

Columbus City Bulletin



Bulletin 46 November 16, 2002

(Including Ordinances and Resolution Acted Upon at the November 11, 2002 Meeting of Columbus City Council)



Proceedings of City Council

Vol. LXXXVII

Saturday, November 16, 2002

NO. 46

**PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO. 48
MONDAY, NOVEMBER 11, 2002 AT 5:00 P.M.**

Council met in regular session with President Matthew D. Habash in the chair. The roll being called, the following members were present: Kevin L. Boyce, Jennette B. Bradley, President Pro Tem Michael C. Mentel, Maryellen O'Shaughnessy, Richard W. Sensenbrenner, Charleta B. Tavares and President Matthew D. Habash.

There being a quorum present, Council adopted a motion to dispense with reading of the minutes of the previous session and to accept the journal as recorded.

APPOINTMENTS:

The following were hereby reappointed to serve on the Committee on Disability Issues: Geary Burke, Patricia Ware and Leslie Paul terms expiring September 30, 2005.

The following was hereby appointed to serve on the Committee on Disability Issues: Rebekah Landes term expiring September 30, 2005.

The following was hereby reappointed to serve on the Sewer and Water Advisory Board: Robert Clemons term expiring February 26, 2006.

The following were hereby reappointed to serve on the Joint Columbus and Franklin County Housing Advisory Board: Patricia Cash, Kevin Randolph, Adam Troy and Dennis Guest terms expiring December 31, 2005.

**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. 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, and details pertaining to official actions of all city departments.

Subscriptions by mail, \$164.00 a Year in advance.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF MONDAY, NOVEMBER 11, 2002:

New Type: D5
To: Kyle Katz
 440 W Nationwide Blvd
 Columbus Ohio 43215

New Type: C2
To: Penn Traffic Co
 DBA Big Bear
 100 Dillmont Dr
 Columbus Ohio 43085

New Type: D3
To: Mehfil Inc
 6100 Sawmill Rd
 Columbus Ohio 43017

Transfer Type: D5J, D6
To: Columbus Hospitality LLC
 DBA Margarita Mamas
 391 Neil Ave & Patio
 Columbus Ohio 43215
From: Unit 41 Inc
 DBA Margarita Mamas
 391 Neil Ave & Patio
 Columbus Ohio 43215

Transfer Type: D1, D2, D3, D3A
To: Xando COSI Inc
 DBA COSI
 1372 Grandview Ave
 Columbus Ohio 43212
From: LBR 2014 Corp
 DBA D & R Lounge
 2013 Lockbourne Rd
 Columbus Ohio 43207

Transfer Type: D1, D3, D3A, D6
To: After Hours Sports Club Inc
 DBA After Hours Sports Club
 1644 E Dublin Granville Rd
 Columbus Ohio 43229
From: Olentangy Partners I Inc
 DBA Woodys Sports Club & Patio
 2933 Olentangy River Rd
 Columbus Ohio 43202

NOTICE:

The Franklin County Board of Elections has checked the signatures on the Initiative Petition for Big Darby Watershed. A total of 5949 signatures on 320 part petitions were checked. The results of the Boards review are as follows;

4162	-	VALID SIGNATURES
835	-	NOT REGISTERED
636	-	OUT OF DISTRICT
25	-	BAD ADDRESS
2	-	BAD DATE
19	-	PRINTED SIGNATURE
107	-	ILLEGIBLE
133	-	DUPLICATE
30	-	NOT GENUINE
5949	-	TOTAL SIGNATURES

(11/16/02)

ORDINANCES

ORD. NO. 1622-02

To authorize the Finance Director to establish a purchase order with Metamap, Inc. for the purchase of customized Metamap software for the Division of Electricity under the provisions of Columbus City Codes for sole source procurement, and to authorize the expenditure of \$65,223.80 from the Division of Electricity Operating Fund. (\$65,223.80)

WHEREAS, the Division of Electricity wishes to purchase additional software to enhance its existing Metamap system to improve capabilities in locating electric lines, poles, street lighting, and existing and potential customers, and

WHEREAS, Metamap, Inc. is the sole source for Metamap Software currently used by the Division of Electricity, now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Finance Director be and is hereby authorized to establish a purchase order for the purchase of Metamap Software and License from Metamap, Inc., in an amount not to exceed \$65,223.80, for the Division of Electricity.

SECTION 2. That the provisions of Columbus City Codes, 1959, Section 329.07, Sole Source Procurement, are met for said purchase.

SECTION 3. That to pay the cost of the aforesaid purchase, the expenditure of \$65,223.80, or so much thereof as maybe needed, is hereby authorized from the Division of Electricity Operating Fund 550, Division Number 60-07, OCA 600783, Object Level Three 2224.

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

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest,
 Timothy McSweeney, City Clerk

ORD. NO. 1623-02

To authorize the Director of Public Utilities to enter into an reimbursement agreement with Dominion Homes for the construction of the South Old State Road Water Line and to authorize the expenditure of \$24,938.56 from the Water Works Enlargement Voted 1991 Bonds Fund for the Division of Water. (\$24,938.56)

WHEREAS, Dominion Homes hereinafter designated the developer, desires to provide water service to his development with the extension of an eight (8) inch water line; and

WHEREAS, the Division of Water has requested that the developer increase the size of the proposed water line to twelve (12) inch to ensure adequate fire protection in the immediate area and to reinforce the overall distribution system, and

WHEREAS, it is the policy of the City to pay a developer the difference in material costs for installing a water line larger that is required for their development, as per Columbus City Code Section 1105.15, paragraph C-1, and

WHEREAS, in the usual daily operation of the Division of Water, Department of Public Utilities, it has become necessary to authorize payment to the Developer for the installation of a twelve (12) inch water line along South Old State Road for the immediate preservation of the public health, peace, property, welfare and safety, Now, Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of Public Utilities is hereby authorized to enter into an agreement with Dominion Homes, 5501 Frantz Road, Dublin, Ohio 43017 for the purpose of constructing a twelve (12) inch water line along South Old State Road.

Section 2. That the expenditure of \$24,938.56 be and the same is hereby authorized from the Water Works Enlargement Voted 1991 Bonds Fund No. 606, Department 60, Division 09, OCA Code 642900, Object Level Three 6629, Object Level One 06, Project No. 690026, for the aforesaid purpose.

Section 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the department administering said project; that the project has been completed and the monies are no longer required for said project except that no transfer shall be so made from a project account funded by monies from more than one source.

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

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest,
 Timothy McSweeney, City Clerk

ORD. NO. 1624-02

To authorize the Director of the Public Service Department to execute those documents required to transfer those rights-of-way identified as Fox Haven Court and that portion of "Old" Lazelle Road from Fox Haven Court to I-71 to Dominion Homes, me.; and to waive the competitive bidding provisions of Columbus City Codes.

WHEREAS, the City of Columbus, is the owner of those rights-of-way identified as Fox Haven Court and that portion of "Old" Lazelle Road from Fox Haven Court to I-71, and

WHEREAS, the Public Service Department, Transportation Division, received a request from the adjacent property owner, Dominion Homes, Inc., (hereinafter "Dominion Homes") asking for the opportunity to acquire these rights-of-way to allow for future developments of their adjacent properties; and

WHEREAS, after investigation, it has been determined that the transfer of the requested rights-of-way will not adversely affect the City; and

WHEREAS, the Department of Law, Real Estate Division established an estimated value of \$1.45 per square foot for these rights-of-way;
 and

WHEREAS, Dominion Homes requested this price be mitigated in recognition of the following 1) the value of 0.53 acres of new Lazelle Road right-of-way that Dominion Homes has agreed to donate to the City of Columbus; 2) the cost of two eastbound left turn lanes from Lazelle Road into the proposed development that Dominion Homes has agreed to construct; and 3) the cost of the engineering for a proposed traffic signal and turn lanes from Lazelle Road onto Worthington Road that Dominion Homes has agreed to pay for; and

WHEREAS, the Land Review Commission voted to recommend that these rights-of-way be transferred to Dominion Homes at no charge in recognition of the above referenced items that will enhance the general welfare of the City of Columbus; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1 That the Director of the Public Service Department 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 rights-of-way to Dominion Homes, Inc; to-wit:

Fox Haven Court:

Situated in the City of Columbus, County of Delaware, and State of Ohio located in part of Farm Lot 11, Section 4, Township 3, Range 18 United States Military Lands, being the dedicated right-of-way of Fox Haven Court as shown on a plat entitled Fox Haven Estates as recorded in Plat Book 14, Page 126, being more particularly described as follows:

Commencing, for reference, at a railroad spike found on the line common to Franklin County and Delaware County at the southwesterly corner of said Fox Haven Estates;

Thence North 06°39' 38" East, along the westerly line of said Fox Haven Estates, a distance of 35.49 feet to a point on the northerly right-of-way of Lazelle Road and the westerly line of said Fox Haven Court, being the TRUE PLACE OF BEGINNING of the herein described road;

Thence, along the right-of-way of said Fox Haven Court, the following 10 courses and distances:

- 1) North 06°39' 38" East, a distance of 3.33 feet to a railroad spike found;
- 2) Along the arc of a curve to the left having a radius of 20.00 feet, and a delta angle of 33°23'59", an arc length of 11.66 feet, a chord bearing of N 31°41'54" E and chord distance of 11.49 feet to a point;
- 3) North 14°59'55" East, a distance of 87.81 feet to a point,
- 4) Along the arc of a curve to the right having a radius of 350.00 feet and a delta angle of 24°01'01", an arc length of 146.71 feet, a chord bearing of N 27°00'25" E, a chord distance of 145.64 feet to a point;
- 5) Along the arc of a curve to the left having a radius of 60.00 feet, and a delta angle of 33°10'48", an arc length of 34.75 feet, a chord bearing of N 22°25'32" E, a chord distance of 34.26 feet to a point;
- 6) Along the arc of a curve to the right having a radius of 55.00 feet, and a delta angle of 256°03'58", an arc length of 245.81 feet, a chord bearing of S 46°07'53" E, a chord distance of 86.64 feet to a point;
- 7) Along the arc of a curve to the left having a radius of 60.00 feet, and a delta angle of 46°42'26", an arc length of 48.91 feet, a chord bearing of S 58°32'53" W, a chord distance of 47.57 feet to a point;
- 8) Along the arc of a curve to the left having a radius of 290.00 feet, and a delta angle of 20°11'45", an arc length of 102.22 feet, a chord bearing of S 25°05'48" W a chord distance of 101.69 feet to a point;
- 9) South 14°59'55" West, a distance of 87.78 feet to a point;
- 10) Along the arc of a curve to the left having a radius of 20.00 feet, and a delta angle of 46°10'02", an arc length of 16.12 feet, a chord bearing of S 8°05' 14" E, a chord distance of 15.68 feet to a point;

Thence through said Fox Haven Court, along the arc of a curve to the left having a radius of 1004.93 feet, and a delta angle of 3°56'00", an arc length of 68.98, a chord bearing of N 74°55'19" W, a chord distance of 68.97 feet to the TRUE POINT OF BEGINNING.

Containing 0.564 acres of land, more or less.

Bearings are based on the Ohio State Plane coordinate System of 1983-Lambert Projection, United States Geodetic Services, taken with GPS observations.

The above Legal Description is based on and referenced to a plat of survey entitled "Plat of Survey Of Fox Haven Court" by Floyd Browne Associates, Inc., dated October 11, 2002.

All references are to the records of the Recorder's Office, Delaware County, Ohio.

John R. Faber, P.S. Registered Surveyor No. 6784

"Old Lazelle Road"

Situated in the City of Columbus, County of Delaware and State of Ohio, located in part of Farm Lot 11, Section 4, Township 3, Range 18, United States Military Lands, being a 30 foot wide strip of land along Lazelle Road, being more particularly described as follows:

Commencing, for reference, at the southeast corner of Lot 557 of Fox Haven Estates as recorded in Plat Book 14, Page 126 on the line common to said Delaware County and Franklin County;

Thence, North 86°39'26" West, along the southerly line of said Lot 557 and said County Line, a distance of 213.24 feet to a point on the westerly limited access right-of-way line of Interstate 71, being the TRUE PLACE OF BEGINNING;

Thence, North 86°39'26" West, continuing along the southerly line of said Lot 557 and said County line, a distance of 416.81 feet to a point;

Thence, along the arc of a curve to the left having a radius of 1004.93 feet and a delta angle of 4°26'52", an arc length of 78.01 feet, a chord bearing of North 70°43'53" West and a chord length of 77.99 feet to a point on the easterly bounds of Fox Haven Court (Township Road 395)

Thence, along said Fox Haven Court along the arc of a curve to the right having a radius of 20.00 feet and a delta angle of 26°39'31", an arc length of 9.31 feet, a chord bearing of North 17°50'30" West and a chord length of 9.22 feet, to a point on said easterly bounds, being on the northerly right-of-way line of Lazelle Road;

Thence, South 86°39'26" East, through said Lot 557 and along said right-of-way line, a distance of 495.68 feet to a point on said limited access right-of-way line;

Thence, South 04°22'22" West, continuing through said Lot 557 and along said limited access right-of-way line, a distance of 30.00 feet to the TRUE PLACE OF BEGINNING.

Containing 0.320 acres, more or less.

Bearings are based on the Ohio State Plane Coordinate System of 1983- Lambert Projection, United States Geodetic Services, taken with GPS observations.

The above Legal Description is based on and referenced to a plat of survey entitled "Plat of A Portion of Lazelle Road" by Floyd Browne Associates Inc dated October 11, 2002.

All references are to the records of the Recorder's Office, Delaware County, Ohio.

John R. Faber, P.S. Registered Surveyor No. 6784

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 receipt of verification that all existing utilities have been relocated the Director of the Public Service Department is hereby authorized to execute those documents prepared by the Department of Law, Real Estate Division, necessary to release the above referenced general utility easement without any compensation to the City and without further legislative action being required.

Section 5. That this Council has determined it is in the best interest of the City of Columbus to allow these rights-of-way to be transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to the transfer of these properties.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1625-02

To authorize the Director of the Public Service Department to execute those documents required to sell the alley south of Mt. Vernon Avenue from Twenty-first Street to the alley east thereof to The Trustee Board of the Mt. Vernon Avenue African Methodist Episcopal Church; and to waive the competitive bidding provisions of Columbus City Codes.

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, is the owner of the alley south of Mt. Vernon Avenue from Twenty-first Street to the alley east thereof; and

WHEREAS, The Trustee Board of the Mt. Vernon Avenue African Methodist Episcopal Church has requested the opportunity to purchase this right-of-way, more specifically described in the body of this legislation, to allow for additional parking and security for their Church facilities; and

WHEREAS, the Department of Law, Real Estate Division established an estimated value of \$2,381.00 for this right-of-way; and

WHEREAS, after investigation, it has been determined that the transfer of the requested right-of-way will not adversely affect the City; and

WHEREAS, the Land Review Commission voted to recommend that the requested right-of-way be sold to The Trustee Board of the Mt.

Vernon Avenue African Methodist Episcopal Church, for \$2,381.00; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Public Service Department 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 The Trustee Board of the Mt. Vernon Avenue African Methodist Episcopal Church, for \$2,381.00; to-wit:

Real estate situated in the City of Columbus; part of Half Section 13, Township 5, Range 22 of the Refugee Lands; in Franklin County, Ohio; being a 20 foot wide alley owned by said City of Columbus, Ohio; and being further bounded and described as follows:

Beginning for reference at an iron pipe found at the intersection of the east line of Twenty-First Street (50' R/W) with the southerly line of Mt. Vernon Avenue (66' R/W). Also being the northwesterly corner of Lot 4 of English & Monypeny's Subdivision (Plat Book 3, Page 17).

Thence South 00°11'49" West, 119.85 feet along said east line of Twenty-First Street and the west line of said Lot 4 to a masonry nail set at the southwest corner of said lot, being the True Point of Beginning.

Thence North 74°00'22" East, 104.36 feet along the southerly lines of said Lot 4, and Lots 5 & 6, all of which are owned by Mt. Vernon Avenue A.M.E. Church (010-067022, 04/11/1920) to an iron pipe found at the southwest corner of Lot 21 of Beatty & Hane's Addition (Plat Book 3, Page 290).

Thence South 00°15'34" West, 20 feet crossing said 20 foot wide alley to a magnetic nail set on the northeasterly corner of Lot 26 of said English & Monypeny's Subdivision which is also owned by Mt. Vernon Avenue A.M.E. Church (010-046584, 5/28/1982), the south line of Lot 23 which is owned by Geneva Harmon (010-040085, 12/27/1979), and another tract owned by said Mt. Vernon Avenue A.M.E. Church (010-006759, 2/16/01).

Thence South 74°00'22" West, 104.33 feet along the northerly line of said Lot 26 to a magnetic nail set on said easterly line of Twenty-First Street.

Thence North 00°11'49" East, 20.00 feet along said east line to the True Point of Beginning.

The basis of bearing was assumed from a previous survey. The tract as described from an actual field survey performed on or about February 18, 2002, by Registered Surveyor, Joseph P. Friday (S-7277), contains 0.046 acre, more or less. All iron rods set are Vi" X 30" with plastic I.D. caps. The plat of survey is on file in the map room of the Franklin County Engineer.

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 deeds to the grantees 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 the \$2,381.00 to be received by the City as consideration for the sale of this right-of-way shall be deposited in Fund 748, Project 537650.

Section 5. That this Council has determined it is in the best interest of the City of Columbus to allow these rights-of-way to be sold without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to the transfer of these properties.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1653-02

To rezone 2527 WEST DUBLIN-GRANVILLE ROAD (43207), being 0.55± acres located on the south side of West Dublin-Granville Road, 150± feet east of McVey Boulevard, From: R, Rural District To: L-C-4, Limited Commercial District.

WHEREAS, application #ZOO-106 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.55± acres from the R, Rural District to L-C-4, Limited Commercial 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 requested L-C-4, Commercial District brings the existing veterinary hospital and office into zoning conformance. The proposed limitation overlay establishes appropriate use restrictions and development standards, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

DESCRIPTION OF .0551, MORE OR LESS, ACRE TRACT OF LAND
FRANKLIN COUNTY, CITY OF COLUMBUS, OHIO

Situated in the State of Ohio, County of Franklin, Township of Perry, being a part of Section 4, Township 2, Range 19, United States Military Lands, containing 0.551 acres of land, more or less, out of that 0.686 acre tract of land (Auditor's Parcel No. 213-000230) as described in a deed to Donn W. Griffith and Gayle P. Griffith, of record in Instrument No. 20001180011040 (all references to instruments, official records, deed books or miscellaneous records refer to the records of the Recorder's Office, Franklin County, Ohio) said 0.551 acre tract being bounded and described as follows:

Beginning, for reference, at the centerline intersection of West Dublin-Granville Road (State Route 161) with the centerline of McVey Boulevard, thence easterly, with the centerline of said West Dublin-Granville Road, a distance of 150 feet to a point at the northwesterly corner of said 0.686 acre tract; thence southerly, with the westerly line of said 0.686 acre tract, a distance of 30 feet to the true point of beginning in the northerly right-of-way line of said West Dublin-Granville Road, a northeasterly corner of the existing City of Columbus corporation line, as established by Ordinance No. 1842-71 and recorded in Miscellaneous Record 153, Page 438;

Thence, from said true point of beginning, easterly, with the southerly right-of-way line of said West Dublin-Granville Road, parallel with the centerline of said West Dublin-Granville Road, and 30 feet southerly therefrom (as measured at right angles), a distance of 100 feet to a point in the easterly line of said 0.686 acre tract, in the westerly line of that one-half acre tract of land (Auditor's Parcel No. 213-000402) as described in a deed to James Duvall and Jacqueline H. Duvall, of record in Official Record 34425 C07;

Thence southerly, with a portion of the easterly line of said 0.686 acre tract, with a portion of the westerly line of said one-half acre tract, a distance of 240 feet to a point at a corner of said existing City of Columbus corporation line as established by Ordinance No. 1842-71;

Thence westerly, crossing said 0.686 acre tract, with a northerly line of said existing City of Columbus corporation line as established by Ordinance No. 1842-71, a distance of 100 feet to a point in the westerly line of said 0.686 acre tract, in an easterly line of that 61.542 acre tract of land (Auditor's Parcel No. 610-159043) as described in a deed to the State of Ohio, of record in Deed Book 1957, Page 195, an easterly line of said existing City of Columbus corporation line as established by Ordinance No. 1842-71;

Thence northerly, with a portion of the westerly line of said 0.686 tract, with a portion on an easterly line of said 61.542 acre tract, with an easterly line of said existing City of Columbus corporation line as established by Ordinance No. 1842-71, a distance of 240 feet to the true point of beginning and containing 0.551 acres of land, more or less.

To Rezone From: R, Rural District.

To: L-C-4, Limited Commercial District.

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the L-C-4, Limited Commercial 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-C-4, Limited Commercial District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled, "LIMITATION OVERLAY TEXT DEVELOPMENT PLAN," signed by Arthur H. Thomas, Jr., Esq., Attorney for Applicant, dated September 3, 2002 and said text and reading as follows:

**LIMITATION OVERLAY TEXT
DEVELOPMENT PLAN**

PROPOSED DISTRICT:	L-C-4, COMMERCIAL DISTRICT
PROPERTY ADDRESS:	2527 DUBLIN-GRANVILLE ROAD
OWNERS:	DONN W. & GAYLE P. GRIFFITH
APPLICANTS:	DONN W. & GAYLE P. GRIFFITH
DATE OF TEXT:	SEPTEMBER 3, 2002
APPLICATION	NUMBER: Z00-106

1. INTRODUCTION: The subject property consists of approximately 0.551 +/- acre located north of Bethel Road, south of West Dublin-Granville Road, east of McVey Boulevard, and west of S.R. 315, in Franklin County, Ohio. Applicant wishes to rezone this property L-C-4, limited to a veterinary clinic and hospital, and all C-2 uses.

The request of the applicant is intended to allow the use, renovation or construction of a veterinary clinic and hospital.

2. PERMITTED USES: The only uses permitted are those uses described in Columbus City Code 3355.02, C-4 Commercial District (excepting therefrom all uses except a veterinary clinic and hospital), and those uses described in Columbus City Code 3353.01, C-2 Commercial District.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated in this Text, the applicable standards are contained in Chapter 3353 (C-2, Commercial) and Chapter 3355 (C-4, Commercial).

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

N/A

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

1. Access, Ingress and egress to the development shall be from West Dublin-Granville Road, as existing.

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

N/A

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

N/A

E. Dumpster, Lighting, Outdoor Display and/or Other Environmental Commitments.

1. Lighting, Light poles in the parking lots shall not exceed fourteen (14) feet in height. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type and shall be "down lighting" to insure aesthetic compatibility. All light poles and standards shall be bronze, black, or green.

F. Graphics and 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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1654-02

To grant a Variance from the provisions of Sections 3357.01, Permitted uses; and 3342.18, Parking setback line, of Columbus City Code; for the property located at 1429 WEST FIFTH AVENUE (43212), to permit a parking lot in the C-5, Commercial District with reduced parking setback lines from ten feet to zero feet on West Fifth Avenue and Grandview Avenue, and to declare an emergency.

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in it is immediately necessary to pass this ordinance as an emergency measure because of the need to begin construction quickly in an effort to have parking available by Christmas or as soon as possible before weather prohibits construction for the preservation of the public health, peace, property, safety, and welfare; now, therefore,

WHEREAS, by application No. CV02-046, the owner of property at 1429 WEST FIFTH AVENUE (43212), is requesting a Council Variance to permit a parking lot in the C-5, Commercial District; and

WHEREAS, Section 3357.01, C-5, Commercial District, prohibits a parking lot as a principal use, while the applicant proposes to develop a parking lot to serve an adjacent shopping center; and

WHEREAS, Section 3342.18, Parking Setback line, requires a setback of 10 feet, while the applicant proposes a parking setback line of zero feet on West Fifth Avenue and Grandview Avenue; and

WHEREAS, This variance will allow the applicant to replace a closed gas station in the C-5, Commercial District with surface parking to serve an adjacent shopping center. This variance will also reduce parking setback lines from the required ten feet to zero feet on West Fifth Avenue and

Grandview Avenue to conform to current traffic patterns in the existing parking lot located on adjacent parcels. With the exception of parking setback lines, the parking lot will be developed in accord with C-4, Commercial District standards and subsequently be rezoned to the C-4, Commercial District. A Council variance is necessary in that a parking lot with reduced development standards as a principal use is not permitted in the C-5, Commercial district; and

WHEREAS, City Departments recommends approval and notes a hardship exists because existing zoning prohibits a parking lot; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed uses; 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 1429 WEST FIFTH AVENUE (43212), 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 Section 3357.01, Permitted use; and 3342.18, Parking setback line, of Columbus City Code is granted for the property located at 1429 WEST FIFTH AVENUE (43212), insofar as said section prohibits a parking lot as a principal use and with zero parking setback from West Fifth Avenue and Grandview Avenue, said property particularly being described as follows:

Tract 4 - Fifth at Grandview. Columbus. FRANKLIN. WIC 234-1792-1808
 Tax Parcel #010-062776.

