDS: The applicable development standards are contained in Chapter 3356 (C-4, Commercial) unless otherwise indicated within this text.

4. DENSITY, HEIGHT, LOT AND/OR SETBACK COMMITMENTS

- a. The maximum permitted density shall not exceed the ratio of 10,000 square feet of building per net acre of site.
- b. There shall be no minimum setback from perimeter boundaries of the property for buildings, canopies, and parking and maneuvering areas.
- c. The height district for the subject property shall be 35 feet, as measured per Columbus City Code.
- d. Other than 4a above, there shall be no maximum lot coverage requirement for this development.

5. ACCESS, LOADING, PARKING AND/OR OTHER TRAFFIC-RELATED COMMITMENTS:

- a. Size, ratio, and type of parking and loading facilities shall be governed by Columbus City Code Chapter 3342.

6. BUFFERING, LANDSCAPING, OPEN SPACE AND/OR SCREENING COMMITMENTS:

- a. The view of all loading areas shall be screened from all sides from any adjacent roadway, building, or parking lot by achieving ninety percent (90%) opacity to a minimum height of seven (7) feet from finished grade.
- b. If landscaping is used to screen service areas containing dumpsters, ninety percent (90%) opacity is required for all non-servicing sides and must be protected from service vehicles. Screening shall be provided to one (1) foot above the height of the structure to be screened but shall not be less than seven (7) feet above finished grade.

7. LIGHTING COMMITMENTS:

- a. All external lighting shall be cut-off type fixtures (down lighting). However, buildings and landscaping may be illuminated with uplighting from a concealed source. No colored light shall be used to illuminate the exterior of a building.
- b. All external lighting to be used shall be from the same manufacturer type or family to ensure aesthetic compatibility. All light poles or standards shall be dark brown, bronze, or dark green in color.
- c. Parking lot lighting shall be no more than twenty-eight (28) feet in height.
- d. Building-mounted lighting within service areas shall be designed in such a way that no off-site light spillage occurs.

8. SIGNAGE AND GRAPHICS:

- a. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Code as it applies to the appropriate zoning district. Any variance to the sign requirements other than those listed below shall be submitted to the City of Columbus Graphics Commission for review and approval.
- b. No roof signs shall be permitted nor shall a sign extend higher than the roof of a building.
- c. No signs shall be painted directly on the surface of any building, wall, or fence. No wall murals shall be allowed.

9. ARCHITECTURAL REQUIREMENTS:

- a. Permitted primary exterior building materials shall include brick, brick veneer, stone, stone veneer, and E.I.F

Legislation Number: 1527-2008

Drafting Date: 09/19/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The City of Columbus, Department of Public Service, Division of Transportation, received a request from David L. Hodge, on behalf of Topvalco, Inc., ("Kroger") asking that the City transfer the 20 foot wide alley north of East Sixth Street, from Courtland Avenue to the east line of Pearl Street, and that portion of Pearl Street, from the north line of the alley north of East Sixth Street to a point approximately 201 feet south, to Kroger. Kroger intends to redevelop their 1350 North High Street site and per direction received from the Columbus Planning Division of the Department of Development, will incorporate this excess right-of-way into their site plan to provide improved parking and traffic flow. Per current Division of Transportation practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that, subject to the retention of a

general utility easement for those utilities currently located within this right-of-way, the City will not be adversely affected by the transfer of this right-of-way to Kroger. Also, per current Division of Transportation practice, a request was submitted to the Department of Law, Real Estate Division, asking that they establish a value for this excess right-of-way. A value of \$16,278.00 was established by the Real Estate Division.

The Division of Transportation notified Kroger of the value determination and then forwarded a recommendation to sell this excess right-of-way to the Land Review Commission. Per existing Land Review Commission practice Kroger submitted a request for mitigation to the Department of Development and asked for a recommendation to transfer at no charge from the Department of Development. After review the Department of Development submitted a recommendation to transfer this excess right-of-way at no charge to the Land Review Commission. At their regularly scheduled September meeting the Land Review Commission voted, by a vote of 4 to 3, to recommend that the City transfer the above referenced excess right-of-way to Topvalco, Inc. for \$16,278.00.

Fiscal Impact: The City will receive a total of \$16,278.00, to be deposited in Fund 748, Project 537650, as consideration for the transfer of the requested excess right-of-way.

Emergency Justification: Emergency action is requested to allow the immediate transfer of this excess right-of-way thereby allowing redevelopment of this site to proceed as currently scheduled.

Title

To authorize the Director of the Public Service Department to execute those documents required to transfer the 20 foot wide alley north of East Sixth Street, from Courtland Avenue to the east line of Pearl Street, and that portion of Pearl Street, from the north line of the alley north of East Sixth Street to a point approximately 201 feet south to Topvalco, Inc.; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency.

Body

WHEREAS, the City of Columbus, Department of Public Service, Division of Transportation, received a request from David L. Hodge, on behalf of Topvalco, Inc., ("Kroger") asking that the City transfer the 20 foot wide alley north of East Sixth Street, from Courtland Avenue to the east line of Pearl Street, and that portion of Pearl Street, from the north line of the alley north of East Sixth Street to a point approximately 201 feet south, to Kroger; and

WHEREAS, Kroger intends to redevelop their 1350 North High Street site; and

WHEREAS, per direction received from the Columbus Planning Division of the Department of Development, will incorporate this excess right-of-way into their site plan to provide improved parking and traffic flow; and

WHEREAS, per current Transportation Division practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that, subject to the retention of a general utility easement for those utilities currently located within this right-of-way, the City will not be adversely affected by the transfer of this right-of-way to Kroger; and