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

Being part of Lot 1 in Croughton and Denmead's Suburban Subdivision known as "Grandview" as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 4, Page 31 B, Recorder's Office, Franklin County, Ohio which part of said lot is more particularly described as follows:

Beginning at the northwest corner of said Lot; thence in a westerly direction and along the south line of West Fifth Avenue, 100 feet; thence in a southerly direction and parallel with the west line of Grandview Avenue, 100 feet; thence in an easterly direction and parallel with said south line of West Fifth Avenue, 100 feet; thence in a northerly direction and along the said west line of Grandview Avenue, 100 feet to the place of beginning.

Being the same premises conveyed to Shell Oil Company by deed from Shell Petroleum Corporation, dated September 30, 1949 and filed for record November 3, 1949 at 8:35 A.M., and recorded in Deed Book 1524, Page 36, Office of the Recorder, County of Franklin, State of Ohio.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a parking lot or those uses permitted in the C-5, Commercial District.

Section 3. That this ordinance is conditioned on and shall remain in effect only for so long as applicant maintains recorded cross-access easements for the west and south property lines of the propose parking lot.

Section 4. That this ordinance is conditioned on the applicant removing three existing gasoline station curb cuts and replacing same with landscaping and sidewalk consistent with the adjacent parking lot.

Section 5. The this ordinance is conditioned on the applicant filing and completing through action by City Council, a rezoning application to an appropriate Commercial zoning district.

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

Section 7. That 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.

Passed as amended November 11, 2002, Matthew D. Habash, President of Council / Approved as amended November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1655-02

To name the unnamed right-of-way located west of Neil Avenue from Vine Street north to Spruce Street as Moody Nolan Drive.

WHEREAS, the Public Service Department, Transportation Division, received a request from Moody-Nolan Inc., asking that the unnamed right-of-way located west of Neil Avenue from Vine Street north to Spruce Street to be named Moody Nolan Drive; and

WHEREAS, the Transportation Division has no objection to the naming of unnamed rights-of-way within the City of Columbus; and

WHEREAS, no homes or businesses are currently addressed off of the unnamed right-of-way, and

WHEREAS, the proposed name falls within the established guidelines for the naming of streets within the City of Columbus; and

WHEREAS, the following legislation authorizes the proposed naming of this right-of-way as Moody Nolan Drive; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the currently unnamed right-of-way west of Neil Avenue from Vine Street north to Spruce Street be and hereby is named Moody Nolan Drive.

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

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1657-02

Authorizing the issuance of unlimited tax bonds in the amount of \$3,575,000 for Department of Health facilities (\$3,575,000) Section 55(B) of the City Charter.

WHEREAS, at the election held on November 2, 1999 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Thirty Million Five Hundred Thousand Dollars (\$30,500,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, it is now deemed necessary to issue and sell \$3,575,000 of bonds under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing and improving facilities for the Department of Health, including the acquisition of real estate and interest in real estate, the construction, reconstruction, relocation, remodeling, enlargement and improvement of buildings and other structures, the acquisition of furnishings, apparatus, and equipment, landscaping and site improvements; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is fifteen years; now, therefore,

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

Section 1. Bonds of the City of Columbus, Ohio (the "Municipality") shall be issued in the principal sum of Three Million Five Hundred Seventy Five Thousand Dollars (\$3,575,000) (the "Bonds") for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and outside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with eight other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds will be jointly referred to herein as the "Combined Bonds". The Combined Bonds shall be designated "City of Columbus, Ohio Various Purpose Unlimited Tax Bonds, Series 2002-1".

Section 5. The Combined Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Combined Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated November 15, 2002; shall bear interest payable, or if issued as capital appreciation bonds with interest payable only at maturity, compoundable, semi-annually on the fifteenth day of May and November of each year (the "Interest Payment Dates") beginning May 15, 2003, until the principal sum is paid; and shall bear interest at the rates and shall mature and be subject to mandatory and optional redemption in the years and at the redemption prices as shall be set forth in a Certificate of Award hereinafter identified.

If less than all of the then outstanding Combined Bonds are called for redemption, the Combined Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Combined Bonds is authorized, the Bond Registrar shall select Combined Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Combined Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

If optional redemption of Combined Bonds at a redemption price exceeding 100% of the principal amount thereof is to take place on any date on which a mandatory redemption of Combined Bonds will take place, the Combined Bonds to be redeemed by optional redemption shall be selected prior to the selection of Combined Bonds to be redeemed at par on the same date.

The right of redemption shall be exercised by notice specifying by numbers the Combined Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Combined Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Combined Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Combined Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Combined Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance. The Combined Bonds shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile. No Combined Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Combined Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Combined Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of and premium, if any, on the Combined Bonds shall be payable upon presentation and surrender of the Combined Bonds at the office of the Bond Registrar. Each Combined Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Combined Bond is after the 1st day of the calendar month in which an Interest Payment Date occurs, in which case interest shall accrue from such Interest Payment Date. Interest on any Combined Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Combined Bond is registered, at the close of business on the 1st day (unless such 1st day is a non-business day, in which case the record date will be the preceding business day) of the calendar month immediately in which occurs that Interest Payment Date (the "Record Date"), on the Bond Register (as defined in Section 7 hereof) at the address appearing therein.

Any interest on any Combined Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Combined Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Combined Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 6, each Combined Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Combined Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Combined Bond.

Section 7. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Combined Bonds. So long as any of the Combined Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Combined Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Combined Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Combined Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Combined Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for

Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Combined Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Combined Bond or Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Combined Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Combined Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Bonds. All Combined Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Bonds surrendered upon that transfer or exchange.

Section 8. The Combined Bonds shall be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) there shall be a single Combined Bond of each maturity, (ii) those Combined Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Combined Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Combined Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on Combined Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Combined Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Combined Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Combined Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for Combined Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance of the Municipality, and either of them acting alone, are authorized to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, if required, in connection with the issuance of the Combined Bonds to a Depository for use in a book entry system in substantially the form submitted to this Council.

If any Depository determines not to continue to act as a depository for the Combined Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Bonds from the Depository, and authenticate and deliver Combined Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Combined Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest and premium, if any, on the Combined Bonds may be transferred only through a book entry and (ii) physical Combined Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Combined Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Combined Bonds, and to effect transfers of Combined Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 9. The sale and award of the Combined Bonds shall be evidenced by the Certificate of Award signed by the Director of Finance or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Bonds (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Notice of Unlimited Tax Bond Sale attached hereto as Exhibit A, and shall state the aggregate principal amount of the Combined Bonds to be issued, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds and Term Maturity Dates, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the certificate authorized by this Section 9 to be executed by the Director of Finance or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Mandatory Redemption Dates" means fifteenth day of November in the years to be specified in the Certificate of Award in which the Combined Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Combined Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Combined Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Principal Retirement Dates" means the fifteenth day of November in the years in which the Combined Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award; provided that the Principal Retirement Dates shall be such that the final maturity of the principal portion of the Bonds included in the Combined Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Combined Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Bonds, together with accrued interest on the Combined Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Combined Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five per centum (5.00%) per annum.

"Term Bonds" means those Combined Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the fifteenth day of November in the year or years in which Combined Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award.

The Director of Finance, the City Auditor and the Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Bonds under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Bonds is hereby authorized, and the Director of Finance and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds from the sale of the Combined Bonds, except accrued interest, premium, if any, or costs of issuance, allocable to the Bonds (to wit: \$3,575,000) shall be deposited in the City Treasury, allocated to the following funds and projects in the amounts set forth below and are hereby appropriated therefore:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
706	570042	\$3,575,000	ECCO Family Health Center
Total		\$3,575,000	

Any accrued interest or premium received from such sale shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of the Combined Bonds in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Combined Bonds, which shall include, but shall not be limited, to the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with competitive sale of the Combined Bonds and printing fees, the Municipality is hereby authorized to expend a sum not to exceed Two Hundred Thousand Dollars (\$200,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

This Council hereby declares that the Combined Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data which will constitute the "annual information" for purposes of said Section 323.07.

Section 10. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Combined Bonds so that the Combined Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, the Deputy Auditor and the Director of Finance, or any other officer, including the City Clerk, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Combined Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, the Deputy Auditor or the Director of Finance, which action shall be in writing and signed by the City Auditor, the Deputy Auditor or the Director of Finance, or any other officer, including the City Clerk, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Combined Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Bonds which limits the amount of Combined Bond proceeds which may be invested on an unrestricted yield or requires the Municipality to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Bonds requires any such reports or rebates.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Bonds.

Section 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 14.1 In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Note: Exhibit A on file in the city clerk's office.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1658-02

Authorizing the issuance of unlimited tax bonds in the amount of \$3,875,000 for recreation and parks (\$3,875,000) Section 55(B) of the City Charter.

WHEREAS, at the election held on November 2, 1999 on the proposition of issuing bonds for the purpose herein stated in the sum of Fifty Nine Million Three Hundred Seventy Five Thousand Dollars (\$59,375,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, it is now deemed necessary to issue and sell \$3,875,000 of bonds under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, renovating and improving municipal parks, playgrounds and recreation facilities including the acquisition of real estate and interest in real estate, the construction, reconstruction, relocation, remodeling, enlargement and improvement of buildings and other structures, the acquisition of furnishings, apparatus, communications equipment and other equipment, landscaping and site improvements; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is seventeen years; now, therefore,

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

Section 1. Bonds of the City of Columbus, Ohio (the "Municipality") shall be issued in the principal sum of Three Million Eight Hundred Seventy Five Thousand Dollars (\$3,875,000) (the "Bonds") for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and outside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with eight other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds will be jointly referred to herein as the "Combined Bonds". The Combined Bonds shall be designated "City of Columbus, Ohio Various Purpose Unlimited Tax Bonds, Series 2002-1".

Section 5. The Combined Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Combined Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated November 15, 2002; shall bear interest payable, or if issued as capital appreciation bonds with interest payable only at maturity, compoundable, semi-annually on the fifteenth day of May and November of each year (the "Interest Payment Dates") beginning May 15, 2003, until the principal sum is paid; and shall bear interest at the rates and shall mature and be subject to mandatory and optional redemption in the years and at the redemption prices as shall be set forth in a Certificate of Award hereinafter identified.

If less than all of the then outstanding Combined Bonds are called for redemption, the Combined Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Combined Bonds is authorized, the Bond Registrar shall select Combined Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Combined Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

If optional redemption of Combined Bonds at a redemption price exceeding 100% of the principal amount thereof is to take place on any date on which a mandatory redemption of Combined Bonds will take place, the Combined Bonds to be redeemed by optional redemption shall be selected prior to the selection of Combined Bonds to be redeemed at par on the same date.

The right of redemption shall be exercised by notice specifying by numbers the Combined Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Combined Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Combined Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Combined Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Combined Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance. The Combined Bonds shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile. No Combined Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Combined Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Combined Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of and premium, if any, on the Combined Bonds shall be payable upon presentation and surrender of the Combined Bonds at the office of the Bond Registrar. Each Combined Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Combined Bond is after the 1st day of the calendar month in which an Interest Payment Date occurs, in which case interest shall accrue from such Interest Payment Date.

Interest on any Combined Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Combined Bond is registered, at the close of business on the 1st day (unless such 1st day is a non-business day, in which case the record date will be the preceding business day) of the calendar month immediately in which occurs that Interest Payment Date (the "Record Date"), on the Bond Register (as defined in Section 7 hereof) at the address appearing therein.

Any interest on any Combined Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Combined Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Combined Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 6, each Combined Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Combined Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Combined Bond.

Section 7. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Combined Bonds. So long as any of the Combined Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Combined Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Combined Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Combined Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Combined Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Combined Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Combined Bond or Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Combined Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Combined Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Bonds. All Combined Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Bonds surrendered upon that transfer or exchange.

Section 8. The Combined Bonds shall be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) there shall be a single Combined Bond of each maturity, (ii) those Combined Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Combined Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Combined Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on Combined Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Combined Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Combined Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Combined Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for Combined Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance of the Municipality, and either of them acting alone, are authorized to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, if required, in connection with the issuance of the Combined Bonds to a Depository for use in a book entry system in substantially the form submitted to this Council.

If any Depository determines not to continue to act as a depository for the Combined Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Bonds from the Depository, and authenticate and deliver Combined Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Combined Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest and premium, if any, on the Combined Bonds may be transferred only through a book entry and (ii) physical Combined Bonds in fully registered form are issued

only to a Depository or its nominee as registered owner, with the Combined Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Combined Bonds, and to effect transfers of Combined Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 9. The sale and award of the Combined Bonds shall be evidenced by the Certificate of Award signed by the Director of Finance or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Bonds (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Notice of Unlimited Tax Bond Sale attached hereto as Exhibit A, and shall state the aggregate principal amount of the Combined Bonds to be issued, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds and Term Maturity Dates, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the certificate authorized by this Section 9 to be executed by the Director of Finance or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Mandatory Redemption Dates" means fifteenth day of November in the years to be specified in the Certificate of Award in which the Combined Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Combined Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Combined Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Principal Retirement Dates" means the fifteenth day of November in the years in which the Combined Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award; provided that the Principal Retirement Dates shall be such that the final maturity of the principal portion of the Bonds included in the Combined Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Combined Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Bonds, together with accrued interest on the Combined Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Combined Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five per centum (5.00%) per annum.

"Term Bonds" means those Combined Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the fifteenth day of November in the year or years in which Combined Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award.

The Director of Finance, the City Auditor and the Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Bonds under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Bonds is hereby authorized, and the Director of Finance and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds from the sale of the Combined Bonds, except accrued interest, premium, if any, or costs of issuance, allocable to the Bonds (to wit: \$3,875,000) shall be deposited in the City Treasury, allocated to the following funds and projects in the amounts set forth below and are hereby appropriated therefore:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
702	510035	\$ 925,000	Facilities Renovation
702	510112	575,000	Park Acquisition
702	510316	2,375,000	Greenways Projects
Total		\$3,875,000	

Any accrued interest or premium received from such sale shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of the Combined Bonds in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Combined Bonds, which shall include, but shall not be limited, to the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with competitive sale of the Combined Bonds and printing fees, the Municipality is hereby authorized to expend a sum not to exceed Two Hundred Thousand Dollars (\$200,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

This Council hereby declares that the Combined Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data which will constitute the "annual information" for purposes of said Section 323.07.

Section 10. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Combined Bonds so that the Combined Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Bonds in such manner and to such extent, if any, as may be

necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, the Deputy Auditor and the Director of Finance, or any other officer, including the City Clerk, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Combined Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, the Deputy Auditor or the Director of Finance, which action shall be in writing and signed by the City Auditor, the Deputy Auditor or the Director of Finance, or any other officer, including the City Clerk, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Combined Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Bonds which limits the amount of Combined Bond proceeds which may be invested on an unrestricted yield or requires the Municipality to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Bonds requires any such reports or rebates.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Bonds.

Section 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 14. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Note: Exhibit A on file in the City Clerk's Office.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1659-02

Authorizing the issuance of unlimited tax bonds in the amount of \$755,000 for the Division of Electricity (\$755,000) Section 55(B) of the City Charter.

WHEREAS, at the election held on November 2, 1999 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Twenty Eight Million Three Hundred Thirty Thousand Dollars (\$28,330,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, it is now deemed necessary to issue and sell \$755,000 of bonds under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing and improving facilities for the Division of Electricity, including the expansion and improvement of the municipal street lighting system, the construction and improvement of electrical distribution facilities, power lines, underground tunnels for power lines and other structures, the making of substation improvements and acquisition of real estate and interest in real estate and related equipment, landscaping and site improvements; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is ten years; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. Bonds of the City of Columbus, Ohio (the "Municipality") shall be issued in the principal sum of Seven Hundred Fifty Five Thousand Dollars (\$755,000) (the "Bonds") for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and outside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with eight other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds will be jointly referred to herein as the "Combined Bonds". The Combined Bonds shall be designated "City of Columbus, Ohio Various Purpose Unlimited Tax Bonds, Series 2002-1".

Section 5. The Combined Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Combined Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated November 15, 2002; shall bear interest payable, or if issued as capital appreciation bonds with interest payable only at maturity, compoundable, semi-annually on the fifteenth day of May and November of each year (the "Interest Payment Dates") beginning May 15, 2003, until the principal sum is paid; and shall

bear interest at the rates and shall mature and be subject to mandatory and optional redemption in the years and at the redemption prices as shall be set forth in a Certificate of Award hereinafter identified.

If less than all of the then outstanding Combined Bonds are called for redemption, the Combined Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Combined Bonds is authorized, the Bond Registrar shall select Combined Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Combined Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

If optional redemption of Combined Bonds at a redemption price exceeding 100% of the principal amount thereof is to take place on any date on which a mandatory redemption of Combined Bonds will take place, the Combined Bonds to be redeemed by optional redemption shall be selected prior to the selection of Combined Bonds to be redeemed at par on the same date.

The right of redemption shall be exercised by notice specifying by numbers the Combined Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Combined Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Combined Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Combined Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Combined Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance. The Combined Bonds shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile. No Combined Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Combined Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Combined Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of and premium, if any, on the Combined Bonds shall be payable upon presentation and surrender of the Combined Bonds at the office of the Bond Registrar. Each Combined Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Combined Bond is after the 1st day of the calendar month in which an Interest Payment Date occurs, in which case interest shall accrue from such Interest Payment Date. Interest on any Combined Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Combined Bond is registered, at the close of business on the 1st day (unless such 1st day is a non-business day, in which case the record date will be the preceding business day) of the calendar month immediately in which occurs that Interest Payment Date (the "Record Date"), on the Bond Register (as defined in Section 7 hereof) at the address appearing therein.

Any interest on any Combined Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Combined Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Combined Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 6, each Combined Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Combined Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Combined Bond.

Section 7. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Combined Bonds. So long as any of the Combined Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Combined Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Combined Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Combined Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Combined Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Combined Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Combined Bond or Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Combined Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Combined Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Bonds. All Combined Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Bonds surrendered upon that transfer or exchange.

Section 8. The Combined Bonds shall be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) there shall be a single Combined Bond of each maturity, (ii) those Combined Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Combined Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Combined Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on Combined Bonds in book entry form registered in the name of a Depository or its

nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Combined Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Combined Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Combined Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for Combined Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance of the Municipality, and either of them acting alone, are authorized to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, if required, in connection with the issuance of the Combined Bonds to a Depository for use in a book entry system in substantially the form submitted to this Council.

If any Depository determines not to continue to act as a depository for the Combined Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Bonds from the Depository, and authenticate and deliver Combined Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Combined Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest and premium, if any, on the Combined Bonds may be transferred only through a book entry and (ii) physical Combined Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Combined Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Combined Bonds, and to effect transfers of Combined Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 9. The sale and award of the Combined Bonds shall be evidenced by the Certificate of Award signed by the Director of Finance or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Bonds (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Notice of Unlimited Tax Bond Sale attached hereto as Exhibit A, and shall state the aggregate principal amount of the Combined Bonds to be issued, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds and Term Maturity Dates, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the certificate authorized by this Section 9 to be executed by the Director of Finance or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Mandatory Redemption Dates" means fifteenth day of November in the years to be specified in the Certificate of Award in which the Combined Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Combined Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Combined Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Principal Retirement Dates" means the fifteenth day of November in the years in which the Combined Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award; provided that the Principal Retirement Dates shall be such that the final maturity of the principal portion of the Bonds included in the Combined Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Combined Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Bonds, together with accrued interest on the Combined Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Combined Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five per centum (5.00%) per annum.

"Term Bonds" means those Combined Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the fifteenth day of November in the year or years in which Combined Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award.

The Director of Finance, the City Auditor and the Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Bonds under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Bonds is hereby authorized, and the Director of Finance and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds from the sale of the Combined Bonds, except accrued interest, premium, if any, or costs of issuance, allocable to the Bonds (to wit: \$755,000) shall be deposited in the City Treasury, allocated to the following funds and projects in the amounts set forth below and are hereby appropriated therefore:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
553	670003	\$172,000	Street Lighting
553	670609	83,000	Eastmoor Assessments
553	670977	<u>500,000</u>	Facilities Renovation
	Total	\$755,000	

Any accrued interest or premium received from such sale shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of the Combined Bonds in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Combined Bonds, which shall include, but shall not be limited, to the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with competitive sale of the Combined Bonds and printing fees, the Municipality is hereby authorized to expend a sum not to exceed Two Hundred Thousand Dollars (\$200,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

This Council hereby declares that the Combined Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data which will constitute the "annual information" for purposes of said Section 323.07.

Section 10. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Combined Bonds so that the Combined Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, the Deputy Auditor and the Director of Finance, or any other officer, including the City Clerk, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Combined Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, the Deputy Auditor or the Director of Finance, which action shall be in writing and signed by the City Auditor, the Deputy Auditor or the Director of Finance, or any other officer, including the City Clerk, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Combined Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Bonds which limits the amount of Combined Bond proceeds which may be invested on an unrestricted yield or requires the Municipality to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Bonds requires any such reports or rebates.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Bonds.

Section 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 14. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Note: Exhibit A on file in the City Clerk's Office.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1660-02

Authorizing the issuance of Unlimited Tax Bonds in the amount of \$1,745,000 for the Division of Sewerage and Drains - Storm. (\$1,745,000) Section 55(B) of the City Charter.

WHEREAS, at the election held on November 2, 1999 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Thirty Million Dollars (\$30,000,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, it is now deemed necessary to issue and sell \$1,745,000 of bonds under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of enlarging, extending, renovating and improving the municipal storm sewerage system for the collection, retention, control and disposal of storm sewerage and surface waters and prevention and control of soil erosion and flooding by the

acquisition of real estate and other interests in real estate, construction and installation of storm sewers, floodwalls, dams and levies, renovation and improvement of manholes and storm sewerage ditches, acquisition and installation of facilities and appurtenances necessary therefor; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is twenty years; now, therefore,

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

Section 1. Bonds of the City of Columbus, Ohio (the "Municipality") shall be issued in the principal sum of One Million Seven Hundred Forty Five Thousand Dollars (\$1,745,000) (the "Bonds") for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and outside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with eight other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds will be jointly referred to herein as the "Combined Bonds". The Combined Bonds shall be designated "City of Columbus, Ohio Various Purpose Unlimited Tax Bonds, Series 2002-1".

Section 5. The Combined Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Combined Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated November 15, 2002; shall bear interest payable, or if issued as capital appreciation bonds with interest payable only at maturity, compoundable, semi-annually on the fifteenth day of May and November of each year (the "Interest Payment Dates") beginning May 15, 2003, until the principal sum is paid; and shall bear interest at the rates and shall mature and be subject to mandatory and optional redemption in the years and at the redemption prices as shall be set forth in a Certificate of Award hereinafter identified.

If less than all of the then outstanding Combined Bonds are called for redemption, the Combined Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Combined Bonds is authorized, the Bond Registrar shall select Combined Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Combined Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

If optional redemption of Combined Bonds at a redemption price exceeding 100% of the principal amount thereof is to take place on any date on which a mandatory redemption of Combined Bonds will take place, the Combined Bonds to be redeemed by optional redemption shall be selected prior to the selection of Combined Bonds to be redeemed at par on the same date.

The right of redemption shall be exercised by notice specifying by numbers the Combined Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Combined Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Combined Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Combined Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Combined Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance. The Combined Bonds shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile. No Combined Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Combined Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Combined Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of and premium, if any, on the Combined Bonds shall be payable upon presentation and surrender of the Combined Bonds at the office of the Bond Registrar. Each Combined Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Combined Bond is after the 1st day of the calendar month in which an Interest Payment Date occurs, in which case interest shall accrue from such Interest Payment Date. Interest on any Combined Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Combined Bond is registered, at the close of business on the 1st day (unless such 1st day is a non-business day, in which case the record date will be the preceding business day) of the calendar month immediately in which occurs that Interest Payment Date (the "Record Date"), on the Bond Register (as defined in Section 7 hereof) at the address appearing therein.

Any interest on any Combined Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Combined Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Combined Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 6, each Combined Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Combined Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Combined Bond.

Section 7. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Combined Bonds. So long as any of the Combined Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Combined Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Combined Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Combined Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be

changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Combined Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Combined Bond may be transferred only on the Bond Registrar upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Combined Bond or Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Combined Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Combined Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Bonds. All Combined Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Bonds surrendered upon that transfer or exchange.

Section 8. The Combined Bonds shall be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) there shall be a single Combined Bond of each maturity, (ii) those Combined Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Combined Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Combined Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on Combined Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Combined Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Combined Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Combined Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for Combined Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance of the Municipality, and either of them acting alone, are authorized to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, if required, in connection with the issuance of the Combined Bonds to a Depository for use in a book entry system in substantially the form submitted to this Council.

If any Depository determines not to continue to act as a depository for the Combined Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Bonds from the Depository, and authenticate and deliver Combined Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Combined Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest and premium, if any, on the Combined Bonds may be transferred only through a book entry and (ii) physical Combined Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Combined Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Combined Bonds, and to effect transfers of Combined Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 9. The sale and award of the Combined Bonds shall be evidenced by the Certificate of Award signed by the Director of Finance or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Bonds (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Notice of Unlimited Tax Bond Sale attached hereto as Exhibit A, and shall state the aggregate principal amount of the Combined Bonds to be issued, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds and Term Maturity Dates, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the certificate authorized by this Section 9 to be executed by the Director of Finance or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Mandatory Redemption Dates" means fifteenth day of November in the years to be specified in the Certificate of Award in which the Combined Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Combined Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Combined Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Principal Retirement Dates" means the fifteenth day of November in the years in which the Combined Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award; provided that the Principal Retirement Dates shall be such that the final maturity of the principal portion of the Bonds included in the Combined Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Combined Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Bonds, together with accrued interest on the Combined Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Combined Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five per centum (5.00%) per annum.

"Term Bonds" means those Combined Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the fifteenth day of November in the year or years in which Combined Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award.