WHEREAS, also per current Transportation Division practice, a request was submitted to the Department of Law, Real Estate Division, asking that they establish a value for this excess right-of-way; and

WHEREAS, a value of \$16,278.00 was established for this right-of-way; and

WHEREAS, the Division of Transportation notified Kroger of the value determination and then forwarded a recommendation to sell this excess right-of-way to the Land Review Commission; and

WHEREAS, per existing Land Review Commission practice Kroger submitted a request for mitigation to the Department of Development and ask for a recommendation to transfer at no charge from the Department; and

WHEREAS, after review the Department of Development submitted a recommendation to transfer this excess right-of-way at no charge to the Land Review Commission; and

WHEREAS, at their regularly scheduled September meeting the Land Review Commission voted, by a vote of 4 to 3, to recommend that the City transfer the above referenced excess right-of-way to Topvalco, Inc. for \$16,278.00; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the transfer of this excess right-of-way so that redevelopment of this University area site can proceed as currently scheduled thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

Section 1. That the Director of the Department of Public Service be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described right-of-way to Topvalco, Inc.; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a portion of Pearl Street (16 feet wide) and an alley (20 feet wide) being part of Lot Number Five (5) north of Sixth Avenue and west of Courtland Avenue to Pearl Street, said Pearl Street and said Lot No. 5 being shown of record in DONALDSON AND BUTLER AMENDED ADDITION of record in Plat Book 2, Page 199, and as said alley was conveyed to THE CITY OF COLUMBUS, OHIO by deed of record in Official Record 764, Page G12 and dedicated by City of Columbus Ordinance No. 914-81, all plat and deed references being to the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning, for reference at a ¼ inch I.D. iron pipe set at the southwest corner of Lot No. 17, at the northwest corner of Lot No. 18, of said DONALDSON AND BUTLER AMENDED ADDITION and in the east line of Pearl Street;

Thence N 03°29'31" E along a portion of the west line of said Lot No. 17 and along a portion of the east line of Pearl Street a distance of 5.37 feet to a ¼ inch I.D. iron pipe set at the **true place of beginning**;

Thence N 86°30'29" W crossing Pearl Street a distance of **16.00 feet** to a MAG nail set in the west line of Pearl Street, in the east line of Lot No. 9, of said DONALDSON AND BUTLER AMENDED ADDITION and in an easterly line of a 2.885 acre tract of land conveyed to Topvalco, Inc. by deed of record in Instrument No. 200212160322463;

Thence N 03°29'31" E along a portion of the east line of Lot No. 9, along the east lines of Lot Nos. 10, 11, 12, along a portion of the west line of Pearl Street as it crosses a portion of said Lot No. 5 of said DONALDSON AND BUTLER AMENDED ADDITION and along a portion of an easterly line of said 2.885 acre tract a distance of **201.79 feet** to a MAG nail set at the northwest corner of the terminus of Pearl Street, at a corner of said 2.885 acre tract and at the southwest corner of the terminus of a previous vacation of a portion of Pearl Street by Ordinance No. 1233-81;

Thence S 86°50'49" E along the north line of the terminus of Pearl Street, along the south line of the terminus of said vacated Pearl Street, along a southerly line of said 2.885 acre tract and along the north line of a 20 feet wide alley as conveyed out of said Lot No. 5 to City of Columbus by deed of record in Official Record 764, Page G12 and dedicated by Ordinance No. 914-81 a distance of **125.82 feet** to a MAG nail set in the west line of Courtland Avenue and at the northeast corner of said 20 feet wide alley;

Thence S 03°26'31" W along the west line of Courtland Avenue extending across the east end of said 20 feet wide alley a distance of **20.00 feet** to a ¼ inch I.D. iron pipe found at the southeast corner of said 20 feet wide alley and at the northeast corner of a 0.072 acre tract of land conveyed to Topvalco, Inc. by deed of record in Instrument No. 200610060200738, said tract being a portion of said Lot No. 5 of DONALDSON AND BUTLER AMENDED ADDITION;

Thence N 86°50'49" W along the south line of said 20 feet wide alley and along the north line of said 0.072 acre tract a distance of **109.84 feet** to a ¼ inch I.D. iron pipe found at the southwest corner of said 20 feet wide alley, at the northwest corner of said 0.072 acre tract and in the east line of Pearl Street;

Thence S 03°29'31" W along the west line of said 0.072 acre tract, along a portion of an east

line of Pearl Street as it crosses said Lot No. 5 of said DONALDSON AND BUTLER AMENDED ADDITION, along the west lines of Lot Nos. 13, 14, 15, 16, and along a portion of the west line of said Lot No. 17 a distance of **181.89 feet** to the **true place of beginning**; containing 0.125 (5,426 sq. ft.) acres of land, more or less.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird and R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from an actual field survey performed under his supervision in May, 2007. Basis of bearings is the west line of Courtland Avenue, being S 03°26'31" W, as transferred from a GPS survey of Franklin County monuments FCGS "GRANDVIEW" AND FCGS 5028 performed by the Franklin County Engineers Office in 1991, and is based on the NAD83 1986 adjustment Ohio State Plane Coordinate System, South Zone.

Section 2. That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quit claim deed to the grantee thereof.

Section 3. That a general utility easement in, on, over, across and through the above described excess right-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said excess right-of-way.

Section 4. That upon notification and verification of the relocation of all utilities located within the retained general utility easement area the Director of the Department of Public Service is hereby authorized to execute those documents necessary to release the retained general utility easement with no additional compensation due to the City and with no further legislative action required by the City.

Section 5. That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.29 with regards to the transfer of this right-of-way.