The Director of Finance, the City Auditor and the Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Bonds under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Bonds is hereby authorized, and the Director of Finance and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds from the sale of the Combined Bonds, except accrued interest, premium, if any, or costs of issuance, allocable to the Bonds (to wit: \$1,745,000) shall be deposited in the City Treasury, allocated to the following funds and projects in the amounts set forth below and are hereby appropriated therefore:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
705	610504	\$1,745,000	Fifth Avenue NCR (Krumm)
Total		\$1,745,000	

Any accrued interest or premium received from such sale shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of the Combined Bonds in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Combined Bonds, which shall include, but shall not be limited, to the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with competitive sale of the Combined Bonds and printing fees, the Municipality is hereby authorized to expend a sum not to exceed Two Hundred Thousand Dollars (\$200,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

This Council hereby declares that the Combined Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data which will constitute the "annual information" for purposes of said Section 323.07.

Section 10. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Combined Bonds so that the Combined Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, the Deputy Auditor and the Director of Finance, or any other officer, including the City Clerk, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Combined Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, the Deputy Auditor or the Director of Finance, which action shall be in writing and signed by the City Auditor, the Deputy Auditor or the Director of Finance, or any other officer, including the City Clerk, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Combined Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Bonds which limits the amount of Combined Bond proceeds which may be invested on an unrestricted yield or requires the Municipality to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Bonds requires any such reports or rebates.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in

regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Bonds.

Section 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 14. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Note: Exhibit A on file in the City Clerk's Office.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1661-02

Authorizing the issuance of limited tax bonds in the amount of \$3,670,000 for storm sewers (\$3,670,000) Section 55(B) of the City Charter.

WHEREAS, it is now deemed necessary to issue and sell \$3,670,000 of bonds under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of enlarging, extending, renovating and improving the municipal storm sewerage system for the collection, retention, control and disposal of storm sewerage and surface waters and prevention and control of soil erosion and flooding by the acquisition of real estate and other interests in real estate, construction and installation of storm sewers, floodwalls, dams and levees, renovation and improvement of manholes and storm sewerage ditches, acquisition and installation of facilities and appurtenances necessary therefor; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is twenty years; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. Bonds of the City of Columbus, Ohio (the "Municipality") shall be issued in the principal sum of Three Million Six Hundred Seventy Thousand Dollars (\$3,670,000) (the "Bonds") for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with three other limited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds will be jointly referred to herein as the "Combined Bonds". The Combined Bonds shall be designated "City of Columbus, Ohio Various Purpose Limited Tax Bonds, Series 2002-2".

Section 5. The Combined Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Combined Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated November 15, 2002; shall bear interest payable, or if issued as capital appreciation bonds with interest payable only at maturity, compoundable, semi-annually on the fifteenth day of May and November of each year (the "Interest Payment Dates") beginning May 15, 2003, until the principal sum is paid; and shall bear interest at the rates and shall mature and be subject to mandatory and optional redemption in the years and at the redemption prices as shall be set forth in a Certificate of Award hereinafter identified.

If less than all of the then outstanding Combined Bonds are called for redemption, the Combined Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Combined Bonds is authorized, the Bond Registrar shall select Combined Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Combined Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

If optional redemption of Combined Bonds at a redemption price exceeding 100% of the principal amount thereof is to take place on any date on which a mandatory redemption of Combined Bonds will take place, the Combined Bonds to be redeemed by optional redemption shall be selected prior to the selection of Combined Bonds to be redeemed at par on the same date.

The right of redemption shall be exercised by notice specifying by numbers the Combined Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Combined Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Combined Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Combined Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Combined Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance. The Combined Bonds shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile. No Combined Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Combined Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Combined Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of and premium, if any, on the Combined Bonds shall be payable upon presentation and surrender of the Combined Bonds at the office of the Bond Registrar. Each Combined Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Combined Bond is after the 1st day of the calendar month in which an Interest Payment Date occurs, in which case interest shall accrue from such Interest Payment Date. Interest on any Combined Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Combined Bond is

registered, at the close of business on the 1st day (unless such 1st day is a non-business day, in which case the record date will be the preceding business day) of the calendar month immediately in which occurs that Interest Payment Date (the "Record Date"), on the Bond Register (as defined in Section 7 hereof) at the address appearing therein.

Any interest on any Combined Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Combined Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Combined Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 6, each Combined Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Combined Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Combined Bond.

Section 7. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Combined Bonds. So long as any of the Combined Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Special Record Date, all books and records necessary for the registration, exchange and transfer of Combined Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Combined Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Combined Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Combined Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Combined Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Combined Bond or Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Combined Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Combined Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Bonds. All Combined Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Bonds surrendered upon that transfer or exchange.

Section 8. The Combined Bonds shall be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) there shall be a single Combined Bond of each maturity, (ii) those Combined Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Combined Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Combined Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on Combined Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Combined Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Combined Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Combined Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for Combined Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance of the Municipality, and either of them acting alone, are authorized to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, if required, in connection with the issuance of the Combined Bonds to a Depository for use in a book entry system in substantially the form submitted to this Council.

If any Depository determines not to continue to act as a depository for the Combined Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Bonds from the Depository, and authenticate and deliver Combined Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Combined Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest and premium, if any, on the Combined Bonds may be transferred only through a book entry and (ii) physical Combined Bonds in fully registered form are issued

only to a Depository or its nominee as registered owner, with the Combined Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Combined Bonds, and to effect transfers of Combined Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 9. The sale and award of the Combined Bonds shall be evidenced by the Certificate of Award signed by the Director of Finance or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Bonds (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Notice of Limited Tax Bond Sale attached hereto as Exhibit A, and shall state the aggregate principal amount of the Combined Bonds to be issued, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds and Term Maturity Dates, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the certificate authorized by this Section 9 to be executed by the Director of Finance or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Mandatory Redemption Dates" means fifteenth day of November in the years to be specified in the Certificate of Award in which the Combined Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Combined Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Combined Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Principal Retirement Dates" means the fifteenth day of November in the years in which the Combined Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award; provided that the Principal Retirement Dates shall be such that the final maturity of the principal portion of the Bonds included in the Combined Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Combined Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Bonds, together with accrued interest on the Combined Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Combined Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five per centum (5.00%) per annum.

"Term Bonds" means those Combined Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the fifteenth day of November in the year or years in which Combined Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award.

The Director of Finance, the City Auditor and the Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Bonds under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Bonds is hereby authorized, and the Director of Finance and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds from the sale of the Combined Bonds, except accrued interest, premium, if any, or costs of issuance, allocable to the Bonds (to wit: \$3,670,000) shall be deposited in the City Treasury, allocated to the following funds and projects in the amounts set forth below and are hereby appropriated therefore:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
705	610971	\$3,670,000	Stelzer Road Detention Basin
	Total	\$3,670,000	

Any accrued interest or premium received from such sale shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of the Combined Bonds in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Combined Bonds, which shall include, but shall not be limited, to the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with competitive sale of the Combined Bonds and printing fees, the Municipality is hereby authorized to expend a sum not to exceed Two Hundred Thousand Dollars (\$200,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

This Council hereby declares that the Combined Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data which will constitute the "annual information" for purposes of said Section 323.07.

Section 10. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Combined Bonds so that the Combined Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, the Deputy Auditor and the Director of Finance, or any other officer, including the City Clerk, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Combined Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, the Deputy Auditor or the Director of Finance, which action shall be in writing and signed by the City Auditor, the Deputy Auditor or the Director of Finance, or any other officer, including the City Clerk, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Combined Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Bonds which limits the amount of Combined Bond proceeds which may be invested on an unrestricted yield or requires the Municipality to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Bonds requires any such reports or rebates.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Bonds.

Section 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 14. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Note: Exhibit A on file in the City Clerk's Office.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1662-02

Authorizing the issuance of limited tax bonds in the amount of \$1,235,000 for the Division of Facilities Management (\$1,235,000) Section 55(B) of the City Charter.

WHEREAS, it is now deemed necessary to issue and sell \$1,235,000 of bonds under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing and improving municipal facilities, including the acquisition of real estate, easements and other interests in real estate, the construction, reconstruction, relocation, remodeling, enlargement and improvement of buildings and other structures, the acquisition of furnishings, apparatus, communications equipment and other equipment, landscaping and site improvements; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is fifteen years; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. Bonds of the City of Columbus, Ohio (the "Municipality") shall be issued in the principal sum of One Million Two Hundred Thirty Five Thousand Dollars (\$1,235,000) (the "Bonds") for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with three other limited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds will be jointly referred to herein as the "Combined Bonds". The Combined Bonds shall be designated "City of Columbus, Ohio Various Purpose Limited Tax Bonds, Series 2002-2".

Section 5. The Combined Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Combined Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated November 15, 2002; shall bear interest payable, or if issued as capital appreciation bonds with interest payable only at maturity, compoundable, semi-annually on the fifteenth day of May and November of each year (the "Interest Payment Dates") beginning May 15, 2003, until the principal sum is paid; and shall bear interest at the rates and shall mature and be subject to mandatory and optional redemption in the years and at the redemption prices as shall be set forth in a Certificate of Award hereinafter identified.

If less than all of the then outstanding Combined Bonds are called for redemption, the Combined Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Combined Bonds is authorized, the Bond Registrar shall select Combined Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Combined Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

If optional redemption of Combined Bonds at a redemption price exceeding 100% of the principal amount thereof is to take place on any date on which a mandatory redemption of Combined Bonds will take place, the Combined Bonds to be redeemed by optional redemption shall be selected prior to the selection of Combined Bonds to be redeemed at par on the same date.

The right of redemption shall be exercised by notice specifying by numbers the Combined Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Combined Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Combined Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Combined Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Combined Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance. The Combined Bonds shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile. No Combined Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Combined Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Combined Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of and premium, if any, on the Combined Bonds shall be payable upon presentation and surrender of the Combined Bonds at the office of the Bond Registrar. Each Combined Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Combined Bond is after the 1st day of the calendar month in which an Interest Payment Date occurs, in which case interest shall accrue from such Interest Payment Date. Interest on any Combined Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Combined Bond is registered, at the close of business on the 1st day (unless such 1st day is a non-business day, in which case the record date will be the preceding business day) of the calendar month immediately in which occurs that Interest Payment Date (the "Record Date"), on the Bond Register (as defined in Section 7 hereof) at the address appearing therein.

Any interest on any Combined Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Combined Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Combined Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 6, each Combined Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Combined Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Combined Bond.

Section 7. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Combined Bonds. So long as any of the Combined Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Combined Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Combined Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Combined Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Combined Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Combined Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Combined Bond or Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Combined Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Combined Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Bonds. All Combined Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Bonds surrendered upon that transfer or exchange.

Section 8. The Combined Bonds shall be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) there shall be a single Combined Bond of each maturity, (ii) those Combined Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Combined Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Combined Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on Combined Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Combined Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Combined Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Combined Bond

or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for Combined Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance of the Municipality, and either of them acting alone, are authorized to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, if required, in connection with the issuance of the Combined Bonds to a Depository for use in a book entry system in substantially the form submitted to this Council.

If any Depository determines not to continue to act as a depository for the Combined Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Bonds from the Depository, and authenticate and deliver Combined Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Combined Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest and premium, if any, on the Combined Bonds may be transferred only through a book entry and (ii) physical Combined Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Combined Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Combined Bonds, and to effect transfers of Combined Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 9. The sale and award of the Combined Bonds shall be evidenced by the Certificate of Award signed by the Director of Finance or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Bonds (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Notice of Limited Tax Bond Sale attached hereto as Exhibit A, and shall state the aggregate principal amount of the Combined Bonds to be issued, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds and Term Maturity Dates, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the certificate authorized by this Section 9 to be executed by the Director of Finance or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Mandatory Redemption Dates" means fifteenth day of November in the years to be specified in the Certificate of Award in which the Combined Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Combined Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Combined Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Principal Retirement Dates" means the fifteenth day of November in the years in which the Combined Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award; provided that the Principal Retirement Dates shall be such that the final maturity of the principal portion of the Bonds included in the Combined Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Combined Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Bonds, together with accrued interest on the Combined Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Combined Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five per centum (5.00%) per annum.

"Term Bonds" means those Combined Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the fifteenth day of November in the year or years in which Combined Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award.

The Director of Finance, the City Auditor and the Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Bonds under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Bonds is hereby authorized, and the Director of Finance and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds from the sale of the Combined Bonds, except accrued interest, premium, if any, or costs of issuance, allocable to the Bonds (to wit: \$1,235,000) shall be deposited in the City Treasury, allocated to the following funds and projects in the amounts set forth below and are hereby appropriated therefore:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
733	570043	\$ 644,500	Municipal Court Building Renovation
733	570055	34,697	Muni-court Renovation Prosec/Probat
733	570030	<u>555,803</u>	Facility Renovation
	Total	\$1,235,000	

Any accrued interest or premium received from such sale shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of the Combined Bonds in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Combined Bonds, which shall include, but shall not be limited, to the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with competitive sale of the Combined Bonds and printing fees, the Municipality is hereby authorized to expend a sum not to exceed Two Hundred Thousand Dollars (\$200,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

This Council hereby declares that the Combined Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data which will constitute the "annual information" for purposes of said Section 323.07.

Section 10. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Combined Bonds so that the Combined Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, the Deputy Auditor and the Director of Finance, or any other officer, including the City Clerk, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Combined Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, the Deputy Auditor or the Director of Finance, which action shall be in writing and signed by the City Auditor, the Deputy Auditor or the Director of Finance, or any other officer, including the City Clerk, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Combined Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Bonds which limits the amount of Combined Bond proceeds which may be invested on an unrestricted yield or requires the Municipality to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Bonds requires any such reports or rebates.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Bonds.

Section 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 14. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Note: Exhibit A on file in the City Clerk's Office.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1663-02

Authorizing the issuance of limited tax bonds in the amount of \$8,970,000 for public safety (\$8,970,000) Section 55(B) of the City Charter.

WHEREAS, it is now deemed necessary to issue and sell \$8,970,000 of bonds under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing and improving facilities for the Department of Public Safety's Division of Police, Division of Fire and Division of Communications, including the acquisition of real estate and interest in real estate, the construction, reconstruction, relocation, remodeling, enlargement and improvement of buildings and other structures, the acquisition of furnishings, apparatus, communications equipment and other equipment, landscaping and site improvements; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is sixteen years; now, therefore,

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

Section 1. Bonds of the City of Columbus, Ohio (the "Municipality") shall be issued in the principal sum of Eight Million Nine Hundred Seventy Thousand Dollars (\$8,970,000) (the "Bonds") for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with three other limited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds will be jointly referred to herein as the "Combined Bonds". The Combined Bonds shall be designated "City of Columbus, Ohio Various Purpose Limited Tax Bonds, Series 2002-2".

Section 5. The Combined Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Combined Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated November 15, 2002; shall bear interest payable, or if issued as capital appreciation bonds with interest payable only at maturity, compoundable, semi-annually on the fifteenth day of May and November of each year (the "Interest Payment Dates") beginning May 15, 2003, until the principal sum is paid; and shall bear interest at the rates and shall mature and be subject to mandatory and optional redemption in the years and at the redemption prices as shall be set forth in a Certificate of Award hereinafter identified.

If less than all of the then outstanding Combined Bonds are called for redemption, the Combined Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Combined Bonds is authorized, the Bond Registrar shall select Combined Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Combined Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

If optional redemption of Combined Bonds at a redemption price exceeding 100% of the principal amount thereof is to take place on any date on which a mandatory redemption of Combined Bonds will take place, the Combined Bonds to be redeemed by optional redemption shall be selected prior to the selection of Combined Bonds to be redeemed at par on the same date.

The right of redemption shall be exercised by notice specifying by numbers the Combined Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Combined Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Combined Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Combined Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Combined Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance. The Combined Bonds shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile. No Combined Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Combined Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Combined Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of and premium, if any, on the Combined Bonds shall be payable upon presentation and surrender of the Combined Bonds at the office of the Bond Registrar. Each Combined Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Combined Bond is after the 1st day of the calendar month in which an Interest Payment Date occurs, in which case interest shall accrue from such Interest Payment Date. Interest on any Combined Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Combined Bond is registered, at the close of business on the 1st day (unless such 1st day is a non-business day, in which case the record date will be the preceding business day) of the calendar month immediately in which occurs that Interest Payment Date (the "Record Date"), on the Bond Register (as defined in Section 7 hereof) at the address appearing therein.

Any interest on any Combined Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Combined Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Combined Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 6, each Combined Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Combined Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Combined Bond.

Section 7. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Combined Bonds. So long as any of the Combined Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Combined Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Combined Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Combined Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Combined Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Combined Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form

satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Combined Bond or Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Combined Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Combined Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Bonds. All Combined Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Bonds surrendered upon that transfer or exchange.

Section 8. The Combined Bonds shall be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) there shall be a single Combined Bond of each maturity, (ii) those Combined Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Combined Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Combined Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on Combined Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Combined Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Combined Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Combined Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for Combined Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance of the Municipality, and either of them acting alone, are authorized to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, if required, in connection with the issuance of the Combined Bonds to a Depository for use in a book entry system in substantially the form submitted to this Council.

If any Depository determines not to continue to act as a depository for the Combined Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Bonds from the Depository, and authenticate and deliver Combined Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Combined Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest and premium, if any, on the Combined Bonds may be transferred only through a book entry and (ii) physical Combined Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Combined Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Combined Bonds, and to effect transfers of Combined Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 9. The sale and award of the Combined Bonds shall be evidenced by the Certificate of Award signed by the Director of Finance or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Bonds (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Notice of Limited Tax Bond Sale attached hereto as Exhibit A, and shall state the aggregate principal amount of the Combined Bonds to be issued, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds and Term Maturity Dates, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the certificate authorized by this Section 9 to be executed by the Director of Finance or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Mandatory Redemption Dates" means fifteenth day of November in the years to be specified in the Certificate of Award in which the Combined Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Combined Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Combined Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Principal Retirement Dates" means the fifteenth day of November in the years in which the Combined Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award; provided that the Principal Retirement Dates shall be such that the final maturity of the principal portion of the Bonds included in the Combined Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Combined Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Bonds, together with accrued interest on the Combined Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Combined Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five per centum (5.00%) per annum.

"Term Bonds" means those Combined Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the fifteenth day of November in the year or years in which Combined Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award.

The Director of Finance, the City Auditor and the Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Bonds under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Bonds is hereby authorized, and the Director of Finance and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds from the sale of the Combined Bonds, except accrued interest, premium, if any, or costs of issuance, allocable to the Bonds (to wit: \$8,970,000) shall be deposited in the City Treasury, allocated to the following funds and projects in the amounts set forth below and are hereby appropriated therefore:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
701	330022	\$8,970,000	Police Training Academy
Total		\$8,970,000	

Any accrued interest or premium received from such sale shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of the Combined Bonds in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Combined Bonds, which shall include, but shall not be limited, to the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with competitive sale of the Combined Bonds and printing fees, the Municipality is hereby authorized to expend a sum not to exceed Two Hundred Thousand Dollars (\$200,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

This Council hereby declares that the Combined Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data which will constitute the "annual information" for purposes of said Section 323.07.

Section 10. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Combined Bonds so that the Combined Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, the Deputy Auditor and the Director of Finance, or any other officer, including the City Clerk, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Combined Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, the Deputy Auditor or the Director of Finance, which action shall be in writing and signed by the City Auditor, the Deputy Auditor or the Director of Finance, or any other officer, including the City Clerk, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Combined Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Bonds which limits the amount of Combined Bond proceeds which may be invested on an unrestricted yield or requires the Municipality to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Bonds requires any such reports or rebates.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Bonds.

Section 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 14. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Note: Exhibit A on file in the City Clerk's Office.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1664-02

Authorizing the issuance of limited tax bonds in the amount of \$1,660,000 for the Department of Health. (\$1,660,000) Section 55(B) of the City Charter.

WHEREAS, it is now deemed necessary to issue and sell \$1,660,000 of bonds under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing and improving facilities for the Department of Health, including the acquisition of real estate and interest in real estate, the construction, reconstruction, relocation, remodeling, enlargement and improvement of buildings and other structures, the acquisition of furnishings, apparatus, and equipment, landscaping and site improvements; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is fifteen years; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. Bonds of the City of Columbus, Ohio (the "Municipality") shall be issued in the principal sum of One Million Six Hundred Sixty Thousand Dollars (\$1,660,000) (the "Bonds") for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with three other limited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds will be jointly referred to herein as the "Combined Bonds". The Combined Bonds shall be designated "City of Columbus, Ohio Various Purpose Limited Tax Bonds, Series 2002-2".

Section 5. The Combined Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Combined Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated November 15, 2002; shall bear interest payable, or if issued as capital appreciation bonds with interest payable only at maturity, compoundable, semi-annually on the fifteenth day of May and November of each year (the "Interest Payment Dates") beginning May 15, 2003, until the principal sum is paid; and shall bear interest at the rates and shall mature and be subject to mandatory and optional redemption in the years and at the redemption prices as shall be set forth in a Certificate of Award hereinafter identified.

If less than all of the then outstanding Combined Bonds are called for redemption, the Combined Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Combined Bonds is authorized, the Bond Registrar shall select Combined Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Combined Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

If optional redemption of Combined Bonds at a redemption price exceeding 100% of the principal amount thereof is to take place on any date on which a mandatory redemption of Combined Bonds will take place, the Combined Bonds to be redeemed by optional redemption shall be selected prior to the selection of Combined Bonds to be redeemed at par on the same date.

The right of redemption shall be exercised by notice specifying by numbers the Combined Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Combined Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Combined Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Combined Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Combined Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance. The Combined Bonds shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile. No Combined Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Combined Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Combined Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of and premium, if any, on the Combined Bonds shall be payable upon presentation and surrender of the Combined Bonds at the office of the Bond Registrar. Each Combined Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Combined Bond is after the 1st day of the calendar month in which an Interest Payment Date occurs, in which case interest shall accrue from such Interest Payment Date. Interest on any Combined Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Combined Bond is registered, at the close of business on the 1st day (unless such 1st day is a non-business day, in which case the record date will be the preceding business day) of the calendar month immediately in which occurs that Interest Payment Date (the "Record Date"), on the Bond Register (as defined in Section 7 hereof) at the address appearing therein.

Any interest on any Combined Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Combined Bond is registered at the close of business on a date (the "Special Record

Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Combined Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 6, each Combined Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Combined Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Combined Bond.

Section 7. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Combined Bonds. So long as any of the Combined Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Combined Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Combined Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Combined Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Combined Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Combined Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Combined Bond or Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Combined Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Combined Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Bonds. All Combined Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Bonds surrendered upon that transfer or exchange.

Section 8. The Combined Bonds shall be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) there shall be a single Combined Bond of each maturity, (ii) those Combined Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Combined Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Combined Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on Combined Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Combined Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Combined Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Combined Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for Combined Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance of the Municipality, and either of them acting alone, are authorized to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, if required, in connection with the issuance of the Combined Bonds to a Depository for use in a book entry system in substantially the form submitted to this Council.

If any Depository determines not to continue to act as a depository for the Combined Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Bonds from the Depository, and authenticate and deliver Combined Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Combined Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest and premium, if any, on the Combined Bonds may be transferred only through a book entry and (ii) physical Combined Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Combined Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Combined Bonds, and to effect transfers of Combined Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 9. The sale and award of the Combined Bonds shall be evidenced by the Certificate of Award signed by the Director of Finance or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Bonds (the "Original Purchaser"), who shall be

selected in accordance with the provisions of the Notice of Limited Tax Bond Sale attached hereto as Exhibit A, and shall state the aggregate principal amount of the Combined Bonds to be issued, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds and Term Maturity Dates, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the certificate authorized by this Section 9 to be executed by the Director of Finance or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Mandatory Redemption Dates" means fifteenth day of November in the years to be specified in the Certificate of Award in which the Combined Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Combined Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Combined Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Principal Retirement Dates" means the fifteenth day of November in the years in which the Combined Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award; provided that the Principal Retirement Dates shall be such that the final maturity of the principal portion of the Bonds included in the Combined Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Combined Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Bonds, together with accrued interest on the Combined Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Combined Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five per centum (5.00%) per annum.

"Term Bonds" means those Combined Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the fifteenth day of November in the year or years in which Combined Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award.

The Director of Finance, the City Auditor and the Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Bonds under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Bonds is hereby authorized, and the Director of Finance and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds from the sale of the Combined Bonds, except accrued interest, premium, if any, or costs of issuance, allocable to the Bonds (to wit: \$1,660,000) shall be deposited in the City Treasury, allocated to the following funds and projects in the amounts set forth below and are hereby appropriated therefore:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
706	570042	\$ 161,640	ECCO Family Health Center
706	570053	1,432,498	Blind School Renovation
706	500791	65,862	Hilltop Health Parking Lot
	Total	\$1,660,000	

Any accrued interest or premium received from such sale shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of the Combined Bonds in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Combined Bonds, which shall include, but shall not be limited, to the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with competitive sale of the Combined Bonds and printing fees, the Municipality is hereby authorized to expend a sum not to exceed Two Hundred Thousand Dollars (\$200,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

This Council hereby declares that the Combined Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data which will constitute the "annual information" for purposes of said Section 323.07.

Section 10. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Combined Bonds so that the Combined Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, the Deputy Auditor and the Director of Finance, or any other officer, including the City Clerk, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Combined Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden

or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, the Deputy Auditor or the Director of Finance, which action shall be in writing and signed by the City Auditor, the Deputy Auditor or the Director of Finance, or any other officer, including the City Clerk, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Combined Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Bonds which limits the amount of Combined Bond proceeds which may be invested on an unrestricted yield or requires the Municipality to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Bonds requires any such reports or rebates.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Bonds.

Section 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 14. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Note: Exhibit A on file in the City Clerk's Office.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1665-02

Authorizing the issuance of unlimited tax bonds in the amount of \$77,115,000 for the Division of Transportation (\$77,115,000) Section 55(B) of the City Charter.

WHEREAS, at the election held on November 2, 1999 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Two Hundred Three Million Seven Hundred Twenty Thousand Dollars (\$203,720,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, it is now deemed necessary to issue and sell \$77,115,000 of bonds under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of widening, opening, extending, constructing, paving, repaving, improving and changing the line of expressways, freeways, roads, highways, bikeways, streets, alleys, bridges, viaducts, overpasses, underpasses, grade crossing eliminations, and service and access roads, including development of offstreet parking facilities, the acquisition and installation of parking meters, traffic control systems, equipment and signs, the acquisition of real estate and interests in real estate and related equipment, and landscaping and site improvements; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is seventeen years; now, therefore,

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

Section 1. Bonds of the City of Columbus, Ohio (the "Municipality") shall be issued in the principal sum of Seventy Seven Million One Hundred Fifteen Thousand Dollars (\$77,115,000) (the "Bonds") for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and outside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with eight other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds will be jointly referred to herein as the "Combined Bonds". The Combined Bonds shall be designated "City of Columbus, Ohio Various Purpose Unlimited Tax Bonds, Series 2002-1".

Section 5. The Combined Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Combined Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated November 15, 2002; shall bear interest payable, or if issued as capital appreciation bonds with interest payable only at maturity, compoundable, semi-annually on the fifteenth day of May and November of each year (the "Interest Payment Dates") beginning May 15, 2003, until the principal sum is paid; and shall bear interest at the rates and shall mature and be subject to mandatory and optional redemption in the years and at the redemption prices as shall be set forth in a Certificate of Award hereinafter identified.

If less than all of the then outstanding Combined Bonds are called for redemption, the Combined Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Combined Bonds is authorized, the Bond Registrar shall select Combined Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Combined Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

If optional redemption of Combined Bonds at a redemption price exceeding 100% of the principal amount thereof is to take place on any date on which a mandatory redemption of Combined Bonds will take place, the Combined Bonds to be redeemed by optional redemption shall be selected prior to the selection of Combined Bonds to be redeemed at par on the same date.

The right of redemption shall be exercised by notice specifying by numbers the Combined Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Combined Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Combined Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Combined Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Combined Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance. The Combined Bonds shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile. No Combined Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Combined Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Combined Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of and premium, if any, on the Combined Bonds shall be payable upon presentation and surrender of the Combined Bonds at the office of the Bond Registrar. Each Combined Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Combined Bond is after the 1st day of the calendar month in which an Interest Payment Date occurs, in which case interest shall accrue from such Interest Payment Date. Interest on any Combined Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Combined Bond is registered, at the close of business on the 1st day (unless such 1st day is a non-business day, in which case the record date will be the preceding business day) of the calendar month immediately in which occurs that Interest Payment Date (the "Record Date"), on the Bond Register (as defined in Section 7 hereof) at the address appearing therein.

Any interest on any Combined Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Combined Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Combined Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 6, each Combined Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Combined Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Combined Bond.

Section 7. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Combined Bonds. So long as any of the Combined Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Combined Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Combined Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Combined Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Combined Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Combined Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Combined Bond or Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Combined Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Combined Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Bonds. All Combined Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Bonds surrendered upon that transfer or exchange.

Section 8. The Combined Bonds shall be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) there shall be a single Combined Bond of each maturity, (ii) those Combined Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Combined Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Combined Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on Combined Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Combined Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Combined Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Combined Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Bond, upon any conditions which shall be

satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for Combined Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance of the Municipality, and either of them acting alone, are authorized to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, if required, in connection with the issuance of the Combined Bonds to a Depository for use in a book entry system in substantially the form submitted to this Council.

If any Depository determines not to continue to act as a depository for the Combined Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Bonds from the Depository, and authenticate and deliver Combined Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Combined Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest and premium, if any, on the Combined Bonds may be transferred only through a book entry and (ii) physical Combined Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Combined Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Combined Bonds, and to effect transfers of Combined Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 9. The sale and award of the Combined Bonds shall be evidenced by the Certificate of Award signed by the Director of Finance or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Bonds (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Notice of Unlimited Tax Bond Sale attached hereto as Exhibit A, and shall state the aggregate principal amount of the Combined Bonds to be issued, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds and Term Maturity Dates, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the certificate authorized by this Section 9 to be executed by the Director of Finance or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Mandatory Redemption Dates" means fifteenth day of November in the years to be specified in the Certificate of Award in which the Combined Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Combined Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Combined Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Principal Retirement Dates" means the fifteenth day of November in the years in which the Combined Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award; provided that the Principal Retirement Dates shall be such that the final maturity of the principal portion of the Bonds included in the Combined Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Combined Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Bonds, together with accrued interest on the Combined Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Combined Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five per centum (5.00%) per annum.

"Term Bonds" means those Combined Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the fifteenth day of November in the year or years in which Combined Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award.

The Director of Finance, the City Auditor and the Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Bonds under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Bonds is hereby authorized, and the Director of Finance and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds from the sale of the Combined Bonds, except accrued interest, premium, if any, or costs of issuance, allocable to the Bonds (to wit: \$77,115,000) shall be deposited in the City Treasury, allocated to the following funds and projects in the amounts set forth below and are hereby appropriated therefore:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
704	540023	\$ 423,860	Traffic Calming
704	440005	7,940,574	Urban Infra.-Eng and Constr/Traffic
704	440104	1,200,000	Miscellaneous Economic Development

704	530050	250,000	Matching Funds- Clintonville
704	530010	166,000	Krumm Park
704	530034	21,375,428	Spring Sandusky Interchange
704	530051	3,500,000	OSU Community Improvements
704	530052	2,150,000	Morse Road Area Investment
704	530058	1,216,561	NCR
704	530103	115,000	Arterial Street Rehabilitation
704	530161	2,562,000	Roadway Improvements
704	530208	750,000	Federal/State Match
704	530282	12,000,000	Resurfacing
704	530790	1,290,000	Sidewalk Program
704	530801	1,098,307	Downtown Street Improvements
704	590105	1,250,991	Pedestrian Safety Improvements
704	590401	1,640,000	Lane Avenue Widening and Improvements
704	590408	300,000	Jeffrey Housing Project
704	590415	2,000,000	Economic Development
704	590436	105,000	Multi-Modal Terminal - Designated
704	590106	325,000	I 670 Retail Cap
704	540007	1,497,769	Traffic Signal Installation
704	590107	4,000,000	Downtown Revitalization
704	590108	7,000,000	Land Assemblage
704	590109	1,500,000	Mound/Souder
704	590110	900,000	McKinley Avenue
704	540008	558,510	Sign Upgrading/Street Name Signs
	Total	\$77,115,000	

Any accrued interest or premium received from such sale shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of the Combined Bonds in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Combined Bonds, which shall include, but shall not be limited, to the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with competitive sale of the Combined Bonds and printing fees, the Municipality is hereby authorized to expend a sum not to exceed Two Hundred Thousand Dollars (\$200,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

This Council hereby declares that the Combined Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data which will constitute the "annual information" for purposes of said Section 323.07.

Section 10. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Combined Bonds so that the Combined Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, the Deputy Auditor and the Director of Finance, or any other officer, including the City Clerk, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Combined Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, the Deputy Auditor or the Director of Finance, which action shall be in writing and signed by the City Auditor, the Deputy Auditor or the Director of Finance, or any other officer, including the City Clerk, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Combined Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Bonds which limits the amount of Combined Bond proceeds which may be invested on an unrestricted yield or requires the Municipality to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Bonds requires any such reports or rebates.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Bonds.

Section 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 14. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Note: Exhibit A on file in the City Clerk's Office.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1666-02

Authorizing the issuance of unlimited tax bonds in the amount of \$18,610,000 for the Department of Public Safety (\$18,610,000) Section 55(B) of the City Charter.

WHEREAS, at the election held on November 2, 1999 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Twenty Eight Million Two Hundred Fifty Five Thousand Dollars (\$28,255,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, it is now deemed necessary to issue and sell \$18,610,000 of bonds under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing and improving facilities for the Department of Public Safety's Division of Police, Division of Fire and Division of Communications, including the acquisition of real estate and interest in real estate, the construction, reconstruction, relocation, remodeling, enlargement and improvement of buildings and other structures, the acquisition of furnishings, apparatus, communications equipment and other equipment, landscaping and site improvements; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is sixteen years; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. Bonds of the City of Columbus, Ohio (the "Municipality") shall be issued in the principal sum of Eighteen Million Six Hundred Ten Thousand Dollars (\$18,610,000) (the "Bonds") for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and outside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with eight other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds will be jointly referred to herein as the "Combined Bonds". The Combined Bonds shall be designated "City of Columbus, Ohio Various Purpose Unlimited Tax Bonds, Series 2002-1".

Section 5. The Combined Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Combined Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated November 15, 2002; shall bear interest payable, or if issued as capital appreciation bonds with interest payable only at maturity, compoundable, semi-annually on the fifteenth day of May and November of each year (the "Interest Payment Dates") beginning May 15, 2003, until the principal sum is paid; and shall bear interest at the rates and shall mature and be subject to mandatory and optional redemption in the years and at the redemption prices as shall be set forth in a Certificate of Award hereinafter identified.

If less than all of the then outstanding Combined Bonds are called for redemption, the Combined Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Combined Bonds is authorized, the Bond Registrar shall select Combined Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Combined Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

If optional redemption of Combined Bonds at a redemption price exceeding 100% of the principal amount thereof is to take place on any date on which a mandatory redemption of Combined Bonds will take place, the Combined Bonds to be redeemed by optional redemption shall be selected prior to the selection of Combined Bonds to be redeemed at par on the same date.

The right of redemption shall be exercised by notice specifying by numbers the Combined Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Combined Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Combined Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Combined Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Combined Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance. The Combined Bonds shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile. No Combined Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Combined Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Combined Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of and premium, if any, on the Combined Bonds shall be payable upon presentation and surrender of the Combined Bonds at the office of the Bond Registrar. Each Combined Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Combined Bond is after the 1st day of the calendar month in which an Interest Payment Date occurs, in which case interest shall accrue from such Interest Payment Date. Interest on any Combined Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Combined Bond is registered, at the close of business on the 1st day (unless such 1st day is a non-business day, in which case the record date will be the preceding business day) of the calendar month immediately in which occurs that Interest Payment Date (the "Record Date"), on the Bond Register (as defined in Section 7 hereof) at the address appearing therein.

Any interest on any Combined Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Combined Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Combined Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 6, each Combined Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Combined Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Combined Bond.

Section 7. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Combined Bonds. So long as any of the Combined Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Combined Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Combined Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Combined Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Combined Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Combined Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Combined Bond or Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Combined Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Combined Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Bonds. All Combined Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Bonds surrendered upon that transfer or exchange.

Section 8. The Combined Bonds shall be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) there shall be a single Combined Bond of each maturity, (ii) those Combined Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Combined Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Combined Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on Combined Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Combined Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Combined Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Combined Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for Combined Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance of the Municipality, and either of them acting alone, are authorized to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, if required, in connection with the issuance of the Combined Bonds to a Depository for use in a book entry system in substantially the form submitted to this Council.

If any Depository determines not to continue to act as a depository for the Combined Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Bonds from the Depository, and authenticate and deliver Combined Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Combined Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest and premium, if any, on the Combined Bonds may be transferred only through a book entry and (ii) physical Combined Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Combined Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Combined Bonds, and to effect transfers of Combined Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 9. The sale and award of the Combined Bonds shall be evidenced by the Certificate of Award signed by the Director of Finance or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Bonds (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Notice of Unlimited Tax Bond Sale attached hereto as Exhibit A, and shall state the aggregate principal amount of the Combined Bonds to be issued, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds and Term Maturity Dates, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the certificate authorized by this Section 9 to be executed by the Director of Finance or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Mandatory Redemption Dates" means fifteenth day of November in the years to be specified in the Certificate of Award in which the Combined Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Combined Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Combined Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Principal Retirement Dates" means the fifteenth day of November in the years in which the Combined Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award; provided that the Principal Retirement Dates shall be such that the final maturity of the principal portion of the Bonds included in the Combined Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Combined Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Bonds, together with accrued interest on the Combined Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Combined Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five per centum (5.00%) per annum.

"Term Bonds" means those Combined Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the fifteenth day of November in the year or years in which Combined Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award.

The Director of Finance, the City Auditor and the Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Bonds under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Bonds is hereby authorized, and the Director of Finance and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds from the sale of the Combined Bonds, except accrued interest, premium, if any, or costs of issuance, allocable to the Bonds (to wit: \$18,610,000) shall be deposited in the City Treasury, allocated to the following funds and projects in the amounts set forth below and are hereby appropriated therefore:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
701	320001	\$ 858,000	Police and Fire Communications System
701	330041	718,468	South Dorm Renovation for I.A.B.
701	330022	11,030,000	Police Training Academy
701	330021	1,370,282	Police Facility Renovation
701	340121	1,008,250	Fire Station #19 Clintonville
701	340103	525,000	Fire Facility Renovation
701	340108	2,750,000	Fire Station #18 Cleveland Avenue
701	340109	350,000	Medic Vehicles
	Total	\$18,610,000	

Any accrued interest or premium received from such sale shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of the Combined Bonds in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Combined Bonds, which shall include, but shall not be limited, to the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with competitive sale of the Combined Bonds and printing fees, the Municipality is hereby authorized to expend a sum not to exceed Two Hundred Thousand Dollars (\$200,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

This Council hereby declares that the Combined Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data which will constitute the "annual information" for purposes of said Section 323.07.

Section 10. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Bonds is and will continue to be excluded from gross income for federal income tax purposes, including

without limitation restrictions on the use of the property financed with the proceeds of the Combined Bonds so that the Combined Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, the Deputy Auditor and the Director of Finance, or any other officer, including the City Clerk, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Combined Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, the Deputy Auditor or the Director of Finance, which action shall be in writing and signed by the City Auditor, the Deputy Auditor or the Director of Finance, or any other officer, including the City Clerk, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Combined Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Bonds which limits the amount of Combined Bond proceeds which may be invested on an unrestricted yield or requires the Municipality to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Bonds requires any such reports or rebates.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Bonds.

Section 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 14. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Note: Exhibit A on file in the City Clerk's Office.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1667-02

Authorizing the issuance of unlimited tax bonds in the amount of \$4,985,000 for refuse collection (\$4,985,000) Section 55(B) of the City Charter.

WHEREAS, at the election held on November 2, 1999 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Ten Million Six Hundred Seventy Five Thousand Dollars (\$10,675,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, it is now deemed necessary to issue and sell \$4,985,000 of bonds under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing and improving facilities for the Division of Refuse Collection, including but not limited to sanitation trucks, containers and related equipment; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds equals five (5) years and the maximum maturity of said bonds is five years; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. Bonds of the City of Columbus, Ohio (the "Municipality") shall be issued in the principal sum of Four Million Nine Hundred Eighty Five Thousand Dollars (\$4,985,000) (the "Bonds") for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and outside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with eight other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds will be jointly referred to herein as the "Combined Bonds". The Combined Bonds shall be designated "City of Columbus, Ohio Various Purpose Unlimited Tax Bonds, Series 2002-1".

Section 5. The Combined Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Combined Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated November 15, 2002; shall bear interest payable, or if issued as capital appreciation bonds with interest payable only at maturity, compoundable, semi-annually on the fifteenth day of May and November of each year (the "Interest Payment Dates") beginning May 15, 2003, until the principal sum is paid; and shall

bear interest at the rates and shall mature and be subject to mandatory and optional redemption in the years and at the redemption prices as shall be set forth in a Certificate of Award hereinafter identified.

If less than all of the then outstanding Combined Bonds are called for redemption, the Combined Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Combined Bonds is authorized, the Bond Registrar shall select Combined Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Combined Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

If optional redemption of Combined Bonds at a redemption price exceeding 100% of the principal amount thereof is to take place on any date on which a mandatory redemption of Combined Bonds will take place, the Combined Bonds to be redeemed by optional redemption shall be selected prior to the selection of Combined Bonds to be redeemed at par on the same date.

The right of redemption shall be exercised by notice specifying by numbers the Combined Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Combined Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Combined Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Combined Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Combined Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance. The Combined Bonds shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile. No Combined Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Combined Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Combined Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of and premium, if any, on the Combined Bonds shall be payable upon presentation and surrender of the Combined Bonds at the office of the Bond Registrar. Each Combined Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Combined Bond is after the 1st day of the calendar month in which an Interest Payment Date occurs, in which case interest shall accrue from such Interest Payment Date. Interest on any Combined Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Combined Bond is registered, at the close of business on the 1st day (unless such 1st day is a non-business day, in which case the record date will be the preceding business day) of the calendar month immediately in which occurs that Interest Payment Date (the "Record Date"), on the Bond Register (as defined in Section 7 hereof) at the address appearing therein.

Any interest on any Combined Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Combined Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Combined Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 6, each Combined Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Combined Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Combined Bond.

Section 7. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Combined Bonds. So long as any of the Combined Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Combined Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Combined Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Combined Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Combined Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Combined Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Combined Bond or Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Combined Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Combined Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Bonds. All Combined Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Bonds surrendered upon that transfer or exchange.

Section 8. The Combined Bonds shall be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) there shall be a single Combined Bond of each maturity, (ii) those Combined Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Combined Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Combined Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on Combined Bonds in book entry form registered in the name of a Depository or its

nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Combined Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Combined Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Combined Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for Combined Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance of the Municipality, and either of them acting alone, are authorized to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, if required, in connection with the issuance of the Combined Bonds to a Depository for use in a book entry system in substantially the form submitted to this Council.

If any Depository determines not to continue to act as a depository for the Combined Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Bonds from the Depository, and authenticate and deliver Combined Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Combined Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest and premium, if any, on the Combined Bonds may be transferred only through a book entry and (ii) physical Combined Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Combined Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Combined Bonds, and to effect transfers of Combined Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 9. The sale and award of the Combined Bonds shall be evidenced by the Certificate of Award signed by the Director of Finance or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Bonds (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Notice of Unlimited Tax Bond Sale attached hereto as Exhibit A, and shall state the aggregate principal amount of the Combined Bonds to be issued, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds and Term Maturity Dates, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the certificate authorized by this Section 9 to be executed by the Director of Finance or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Mandatory Redemption Dates" means fifteenth day of November in the years to be specified in the Certificate of Award in which the Combined Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Combined Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Combined Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Principal Retirement Dates" means the fifteenth day of November in the years in which the Combined Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award; provided that the Principal Retirement Dates shall be such that the final maturity of the principal portion of the Bonds included in the Combined Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Combined Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Bonds, together with accrued interest on the Combined Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Combined Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five per centum (5.00%) per annum.

"Term Bonds" means those Combined Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the fifteenth day of November in the year or years in which Combined Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award.

The Director of Finance, the City Auditor and the Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Bonds under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Bonds is hereby authorized, and the Director of Finance and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds from the sale of the Combined Bonds, except accrued interest, premium, if any, or costs of issuance, allocable to the Bonds (to wit: \$4,985,000) shall be deposited in the City Treasury, allocated to the following funds and projects in the amounts set forth below and are hereby appropriated therefore:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
703	520001	\$4,985,000	Mechanized Collection System
	Total	\$4,985,000	

Any accrued interest or premium received from such sale shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of the Combined Bonds in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Combined Bonds, which shall include, but shall not be limited, to the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with competitive sale of the Combined Bonds and printing fees, the Municipality is hereby authorized to expend a sum not to exceed Two Hundred Thousand Dollars (\$200,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

This Council hereby declares that the Combined Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data which will constitute the "annual information" for purposes of said Section 323.07.

Section 10. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Combined Bonds so that the Combined Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, the Deputy Auditor and the Director of Finance, or any other officer, including the City Clerk, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Combined Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, the Deputy Auditor or the Director of Finance, which action shall be in writing and signed by the City Auditor, the Deputy Auditor or the Director of Finance, or any other officer, including the City Clerk, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Combined Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Bonds which limits the amount of Combined Bond proceeds which may be invested on an unrestricted yield or requires the Municipality to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Bonds requires any such reports or rebates.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Bonds.

Section 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 14. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Note: Exhibit A on file in the City Clerk's Office.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1668-02

Authorizing the issuance of unlimited tax bonds in the amount of \$14,070,000 for The Division of Sewerage and Drainage- Sanitary (\$14,070,000) Section 55(B) of the City Charter.

WHEREAS, at the election held on May 7, 1991 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Three Hundred Twenty Five Million Dollars (\$325,000,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, it is now deemed necessary to issue and sell \$14,070,000 of bonds under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing and improving facilities for the Division of Sewerage and Drainage, which includes acquiring real estate and interest in real estate, expanding and improving existing waste water treatment facilities, constructing new waste water treatment facilities, acquiring and improving instrumentation and control systems, sewer lines, pumping stations, lagoons and levies, constructing storm and sanitary sewer separations and acquiring related machinery, equipment and appurtenances; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is twenty years; now, therefore,

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

Section 1. Bonds of the City of Columbus, Ohio (the "Municipality") shall be issued in the principal sum of Fourteen Million Seventy Thousand Dollars (\$14,070,000) (the "Bonds") for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and outside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with eight other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds will be jointly referred to herein as the "Combined Bonds". The Combined Bonds shall be designated "City of Columbus, Ohio Various Purpose Unlimited Tax Bonds, Series 2002-1".

Section 5. The Combined Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Combined Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated November 15, 2002; shall bear interest payable, or if issued as capital appreciation bonds with interest payable only at maturity, compoundable, semi-annually on the fifteenth day of May and November of each year (the "Interest Payment Dates") beginning May 15, 2003, until the principal sum is paid; and shall bear interest at the rates and shall mature and be subject to mandatory and optional redemption in the years and at the redemption prices as shall be set forth in a Certificate of Award hereinafter identified.

If less than all of the then outstanding Combined Bonds are called for redemption, the Combined Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Combined Bonds is authorized, the Bond Registrar shall select Combined Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Combined Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

If optional redemption of Combined Bonds at a redemption price exceeding 100% of the principal amount thereof is to take place on any date on which a mandatory redemption of Combined Bonds will take place, the Combined Bonds to be redeemed by optional redemption shall be selected prior to the selection of Combined Bonds to be redeemed at par on the same date.

The right of redemption shall be exercised by notice specifying by numbers the Combined Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Combined Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Combined Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Combined Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Combined Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance. The Combined Bonds shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile. No Combined Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Combined Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Combined Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of and premium, if any, on the Combined Bonds shall be payable upon presentation and surrender of the Combined Bonds at the office of the Bond Registrar. Each Combined Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Combined Bond is after the 1st day of the calendar month in which an Interest Payment Date occurs, in which case interest shall accrue from such Interest Payment Date. Interest on any Combined Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Combined Bond is registered, at the close of business on the 1st day (unless such 1st day is a non-business day, in which case the record date will be the preceding business day) of the calendar month immediately in which occurs that Interest Payment Date (the "Record Date"), on the Bond Register (as defined in Section 7 hereof) at the address appearing therein.

Any interest on any Combined Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Combined Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Combined Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 6, each Combined Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Combined Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Combined Bond.

Section 7. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Combined Bonds. So long as any of the Combined Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Combined Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Combined Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Combined Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Combined Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for

Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Combined Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Combined Bond or Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Combined Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Combined Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Bonds. All Combined Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Bonds surrendered upon that transfer or exchange.

Section 8. The Combined Bonds shall be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) there shall be a single Combined Bond of each maturity, (ii) those Combined Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Combined Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Combined Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on Combined Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Combined Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Combined Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Combined Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for Combined Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance of the Municipality, and either of them acting alone, are authorized to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, if required, in connection with the issuance of the Combined Bonds to a Depository for use in a book entry system in substantially the form submitted to this Council.

If any Depository determines not to continue to act as a depository for the Combined Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Bonds from the Depository, and authenticate and deliver Combined Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Combined Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest and premium, if any, on the Combined Bonds may be transferred only through a book entry and (ii) physical Combined Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Combined Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Combined Bonds, and to effect transfers of Combined Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 9. The sale and award of the Combined Bonds shall be evidenced by the Certificate of Award signed by the Director of Finance or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Bonds (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Notice of Unlimited Tax Bond Sale attached hereto as Exhibit A, and shall state the aggregate principal amount of the Combined Bonds to be issued, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds and Term Maturity Dates, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the certificate authorized by this Section 9 to be executed by the Director of Finance or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Mandatory Redemption Dates" means fifteenth day of November in the years to be specified in the Certificate of Award in which the Combined Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Combined Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Combined Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Principal Retirement Dates" means the fifteenth day of November in the years in which the Combined Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award; provided that the Principal Retirement Dates shall be such that the final maturity of the principal portion of the Bonds included in the Combined Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Combined Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Bonds, together with accrued interest on the Combined Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Combined Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five per centum (5.00%) per annum.

"Term Bonds" means those Combined Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the fifteenth day of November in the year or years in which Combined Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award.