Section 6. That the \$16,278.00 to be received by the City as consideration for the transfer of this right-of-way shall be deposited in Fund 748, Project 537650.

Section 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

City RFPs, RFQs, and Bids

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 - July 30, 2009 2:00 am

SA003323 - Online Credit Card Payment Services

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope:

1.1.1 It is the intent of the City of Columbus, the Franklin County Municipal Court, Clerk of Court to obtain formal bids to establish a contract for the purchase of support for Online Credit Card Payment Services utilized at the Franklin County Municipal Court, Clerk of Court, Accounting Division, 375 South High Street, 3rd Street, Columbus, Ohio 43215. The service period is for one (1) year.

1.2 Classification:

1.2.1 Proposals will be received by the Franklin County Municipal Court, Clerk of Court located at 375 South High Street, 3rd Floor, Columbus, Ohio 43215 Attn: Ken Euman, Assistant Fiscal Administrator.

1.2.2 To be eligible for consideration, all vendors must meet the following requirements:

A. Vendor affirms that it has at least five (5) years experience processing merchant card transactions through major credit/debit card processing networks.

B. Vendor affirms that it has provided services similar in nature to that requested by the Clerk in this RFP.

C. All services provided shall be in accordance with and governed by applicable statutes and regulations, including the National Automated Clearing House Association (NACHA) Operating Rules and the Federal Reserve Bank Regulation E.

D. Payment Card Industry Security Standards

1. Vendor shall comply with all Payment Card Industry (PCI) security standards, including:

2. Storing cardholder information relating to transactions appropriately, including authorizations, settlements, reversals, etc.

3. Transmitting cardholder transactions appropriately.

E. Backup and Disaster Recovery

1. Vendor shall have an adequate backup and disaster recovery plan, relating to both technical and environmental situations, as dictated by industry best practice and make a summary of such plan available to the Clerk.

2. Vendor shall have an adequate disaster continuance plan in case of isolated and regional natural disasters.

3. Vendor will provide in writing as response to this RFP the prescribed backup and disaster recovery plan.

1.3 Questions

All questions must be submitted by 7/20/2009 at 5:00 p.m. EST via email to Roy Ball at

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ballr@fcmccclerk.com and must include the company name, address and contact name followed by the question. The final addendum listing questions and answers will be communicated to each vendor via email by 7/23/2009 at 1:00 p.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: July 24, 2009

SA003279 - PU/ADM/VULCAN SCREENING PRESS UNIT

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage to solicit formal bids to purchase Vulcan Screening Press Unit for use by the Southerly Wastewater Treatment Plant. This equipment will be used for the influent screening process.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase one (1) complete Vulcan Screening Press Unit. All installation requirements will be done by the City of Columbus Southerly 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: July 01, 2009

SA003312 - Penn Valley Pumps & Pump Parts UTC

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage to solicit formal bids for a Universal Term Contract for the purchase of Penn Valley Pumps and Pump Parts for use by the Jackson Pike Wastewater Treatment Plant. The contract will be in effect for a period of two (2) years to and including December 31, 2011. The estimated amount spent annually from this contract is \$50,000.00.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase of 6" Penn Valley Simplex Double Disc Bare Shaft Pump, 4" Penn Valley Simplex Double Disc Bare Shaft Pump and various replacement parts for both pumps as identified. All orders will be based on as needed basis. Installation requirements will be handled by Sewerage and Drainage Plant personnel. No substitutes will be accepted.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: June 24, 2009

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003314 - PURCHASE OF VACCINES UTC

1.0 SCOPE AND CLASSIFICATION

1.1 Scope: The City of Columbus, Public Health Department (CPH), seeks to establish a Universal Term contract for the purchase of vaccines on an as needed basis. The City estimates that \$175,000.00 will be spent annually for this contract. The contract will expire December 31, 2012.

1.2 Classification: Vaccines to be bid on are: Immunoglobulin, Fluzone, Flumist, Hepatitis A Child 2-dose, Gardasil, Menactra, MMR-II, Rotateq, Adacel, Varivax.. Items will be delivered to 240 Parsons Ave., Immunization Clinic, Columbus, OH 43215.

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 26, 2009

SA003320 - WATER/DIESEL CAB&CHASSIS W/9 FOOT DUMP

1.1 Scope: It is the intent of the City of Columbus, Public Utilities Department, to obtain formal bids to establish a contract(s) for the purchase of two (2) Diesel powered, heavy-duty cab and chassis with a minimum G.V.W. rating of 17,500 pounds equipped with a 9-foot dump body.

1.2 Classification: The contract(s) resulting from this bid proposal will provide for the purchase and delivery, and warranty service of new and unused diesel powered, heavy-duty cab and chassis with a minimum G.V.W. rating of 17,500 pounds equipped with a 9-foot dump body.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 09, 2009

BID OPENING DATE - August 5, 2009 3:00 pm

SA003302 - 75 KW Generator Transport & Installation

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: Sealed proposals will be received by the Director of Public Utilities of the City of Columbus at the office of the Director of Public Utilities, 910 Dublin Road, Room 4002, Columbus, Ohio 43215 until 3:00 p.m., Local Time on Wednesday August 5, 2009, and publicly read at that hour in Department of Public Utilities Complex 910 Dublin Road, 1st Floor Auditorium, Columbus, OH 43215 for the following project: 75 KW GENERATOR TRANSPORT AND INSTALLATION SERVICES.