The Director of Finance, the City Auditor and the Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Bonds under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Bonds is hereby authorized, and the Director of Finance and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds from the sale of the Combined Bonds, except accrued interest, premium, if any, or costs of issuance, allocable to the Bonds (to wit: \$14,070,000) shall be deposited in the City Treasury, allocated to the following funds and projects in the amounts set forth below and are hereby appropriated therefore:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
664	650032	\$1,300,000	Upper Scioto Area East Branch
664	650350	750,000	WWTF's Renovation and Rehabilitation
664	650351	64,000	WWTF's Construction and Contingencies
664	650360	950,000	WWTF Upgrade Engineering Co.
664	650361	400,000	WWTF General Construction Management
664	650362	3,400,000	SWWTP Replacement of Primary Clarifier Mech
664	650370	1,300,000	Maintenance Management Plan Upgrade
664	650404	80,000	Sanitary System Rehabilitation
664	650405	1,800,000	Sewer System I/I Remediation
664	650474	80,000	Rose Run North Subtrunk
664	650600	250,000	Franklin Main Interceptor
664	650604	261,000	Sanitary System Rehabilitation
664	650608	514,000	Frank Road Subtrunk, Vicinity of Hart Road
664	650618	120,000	Chestnut Street Combined Sewer Rehabilitation
664	650656	16,816	Weldon Avenue Sanitary Relief Sewer
664	650657	41,000	Lenore Avenue/Huy Road Sanitary Relief
664	650663	136,000	Webster Park/Milton Area Sanitary
664	650664	233,000	Foster/Acton Sanitary Improvement
664	650676	8,000	Stanton Area Sanitary Improvement
664	650682	14,000	W. Columbus Local Protection Project
664	650685	39,000	Como/Milton Area Sanitary
664	650688	47,000	Skyline Drive Area Assessment Sewer
664	650689	216,184	Morse Road Sanitary Sewer
664	650690	1,000,000	Sanitary Sewer Overflow Elimination
664	650972	61,000	Marion Road Sanitary / Storm Improvements
664	650132	483,000	Sanitary Pumping Station Telemetering
664	650620	69,000	Lockbourne Road Sanitary Sewer
664	650432	207,000	Sanitary Pumping Stations
664	650339	230,000	Sludge Regulations Compliance
	Total	\$14,070,000	

Any accrued interest or premium received from such sale shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of the Combined Bonds in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Combined Bonds, which shall include, but shall not be limited, to the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with competitive sale of the Combined Bonds and printing fees, the Municipality is hereby authorized to expend a sum not to exceed Two Hundred Thousand Dollars (\$200,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

This Council hereby declares that the Combined Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data which will constitute the "annual information" for purposes of said Section 323.07.

Section 10. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Combined Bonds so that the Combined Bonds will not

constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, the Deputy Auditor and the Director of Finance, or any other officer, including the City Clerk, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Combined Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, the Deputy Auditor or the Director of Finance, which action shall be in writing and signed by the City Auditor, the Deputy Auditor or the Director of Finance, or any other officer, including the City Clerk, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Combined Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Bonds which limits the amount of Combined Bond proceeds which may be invested on an unrestricted yield or requires the Municipality to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Bonds requires any such reports or rebates.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Bonds.

Section 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 14. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Note: Exhibit A on file in the City Clerk's Office.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1669-02

Authorizing the issuance of unlimited tax bonds in the amount of \$34,580,000 for the Division of Water (\$34,580,000) Section 55(B) of the City Charter.

WHEREAS, at the election held on November 2, 1999 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Two Hundred Million Dollars (\$200,000,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, it is now deemed necessary to issue and sell \$34,580,000 of bonds under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring real estate and interest in real estate, improving existing water plants and acquiring and improving instrumentation and control systems, hydroelectric facilities, raw water conduits, transmission and distribution lines, booster stations, tanks, lagoons and levees;

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is fifteen years; now, therefore,

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

Section 1. Bonds of the City of Columbus, Ohio (the "Municipality") shall be issued in the principal sum of Thirty Four Million Five Hundred Eighty Thousand Dollars (\$34,580,000) (the "Bonds") for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and outside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with eight other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds will be jointly referred to herein as the "Combined Bonds". The Combined Bonds shall be designated "City of Columbus, Ohio Various Purpose Unlimited Tax Bonds, Series 2002-1".

Section 5. The Combined Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Combined Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated November 15, 2002; shall bear interest payable, or if issued as capital appreciation bonds with interest payable only at maturity, compoundable, semi-annually on

the fifteenth day of May and November of each year (the "Interest Payment Dates") beginning May 15, 2003, until the principal sum is paid; and shall bear interest at the rates and shall mature and be subject to mandatory and optional redemption in the years and at the redemption prices as shall be set forth in a Certificate of Award hereinafter identified.

If less than all of the then outstanding Combined Bonds are called for redemption, the Combined Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Combined Bonds is authorized, the Bond Registrar shall select Combined Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Combined Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

If optional redemption of Combined Bonds at a redemption price exceeding 100% of the principal amount thereof is to take place on any date on which a mandatory redemption of Combined Bonds will take place, the Combined Bonds to be redeemed by optional redemption shall be selected prior to the selection of Combined Bonds to be redeemed at par on the same date.

The right of redemption shall be exercised by notice specifying by numbers the Combined Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Combined Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Combined Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Combined Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Combined Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance. The Combined Bonds shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that any of those signatures may be a facsimile. No Combined Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Combined Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Combined Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Combined Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of and premium, if any, on the Combined Bonds shall be payable upon presentation and surrender of the Combined Bonds at the office of the Bond Registrar. Each Combined Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Combined Bond is after the 1st day of the calendar month in which an Interest Payment Date occurs, in which case interest shall accrue from such Interest Payment Date. Interest on any Combined Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Combined Bond is registered, at the close of business on the 1st day (unless such 1st day is a non-business day, in which case the record date will be the preceding business day) of the calendar month immediately in which occurs that Interest Payment Date (the "Record Date"), on the Bond Register (as defined in Section 7 hereof) at the address appearing therein.

Any interest on any Combined Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Combined Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Combined Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 6, each Combined Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Combined Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Combined Bond.

Section 7. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Combined Bonds. So long as any of the Combined Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Combined Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Combined Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Combined Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Combined Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Combined Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Combined Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Combined Bond or Combined Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Combined Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Combined Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Combined Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Combined Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Combined Bonds. All Combined Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Combined Bonds surrendered upon that transfer or exchange.

Section 8. The Combined Bonds shall be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) there shall be a single Combined Bond of each maturity, (ii) those Combined Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Combined Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Combined Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Combined Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the

Municipality. Principal of and premium, if any, and interest on Combined Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Combined Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of a Combined Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Combined Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Combined Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Combined Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for Combined Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance of the Municipality, and either of them acting alone, are authorized to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, if required, in connection with the issuance of the Combined Bonds to a Depository for use in a book entry system in substantially the form submitted to this Council.

If any Depository determines not to continue to act as a depository for the Combined Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Combined Bonds from the Depository, and authenticate and deliver Combined Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Combined Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest and premium, if any, on the Combined Bonds may be transferred only through a book entry and (ii) physical Combined Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Combined Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Combined Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Combined Bonds, and to effect transfers of Combined Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 9. The sale and award of the Combined Bonds shall be evidenced by the Certificate of Award signed by the Director of Finance or the City Auditor. The Certificate of Award shall identify the original purchaser of the Combined Bonds (the "Original Purchaser"), who shall be selected in accordance with the provisions of the Notice of Unlimited Tax Bond Sale attached hereto as Exhibit A, and shall state the aggregate principal amount of the Combined Bonds to be issued, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds and Term Maturity Dates, (all as hereinafter defined) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the certificate authorized by this Section 9 to be executed by the Director of Finance or the City Auditor setting forth and determining such terms and other matters pertaining to the Combined Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Mandatory Redemption Dates" means fifteenth day of November in the years to be specified in the Certificate of Award in which the Combined Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Combined Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Combined Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Principal Retirement Dates" means the fifteenth day of November in the years in which the Combined Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award; provided that the Principal Retirement Dates shall be such that the final maturity of the principal portion of the Bonds included in the Combined Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Combined Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than the aggregate principal amount of the Combined Bonds, together with accrued interest on the Combined Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Combined Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five per centum (5.00%) per annum.

"Term Bonds" means those Combined Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the fifteenth day of November in the year or years in which Combined Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award.

The Director of Finance, the City Auditor and the Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Combined Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Combined Bonds under the terms of this Ordinance.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Combined Bonds is hereby authorized, and the Director of Finance and the City Auditor, and each of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Combined Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Combined Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds from the sale of the Combined Bonds, except accrued interest, premium, if any, or costs of issuance, allocable to the Bonds (to wit: \$34,580,000) shall be deposited in the City Treasury, allocated to the following funds and projects in the amounts set forth below and are hereby appropriated therefore:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
606	250001	\$ 475,000	Geographic Information System
606	690006	3,844,000	Hoover Reservoir Control
606	690236	1,000,000	Water Main Rehabilitation
606	690251	195,750	O'Shaughnessy Dam Hydroelectric
606	690265	1,518,000	HCWP Raw Water Line
606	690278	750,000	DRWP Miscellaneous Improvements
606	690286	400,000	HAP Cremean Water Plant Mis
606	690290	510,000	Distribution Improvements
606	690328	766,704	Parsons Avenue Water Plant
606	690331	200,000	HCWP Lagoons 1,2&3 Sludge Removal
606	690332	600,000	HCWP Sludge Pump Station
606	690335	1,500,000	DRWP Olentangy
606	690370	6,000,000	Underground Reservoirs
606	690379	7,600,000	DRWP Chlorine Storage Improvement
606	690405	540,000	Refugee Road 16" Water Main
606	690407	138,459	Mound/Harrisburg Pike 24" Water Main
606	690411	420,000	Griggs Reservoir Maintenance
606	690412	4,117,287	O'Shaughnessy Reservoir Home Rd Bd
606	690413	800,000	HCWP Automation Upgrade
606	690428	250,000	DRWP Treatment Capacity Increase
606	690441	4,800	Alum Creek Pump Station Improvement Interior
606	690446	150,000	General Engineering Services Supply
606	690448	200,000	McKinley Avenue 36" Water Main
606	690449	300,000	Dublin Road 36" Water Main
606	690450	150,000	Griggs Booster Station
606	690452	150,000	Scioto Darby Creek Road 24" Water Main
606	690454	150,000	16" Water Main Easement E. of 270
606	690455	150,000	Joyce Avenue 16" Water Main
606	690458	150,000	Waggoner Road 30" Water Main
606	690468	900,000	Sunbury Road 12" Water Main
606	690471	150,000	PAWP Electrical Service Upgrade
606	690472	500,000	O'Shaughnessy Gatehouse Miscellaneous Improvement
	Total	\$34,580,000	

Any accrued interest or premium received from such sale shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of the Combined Bonds in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Combined Bonds, which shall include, but shall not be limited, to the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with competitive sale of the Combined Bonds and printing fees, the Municipality is hereby authorized to expend a sum not to exceed Two Hundred Thousand Dollars (\$200,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor.

This Council hereby declares that the Combined Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data which will constitute the "annual information" for purposes of said Section 323.07.

Section 10. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Combined Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Combined Bonds so that the Combined Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Combined Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, the Deputy Auditor and the Director of Finance, or any other officer, including the City Clerk, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Combined Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Combined Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, the Deputy Auditor or the Director of Finance, which action shall be in writing and signed by the City Auditor, the Deputy Auditor or the Director of Finance, or any other officer, including the City Clerk, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Combined Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Combined Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Combined Bonds which limits the amount of Combined Bond proceeds which may be invested on an unrestricted yield or requires the Municipality to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate

arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Combined Bonds requires any such reports or rebates.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Combined Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Combined Bonds.

Section 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 14. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Note: Exhibit A on file in the City Clerk's Office.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1674-02

To adopt a Capital Improvements Budget for the twelve months ending December 31, 2002, or until such time as a new Capital Improvements Budget is adopted, establishing a project budget for capital improvements requiring legislative authorization in 2002, to repeal Ordinance No. 0726-01, as amended, and to declare an emergency.

WHEREAS, Chapter 333 of the Columbus City Code requires the annual submission of a Capital Improvements Budget to City Council for consideration and adoption; and

WHEREAS, the following sets forth capital projects proposed for the City of Columbus in 2002, the proposed source of funds for each project, and a maximum budget for the 12 months beginning January 1, 2002 and ending December 31, 2002, or until such time as a new capital improvements budget is adopted; and

WHEREAS, an emergency exists in the usual daily operations of the various city departments in that it is immediately necessary to budget capital projects and proposed funding by the adoption of a Capital Improvements Budget 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 from the monies in each of the subfunds, the source of which is identified for each project, there be and hereby are budgeted for the following capital projects, the following sums of money for the 12 months from January 1, 2002 to December 31, 2002 or until such time as a new capital improvements budget is adopted:

	2002	CAPITAL	IMPROVEMENTS	BUDGET		
						As of:
						13-Nov-02
						U:rwnewman/debt/2002/ ciboct2002draft
SAFETY / COMMUNICATIONS 30-02	New	Carryover	Total		Project	FUNDING
PROJECT NAME	Funding	Funding	Budget	Fund	Number	SOURCE
Communication Equipment	\$ 858,000		\$ 858,000			Voted 1999
800MHz System Expansion		\$ 2,151	2,151	701	320009	Voted Carryover
Subtotal - Communications	\$ 858,000	\$ 2,151	\$ 860,151			
SAFETY / POLICE 30-03	New	Carryover	Total		Project	FUNDING
PROJECT NAME	Funding	Funding	Budget	Fund	Number	SOURCE
Police Facility Renovation	\$ 100,282		\$ 100,282			Voted 1999
		\$ 375,425	375,425	701	330021	Voted Carryover
		2,882	2,882	736	330002	Unvoted Carryover
Police Training Academy	11,030,000		11,030,000			Voted 1999
	8,970,000		8,970,000			Councilmanic
South Dorm Renovation for IAB	718,468		718,468			Voted 1999
		1,292	1,292	701	330041	Voted Carryover
Community Safety Center	1,270,000		1,270,000			Voted 1999
Subtotal - Police	\$ 22,088,750	\$ 379,599	\$ 22,468,349			
SAFETY / FIRE 30-04	New	Carryover	Total		Project	FUNDING
PROJECT NAME	Funding	Funding	Budget	Fund	Number	SOURCE
Fire Apparatus Replacement		\$ 110,475	110,475	701	340101	Voted Carryover
Fire Facility Renovation	\$ 525,000		525,000			Voted 1999
		590,827	590,827	701	340103	Voted Carryover
Fire Station Land Acquisition		637	637	701	340104	Voted Carryover
Fire Station - 14 Relocation		1	1	701	340106	Voted Carryover

Fire Station - 34 Far North (Tuttle)		2,728,426	2,728,426	701	340115	Voted Carryover
Medic Vehicles	350,000		350,000			Voted 1999
Fire Station - 19 (Clintonville)	1,008,250		1,008,250			Voted 1999
		2,013,250	3,021,500	701	340121	Voted Carryover
Fire Station - 18 (Cleveland Avenue)	2,750,000		2,750,000			Voted 1999
Subtotal - Fire	\$ 4,633,250	\$ 5,443,616	\$ 11,085,116			
INFORMATION SERVICES 47-01	New	Carryover	Total		Project	FUNDING
PROJECT NAME	Funding	Funding	Budget	Fund	Number	SOURCE
System Migration			\$ -			Information Services
		\$ 194,442	194,442	514	470005	Information Services Carryover
Network Expansion			-			Information Services
Regulations Computer Systems		67,108	67,108	751	470007	Information Services Carryover
Disaster Recovery		467,354	467,354	514	470006	Information Services Carryover
Y2K Migration		39,299	39,299	514	470107	Information Services Carryover
Subtotal - Information Services	\$ -	\$ 768,203	\$ 768,203			
CABLE 47-03	New	Carryover	Total		Project	FUNDING
PROJECT NAME	Funding	Funding	Budget	Fund	Number	SOURCE
Fiber Optic Cable Installation			\$ -			Cable
		\$ 752,226	752,226	752	470009	Cable Carryover
Metronet Equipment			0			Cable
		750,000	750,000	752	470010	Cable Carryover
Subtotal - Cable	\$ -	\$ 1,502,226	\$ 1,502,226			
HEALTH 50-01	New	Carryover	Total		Project	FUNDING
PROJECT NAME	Funding	Funding	Budget	Fund	Number	SOURCE
East Central Facility Renovation	\$ 3,575,000		\$3,575,000			Voted 1999
	161,640		161,640			Councilmanic
Neighborhood Health Centers	65,862		65,862			Councilmanic
Blind School Renovation	1,432,498		1,432,498			Councilmanic
Subtotal - Health	\$ 5,235,000	\$ -	\$ 5,235,000			
RECREATION AND PARKS 51-01	New	Carryover	Total		Project	FUNDING
PROJECT NAME	Funding	Funding	Budget	Fund	Number	SOURCE
Facility Renovation	\$ 925,000		\$ 925,000			Voted 1999
		\$ 2,698,347	2,698,347	702	510035	Voted Carryover
		722	722	729	510035	Unvoted Carryover
Swimming Facilities		75,000	75,000	702	510011	Voted Carryover
Park & Playground Development		1,171,719	1,171,719	702	510017	Voted Carryover
Parkland Acquisition	575,000		575,000			Voted 1999
		3,319,078	3,319,078	702	510112	Voted Carryover
Bikeway Improvements		296,212	296,212	702	510229	Voted Carryover
Urban Infrastructure - Rec & Parks		98,572	98,572	702	440006	Voted Carryover
Smith Farms - 3 Creeks		163,169	163,169	702	510315	Voted Carryover
North Recreation Center		84,100	84,100	702	510226	Voted Carryover
Greenways Projects	2,375,000		2,375,000			Voted 1999
		67,023	67,023	702	510316	Voted Carryover
Golf Course Improvements		61,656	61,656	702	510429	Voted Carryover
Riverfront Redevelopment		2,415	2,415	702	510307	Voted Carryover
Public Dock Improvements		1,900	1,900	729	510005	Unvoted Carryover
New Senior Citizen Center		77	77	702	510228	Voted Carryover
Hard Surface Renovation		27,974	27,974	702	510185	Voted Carryover
Riverfront Land Acquisition		144	144	702	510310	Voted Carryover
Whittier Peninsula Land Acquisition		16,072	16,072	702	510317	Voted Carryover
Land Acquisition Riverfront		15,771	15,771	702	510621	Voted Carryover
		478	478	729	510621	Unvoted Carryover
Subtotal - Recreation and Parks	\$ 3,875,000	\$ 8,100,429	\$ 11,975,429			

SERVICE / REFUSE COLLECTION 59-02	New	Carryover	Total		Project	FUNDING
PROJECT NAME	Funding	Funding	Budget	Fund	Number	SOURCE
Mechanized Collection Equipment	\$ 4,985,000		\$ 4,985,000			Voted 1999
		\$ 42,266	42,266	703	520001	Voted Carryover
Subtotal - Refuse Collection	\$ 4,985,000	\$ 42,266	\$ 5,027,266			
SERVICE / TRANSPORTATION 59-09	New	Carryover	Total		Project	FUNDING
PROJECT NAME	Funding	Funding	Budget	Fund	Number	SOURCE
Street Rehabilitation	\$ 115,000		\$ 115,000			Voted 1999
	330,600		330,600			\$5 License Tax
Resurfacing	12,000,000		12,000,000			Voted 1999
		\$ 8,177,246	8,177,246	704	530282	Voted Carryover
		32,834	32,834	724	530282	Unvoted Carryover
		25,973	25,973	742	530282	Unvoted Carryover
		156,754	156,754	741	530282	Voted Carryover
NCR	1,216,561		1,216,561			Voted 1999
		493,712	493,712	704	530058	Voted Carryover
Short North SID		505,416	505,416	704	530053	Voted Carryover
Federal/State Match	750,000		750,000			Voted 1999
		16,728	16,728	704	530208	Voted Carryover
Multi-Modal Terminal Air Rights	105,000		105,000			Voted 1999
Urban Infrastructure Improvements	7,940,574		7,940,574			Voted 1999
		8,812	8,812	704	530021	Voted Carryover
		50,197	50,197	704	440005	Voted Carryover
		27,684	27,684	742	440004	Unvoted Carryover
Roadway Improvements	2,562,000		2,562,000			Voted 1999
		821,988	821,988	704	530161	Voted Carryover
City Bridge Rehabilitation		2,705	2,705	704	530301	Voted Carryover
Spring/Sandusky Roadway Improvements	21,375,428		21,375,428			Voted 1999
I-670 Cap	325,000		325,000			Voted 1999
Lane Avenue Widening and Improvements	1,640,000		1,640,000			Voted 1999
		564,423	564,423	704	590401	Voted Carryover
Downtown Streetscape Improvements	1,098,307		1,098,307			Voted 1999
Downtown Revitalization	4,000,000		4,000,000			Voted 1999
Land Assemblage	7,000,000		7,000,000			Voted 1999
Sidewalks/Curbs	1,290,000		1,290,000			Voted 1999
		1,282,540	1,282,540	704	530790	Voted Carryover
Matching Funds-Clintonville	250,000		250,000			Voted 1999
Krumm Park	166,000		166,000			Voted 1999
		1,287,567	1,287,567	704	530010	Voted Carryover
OSU Community Improvements	3,500,000		3,500,000			Voted 1999
Morse Road Area Investment	2,150,000		2,150,000			Voted 1999
Mound and Souder	1,500,000		1,500,000			Voted 1999
McKinley Avenue-Central to Souder	900,000		900,000			Voted 1999
Economic & Community Development	1,200,000		1,200,000			Voted 1999
Mound Street Intersection		283,800	283,800	704	530860	Voted Carryover
Jeffrey Housing Project	300,000		300,000			Voted 1999
Miscellaneous Economic Development	2,000,000		2,000,000			Voted 1999
		400,000	400,000	704	440104	Voted Carryover
Livingston Park Sidewalks		2,485	2,485	742	510552	Unvoted Carryover
Unallocated Balance		75,002	75,002	742	742999	Unvoted Carryover
Traffic Signal Installation	1,497,769		1,497,769			Voted 1999
		492,743	492,743	704	540007	Voted Carryover
Sign Upgrading/Street Name Signs	558,510		558,510			Voted 1999
Pedestrian Safety Improvements	1,250,991		1,250,991			Voted 1999
Traffic Calming	423,860		423,860			Voted 1999
Maintenance Facility		79,048	79,048	704	540018	Voted Carryover
Miscellaneous Intersection Improvement		133,000	133,000	704	530086	Voted Carryover
25th Avenue Facility		35,127	35,127	704	530345	Voted Carryover
School Flashers		137,000	137,000			Voted Carryover
Subtotal - Transportation	\$ 77,445,600	\$ 15,092,784	\$ 92,538,384			
FACILITIES MANAGEMENT 59-07	New	Carryover	Total		Project	FUNDING
PROJECT NAME	Funding	Funding	Budget	Fund	Number	SOURCE

Facility Renovation	\$ 555,804		\$ 555,804			Councilmanic
		\$ 260,419	260,419	733	570030	Unvoted Carryover
Municipal Court Renovation-Prosecutor/Probation	34,696		34,696			Councilmanic
		100,305	100,305	733	570055	Unvoted Carryover
Municipal Court Renovation	644,500		644,500			Councilmanic
		1,175	1,175	733	570043	Unvoted Carryover
Subtotal - Facilities Management	\$ 1,235,000	\$ 361,899	\$ 1,596,899			
PUBLIC UTILITIES / SEWERS 60-05	New	Carryover	Total		Project	FUNDING
PROJECT NAME	Funding	Funding	Budget	Fund	Number	SOURCE
SANITARY PROJECTS:						
USAE Scioto Branch Sewer, Section 1	\$ 1,300,000		\$ 1,300,000			Voted 1991-Sanitary
Sewer System Rehabilitation City Wide	80,000		80,000			Voted 1991-Sanitary
		\$ 128,805	128,805	664	650404	Sewer Voted Carryover
Sewer System Rehabilitation-Clintonville	750,000		750,000			Voted 1991-Sanitary
Rose Run North Subtrunk, Vicinity of Locust Alley	80,000		80,000			Voted 1991-Sanitary
Franklin-Main Interceptor Rehabilitation	250,000		250,000			Voted 1991-Sanitary
		72,799	72,799	664	650689	Sewer Voted Carryover
Big Run Trunk Sewer-Hellbranch	1,300,000		1,300,000			Voted 1991-Sanitary
Frank Road Subtrunk, vicinity of Hart Road	514,000		514,000			Voted 1991-Sanitary
Weldon Avenue Sanitary Relief Sewer	16,816		16,816			Voted 1991-Sanitary
Lenore/Huy Sanitary Relief Sewer	41,000		41,000			Voted 1991-Sanitary
Stanton Area Sanitary Improvements	8,000		8,000			Voted 1991-Sanitary
Chase/High Area Sanitary Improvements	14,000		14,000			Voted 1991-Sanitary
Como/Milton Area Sanitary Improvements	39,000		39,000			Voted 1991-Sanitary
Sanitary Sewer Overflow Elimination	1,000,000		1,000,000			Voted 1991-Sanitary
Wastewater Treatment Facility Construction & Contingencies	1,064,000		1,064,000			Voted 1991-Sanitary
		1,258	1,258	663	650351	Sewer Unvoted Carryover
Wastewater Treatment Facilities Construction Management	400,000		400,000			Voted 1991-Sanitary
Wastewater Treatment Facilities Renovation & Rehabilitation	750,000		750,000			Voted 1991-Sanitary
Wastewater Treatment Facilities General Program	950,000		950,000			Voted 1991-Sanitary
Maintenance Management Program Upgrade	1,300,000		1,300,000			Voted 1991-Sanitary
SWWTP Replacement of Primary Clarifier	3,400,000		3,400,000			Voted 1991-Sanitary
Chestnut Street Combined Sewer Rehabilitation	120,000		120,000			Voted 1991-Sanitary
Webster Park/Milton Area Sanitary Improvements	136,000		136,000			Voted 1991-Sanitary
Foster/Acton Area Sanitary Improvements	233,000		233,000			Voted 1991-Sanitary
Morse Road Sanitary Sewer E. of Cleveland Avenue	216,184		216,184			Voted 1991-Sanitary
		225,000	225,000	664	650689	Sewer Voted Carryover
Marion Road Sanitary/Storm Improvements	61,000		61,000			Voted 1991-Sanitary
Skyline Drive Area Assessment Sewer	47,000		47,000			Voted 1991-Sanitary
Big Walnut Sanitary Trunk Extension	450,000		450,000			OWDA
Blacklick Creek Sanitary Int. Sewer	720,885		720,885			OWDA
Alum Creek Sanitary Relief Sewer	750,000		750,000			OWDA
Blacklick Creek Sanitary Interceptor Augmentation	6,500,000		6,500,000			OWDA
Hilock/Lewis Roads Assessments Sewer Part 2	721,000		721,000			OWDA
Mohawk Street Combined Sewer Rehabilitation	2,200,000		2,200,000			OWDA
Macon Alley Combined Sewer Rehabilitation	1,000,000		1,000,000			OWDA
Fairwood Avenue Replacement Sewer	1,300,000		1,300,000			OWDA
Frebis/Ellsworth Sewer Improvements	67,000		67,000			OWDA
Livingston Avenue Sewer Improvements	217,000		217,000			OWDA
Forest Street Sewer Improvements	60,000		60,000			OWDA
Hiawatha Park/Atwood Relief Sewer	210,000		210,000			OWDA
Atwood Terrace/Akola Relief Sewer	141,000		141,000			OWDA
Atwood Terrace/Weber Road Relief Sewer	163,000		163,000			OWDA
Atwood Terrace/Lenore Avenue Sanitary Relief Sewer	63,000		63,000			OWDA
Atwood Terrace/Northridge Relief Sewer	86,000		86,000			OWDA
Garden Road Area Sewer Rehabilitation	380,000		380,000			OWDA
		48,000	48,000	664	650652	Sewer Voted Carryover
Loretta Avenue Sanitary Relief Sewer	44,000		44,000			OWDA