CLASSIFICATION: All bidders must demonstrate (by means of providing the information requested herein) the ability and means to respond to the specifications within the response times stated. Bidders are required to submit documentation stating their experience in contracts with similar scope of service. Furthermore, bidders are being asked to price Monthly Preventative Maintenance, Service Technician Labor Rate, Helper Labor Rate, Emergency Service Labor Rate, Service Call Fee, and Material Supplies Percentage Mark Up

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. Bids can be downloaded at the Vendor Services website or by contacting Sue McQuirt at (614) 645-7079.
ORIGINAL PUBLISHING DATE: July 14, 2009

BID OPENING DATE - August 7, 2009 4:00 pm

SA003315 - Utility Ticket Management Proposal

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

UTILITY TICKET MANGEMENT PROPOSAL

SCOPE

It is the intent of the City of Columbus, Department of Public Utilities to solicit proposals for a utility ticket management contract for the Damage Prevention Program. The awarded company will manage an established web based One Call utility ticket management program for the Department of Public Utilities, Damage Prevention Program.

The City of Columbus, OH has a service area of approximately 80 square miles. We receive approximately 150,000 tickets per year from the Ohio Utilities Protection Service and will have approximately 20 users of the selected ticket management system. The Damage Prevention Program is required to provide underground utility locating for:

- o Electric
- o Sanitary Sewer
- o Storm Sewer
- o Water

The Damage Prevention Program has a statutory requirement to respond to all locate requests within 48 hours from the time the call is placed. Failure to locate utilities correctly could result in service interruption and damage.

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. Bids can be downloaded at the Vendor Services website. For assistance in obtaining bid packet, contact Sue McQuirt 614-645-7079.

ORIGINAL PUBLISHING DATE: June 26, 2009

BID OPENING DATE - August 12, 2009 3:00 pm

SA003317 - CIP 650344-100001 SWWTP Support Faciliti

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CIP #650344-100001

CONTRACT S77: SOUTHERLY WASTEWATER TREATMENT PLANT, SUPPORT FACILITIES

SCOPE: The City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage is receiving proposals for SOUTHERLY WASTEWATER TREATMENT PLANT, SUPPORT FACILITIES. The work for which proposals are invited consists of the demolition and removal of existing facilities (1 building); renovation, construction, and repurposing of existing facilities (4 buildings); and construction of additional facilities (1 building); all to provide adequate maintenance and operations support and asset management of the upgraded treatment plant. This work includes material hazard abatement, as well as site, architectural, structural, mechanical, and electrical work. All work shall be completed within the Milestone dates established in the Contract.

CLASSIFICATION: There is a Pre-Bid Conference for this Bid. Prevailing Wage Rates apply. A ten percent (10%) proposal bond is required for this bid, and a one hundred percent (100%) performance and payment bond will be required for the making of a contract.

For additional information concerning this bid, including procedures for obtaining a copy of the bidding documents 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 "View Open Solicitations" listing under the "Solicitations" tab.

ORIGINAL PUBLISHING DATE: July 02, 2009

BID OPENING DATE - August 13, 2009 11:00 am

SA003321 - GENERATOR REPAIR AND PM SERVICES UTC

1.1 Scope: It is the intent of the City of Columbus to obtain proposals to establish a Universal Term Contract(s) (UTC) to supply Generator Repair and Preventive Maintenance (PM) Services on an as-needed basis. This UTC contract(s) will provide for Generator Repair and PM Services up to and including April 30, 2011.

1.2 Classification: The contract(s) resulting from this bid proposal will provide for the option of contracting Generator Repair and PM Services for various locations 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: July 22, 2009

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003322 - Water-Differential Pressure Transmitters

1.0 SCOPE AND CLASSIFICATION

1.1 Scope: It is the intent of the City of Columbus, Division of Power and Water, Hap Cremean Water Plant, to obtain formal bids for the purchase of Differential Pressure Transmitters, Software and Modem to replace existing older equipment in the filtration stage of the water treatment process.

1.2 Classification: The bid proposal specifies Siemens manufactured equipment, although bids for alternate manufactured equipment will be evaluated if they meet the minimum specifications. All installation requirements will be handled by City of Columbus personnel.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 14, 2009

SA003326 - FIRE/EMS/BODY ARMOR SYSTEMS

1.0 SCOPE AND CLASSIFICATION

1.1 Scope: The City of Columbus, Division of Fire is seeking bids to enter into contract for the immediate purchase of three-hundred twenty-five (325) body armor vest systems. The vest systems shall be delivered to the Division of Fire at 2028 Williams Road, Columbus, Ohio 43207.

1.2 The vest systems to be purchased shall be new First Choice Armor & Equipment Inertia Level II body armor vest systems with front trauma reduction device, or equal products. The vests shall be worn comfortably while being worn over a shirt. All vests shall provide protection against labeled projectile penetration while reducing resultant blunt trauma and vest distortion to acceptable levels. The alternates bid are not to include components, or finished vests that are of a prototype nature, or have not been in production for a sufficient period of time to prove their performance capabilities.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 23, 2009

BID OPENING DATE - September 15, 2009 10:00 am

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003325 - PSYCHOLOGICAL EVALUATIONS

1.1 Scope: It is the intent of the Franklin County Municipal Court, to obtain formal bids to establish a new contract for the purchase of Psychological Evaluations for criminal defendants requiring mental competency, sanity, and other evaluations. The first year of the contract will be 3/1/10-2/28/11

1.2 Classification: Bids are broken down by standared reports, mulitiple reports, hourly rates and other services. The cost is to be given for each year of the contract. Bidders must meet all the specifications listed inthe bid packet.

There will be a pre-bid meeting on July 31, 2009 at 1:00 a.m. in the Judges conference Room, Franklin County Municipal Court, 375 South Hight Street, 10th Floor, Columbus, OH 43215. There is a performance bond required in the amount of 50% of the total amount of the contract.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 17, 2009

Public Notices

The link to the **Columbus City Health Code** pdf shall constitute publication in the City Bulletin of changes to the Columbus City Health Department's Health Code. To go to the Columbus City Health Code, click [here](#) (pdf).