Genessee Avenue Sanitary Relief Sewer	68,000		68,000			OWDA
Maize/Morse Sanitary Sewer Rehabilitation	1,000,000		1,000,000			OWDA
Walhalla Ravine Area Sanitary Improvements	5,130,000		5,130,000			OWDA
Adena Brook Ravine Area Sanitary Improvements	536,455		536,455			OWDA
Sharon Heights Area Sanitary Improvements	293,000		293,000			OWDA
Torrence/Colerain Area Sanitary Improvements	384,000		384,000			OWDA
Crestview/Calumet Area Sanitary Improvements	178,000		178,000			OWDA
Clinton Heights/Colerain Area Sanitary Improvements	115,000		115,000			OWDA
Arden/Foster Area Sanitary Improvements	46,000		46,000			OWDA
Piedmont/High Area Sanitary Improvements	102,000		102,000			OWDA
Orchard/Milton Area Sanitary Improvements	201,000		201,000			OWDA
JPWWTP Electrical System Upgrade	122,980		122,980			OWDA
JPWWTP New Headworks	14,268,227		14,268,227			OWDA
		4,051,227	4,051,227	664	650453	Sewer Voted Carryover
JPWWTP Skimmings Concentrator System Improvements	125,308		125,308			OWDA
SWWTP Electrical System Upgrade	115,780		115,780			OWDA
WWTF's I&C System Upgrade	100,730		100,730			OWDA
SWWTP Sludge Dewatering and Miscellaneous Improvements	21,028,000		21,028,000			OWDA
SWWTP New Headworks	4,033,000		4,033,000			OWDA
SWWTP Effluent Disinfection Improvements	298,700		298,700			OWDA
SWWTP Additional Clarifier No. 4	23,423		23,423			OWDA
SMOC Renovations	324,200		324,200			OWDA
Sugar Run Sanitary Subtrunk, E. of Central College		1,212	1,212	663	650453	Sewer Unvoted Carryover
Maynard Avenue Sanitary Sewer Replacement		71,012	71,012	664	650653	Sewer Voted Carryover
Big Walnut Augmentation/Rickenbacker Sanitary Interceptor 1		850,000	850,000	664	650491	Sewer Voted Carryover
Blacklick Sanitary Interceptor Capacity Augmentation		506,911	506,911	664	650492	Sewer Voted Carryover
Hiawatha Park/Atwood Relief Sewer		215,112	215,112	664	650646	Sewer Voted Carryover
Hiawatha Park/Azelda Relief Sewer		164,024	164,024	664	650647	Sewer Voted Carryover
Walhalla Ravine Area Sanitary Improvements		725,064	725,064	664	650662	Sewer Voted Carryover
Greenlawn Avenue Sanitary & Storm Sewer Improvements		176,675	176,675	664	650876	Sewer Voted Carryover
Cleveland Avenue Combination Sewer Rehabilitation		53,183	53,183	664	650429	Sewer Voted Carryover
Gay/Pearl/Long Streets Combination Rehabilitation		57,196	57,196	664	650616	Sewer Voted Carryover
Rhodes Avenue Sanitary Sewer		107,141	107,141	664	650626	Sewer Voted Carryover
Royal Forest/Beechmont Area Sanitary Improvements		359	359	664	650677	Sewer Voted Carryover
Rustic Bridge Area Sanitary Improvements		777	777	664	650677	Sewer Voted Carryover
Subtotal - Sanitary Sewers	\$ 77,636,688	\$ 7,455,755	\$ 85,092,443			
PUBLIC UTILITIES / ELECTRICITY 60-07	New	Carryover	Total		Project	FUNDING
PROJECT NAME	Funding	Funding	Budget	Fund	Number	SOURCE
Street Lighting	\$ 172,000		\$ 172,000			Voted 1999 Electricity
		\$ 1,026,354	1,026,354	553	670003	Voted Electricity Carryover
		25,366	25,366	581	670003	Voted Electricity Carryover
		5,458	5,458	582	670003	Unvoted Electricity Carryover
Capacitors		705,000	705,000	553	670177	Voted Electricity Carryover
138 KV to North/Morse Rd. Substations		1,912	1,912	553	670103	Voted Electricity Carryover
		3,125	3,125	581	670060	Voted Electricity Carryover
		16,361	16,361	581	670103	Voted Electricity Carryover
Urban Infrastructure Recovery		171,838	171,838	553	440007	Voted Electricity Carryover
Eastmoor II Assessment	83,000		83,000			Voted 1999 Electricity
Facilities Improvements	500,000		500,000			Voted 1999 Electricity
GIS		3,385	3,385	555	452501	Unvoted Electricity Carryover
New Customer Development		397,116	397,116	553	670105	Voted Electricity Carryover
		6,762	6,762	581	670105	Voted Electricity Carryover
		27,375	27,375	582	670105	Unvoted Electricity Carryover
Northmor Street Lighting		20,509	20,509	553	670180	Voted Electricity Carryover
Karl/Northridge Area Street Lighting		431	431	553	670180	Voted Electricity Carryover
Clintonville Street Lighting		749,871	749,871	553	670601	Voted Electricity Carryover
Facilities Renovation		1,000,000	1,000,000	553	670977	Voted Electricity Carryover
		9,008	9,008	581	670105	Voted Electricity Carryover
Unallocated Balance		46,703	46,703	582	582999	Unvoted Electricity Carryover

Karl/Northridge Area Street Lighting		1,433	1,433	582	670174	Unvoted Electricity Carryover
Beaumont/Olentangy Street Lighting		6,103	6,103	582	670175	Unvoted Electricity Carryover
Berwick Manor		148	148	553	670183	Voted Electricity Carryover
Eastminster		6,031	6,031	553	670606	Voted Electricity Carryover
Holly Hills III		247,802	247,802	553	670197	Voted Electricity Carryover
DOE Distribution Facility		10,130	10,130	582	670200	Unvoted Electricity Carryover
Subtotal - Electricity	\$ 755,000	\$ 4,488,221	\$ 5,243,221			
Note: Urban Infrastructure projects will be issued using voted electricity authority, but will be supported by the special income tax fund.						
PUBLIC UTILITIES / WATER 60-09 (Continued)	New	Carryover	Total		Project	FUNDING
PROJECT NAME	Funding	Funding	Budget	Fund	Number	SOURCE
Hoover Reservoir Erosion Control	\$ 544,000		\$ 544,000			Voted 1999 Water
		\$ 74,000	74,000	606	690006	Voted Water Carryover
Miscellaneous Facilities	3,300,000		3,300,000			Voted 1999 Water
		2,061,612	2,061,612	606	690026	Voted Water Carryover
		4,112	4,112	607	690026	Unvoted Water Carryover
Water Main Rehabilitation	1,000,000		1,000,000			Voted 1999 Water
		1,084,710	1,084,710	606	690236	Voted Water Carryover
		104,117	104,117	607	690236	Unvoted Water Carryover
DRWP Improvement Facilities	750,000		750,000			Voted 1999 Water
		16,750	16,750	606	690278	Voted Water Carryover
Distribution Improvements	510,000		510,000			Voted 1999 Water
		909,490	909,490	606	690290	Voted Water Carryover
HCWP Lagoons #1 & #3 Sludge Removal	200,000		200,000			Voted 1999 Water
		100,000	100,000	606	690331	Voted Water Carryover
DRWP High Service Pump Rehabilitation		20	20	606	690357	Voted Water Carryover
Yale-Sullivant Water Line Cleaning		183,225	183,225	606	690365	Voted Water Carryover
Upground Reservoir	6,000,000		6,000,000			Voted 1999 Water
DRWP Chlorine Storage Improvements	7,000,000		7,000,000			Voted 1999 Water
HCWP Raw Water Line	1,518,000		1,518,000			Voted 1999 Water
		111,000	111,000	606	690265	Voted Water Carryover
HCWP "A" Raw & Finish Water Pump Rehabilitation		1,407,000	1,407,000	606	690391	Voted Water Carryover
Mound/Harrisburg Pike 24" Water Main	138,459		138,459			Voted 1999 Water
		553,696	553,696	606	690407	Voted Water Carryover
DRWP Filter Gallery Piping Coating		100,000	100,000	606	690418	Voted Water Carryover
HCWP High & Low Service Piping Coating		150,000	150,000	606	690420	Voted Water Carryover
GIS	475,000		475,000			Voted 1999 Water
		100,000	100,000	606	250001	Voted Water Carryover
		4,743	4,743	605	452501	Unvoted Water Carryover
Alum Creek Pump Station Improvements	4,800		4,800			Voted 1999 Water
		100,025	100,025	606	690441	Voted Water Carryover
McKinley Avenue 36" Water Main	200,000		200,000			Voted 1999 Water
Dublin Road 36" Water Main	300,000		300,000			Voted 1999 Water
Griggs Booster Station	150,000		150,000			Voted 1999 Water
		25,000	25,000	606	690450	Voted Water Carryover
Scioto-Darby Creek Road 20" Water Main	150,000		150,000			Voted 1999 Water
16" Water Main in Easement East of I-270	150,000		150,000			Voted 1999 Water
Joyce Avenue 16" Water Main	150,000		150,000			Voted 1999 Water
Sunbury Road 12' Water Main	900,000		900,000			Voted 1999 Water
PAWP Electrical Service Upgrade	150,000		150,000			Voted 1999 Water
O'Shaughnessy Boundary Survey		50,088	50,088	606	690385	Voted Water Carryover
Refugee Road 16" Water Main	540,000		540,000			Voted 1999 Water
		30,000	30,000	606	690405	Voted Water Carryover
Waggoner Road 30" Water Main	150,000		150,000			Voted 1999 Water
WSM Miscellaneous Improvements-Alum Creek Tower Removal	20,000		20,000			Voted 1999 Water
O'Shaughnessy Gatehouse Miscellaneous	500,000		500,000			Voted 1999 Water
PAWP Operations Improvements	766,704		766,704			Voted 1999 Water
		766,704	766,704	606	690328	Voted Water Carryover
DRWP Chlorine Storage Facility	600,000		600,000			Voted 1999 Water
HCWP Elevator Replacement	400,000		400,000			Voted 1999 Water
Hoover Elevator Replacement	400,000		400,000			Voted 1999 Water
HCWP Automation Upgrade	800,000		800,000			Voted 1999 Water
DRWP Treatment Capacity Increase	250,000		250,000			Voted 1999 Water
General Engineering Services-Supply	150,000		150,000			Voted 1999 Water
DRWP Olentangy Intake	1,500,000		1,500,000			Voted 1999 Water

HCWP Sludge Pump Station	600,000		600,000			Voted 1999 Water
O'Shaughnessy Reservoir E.A.P	195,750		195,750			Voted 1999 Water
O'Shaughnessy Reservoir Home Road	4,117,287		4,117,287			Voted 1999 Water
		2,500,000	2,500,000	606	690412	Voted Water Carryover
O'Shaughnessy Hydroelectric Facilities		195,750	195,750	606	690251	Voted Water Carryover
Griggs Dam Tender's House Renovation		49,975	49,975	606	690251	Voted Water Carryover
Joyce Avenue to Stelzer Road Water Line Cleaning & Lining		64,799	64,799	606	690367	Voted Water Carryover
Fisher District Storage Tank		10,000	10,000	606	690423	Voted Water Carryover
Morse Road Booster Station		28,721	28,721	606	690422	Voted Water Carryover
PAWP Improvements		44,147	44,147	607	690309	Unvoted Water Carryover
North Pressure District Storage		126,282	126,282	607	690309	Unvoted Water Carryover
Subtotal - Water	\$ 34,580,000	\$ 10,955,966	\$ 45,535,966			
PUBLIC UTILITIES / SEWERS 60-15	New	Carryover	Total		Project	FUNDING
PROJECT NAME	Funding	Funding	Budget	Fund	Number	SOURCE
STORM PROJECTS:						
Krumm Park	\$ 1,745,000		\$ 1,745,000			Voted 1999 Storm
	3,668,276		3,668,276			Storm Enterprise
6th,7th, Rarig Avenue UIRF	1,150,000		1,150,000			Storm Enterprise
East Stanton Avenue Stormwater System Improvements	80,000		80,000			Storm Enterprise
Olde Sawmill Area Wide Storm System Improvements	255,000		255,000			Storm Enterprise
Foster Street Storm System Improvements	455,000		455,000			Storm Enterprise
Mock Road Storm System Improvements	25,000		25,000			Storm Enterprise
Shady Lane Stormwater System Improvements	25,000		25,000			Storm Enterprise
West Fifth Avenue Avenue Stormwater System	3,000		3,000			Storm Enterprise
Walhalla Drive Culvert Improvements	480,000		480,000			Storm Enterprise
Dry Run Flood Routing at Valleyview	100,000		100,000			Storm Enterprise
Powell Ditch Scarborough Livingston Improvements	675,000		675,000			Storm Enterprise
Noble Run Ditch Improvements	70,000		70,000			Storm Enterprise
Comprehensive City Wide Storm Sewer Improvements	36,724		36,724			Storm Enterprise
Leland Ditch Stormwater System Improvements	50,000		50,000			Storm Enterprise
Napoleon Avenue/Broad Street Storm System Improvements	25,000		25,000			Storm Enterprise
Greenlawn/Eaton Avenue Storm Sewer	372,000		372,000			Storm Enterprise
Dublin Road at Urlin Storm System Improvements	100,000		100,000			Storm Enterprise
Powell Ditch Area Wide Storm System Improvements	100,000		100,000			Storm Enterprise
Walnut Hills Area Drainage Improvements	340,000		340,000			Storm Enterprise
Olentangy River Road/Evans Run Stormwater System Imp.	400,000		400,000			Storm Enterprise
Trentwood/Shadyhill Stormwater System Improvements	20,000		20,000			Storm Enterprise
		\$ 76,811	76,811	705	610946	Voted Storm Carryover
McKinley Avenue Street Reconstruction and Storm Imp.	60,000		60,000			Storm Enterprise
Dorris Avenue Stormwater System Improvements	300,000		300,000			Storm Enterprise
		30,000	30,000	705	610959	Voted Storm Carryover
Bexvie Avenue Stormwater System Improvements	50,000		50,000			Storm Enterprise
Hague Avenue Drainage Improvements	25,000		25,000			Storm Enterprise
Greenhill Acres Storm Sewer Improvements	100,000		100,000			Storm Enterprise
North Central Areawide Storm System Improvements	320,000		320,000			Storm Enterprise
Harrisburg Pike Storm System Improvements	130,000		130,000			Storm Enterprise
		3,000	3,000	705	610992	Voted Storm Carryover
University Gateway	250,000		250,000			Storm Enterprise
Linden Avenue Area Stormwater System	250,000		250,000			Storm Enterprise
Midland/Eakin Stormwater System Improvements	50,000		50,000			Storm Enterprise
Glendower Avenue/Llewilyn Avenue Stormwater	80,000		80,000			Storm Enterprise
Charleston Avenue Stormwater	100,000		100,000			Storm Enterprise
Wicklow Road Stormwater System	20,000		20,000			Storm Enterprise
Olive/Westgate Area Stormwater	50,000		50,000			Storm Enterprise
Marsdale Avenue Storm System	70,000		70,000			Storm Enterprise
Noe Bixby Road Stormwater System	40,000		40,000			Storm Enterprise
Olentangy Blvd/Amazon Place Stormwater	100,000		100,000			Storm Enterprise
Petzinger Road Stormwater System	50,000		50,000			Storm Enterprise
East Central Relief Storm Sewer	1,250,000		1,250,000			Storm Enterprise

		130,400	130,400	705	610037	Voted Storm Carryover
ST 24 Refugee Road Pump Station Replacement	1,050,000		1,050,000			Storm Enterprise
		105,000	105,000	705	610712	Voted Storm Carryover
Noe-Bixby Culvert Replacement	210,000		210,000			Storm Enterprise
		21,000	21,000	705	610720	Voted Storm Carryover
Oaklawn/Piedmont Road Drainage Improvements		92,530	92,530	705	610840	Voted Storm Carryover
Fairwood Avenue/Smith Road Drainage Improvements		916,047	916,047	705	610906	Voted Storm Carryover
Bliss Run Trunk Sewer Improvements		507,800	507,800	705	610923	Voted Storm Carryover
Olde Orchard Area Stormwater System Improvements		524,510	524,510	705	610931	Voted Storm Carryover
Kilbourne Run Erosion Control		414,654	414,654	705	610954	Voted Storm Carryover
Idelwild Drive Storm Sewer Improvements		352,069	352,069	705	610973	Voted Storm Carryover
Marion Road Stormwater Improvements		302,882	302,882	705	610972	Voted Storm Carryover
Neighborhood Stormwater Phase 4		346,863	346,863	705	610998	Voted Storm Carryover
East Street		26,737	26,737	705	610723	Voted Storm Carryover
Maize Road/Morse Road SW Improvements		269,356	269,356	705	610850	Voted Storm Carryover
Maple Street		7,049	7,049	705	610724	Voted Storm Carryover
Norton Court		190,006	190,006	705	610705	Voted Storm Carryover
Briggs Road Ditch Enclosure		88,000	88,000	705	610953	Voted Storm Carryover
Linden Ditch Area Wide Storm System Improvement		25,000	25,000	705	610704	Voted Storm Carryover
McDannald Subdivision Stormwater System		33,557	33,557	705	610994	Voted Storm Carryover
Richards Road Stormwater Improvements		30,149	30,149	705	610735	Voted Storm Carryover
West Columbus Local Protection		1,200,132	1,200,132	705	610892	Voted Storm Carryover
Watkins Road/New World Drive System Improvements		168,562	168,562	705	610884	Voted Storm Carryover
Subtotal - Storm Sewers	\$ 14,730,000	\$ 5,862,114	\$ 20,592,114			
* To be certified against the Special Income Tax Fund						
GRAND TOTAL	\$ 248,057,288	\$ 60,455,229	\$ 309,520,767			
FUNDING SUMMARY BY SOURCE			2002 Total Budget			
COUNCILMANIC			\$ 11,865,000			
VOTED 1999			108,160,000			
\$5 LICENSE TAX			330,600			
VOTED 1999 STORM			1,745,000			
STORM ENTERPRISE			12,985,000			
CABLE			0			
INFORMATION SERVICES			0			
FLEET MANAGEMENT			0			
SANITARY ENTERPRISE			0			
VOTED 1991 SANITARY			14,070,000			
OWDA			63,566,688			
VOTED 1999 WATER			34,580,000			
WATER ENTERPRISE			0			
VOTED 1999 ELECTRICITY			755,000			
TOTAL			\$ 248,057,288			
FUNDING SUMMARY BY DIVISION	New	Carryover	Total			
	Funding	Funding	Budget			
SAFETY ADMINISTRATION	\$ -	\$ -	\$ -			
COMMUNICATIONS	858,000	2,151	860,151			
POLICE	22,088,750	379,599	22,468,349			
FIRE	4,633,250	5,443,616	11,085,116			
FINANCE	0	-	0			
INFORMATION SERVICES	0	768,203	768,203			
CABLE	0	1,502,226	1,502,226			
HEALTH	5,235,000	-	5,235,000			
RECREATION AND PARKS	3,875,000	8,100,429	11,975,429			
REFUSE COLLECTION	4,985,000	42,266	5,027,266			
TRANSPORTATION	77,445,600	15,092,784	92,538,384			
FLEET MANAGEMENT	0	-	0			

FACILITIES MANAGEMENT	1,235,000	361,899	1,596,899		
SANITARY SEWERS	77,636,688	7,455,755	85,092,443		
ELECTRICITY	755,000	4,488,221	5,243,221		
WATER	34,580,000	10,955,966	45,535,966		
STORM SEWERS	14,730,000	5,862,114	20,592,114		
TOTAL	\$ 248,057,288	\$ 60,455,229	\$ 309,520,767		

SECTION 2. That for the purposes of amendment and review of legislation for conformance to the Capital Improvements Budget each project budget identified by the "Project Number" listed on this Ordinance shall be regarded as a separate and distinct section of the Capital Improvements Budget.

SECTION 3. Pursuant to Section 333.03 of the Columbus City Codes, all ordinances relative to the issuance of notes or bonds, appropriating money from general bond funds or any other funds listed therein in any way relating to the Capital Improvements of the City of Columbus shall be forwarded to the Department of Finance for written approval prior to submission to the City Council. Each ordinance concerning Capital Improvements shall be designated as in "conformance" or "non-conformance" with the approved Capital Improvements Budget for the ensuing year. If designated in "non-conformance" an explanation including the reasons for, and the specific effects of the "non-conformance" shall be affixed to the ordinance.

SECTION 4. Pursuant to Section 333.04 of the Columbus City Codes, ordinances not conforming to the Capital Improvements Budget shall not be passed until said budget is amended. No amendments to the Capital Improvements Budget shall be made except as follows:

All requests for modification pertaining to the Capital Improvements Budget shall be submitted to the Director of Finance for recommendations before such changes shall be submitted to City Council for adoption.

SECTION 5. Among the responsibilities of the Department of Finance shall be the integration of the Capital Improvements Budget into the City's annual operating budget, the preparation of quarterly reports on Capital Improvement expenditures, the preparation of long-range Capital Improvement fiscal requirements, the establishment of a city-wide uniform budgeting and record-keeping system for Capital Improvement projects, and the monitoring of capital improvement ordinances for their conformance with the Capital Improvements Budget.

SECTION 6. That the City Auditor is hereby authorized to establish and implement proper project and fund accounting systems and procedures for Capital Improvements as well as the identification and monitoring of the objects of expenditure of all transactions. The City Auditor shall report monthly a summary of all Capital Improvement transactions.

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

SECTION 8. That it is understood that this Council is not making specific allocations for each minor object of a project account herein before contained but only for the project accounts within the stated funds. The allocations herein made shall constitute limitations on each project account and no official or employee of the City shall make or authorize expenditures beyond such limitation nor shall be authorized to make expenditures from an improper project account. It is provided, however, that transfers may be made from one project account to another within the same fund.

SECTION 9. Subsequent legislation effecting the various projects contained herein will be submitted to this Council transferring and/or originating necessary funds.

SECTION 10. That Ordinance No. 0726-01, be and the same is hereby repealed.

SECTION 11. In accordance with Section 27 of the Columbus City Charter detailed schedules of all changes from the Mayor's Estimate shall be placed on file in the Office of the City Clerk.

SECTION 12. 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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1675-02

To authorize and direct the Director of the Department of Technology to modify and extend a contract with SurfControl Inc. for the renewal of software license, software maintenance and support for the Department of Technology, Information Services, to authorize the expenditure of \$37,539.00 from the Information Services Fund, and to declare an emergency. (\$37,539.00)

WHEREAS, the Department of Technology has a need to modify and extend contract ED004897 with SurfControl Inc. for the renewal of software license, software maintenance and support, and

WHEREAS, this legislation will provide the service that help reduce exposure, liability, and risk to internet content read, sent and received by City employees, and

WHEREAS, it is a priority for the Department of Technology to protect and secure these online resources, and

WHEREAS, SurfControl Inc. provides services which helps the City to manage content risk by monitoring, reporting and providing a filtering solution while at the same time ensuring the confidentiality of customer information, and

WHEREAS, previously, there was an expenditure of \$19,999.00 for the first year of this contract, and

WHEREAS, this modification will extend the terms and conditions of contract ED004897 through November 3, 2003 with the option of a one year renewal, and

WHEREAS, Currently, the funds of \$37,539.00 requested for the modification and extension of this contract are budgeted and available within the Information Services Fund, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology, to modify and extend contract ED004897 with SurfControl Inc. for the renewal of software license, software maintenance and support, thereby preserving the public health, peace, property and safety now, therefore,

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

SECTION 1: That the Director of the Department of Technology is hereby authorized to modify and extend contract ED004897 with SurfControl Inc. for the renewal of software license, software maintenance and support.