The Columbus City Code's "**Title 7 -- Health Code**" is separate from the Columbus City Health Code. Changes to "Title 7 -- Health Code" are published in the City Bulletin. To go to the Columbus City Code's "Title 7 -- Health Code," click [here](#) (html).

**City of Columbus
City Bulletin Report**

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

Legislation Number: PN0002-2009

Drafting Date: 12/26/2008

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

**Title OFFICIAL NOTICE
CIVIL SERVICE COMMISSION
COMPETITIVE EXAMINATION ANNOUNCEMENTS**

Notice/Advertisement Title: Civil Service Commission Notice

Contact Name: Annette Bigham

Contact Telephone Number: 614.645.7531

Contact Email Address: eabigham@columbus.gov

Body

OFFICIAL NOTICE
CIVIL SERVICE COMMISSION
COMPETITIVE EXAMINATION ANNOUNCEMENTS

APPLY ON-LINE 24 HOURS A DAY, 7 DAYS A WEEK OR APPLY IN PERSON 9:00 A.M. to 4:00 P.M. MONDAY, WEDNESDAY or THURSDAY.

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is located on our website at www.csc.columbus.gov <<http://www.csc.columbus.gov>> and is also posted at the Commission offices located at 50 West Gay Street, 6th Floor, Columbus, Ohio. Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area. Applicants interested in City jobs should check our website or visit the Commission offices.

Legislation Number: 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.

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 Meeting Notice

Contact Name: Carl Williams

Contact Telephone Number: (614) 645-2932

Contact Email Address: CGWilliams@columbus.gov

Body

Council Member Priscilla R. Tyson will host a Recreation and Parks Committee Meeting on the dates listed below. Unless otherwise noted, the meetings will begin at 5:30 P.M. in City Council Chambers, located on the second floor of City Hall, 90 West Broad Street, Columbus, Ohio.

A valid picture ID is needed to enter City Hall. Members of the general public wishing to address the meeting must fill out a speaker slip. These speaker forms will be made available in Council Chambers from 5:30 until 6:00 P.M. on the day of the meeting.

- No July Meeting
August Recess - No Meeting
- Thursday, September 17, 2009
- Thursday, October 15, 2009
- Thursday, November 19, 2009
Holiday Recess - No Meeting

Meeting dates and times subject to change

Legislation Number: PN0060-2005

Drafting Date: 02/23/2005

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Published Columbus City Health Code

Contact Name: Richard Hicks

Contact Telephone Number: 654-6189

Contact Email Address: rickh@columbus.gov

To view the most current City Health Code, please visit:
<http://www.publichealth.columbus.gov/>

Legislation Number: PN0140-2009

Drafting Date: 06/08/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Health, Housing and Human Services Committee & Workforce Development Committee Meeting

Contact Name: James Ragland

Contact Telephone Number: (614) 645-8580

Contact Email Address: jragland@columbus.gov

Body

Councilmember Tavares' Health, Housing and Human Services Committee / Workforce Development Committee meeting schedule is listed below. Unless otherwise noted, meeting time and location is 5:30 p.m. in the Columbus City Council Chambers. A picture ID is needed to enter City Hall.

Meeting Chair: Councilmember Charleta B. Tavares

Agendas will be posted on the Columbus City Council Website (www.columbuscitycouncil.org) as soon as they are available.

2009

Wednesday, January 21, 2009

Wednesday, February 4, 2009

Wednesday, February 18, 2009

Wednesday, March 4, 2009

Wednesday, March 25, 2009

Wednesday, April 8, 2009

Wednesday, April 22, 2009

Wednesday, May 6, 2009

Wednesday, May 20, 2009

Wednesday, June 3, 2009

Wednesday, July 1, 2009

Wednesday, July 15, 2009

August Recess

Wednesday, September 2, 2009

Wednesday, September 16, 2009

Wednesday, October 7, 2009

Wednesday, October 21, 2009

Wednesday, November 4, 2009

Wednesday, November 18, 2009

Wednesday, December 2, 2009

Wednesday, December 16, 2009

Meeting dates and times subject to change

Legislation Number: PN0157-2009

Drafting Date: 07/13/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Board of Zoning Adjustment July 28, 2009 Public Hearing

Contact Name: David J. Reiss

Contact Telephone Number: 645-7973

Contact Email Address: djreiss@columbus.gov

Body

AGENDA

BOARD OF ZONING ADJUSTMENT

CITY OF COLUMBUS, OHIO

JULY 28, 2009

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, JULY 28, 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.

AGENDA IS ATTACHED

Legislation Number: PN0161-2009

Drafting Date: 07/16/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Public Notice

Notice/Advertisement Title: Required Authorizations from the Director of Public Utilities Prior To Work On City Water and Sewer Lines

Contact Name: Dan Hanket

Contract Telephone Number: (614) 645-3753

Contract E-mail: DJHanket@columbus.gov

Body

OFFICIAL NOTICE

RULES AND REGULATION NO. 09-02

BY THE ORDER OF THE

DIRECTOR OF PUBLIC UTILITIES

See Required Authorizations From The Director of Public Utilities Prior To Work On City Water and Sewer Lines

Effective July 22, 2009.