SECTION 2: That the expenditure of \$37,539.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Dept/Division:	47-02	47-02
Fund/Subfund:	514/001	514/001
OCA Code:	280792	280792
Object Level 1:	03	03
Object Level 3:	3369	3358
Amount:	\$18,678.00	\$18,861.00

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

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1676-02

To authorize and direct the Finance Director to enter into two contracts for an option to purchase Automobiles, with Jack Maxton Chevrolet, and Springfield Ford, Inc., to authorize the expenditure of two dollars to establish contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on August 22, 2002 and selected the lowest bids; and

WHEREAS, this ordinance addresses Purchasing objectives 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, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into two contracts for an option to purchase Automobiles, 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 Director be and is hereby authorized and directed to enter into two contracts for an option to purchase Automobiles in accordance with Solicitation No. SA000309GRW as follows:

Company	Item(s)	Amount
Jack Maxton Chevrolet	1, 4, 6, 7 and 8	\$1.00
Springfield Ford, Inc.	2, 3, 5 and 7	\$1.00

SECTION 2. That the expenditure of \$2.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, 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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1677-02

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Auto/Truck Spring Repair, with Jones Truck & Spring Repair, Inc., and to declare an emergency.

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

WHEREAS, vendor has agreed to extend FL000478 at current prices and conditions to and including October 31, 2003, and it is in the best interest of the City to exercise this option: and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL000478 for an option to purchase Auto/Truck Spring Repair 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 Director be and is hereby authorized and directed to modify and extend FL000478 with Jones Truck & Spring Repair, Inc. to and including October 31, 2003.

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

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

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1678-02

To authorize and direct the Finance Director to modify and extend the city-wide contracts for the option to purchase Mainline and Fire Hydrant Parts, with Hydraflo Inc., Trumbull Industries, Ohio Water, Waste Supply, Ferguson Enterprise, Inc., US Filter Distribution Group, and Hughes Supply Inc., and to declare an emergency.

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

WHEREAS, vendors have agreed to extend the contracts at current prices and conditions to and including October 30, 2003, and it is in the best interest of the City to exercise this option: and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL000934, FL000937, FL000936, FL000935, FL000938 and FL000933 for an option to purchase Mainline and Fire Hydrant Parts thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL000934 with Hydrflo Inc., FL000937 with Trumbull Industries, FL000936 with Ohio Water & Waste Supply, FL000935 with Ferguson Enterprise, Inc. FL000938 with US Filter Distribution Group, and FL000933 with Hughes Supply, Inc. to and including October 30, 2003.

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

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

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1679-02

To authorize and direct the Finance Director to enter into a contract for an option to purchase Auto Upholstery Repair, with A-Tech Auto Retylin, Inc., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on August 29, 2002 and selected the lowest bid; and

WHEREAS, this ordinance addresses Purchasing objectives 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, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Auto Upholstery Repair, 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 Director be and is hereby authorized and directed to enter into a contract for an option to purchase Auto Upholstery Repair in accordance with Solicitation No. SA000314 as follows:

Company	Item(s)	Amount
A-Tech Auto Retylin, Inc.	All Items	\$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, 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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1680-02

To authorize and direct the Finance Director to enter into five contracts for an option to purchase Light Duty Trucks, with Springfield Ford, Inc., Byers Chevrolet, Jack Maxton Chevrolet, Bob McDorman Chevrolet, Inc. and Nelson Auto Group, to authorize the expenditure of five dollars to establish contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$5.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on August 22, 2002 and selected the lowest bids; and

WHEREAS, this ordinance addresses Purchasing objectives 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, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into five contracts for an option to purchase Light Duty Trucks, 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 Director be and is hereby authorized and directed to enter into five contracts for an option to purchase Light Duty Trucks in accordance with Solicitation No. SA000311GRW as follows:

Company	Item(s)	Amount
Springfield Ford, Inc	Items: 1,2, 3, 4, 8, 10, 11, 12, 13, 14, and 15 (Ford Manuals)	\$1.00
Byers Chevrolet	Item: 7 Item: 14 AFV (Alternative Fuel Vehicle)	\$1.00
Jack Maxton Chevrolet	Item: 6 Item: 8, AFV (Alternative Fuel Vehicle) 15 (GM Manuals) and 16 (GM CD-Rom Manuals)	\$1.00
Bob McDorman Chevrolet, Inc.	Item: 5 Items: 3, AFV (Alternative Fuel Vehicle) and 4	\$1.00
Nelson Auto Group	Item: 9 only	\$1.00

SECTION 2. That the expenditure of \$5.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, 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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1681-02

To authorize and direct the Finance Director to enter into a contract for an option to purchase Advanced Software and Technical Training, with Caspian Software, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal proposals on March 21, 2002 and selected the highest ranked offerer; and WHEREAS, this ordinance addresses Purchasing objectives 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, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Advanced Software and Technical Training, 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 Director be and is hereby authorized and directed to enter into a contract for an option to purchase Advanced Software and Technical Training in accordance with Solicitation No. SA000223GM as follows:

Company	Item(s)	Amount
Caspian Software	All Services	\$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, 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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1682-02

To authorize and direct the Director of the Department of Technology to modify and extend a contract with The Educational Cable Coalition, Inc. for cable television educational access programming and production services, for the Telecommunications Division, to authorize the expenditure of \$37,500.00 from the Cable Communications Fund, and to declare an emergency. (\$37,500.00)

WHEREAS, The Department of Technology is in immediate need to modify and extend contract EL002210 with The Educational Cable Coalition/Educable for access cable television services, and

WHEREAS, The Educational Cable Coalition, Inc. shall promote educational access and educational programming by marketing services to the educational community, and

WHEREAS, The Department of Technology is negotiating with Educable 25 and Columbus State Community College (CSCC) to establish an agreement that would move the educational access operation to CSCC, and

WHEREAS, The proposed structure of this move will provide opportunities for all Columbus area educational institutions to participate in educational access, and

WHEREAS, It is the intent of the City of Columbus to provide funding for educational access cable television programming and production, and

WHEREAS, The Director of the Department of Technology desires to extend the contract with Educational Cable Coalition, Inc. for the provision of the administrative operating responsibility for cable television educational access programming and production, and

WHEREAS, This ordinance authorizes the Director of the Department of Technology to modify and extend contract EL002210 with The Educational Cable Coalition, Inc. in the amount of \$37,500.00, and

WHEREAS, Adequate funding is budgeted and available in the Telecommunications Division Cable Communications Fund, and

WHEREAS, An emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize this contract, thereby preserving the public health, peace, property, safety, and welfare; now, therefore;

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

SECTION 1. That the Director of the Department of Technology is hereby authorized to modify and extend contract EL002210 for educational cable television service from The Educational Cable Coalition, Inc. in the amount of \$37,500.00.

SECTION 2. That the expenditure of \$37,500.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Division	47-03
Fund/Subfund	203
OCA Code	289678
Object Level one:	03
Object Level three:	3336
Amount:	\$37,500.00

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

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1683-02

To authorize and direct the City Auditor to transfer \$12,352 within the general fund, from the City Treasurer's Office to the Parking Violations Bureau to provide for necessary upgrades to its server and individual personal computers, and to declare an emergency. (\$12,352.00)

WHEREAS, the Parking Violations Bureau is in need of upgrading its server and replacing numerous individual personal computers for use in their day to day operations; and

WHEREAS, funds for these expenses are available in the City Treasurer's Office; and
 WHEREAS, an emergency exists in the usual daily operation of the Parking Violations Bureau in that it is immediately necessary to authorize the transfer of funds from the City Treasurer's Office to the Parking Violations Bureau thereby preserving the public health, peace, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the City Auditor be and is hereby authorized and directed to transfer \$12,352 within the general fund, number 010 as follows:

Division	Dept. No.	OL1	OL3	OCA	Amount
City Treasurer	2301	3	3336	230227	\$ 12,352
		TO:			
Department	Dept. No.	OL1	OL3	OCA	Amount
Parking Violations Bureau	2303	2	2193	230301	\$ 12,352

Section 2. 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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1684-02

To authorize an appropriation of \$378,506.06 from the unappropriated balance of the Recreation and Parks Special Purpose Fund to the Recreation and Parks Department to continue various services during 2002, and to declare an emergency. (\$378,506.06)

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to appropriate said funds for the preservation of public health peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That from the unappropriated monies in the Recreation and Parks Special Purpose Fund No. 223, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002, the sum of \$378,506.06 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

Project Title	Subfund	OCA Code	Object Level 3	Amount
Various Park Improvements Donations	025	511220	3360	\$100,000.00
Various Park Improvements Donations	025	511220	6602	240,422.00
Recreation Center Donations	028	510966	2269	11,817.31
Recreation Center Donations	028	510966	3336	11,817.31
Christopher Columbus Invitational	052	511873	2269	3,072.44
Shaved Ice Cones Sales	098	514711	2269	4,210.00
Senior Olympics	126	511774	2269	3,500.00
Senior Olympics	126	511774	3352	3,667.00
			TOTAL	\$378,506.06

SECTION 2. That the monies in the foregoing Section 1 shall be paid upon order of the Director of Recreation and Parks, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 3. That 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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1685-02

To authorize the City Auditor to make an intra-subfund transfer of monies within the Voted 1999 Flood and Storm Sewer Fund, pursuant to providing the necessary capital project funds for Dublin Road at Urlin Avenue Stormwater System Improvements Project, which is one of the Group 9 Projects, for the Division of Sewerage and Drainage; to amend the Capital Improvements Budget to accommodate said project; to authorize the Director of Public Utilities to modify the contract with Raymond Professional Group, Inc.; to authorize the expenditure of \$6,040.00; and to declare an emergency. (\$6,040.00)

WHEREAS, it is required in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, to maintain, upgrade and expand its storm sewer collection system; and

WHEREAS, this transfer does not adversely affect the Oaklawn Street/Piedmont Road, nor Leland Avenue Ditch Storm Sewer Projects; and

WHEREAS, Contract No. XC819725 was authorized by Ordinance No. 2000-98, passed July 27, 1998; executed August 18, 1998; and approved by the City Attorney on September 2, 1998; and

WHEREAS, Modification No. 1 was authorized by Ordinance No. 1126-00, passed May 8, 2000; executed July 17, 2000; and approved by the City Attorney on July 24, 2000; and

WHEREAS, Modification No. 2 was authorized by Ordinance No. 291-02, passed February 25, 2002; executed March 27, 2002; and approved by the City Attorney on April 1, 2002; and

WHEREAS, Modification No. 3 was authorized by Ordinance No. 606-02, passed April 15, 2002; executed April 16, 2002; and approved by the City Attorney on May 17, 2002; and

WHEREAS, it is necessary to modify Contract No. XC819725 to authorize the additional funds required to allow payment to Raymond Professional Group, Inc. for additional professional engineering services associated with the Dublin Road at Urlin Avenue Stormwater System Improvements Project, which is one of the Group 9 Projects; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to transfer said funds, amend the 2001 Capital Improvements Budget and authorize the Director of Public Utilities to

modify the contract for professional engineering design and technical project services for the Dublin Road at Urlin Avenue Stormwater System Improvements Project, which is one of the Group 9 Projects, for the preservation of the public health, peace, property and safety; now, therefore BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the City Auditor is hereby authorized and directed to transfer monies within the said fund as follows:

**Division of Sewerage and Drainage, Division 60-15
Fund 705, Voted 1999 Flood and Storm Sewer Fund, OCA 644401**

FROM:		
	PROJECT NAME	AMOUNT
610840	Oaklawn Street/Piedmont Road	\$6,040.00
	TOTAL	\$6,040.00
TO:		
	PROJECT NAME	AMOUNT
610888	Dublin Rd. @ Urlin Storm System Imp.	\$6,040.00
	TOTAL	\$6,040.00

Section 2. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance account within the same fund upon receipt of certification by the Director of Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 3. That the 2001 Capital Improvements Budget Ordinance No. 726-01 is hereby amended as follows, in order to establish sufficient funding authority for the various capital improvements projects:

Current:			
	PROJECT TITLE	2001 BUDGET AMOUNT	
610863	Leland Avenue Ditch Storm Sewer	\$50,000.00	
610888	Dublin Road @ Urlin Drive Storm System Imp.	\$37,469.00	
	TOTAL	\$87,469.00	
Amended To:			
	PROJECT TITLE	2001 BUDGET AMENDED	CHANGE AMOUNT
610863	Leland Avenue Ditch Storm Sewer	\$49,339.00	(\$661.00)
610888	Dublin Rd. @ Urlin Dr. Storm Sys. Imp.	\$38,130.00	\$661.00
	TOTAL	\$87,469.00	\$0.00

Section 4. That the Director of Public Utilities be, and hereby is, authorized to modify Contract No. XC819725 with Raymond Professional Group, Inc., 1150 Dublin Road, Columbus, Ohio 43215 for professional engineering services in connection with the Dublin Road at Urlin Avenue Stormwater System Improvements Project, which is one of the Group 9 Projects, in order to provide payment for additional professional engineering services in accordance with the terms and conditions as shown on the contract on file in the office of the Division of Sewerage and Drainage.

Section 5. That for the purpose of paying the cost of the professional engineering services contract modification, the following expenditure, or as much thereof as may be needed, be and the same is hereby authorized as follows:

Division	Fund	Project	Object Level Three	OCA Code	Amount
6015	705	610888	6682	610888	\$6,040.00

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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1686-02

To authorize the Director of Public Utilities to enter into a professional engineering services contract with Evans, Mechwart, Hambleton & Tilton, toe., for the preparation of construction plans and specifications for four sanitary sewer improvement projects located in the Maize/Morse and North Linden communities, to authorize the appropriation of \$296,511.06 within the Sewer System Permanent Improvements Fund; the transfer and expenditure of \$415,170.61 from the Sewer System Permanent Improvements Fund; to amend the 2001 Capital Improvements Budget; and to declare an emergency. (\$415,170.61)

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities administered a contract with Evans, Mechwart, Hambleton & Tilton, Inc., to perform a comprehensive engineering evaluation of the sanitary and combined sewer infrastructure in order to determine the improvements necessary to reduce the street, yard, and basement flooding that has occurred in the Maize/Morse Inflow and Infiltration Project Area that includes portions of the North Linden community for decades; and

WHEREAS, the result of this infrastructure evaluation was the development of a prioritized listing of capital improvement projects that will rehabilitate and improve the sanitary and combined systems within the Maize/Morse Inflow & Infiltration area; of which this contract will provide construction plans and specifications for the Atwood Terrace/Akola Relief Sewer Project; the Atwood Terrace/Weber Road Relief Sewer Project; the Loretta Avenue Sanitary Relief Sewer Project; and the Genessee Avenue Sanitary Relief Sewer Project; and

WHEREAS, the Director of the Public Utilities requested detailed proposals from the firms of Evans, Mechwart, Hambleton & Tilton, DLZ Ohio, Inc., and URS Consultants, Inc., for the aforementioned project services; and received these proposals on April 19, 2002; in accordance with the procurement provisions of Section 329.12 of the Columbus City Codes; and

WHEREAS, based upon an evaluation of these proposals utilizing predetermined criteria, a selection committee determined that Evans, Mechwart, Hambleton & Tilton, Inc., submitted the best proposal for the required project services, to which the Director of the Department of Public Utilities concurred; 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 award a professional engineering services contract for purposes of providing the aforementioned services that are required to be performed in connection with a Consent Order between the Ohio Attorney General and the City of Columbus; and that is further necessary to authorize the City Auditor to appropriate and transfer funds from within the Sewer System Permanent Improvements Fund; and to amend the 2001 Capital Improvements Budget to affect the said award, thereby preserving the public health, peace and safety; 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 appropriate a total of \$296,511.06 within the Sewer System Permanent Improvements Fund, Fund No. 671, into the following project account as follows:

Project	Title	OCA Code	Amount
671999	Unallocated Balance-Fund 671	671999	\$296,511.06

Section 2. That the City Auditor is hereby authorized and directed to transfer \$415,170.61 within the said fund as follows:

**Division of Sewerage and Drainage, Division 60-05
Fund No. 671, Sewer System Permanent Improvements Fund**

FROM:

Project	Title	Amount
650138	Blacklick Creek San. Subtrunk	\$67,431.05
650686	Clinton #3 Trunk Sewer	\$51,228.50
671999	Unallocated Balance-Fund 671	\$296,511.06

TO:

Project	Title	Amount
650648	Atwood Terrace/Akola Relief Sewer	\$140,731.43
650649	Atwood Terrace/Weber Rd. Relief Sewer	\$162,912.96
650654	Loretta Avenue Sanitary Relief Sewer	\$43,862.04
650655	Genessee Ave. Sanitary Relief Sewer	\$67,664.18

Section 3. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 4. That the 2001 Capital Improvements Budget Ordinance No. 0726-01 is hereby amended as follows, in order to provide sufficient budget authority for the execution of a professional engineering service contract award as referenced in the preamble hereto:

CURRENT:

Project CIP No.	Project Title	2001 Budget Amount
650648	Atwood Terrace/Akola Relief Project	\$0
650649	Atwood Terrace/Weber Rd. Relief Sewer Project	\$0
650654	Loretta Avenue Sanitary Relief Sewer Project	\$0
650655	Genessee Ave. San. Relief Sewer Project	\$0
	TOTAL	\$0

TO:

Project CIP No.	Project Title	2001 Budget Amount	Change Amount
650648	Atwood Terrace/Akola Relief Project	\$140,732	\$140,732
650649	Atwood Terrace/Weber Rd. Relief Sewer Project	\$162,913	\$162,913
650654	Loretta Avenue Sanitary Relief Sewer Project	\$43,863	\$43,863
650655	Genessee Ave. San. Relief Sewer Project	\$67,665	\$67,665
	TOTAL	\$415,173	\$415,173

Section 5. That the Director of Public Utilities be, and hereby is, authorized to enter into a professional engineering services contract with Evans, Mechwart, Hambleton & Tilton, Inc., 170 Mill Street, Gahanna, OH 43230, in connection with the capital improvements projects identified within Section 4 herein, in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage's Sewer System Engineering Section.

Section 6. That for the purpose of paying the cost of the professional engineering services contract the expenditure of \$415,170.61, or as much thereof as may be needed, be and the same is hereby authorized as follows:

Division	Fund	Object Level Three	Project Acct.	OCA	Amount
60-05	671	6676	650648	671648	\$140,731.43
60-05	671	6676	650649	671649	\$162,912.96
60-05	671	6676	650654	671654	\$43,862.04
60-05	671	6676	650655	671655	\$67,664.18

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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1687-02

To authorize the Director of Finance to establish a Blanket Purchase Order with Columbus Limestone for the purchase of Crushed Limestone and Aggregates from a Universal Term Contract for the Division of Sewerage and Drainage; to authorize the expenditure of \$25,000.00 from the Sewerage System Operating Fund and to declare an emergency. (\$25,000.00)

WHEREAS, the Purchasing Office has established a Universal Term Contract FL-001047 with Columbus Limestone for the option to obtain Crushed Limestone and Aggregates; and,

WHEREAS, the Division of Sewerage and Drainage desires to establish a Blanket Purchase Order in the amount of \$25,000.00 for the purchase of Crushed Limestone and Aggregates based on said Universal Term Contract; and,

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that authorization to establish a Blanket Purchase Order for the purchase of Crushed Limestone and Aggregates based on the Universal Term Contract with Columbus Limestone, is necessary for the immediate preservation of the public health, property, peace and safety; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Finance Director be and he is hereby authorized to establish a Blanket Purchase Order for the option to obtain Crushed Limestone and Aggregates from a Universal Term Contract with Columbus Limestone for the Division of Sewerage and Drainage, Department of Public Utilities.

Section 2. That the expenditure of \$25,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Sewerage System Operating Fund, Fund No. 650, as follows:

Division No. 60-05 - Department of Public Utilities

<u>OCA</u>	<u>Object Level One</u>	<u>Object Level Three</u>	<u>Amount</u>
605089	02	2197	\$25,000.00
		TOTAL	\$25,000.00

to pay the cost thereof.

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, which shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1688-02

The appropriation and transfer of \$2,691,270.60 from the Special Income Tax Fund will allow the Director of Public Utilities to contract with George J. Igel & Company, Inc. for the necessary construction services; to provide for payment of construction inspection and prevailing wage coordination services to the Transportation Division for costs associated with the Krumm Park Detention Basin Project, for the Division of Sewerage and Drainage; to amend the 2001 Capital Improvement Budget to accommodate said project; to authorize the expenditure of \$2,691,270.60 from the 1999 Voted Flood and Storm Sewer Fund; to waive competitive bidding procedures of the Columbus City Codes; and to declare an emergency. (\$2,691,270.60)

WHEREAS, it is necessary to transfer and appropriate money from the Special Income Tax Fund into the Voted 1999 Flood and Storm Sewer Fund, to allow the aforementioned project to proceed; and

WHEREAS, the City will sell notes or bonds for the aforementioned project and will reimburse the Special Income Tax Fund, this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance the project is presently expected not to exceed \$2,691,270.60; and

WHEREAS, bids for construction of the Krumm Park Detention Basin Project were received September 18, 2002; and

WHEREAS, it is necessary for this Council to waive the competitive bidding provisions of the Columbus City Codes; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of construction inspection and prevailing wage coordination services for costs associated with the Krumm Park Detention Basin Project. This will allow the construction services to begin at the earliest practicable date; and

WHEREAS, an emergency exists in the usual daily operations of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to transfer said funds, amend the 2001 Capital Improvements Budget, to authorize the Director of Public Utilities to contract for the aforementioned project for the preservation of the public health, peace, property and safety; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the 2001 Capital Improvements Budget Ordinance 726-01 is hereby amended as follows:

PUBLIC UTILITIES, Sewerage and Drainage Division, Dept./Div. 60-15

Project Name	Project No.	Current 2001 CIB	Amount Amended	New CIB
Walhalla Ravine Ditch Erosion Control	610806	\$634,426.00	(\$407,859.00)	\$226,567.00
Powell Ditch Area wide Improvement	610828	\$796,000.00	(\$698,500.00)	\$97,500.00
Krumm Park Detention Basin	610971	\$74,771.00	\$2,629,650.00	\$2,704,421.00
Stelzer Road Southern Detention Basin	610975	\$4,397,692.00	(\$1,523,291.00)	\$2,874,401.00

No projects will be adversely affected by the above transfers.

Section 2. That from the unappropriated monies in the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purposes during the fiscal year ending December 31, 2002, the sum of \$2,691,270.60 is hereby appropriated to the City Auditor, Department 22-01, Object Level One 10, Object Level Three 5502, OCA 902023.

Section 3. That the City Auditor is hereby authorized to transfer said funds to the Voted 1999 Flood and Storm Sewer Fund at such time as is deemed necessary by the City Auditor, and expend said funds, or so much thereof as may be necessary.

Section 4. That \$2,691,270.60 is hereby appropriated for capital improvements in the specific capital projects as follows:

Fund No.	Project No.	Project Name	OCA Code	Object Level Three	Amount
705	610971	Krumm Park Detention Basin	615021	6621	\$2,691,270.60

Section 5. That upon obtaining other funds for these capital improvements, the City Auditor is hereby authorized to repay the Special Income Tax 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 any contract or contract modifications associated with expenditure of the funds transferred under Section 3 above.

Section 7. The City intends that this ordinance constitute an official intent for purposes of Section L150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

Section 8. That the Director of Public Utilities be, and hereby is, authorized to award and execute a contract for construction of the Krumm Park Detention Basin Project with the lowest and best bidder, George J. Igel & Company, Inc., 2040 Alum Creek Drive, Columbus, Ohio 43207, in the amount of \$2,338,770.60 in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage; and to obtain the necessary construction inspection and prevailing wage coordination services from the Transportation Division; and to pay up to a maximum of \$352,500.00.

Section 9. That for the purpose of paying the cost of the construction contract, the cost of the prevailing wage coordination services, the following expenditure, or as much thereof as may be needed, is hereby authorized as follows:

Division No.	Fund No.	Project No.	Object Level Three	OCA Code	Amount
60-15	705	610971	6621	615021	\$2,691,270.60

Section 10. That this Council finds it is in the best interest of the City to waive the competitive bidding provisions of Chapter 329 of the Columbus City Codes.

Section 11. 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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1689-02

To authorize the Director of Public Utilities to modify the contract for Telemonitoring Equipment Parts and Repair Services in accordance with the provisions of sole source procurement, with Cues, Incorporated, for the Division of Sewerage; to authorize the expenditure of \$12,000.00 from the Sewerage System Operating Fund; and to declare an emergency. (\$12,000.00)

WHEREAS, an agreement for Telemonitoring Equipment Parts and Repair Services for use by the Sewer Maintenance Operations Center has been established (EL-002488), within the Division of Sewerage and Drainage, is necessary for continued operation of the SLIRP Program; and,

WHEREAS, Cues, Incorporated, manufacturer and sole source, performs the services in the amount of \$65.00 per hour, a per hour labor rate of \$75.00 for alignment and \$85.00 for a one day turnaround; and,

WHEREAS, it is necessary to modify the existing contract in the amount of \$12,000.00, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That this Council finds that it is in the best interest of the City to authorize the Director of Public Utilities to modify the contract for Telemonitoring Equipment Parts and Repair Services, including freight, for use by the Sewer Maintenance Operations Center for a period of one (1) year in accordance with the sole source provisions of the Columbus City Code, Section 329.07, for use by the Division of Sewerage and Drainage.