By Order Of:
Tatyana Arsh, P.E.
Director
Department of Public Utilities

Legislation Number: PN0162-2009

Drafting Date: 07/17/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Historic Preservation Working Group Public Meeting

Contact Name: Vince Papsidero, AICP, Planning Administrator

Contact Telephone Number: 645-8030

Contact Email Address: vapapsidero@columbus.gov

Body

A public meeting has been scheduled for Tuesday, July 28th from 6:15 pm to 7:30 pm for the purpose of discussing the recommendations of the Historic Preservation Working Group's Final Report, *Concepts for Change*. The meeting will be held at 109 N. Front Street in the Training Center (parking is provided on site and on the street after 6:00pm). The working group will be in attendance. The meeting will include a presentation summarizing the report's various recommendations, and a period for questions and answers, and general discussion. Copies of the report can be downloaded from the city website at:

http://development.columbus.gov/Asset/iu_files/PlanList/HPWG_Final_Report_06-19-09.pdf.

A sign language interpreter will be made available provided the Planning / Historic Preservation Office has at least 48 hours notice before the meeting. Call 645-8036 to make the arrangements.

Legislation Number: PN0163-2009

Drafting Date: 07/21/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: City Council Zoning Agenda for 07/27/2009

Contact Name: Shezronne Zaccardi

Contact Telephone Number: 614-645-1695

Contact Email Address: sezaccardi@columbus.gov

Body

REGULAR MEETING NO. 39

CITY COUNCIL (ZONING)

JULY 27, 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

0940-2009

To rezone 1382 GRANDVIEW AVENUE (43212), being 0.81± acres located on the east side of Grandview Avenue, 125± feet north of West Third Avenue, From: C-4, Commercial and L-P-1, Limited Parking Districts, To: CPD, Commercial Planned Development District (Rezoning # Z09-012).

(TABLED 7/20/2009)

Legislation Number: PN0307-2008

Drafting Date: 12/22/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: 2009 REGULAR MEETINGS OF COLUMBUS RECREATION AND PARKS COMMISSION

Contact Name: Chris Snyder

Contact Telephone Number: 645-7468

Contact Email Address: crsnyder@columbus.gov

Body

EXHIBIT A

NOTICE OF REGULAR MEETINGS

COLUMBUS RECREATION AND PARKS COMMISSION

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercises certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at 8:30 a.m. on the following dates and locations (unless otherwise posted):

Wednesday, January 14, 2009 -1111 East Broad Street, 43205

Wednesday, February 11, 2009 -1111 East Broad Street, 43205

Wednesday, March 11, 2009 -- 1111 East Broad Street, 43205

Wednesday, April 8, 2009 -- 1111 East Broad Street, 43205

Wednesday, May 13, 2009 - 1111 East Broad Street, 43205

Wednesday, June 10, 2009 - Gillie Recreation Center, 4625 Morse Centre Drive, 43229

Wednesday, July 8, 2009 - Westgate Shelterhouse, 3271 Wicklow Road, 43204

August Recess - No meeting

Wednesday, September 9, 2009 - Schiller Recreation Center, 1069 Jaeger Street, 43206

Wednesday, October 14, 2009 - Mentel Golf Course, 6005 Alkire Road, Galloway, 43119

Wednesday, November 11, 2009 - 1111 East Broad Street, 43205

Wednesday, December 9, 2009 - 1111 East Broad Street, 43205

**AGENDA
BOARD OF ZONING ADJUSTMENT
CITY OF COLUMBUS, OHIO
JULY 28, 2009**

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.: 09310-00116**
Location: 1297 OAKLAND PARK (43224), located on the south side of Oakland Park, approximately 220' east of Karl Road.
Area Comm./Civic: North Linden Area Commission
Existing Zoning: R-3, Residential District
Request: Variance(s) to Section(s):
3332.26, Minimum side yard permitted.
To reduce the minimum side yard from 3' to 1' along the east lot line.
Proposal: To construct a carport.
Applicant(s): Roger Runion
8467 St.Rte. 316 W.
Orient, OH 43146
Property Owner(s): Salvatore Lipari
1297 Oakland Park Ave.
Columbus, OH 43224
Case Planner: Jamie Freise, 645-6350
E-mail: JFFreise@Columbus.gov#http://JFFreise@Columbus.gov#
- 3. Application No.: 09310-00127**
Location: 6166 BRISTOL RIDGE DRIVE (43110), located northeast of the intersection of Brice Rd. & Winchester Pk.
Area Comm./Civic: Southeast Community Coalition
Existing Zoning: NC & NG, Neighborhood Center and Neighborhood General District
Request: Variance(s) to Section(s):
3320.17 B. 8., Mandatory Elements.
To not provide play equipment for children in at least one civic space in a Traditional Neighborhood Development (TND) district developed with single-family dwellings.
3320.19, Private buildings.

To not provide a garage for some Neighborhood Center lots when units are not accessed by an alley or lane.

Proposal: To allow development in a Traditional Neighborhood Development (TND) district that does not include play equipment for children in a district containing one-family dwellings and that does not include a garage for Neighborhood Center units which are not accessed by an alley or lane.

Applicant(s): Village Communities; c/o David Hodge; Smith & Hale, L.L.C.
37 W. Broad St., Suite 725
Columbus, Ohio 43215

Property Owner(s): Glen at Schirm Farms L.L.C., et. al.
470 Olde Worthington Rd.
Westerville, Ohio 43082

Case Planner: Dave Reiss, 645-7973
E-mail: DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#

4. **Application No.:** 09310-00134
Location: 135 PRESTON DRIVE (43209), located at the northwest corner of Preston Drive and Barton Place.
Area Comm./Civic: None
Existing Zoning: RRR, Restricted Rural Residential District
Request: Variance(s) to Section(s):
3332.21, Building lines.
To reduce the building line from 25' to 16'.
Proposal: To construct a fireplace.
Applicant(s): Mary Weiler
135 Preston Drive
Columbus, OH 43209
Property Owner(s): Applicant
Case Planner: Jamie Freise, 645-6350
E-mail: JFFreise@Columbus.gov#http://JFFreise@Columbus.gov#

5. **Application No.:** 09310-00135
Location: 1070 MICHIGAN AVE. (43201), located on the east side of Michigan Ave., approximately 150' north of West Second Ave.
Area Comm./Civic: Harrison West Society
Existing Zoning: R-2F, Residential District
Request: Variance(s) to Section(s):
3332.14, R-2F area district requirements.
To reduce the lot area from 6,000 sq.ft. to 2,626 sq.ft.
3332.05, Area district lot width requirements.
To reduce lot width from 50' to 30'.
3342.28, Minimum number of parking spaces required.
To reduce the minimum number of parking spaces from 4 to 0.
Proposal: To legitimize a two family dwelling.
Applicant(s): Tim Schwerling
1059 Michigan Ave.
Columbus, OH 43201
Property Owner(s): Applicant
Case Planner: Jamie Freise, 645-6350
E-mail: JFFreise@Columbus.gov#http://JFFreise@Columbus.gov#

6. **Application No.:** 09310-00138
Location: 2129 SUNBURY ROAD (43219), located at the southwest corner of East 5th Ave. and Sunbury Road.
Area Comm./Civic: North Central 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 8 to 0.

Proposal: A change of use from residential to a beauty salon.
Applicant(s): Dino Smith and Stacia Williams
6288 Alissa Ln.
Columbus, OH 43213
Property Owner(s): Pillar Properties, LLC
PO Box 13321
Columbus, OH 43213
Case Planner: Jamie Freise, 645-6350
E-mail: JFFreise@Columbus.gov#http://JFFreise@Columbus.gov#

7. **Application No.:** 09310-00136
Location: 282 EAST KANAWHA AVENUE (43214), located on the north side of E. Kanawha Ave., 250 ft. east of Foster Ave.
Area Comm./Civic: Clintonville Area Commission
Existing Zoning: SR, Suburban Residential District
Request: Variance(s) to Section(s):
3332.26, Minimum side yard permitted.
To reduce the minimum side yard from 5 ft. to 3 ft.
Proposal: To construct a room addition onto a single-family dwelling.
Applicant(s): Same as owner.
Property Owner(s): Tom Eastwood
282 E. Kanawha Ave.
Columbus, Ohio 43214
Case Planner: Dave Reiss, 645-7973
E-mail: DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#
8. **Application No.:** 09310-00140
Location: 224 WALHALLA ROAD (43202), located at the southwest corner of E. California Ave. & Calumet St.
Area Comm./Civic: Clintonville Area Commission
Existing Zoning: RRR, Restricted Rural Residential District
Request: Variance(s) to Section(s):
3332.25, Maximum side yards required.
To reduce the sum of the widths of the required side yards from 20% (12 ft.) to approximately 8.5% (5 ft.).
3332.26, Minimum side yard permitted.
To reduce the minimum side yard from 7.5 ft. to 2.5 ft. (5 ft.).
Proposal: To construct a deck at a single-family residence.
Applicant(s): Same as owner.
Property Owner(s): Gregory S. Baker
224 Walhalla Rd.
Columbus, Ohio 43202
Case Planner: Dave Reiss, 645-7973
E-mail: DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#
9. **Application No.:** 09310-00141
Location: 715 MARION ROAD (43207), located on the south side of Marion Rd., approximately 880 ft. west of Champion Ave.
Area Comm./Civic: Columbus South Side Area Commission
Existing Zoning: M, Manufacturing District
Request: Special Permit & Variance(s) to Section(s):
3389.07, Impound lot, junk yard or salvage yard.
To permit the establishment of a salvage/recycling operation.
3342.24, Surface.
To maintain a gravel surface for driveways, aisles and parking.

Proposal: To establish a recycling facility.
Applicant(s): B.S.S. Waste; c/o Donald Plank; Plank and Brahm
145 E. Rich St.
Columbus, Ohio 43215
Property Owner(s): Cra-Co Investments, L.L.C.; c/o Donald Plank; Plank and Brahm
145 E. Rich St.
Columbus, Ohio 43215
Case Planner: Dave Reiss, 645-7973
E-mail: DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#

10. **Application No.:** 09310-00142
Location: 935-951 NORTH HIGH STREET (A.K.A. 925-941 NORTH HIGH STREET) (43201), located at the southwest corner of W. 2nd Ave. & N. High St.
Area Comm./Civic: Victorian Village 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 required parking spaces from 53 to 0.
Proposal: To convert first floor office/retail space into a parking garage and to construct a 3 story addition to the existing building for offices and dwelling units on the 2nd - 4th floors.
Applicant(s): Wood Real Estate, L.L.C.; c/o Donald Plank; Plank and Brahm
145 E. Rich St.
Columbus, Ohio 43215
Property Owner(s): Same as applicant.
Case Planner: Dave Reiss, 645-7973
E-mail: DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#

11. **Application No.:** 09310-00143
Location: 764 SOUTH SIXTH STREET (43206), located on the east side of S. Sixth St., 62.5 ft. south of Frankfort St.
Area Comm./Civic: German Village
Existing Zoning: R-2F, Residential. District
Request: Variance(s) to Section(s):
3332.25, Maximum side yards required.
To reduce the maximum side yards required from 20% of the width of the lot (6.25 ft.) to as little as 11.8% of the width of the lot (3.7 ft.)
3332.26, Minimum side yard permitted.
To reduce the minimum side yard from 3 ft. to as little as 0.2 ft. along the north lot line.
Proposal: To construct an addition onto a single-family dwelling.
Applicant(s): Robert Pomante
949 Oakland Park Ave.
Columbus, Ohio 43206
Property Owner(s): David & Cindy Holloway
764 S. Sixth St.
Columbus, Ohio 43206
Case Planner: Dave Reiss, 645-7973
E-mail: DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#

HOLDOVER CASE(S):

12. **Application No.:** 09310-00061
Location: 33 EAST 17TH AVENUE (43201), located at the southeast corner of E. 17th Ave. & Pearl Al.
Area Comm./Civic: University Area Commission
Existing Zoning: AR-4, Apartment Residential District
Request: Variance(s) to Section(s):

3333.355, Rooftop telecommunication installation.

To allow the installation of a rooftop telecommunication antenna on a building that is not 60 ft. in height.

Proposal: To permit the installation of a rooftop antenna on a residential apartment building.

Applicant(s): T-Mobile; c/o LJS Development
140 Sherwood Dr.
McMurray, Pennsylvania 15317

Property Owner(s): Buckeye Real Estate
48 E. 15th Ave.
Columbus, Ohio 43201

Case Planner: Dave Reiss, 645-7973

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OFFICIAL NOTICE

RULES AND REGULATIONS NO: 09-02
BY ORDER OF
THE DIRECTOR PUBLIC UTILITIES

Effective July 22, 2009

Pursuant to Columbus City Code §1131.02 and §1103.06, the Director of the Department of Public Utilities (“DPU”) hereby adopts, establishes, and publishes these rules and regulations to be effective on July 22, 2009. These rules and regulations are in addition to any requirements presently established or as may be established from time to time by Ordinance or Resolution of City Council or by rules and regulations that may be adopted by the Department of Public Utilities or other offices, boards, commissions, agencies, divisions, or departments of the City.

DIRECTOR 'S REGULATIONS PURSUANT TO CITY CODE CHAPTERS 1103 and 1131 TO ESTABLISH REQUIRED AUTHORIZATIONS FROM THE DPU DIRECTOR PRIOR TO WORK ON CITY WATER AND SEWER LINES.

Pursuant to Columbus City Code, the Director establishes the following procedures for obtaining contractor authorizations to work on the City’s water or sewer lines.

PURPOSE: The purpose of this rule and regulation is to ensure that contractors who work on the City’s water and sewer lines have the minimum qualifications and experience.

A. Current licensed sewer contractors working on City sewer lines

1. Licensed sewer contractors under City Code § 4114 as of July 22, 2009 must submit a pre-approval application on a form prescribed by the DPU Director to the DPU Contractor Review Committee, 910 Dublin Road, Columbus, Ohio 43215 no later than August 31, 2009 to continue to work on sewer lines after that date.
2. No additional bond or fee will be required.
3. Failure to timely submit the application will disqualify the company or individual from working on City sewer lines until the required authorization and license are obtained.

B. Current licensed sewer contractors working on City water lines

1. Currently licensed sewer contractors that have demonstrated prior experience in the installation and/or repair of water systems (including water service lines and taps) must submit a pre-approval application on a form prescribed by the DPU Director to the DPU Contractor Review Committee, 910 Dublin Road, Columbus, Ohio 43215 no later than August 31, 2009 to continue to work on City water lines after that date.
2. The sewer license will be converted to a water/sewer contractor license by the Licensing Section.
3. No additional bond or fee will be required.
4. Failure to timely submit the application will disqualify the company or individual from working on both City water and sewer lines until the required authorization and license are obtained.

C. New applications

1. Application

Contractors who wish to work on City sewer and/or water lines must complete a pre-approval application on a form prescribed by the DPU Director to the DPU Contractor Review Committee, 910 Dublin Road, Columbus, Ohio 43215.

2. Minimum Experience

Applicants for a sewer authorization and license, a water authorization and license, or a combined water/sewer license shall provide evidence in writing that they have:

- a. at least three years of cumulative work experience under the supervision of a Columbus or other recognized jurisdiction's licensed contractor on sewer lines, water systems (including water service lines and taps), or combined sewer and water lines or systems; or
- b. a current, valid license as a contractor in another recognized city, county, or state to work on sewer, water, or combined sewer/water lines or systems; or
- c. two full years of experience working on sewer lines, water systems, or combined sewer/water lines or systems.

3. Interview

Applicants must successfully pass an in-person interview conducted by an appointed DPU review panel at the DPU administrative offices located at 910 Dublin Road, Columbus Ohio 43215 prior to issuance of the authorization.

4. Upon approval of the application and issuance of the authorization, DPU will forward it to the Licensing Section of Building Services within the Department of Development for final review and approval and issuance of the license.

5. Applicants must complete the licensing process with Building Services by obtaining a \$25,000 surety bond, providing proof of insurance, and paying all applicable fees to the Licensing Section.

D. Expiration and Renewal of DPU Authorization

1. Beginning Fall Quarter 2009, Director authorizations shall expire at the end of the quarter designated for persons whose surnames initial letter falls within that quarter's range as follows:

Quarter	Range of Initials	Expiration Date
Fall	A through F	December 31
Winter	G through L	March 31
Spring	M through R	June 30
Summer	S through Z	September 30

2. Failure to renew and/or complete the renewal process of a Director's authorization under this rule within thirty calendar days following its expiration shall require a new application.

E. Oversight of Authorizations and Licenses

1. Pursuant to CC 4114.003, the Boards of Review will continue to exercise their oversight of Department of Development issued licenses
2. The DPU Director will exercise oversight of DPU authorizations and may revoke a sewer, water, or combined sewer/water authorization for good cause shown.

Date: _____

Tatyana Arsh, P.E., Director
Department of Public Utilities