Section 2. That for the purpose stated in Section 1 hereof, the expenditure of \$12,000.00 or so much thereof as may be needed, is hereby authorized from Sewerage System Operating Fund, Fund No. 650, as follows:

Division No. 60-05 - Department of Public Utilities

<u>OCA</u>	<u>Object Level One</u>	<u>Object Level Three</u>	<u>Amount</u>
605089	3372	03	\$ 12,000.00

to pay the cost thereof.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten (10) days after passage if the Mayor neither approves nor vetoes the same.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1690-02

To authorize the transfer of \$107,500.00 between various objects within the Division within the General Fund, to allow the Division of Police to operate through the end of the year; and to declare an emergency. (\$107,500.00)

WHEREAS, \$107,500.00 is needed to be transferred from object level (1) 03 & 06 to appropriate level objects in the Division of Police's budget; and

WHEREAS, these funds once transferred, will be used for the Division to purchase needed supplies and replenish the Division's Evidence Fund monies; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police in that it is immediately necessary to transfer the aforementioned funds, 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 be and is hereby authorized and directed to transfer \$107,500.00 as follows:

From						
DIV	FUND	OBJ#1	OBJ#3	OCA CD	AMOUNT	

30-03	010	03	3413	301382	67,500.00
30-03	010	06	6697	300616	40,000.00
TO:					
DIV	FUND	OBJ#1	OBJ#3	OCA CD	AMOUNT
30-03	010	02	2215	301572	42,500.00
30-03	010	02	2216	300665	65,000.00

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

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1691-02

To authorize and direct the Director of the Department of Finance to issue a purchase order to Selectus Consulting, Inc. for the purchase of an UPS system, to authorize the expenditure of \$30,608.00 from the Municipal Court Clerk Special Revenue Fund, to waive all applicable provisions of the Columbus City

WHEREAS, it is necessary to replace the current UPS system in the Municipal Court server room, and
 WHEREAS, the current system is inadequate as a result of the many additions to CourtView, the Court case management system, and
 WHEREAS, in order to expedite installation of the new system and thus avoid delay in further upgrades to CourtView and to mitigate the effect of power surges, it is necessary to request that all applicable provisions of the Columbus City Codes relative to competitive bidding be waived, and

WHEREAS, informal bids were solicited from 221 suppliers, and
 WHEREAS, an emergency exists in the usual daily operation of the Court in that it is immediately necessary to issue this purchase order, thereby preserving 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 be and is hereby directed to issue a purchase order to Selectus Consulting, LLC for the purchase of an UPS system on behalf of the Municipal Court Clerk.

Section 2. That for the purpose of paying the cost hereof the sum of \$30,608.00 or so much thereof as may be needed is hereby authorized to be expended from the Municipal Court Clerk Special Revenue Fund Organization One 2601, Fund 227, Sub Fund No. 02, OCA Code 260208, Object Level One 03, Object Level Three 3370.

Section 3. That for the reasons stated, the Columbus City Council finds it in the best interest of the city of Columbus to waive all those provisions in the Columbus City Codes relative to competitive bidding.

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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1692-02

To authorize the Public Service Director to modify and extend a contract for the Facilities Management Division with Systems by Rich Consulting LLC for custodial service administration and managing the quality assurance and training programs at the Columbus Health Department, to authorize the expenditure of \$47,858.23 from the Facilities Management Division's General Fund budget, and to declare an emergency. (\$47,858.23)

WHEREAS, a contract exists between Systems by Rich Consulting LLC and the Facilities Management Division, Public Service Department for custodial service administration and managing the quality assurance and training programs at the Columbus Health Department; and

WHEREAS, it is necessary to extend contract EL001505 for another year per terms of the current contract, and
 WHEREAS, an emergency exists in the usual daily operation of the Facilities Management Division, Public Service Department, in that it is immediately necessary to modify and extend a contract with Systems by Rich Consulting LLC for custodial service administration and managing the quality assurance and training programs at the Columbus Health 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 Public Service Director be and is hereby authorized to modify contract EL001505 with Systems by Rich Consulting LLC and the Facilities Management Division, Public Service Department for custodial service administration and managing the quality assurance and training programs at the Columbus Health Department.

SECTION 2. That the expenditure of \$47,858.23, or so much thereof as may be needed in regard to the action authorized in Section 1, be and is hereby authorized and approved as follows:

FROM:

Div	Fund	OCA Code	Object Level 1	Object Level 3	Amount
59-07	010	281014	03	3396	\$ 47,858.23

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

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1693-02

To authorize the Public Service Director to modify and extend a contract for the Facilities Management Division with K & M Kleening Service for custodial services at the Columbus Health Department; to authorize the expenditure of \$280,000 from the Facilities Management Division's General Fund budget; and to declare an emergency. (\$280,000.00)

WHEREAS, the Public Service Department, Facilities Management Division has a contract with K & M Kleening Service for custodial services at the Columbus Health Department, and

WHEREAS, the Health Department wishes to extend the custodial services contract for another year, and

WHEREAS, a multi-year renewal option is available on the contract between the Public Service Department, Facilities Management Division and K & M Kleening for custodial services at the Columbus Health Department, and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Facilities Management Division in that it is immediately necessary to authorize the Public Service Director to modify and extend a contract with K & M Kleening Service for custodial services at the Columbus Health 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 Public Service Director be and is hereby authorized to modify and extend contract EL001755 with K & M Kleening Service for routine custodial services at the Columbus Health Department from October 22, 2002, through October 21, 2003.

SECTION 2. That the expenditure of \$ 280,000.00, or so much thereof that may be necessary in regard to the action authorized in Section 1, be and is hereby authorized and approved as follows:

FROM:

Division	Fund	OCA Code	Object Level 1	Object Level 3	Amount
59-07	010	281014	03	3396	\$ 280,000.00

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

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1694-02

To authorize the Public Service Director to modify and extend a revenue generating lease agreement for the Facilities Management Division with Lobby Stores, Inc., dba Nielsen's, for the operation of a food and sundry store in the Municipal Courts building; to authorize the City Treasurer to accept revenue payments generated by this agreement; and to declare an emergency.

WHEREAS, the Public Service Department, Facilities Management Division, entered into a revenue generating lease agreement with Lobby Stores, Inc., dba Nielsen's, for the operation of a food and sundry store in the Municipal Courts building, and

WHEREAS, the current agreement includes five two-year renewal options, and

WHEREAS, City Council authorized the last agreement on October 16, 2000, Ordinance No. 2283-00, and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Facilities Management Division, in that it is immediately necessary to authorize the Public Service Director to modify and extend a revenue generating lease agreement with Lobby Stores, Inc., dba Nielsen's, for operation of a food and sundry store in the Municipal Courts building and to authorize the City Treasurer to accept revenue payments generated by the agreement, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Public Service Director be and is hereby authorized to modify and extend a revenue generating lease agreement with Lobby Stores, Inc., dba Nielsen's, for operation of a food and sundry store in the Municipal Courts building for the period November 1, 2002, through October 31, 2004, at the rate of \$500 per month plus five percent of the gross annual sales in excess of \$120,000.00, and to exercise the fourth of five two-year renewal options.

SECTION 2. That the City Treasurer be and is hereby authorized to accept the revenue generated in regard to the action authorized in SECTION 1.

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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1695-02

To authorize the Health Commissioner to execute a lease agreement with Central Community House for the property located between 1128 and 1186 East Main Street, and to declare an emergency.

WHEREAS, City Council by Resolution No. 071X-00 expressed its intention to enter into a lease agreement with Central Community House for property located at 1128 and 1186 East Main Street; and

WHEREAS, the Resolution 071X-00 provided that the final terms and conditions to the lease agreement be submitted to Council for approval; and

WHEREAS, the terms and conditions of the Lease Agreement have been finalized and a copy of the Lease Agreement is on file with the City Clerk; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Health in that it is necessary to have the lease agreement effective immediately in order to permit Central Community House to commence design and construction of its new community center; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Health Commissioner is authorized to sign a lease agreement with Central Community House for the property located between 1128 and 1186 East Main Street in the form of the Lease Agreement on file with the City Clerk.

Section 2. That for the reasons stated in the preamble hereto, which is 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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1696-02

To authorize and direct the City Auditor to transfer \$322,000 within the Health Special Revenue Fund, to properly align appropriation with projected expenses for the continued operations of Health Department, and to declare an emergency. (\$322,000)

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting a financial management; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it immediately necessary to transfer funds for the Health Department for the immediate preservation of the public health, peace, property, safety, and welfare; now, therefore:
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the City Auditor is hereby authorized and directed to transfer \$322,000 within the Health Special Revenue Fund, Fund No. 250, Department of Health, Department No. 50-01, as follows:

TRANSFER FROM			
<u>Object Level 1</u>	<u>Purpose</u>	<u>OCA</u>	<u>Amount</u>
02	Materials & Supplies	501882	\$ 80,000
02	Materials & Supplies	502013	\$ 10,000
02	Materials & Supplies	513200	\$ 17,568
05	Other Expenditures	900456	\$214 432
		Total	\$322,000
TRANSFER TO			
<u>Object Level 1</u>	<u>Purpose</u>	<u>OCA</u>	<u>Amount</u>
03	Services	503342	\$315,000
06	Capital Outlay	500280	\$ 7,000
		Total	\$322,000

SECTION 2. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance 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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1697-02

To authorize and direct the Board of Health to accept additional grant funds from the Ohio Department of Health in the amount of \$195,000; to authorize the appropriation of \$195,000 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$195,000)

WHEREAS, additional funds have been made available through the Ohio Department of Health for the STD Control grant program; and,'

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept additional grant funds from the Ohio Department of Health and to appropriate these funds to the Health Department for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Board of Health is hereby authorized and directed to accept a grant award of \$195,000 from the Ohio Department of Health for the STD Control program for the period January 1, 2002 through December 31, 2002.

SECTION 2. That from the monies in the Fund known as the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2002, the sum of \$195,000 is hereby appropriated to the Health Department, Department No. 50-01, as follows:

Object Level One	OCA Code	Purpose	Amount
01	502003	Personnel Services	\$ 18,200
02	502003	Materials-Operation & Maintenance	\$ 67,500
03	502003	Services-Operation & Maintenance	\$ 94,300
06	502003	Capital Outlay	\$ 15,000
		Total for Grant No. 502003	\$195,000

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

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

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1698-02

To authorize the City Auditor to make accounting entries as needed in the General Government Grant Fund; to authorize the Director of the Department of Development to remit \$221,645.88 from the Lead-Based Paint Hazard Control Grant to the U.S. Department of Housing and Urban Development; to authorize the expenditure of \$221,645.88 from the General Government Grant Fund; and to declare an emergency. (\$221,645.88)

WHEREAS, it is the desire of the City of Columbus to remit funds from the General Government Grant Fund, that provided funding for the Lead Based Paint Hazard Control Grant Program, back to the U. S. Department of Housing and Urban Development; and

WHEREAS, accounting entries are necessary to transfer authority to the proper Object Level One in order to facilitate this payment; and
 WHEREAS, funds remain from two grants because of cancelled service contracts and lead hazard control projects. In addition, occupant relocation costs were less than originally estimated; and

WHEREAS, the return of all unspent Lead Grant funds will put the City of Columbus in compliance with Federal requirements and closeout the grant; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to remit unspent Lead-Based Paint Hazard Control Grant funds to HUD, thereby preserving the public peace, health, safety, and welfare; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the City Auditor is hereby authorized to do all accounting entries necessary for the purpose of this ordinance.

Section 2. That the Director of the Department of Development is hereby authorized and directed to remit unspent funds from the Lead-Based Paint Hazard Control Grant, Grant Number OHLAG 0055-95 and OHLHR 00119-98, to the U.S. Department of Housing and Urban Development.

Section 3. That for the purpose as stated in Section 2, the expenditure of \$221,645.88 from the Department of Development, Housing Division, Department No. 44-10, Fund No. 220, Object Level One 05, Object Level Three 5515 is authorized as follows:

Grant	OCA Code	Amount
508101	440292	\$122,093.52
449005	440293	\$ 99,552.36
		Total \$221,645.8

Section 4. That the monies authorized for expenditure in the foregoing Section 3 shall be paid upon order of the Director of the Department of Development to the federal treasury; and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1699-02

To authorize the Board of Health to enter into contract with United Security Management Services for security services, to authorize a total expenditure of \$240,830.00 from the Health Department Special Revenue Fund, and to declare an emergency. (\$240,830.00)

WHEREAS, The Health Department is in need of security services at the Health Department located at 240 Parsons Avenue; and,

WHEREAS, United Security Management Services has met performance standards during the first-year of a three-year competitively bid contract; and,

WHEREAS, it is the intent of the Health Department to contract with United Security Management Services for the second year of a three-year contract; and,

WHEREAS, emergency action is requested to avoid security service delays at the Health Department facility; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to enter into a contract with United Security Management Services for security services for the preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Board of Health is hereby authorized to enter into a contract with United Security Management Services for security services for the period November 12, 2002 through November 11, 2003.

SECTION 2. That the expenditure of \$240,830.00 is hereby authorized from the Health Department Special Revenue Fund, Fund No. 250, Health Department, Division No. 50, Object Level One 03, Object Level Three 3398, OCA No. 500264.

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

SECTION 4. That for 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 passage if the Mayor neither approves nor vetoes the same.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1701-02

To authorize the Auditor to transfer \$100,000.00 from the Department of Finance to the Department of Human Resources, and to direct the Director of Human Resources to enter into contract with Oriel Incorporated for provision of professional consulting and training services for the City of Columbus, to waive the competitive procurement provisions of Columbus City Codes Chapter 329, and to authorize the expenditure of \$100,000.00 from the General Fund, and to declare an emergency (\$100,000.00)

WHEREAS, labor and management working together to achieve greater efficiencies and cost savings is an important key to the health and welfare of our city; and

WHEREAS, training city staff in team oriented work methods is critical to the future success of the city; and

WHEREAS, Oriel Incorporated has successfully provided training of this nature to over 600 Public Utilities employees; and

WHEREAS, utilizing Oriel Incorporated to provide this training will ensure greater consistency in the application of cost saving methodologies; and

WHEREAS, City Council set-a-side funds for this purpose, and

WHEREAS, it is in the best interest of the City to waive the competitive procurement provisions of Columbus City Codes, Chapter 329, and
 WHEREAS an emergency exists in the usual daily operation of the Department of Human Resources, in that it is immediately necessary to transfer and expend these funds thereby preserving the public peace, property, safety and welfare; now, therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the City Auditor be and is hereby authorized and directed to transfer \$100,000 within the general fund, subfund 01-100, as follows:

FROM:					
Finance	45-01	10	5501	904508	\$100,000.00
TO:					
Human Resources	46-01	03	3336	460153	\$100,000.00

SECTION 2. That the Director of Human Resources is hereby authorized to enter into contract with Oriel Incorporated for provision of professional consulting and training services for the City of Columbus.

SECTION 3. That the expenditure of \$100,000.00, or so much thereof as may be needed, is hereby authorized from the Department of Human Resources' General Fund, Fund No. 010, as follows:

Division No. 46-01 Department of Human Resources				
OCA Object	Level One	Object Level Three	Amount	
460153	3336	03	\$100,000.00	

SECTION 4. That for the reason 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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1702-02

To authorize the appropriation of \$30,473.96 and transfer of \$50,000.00 from the General Permanent Improvement fund to the Local Transportation Improvement Program fund and the appropriation and expenditure of \$200,000.00 therein; to authorize the Director of Public Service to modify and increase the contract for construction of the Chatterton Road Improvement - OPWC project for the Transportation Division; and to declare an emergency. (\$200,000.00)

WHEREAS, contract EA026036 was authorized by ordinance 1929-00, which passed on July 31, 2000, was executed on August 9, 2000, and was approved by the City Attorney on August 10, 2000; and

WHEREAS, it is necessary to modify this construction contract to provide for additional work for the Chatterton Road Improvement - OPWC project; and

WHEREAS, a transfer and appropriation of funds is necessary for this project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that the contract should be modified and increased immediately so that the work may proceed without delay, thereby preserving the public health, peace and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That appropriation shall be transferred within the General Permanent Improvement fund no. 748 for the Transportation Division, Dept./Div. 59-09, as follows:

TRANSFER FROM:				
<u>Project</u>		<u>OCA Code</u>	<u>Amount</u>	<u>Obj. Lvl 3</u>
537650	General Roadway Street Improvement	642678	\$3,750.75	5000
537650	General Roadway Street Improvement	642678	<u>15,775.29</u>	6600
		Total:	\$19,526.04	
TRANSFER TO:				
<u>Project</u>		<u>OCA Code</u>	<u>Amount</u>	<u>Obj. Lvl 3</u>
537650	General Roadway Street Improvement	642678	\$19,526.04	5501

SECTION 2. That the sum of \$30,473.96 is hereby appropriated to the General Permanent Improvement fund no. 748 for the Transportation Division, Dept./Div. 59-09, OCA Code 642678, Object Level Three 5501 and project 537650.

SECTION 3. That funds shall be transferred from the General Permanent Improvement fund no. 748 to the Local Transportation Improvement Program fund no. 763 as follows:

TRANSFER FROM:				
<u>Project</u>		<u>OCA Code</u>	<u>Amount</u>	<u>Obj. Lvl 3</u>
537650	General Roadway Street Improvement	642678	\$50,000.00	5000
TRANSFER TO:				
<u>Project</u>		<u>OCA Code</u>	<u>Amount</u>	<u>Obj. Lvl 3</u>
560005	Chatterton Road Improvement OPWC	631713	\$50,000.00	0886

SECTION 4. That the sum of \$200,000.00 is hereby appropriated from the unappropriated balance of the Local Transportation Improvement fund no. 763, 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, 2002, to the Transportation Division, Dept./Div. 59-09, OCA Code 631713, Object Level Three 6600, and grant 560005.

SECTION 5. That the Director of Public Service is hereby authorized to modify and increase contract EA026036 with George J. Igel Company, 2040 Alum Creek Drive, Columbus, Ohio 43207 by \$200,000.00 for additional work in accordance with the terms as shown on the modification on file in the office of the City Engineer, which are hereby approved.

SECTION 6. That the sum of \$200,000.00 or so much thereof as may be needed is hereby authorized to be expended from the Local Transportation Improvement fund no. 763 for the Transportation Division, Dept./Div. 59-09, OCA Code 631713, Object Level Three 6631 and grant 560005.

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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

RESOLUTIONS**RES NO. 198X-02**

To oppose the establishment of for-profit, limited service "boutique" hospitals in Central Ohio and support the continuation of non-profit community hospitals.

WHEREAS, Greater Columbus has been well-served for more than 50 years by a system of non-profit hospitals that offers a single high-quality standard of affordable care for all citizens, regardless of their ability to pay; and

WHEREAS, this system of non-profit hospitals, one of the nation's finest and most egalitarian, faces a serious threat created by the emergence of for-profit limited services hospitals that typically pick the most profitable, leaving community hospitals with those patients who are medically indigent and/or need the most complicated and costly care; and

WHEREAS, the for-profit, limited service "boutique" hospitals siphon revenue from full-service community hospitals, revenue needed to pay for necessary but money-losing services like poison centers and burn units, mental health and homecare, Medicaid services to low-income and working families, child abuse prevention and treatment, primary health care to underserved populations and emergency care; and

WHEREAS, Central Ohio's non-profit community hospitals provided more than \$200 million in uncompensated and charity care in 2001 - services that would be jeopardized if for-profit, limited-service hospitals succeeded in transferring massive public health resources into private pockets; and

WHEREAS, investor-owned boutique hospitals create the potential for a conflict-of-interest between physicians' responsibility to make objective medical decisions that are in their patients' best interests and the need to ensure the profitability of their own for-profit venture; and

WHEREAS, the development and success of boutique hospitals could require the infusion of tax dollars to help sustain the ability of the community's full-service hospital to pay for money-losing services upon which a large number of Columbus citizens demand; now, therefore,
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this council does hereby (1) express its strong opposition to the development of a for-profit orthopedic hospital in New Albany, and to the development of any other for-profit, limited-service hospitals that threaten the capacity of the community's non-profit hospitals to offer a single high-quality standard of affordable care for all citizens, regardless of their ability to pay; (2) urge the state's health policy leaders to consider actions that would protect both our community-based health care system and the citizens it serves.

Adopted November 11, 2002 Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor /
Attest, Timothy McSweeney, City Clerk.

RES NO. 199X-02

To recognize the International Week of Caring co-founded by the Hannah Neil World of Children.

WHEREAS, every day, children around the world are adversely impacted by hunger, poverty, child labor and lack of appropriate medical care. Children are the world's future and need the protection and care of others. There are many people around the world making tremendous efforts to positively impact the lives of children through the work to lessen hunger and poverty and provide adequate health care; and

WHEREAS, we must do everything we can to support and raise awareness of children's issues and those who are making a positive impact in the lives of children. Through the International Week of Caring, we have the opportunity to honor children's advocates and promote the values of caring, integrity, and public service in the United States and around the world and we can inspire others to become involved in the effort to help those who carry our future on their shoulders - our children; and

WHEREAS, on this day, during the International Week of Caring and throughout the year, let us take time to celebrate those who tirelessly work to better the lives of children and therefore protect and preserve our future; now, therefore,
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS

That this Council does hereby recognize and support the International Week of Caring co-founded by the Hannah Neil World of Children.
BE IT FURTHER RESOLVED, that a copy of this Resolution be presented as a token of our esteem.

Adopted November 11, 2002 Michael C. Mentel, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor /
Attest, Timothy McSweeney, City Clerk.

BIDS WANTED - PURCHASING OFFICE
--

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if a 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 1, 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 \$20,000.00, 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 PROPOSAL CALL (614) 645-7599

BID OPENING DATE 11/21/02

BID FOR PURCHASE OF DENTAL SUPPLIES

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on Thursday, November 21, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Health

Bid for Purchase of Dental Supplies Solicitation No. SA000320DRM in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director
(11/9/02; 11/16/02)

BID FOR PURCHASE OF HIGH DENSITY POLYETHYLENE PLASTIC LUMBER

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on November 21, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Recreation and Parks

Bid for Purchase of High Density Polyethylene Plastic Lumber Solicitation No. SA000340BGB in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director
(11/9/02; 11/16/02)

BID OPENING DATE 12/05/02

BID FOR PUBLIC ADDRESS SYSTEM

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on December 05, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

SPECIAL NOTICE: Prevailing Wages apply

Envelopes must be plainly marked: Health Department

Bid for Public Address System Solicitation No. SA000347RFM in accordance with specifications on file in the Purchasing Office.

Prebid Meeting Nov. 26, 2002 at 10:00 A.M., 240 Parsons Ave., Columbus, OH 43215

Joel Taylor, Finance Director
(11/16/02; 11/23/02)

BID FOR PURCHASE OF RAIN GAUGE EQUIPMENT

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on December 05, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Sewerage and Drainage

Bid for Purchase of Rain Gauge Equipment Solicitation No. SA000346BGB in accordance with specifications on file in the Purchasing

Office.

Joel Taylor, Finance Director

(11/16/02; 11/23/02)

BIDS WANTED - OTHER DIVISIONS

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if a 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 1, 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 \$20,000.00, 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 PROPOSAL CALL THE LISTED DIVISION

BID FOR DEPOSIT OF PUBLIC MONEY

Notice is hereby given in accordance with Chapter 321 of the Columbus City Codes, 1959 to all banks, and building and loan or savings associations or companies situated in Franklin County, Ohio, whose application for deposit of public money has been approved by the Columbus Depository Commission that bids will be accepted by the City Treasurer for the deposit of inactive funds:

The City Treasurer will accept such bids by telephone (645-7727) or in person between the hours of 8:00 a.m. and 10:45 a.m. Monday through Friday. Such bids should specify the time span of the certificate of deposit, the rate of interest being offered, the amount of funds being bid upon, and the beginning and ending date for which said bid is applicable. By order of the Columbus Depository Commission.

THOMAS ISAACS, Chairman
HUGH J. DORRIAN, Secretary
JOEL S. TAYLOR, Member

BID OPENING DATE 11/27/02

DIVISION OF WATER AUDIO TRAINING FACILITY VIDEO EQUIPMENT AND INSTALLATION

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities until 3:00 P.M. local time, on November 27, 2002 and publicly opened and read at the hour and place for construction of the DIVISION OF WATER TRAINING FACILITY AUDIO VIDEO EQUIPMENT AND INSTALLATION Contract No. 1034, Project No. 690290. The work for which proposals are invited consists of furnishing a new audio video equipment and the installation of all equipment, controls, wiring, and fixtures necessary for the training rooms at the Utilities Complex, 910 Dublin Road, Columbus, Ohio; and such other work as may be necessary to complete the contract in accordance with the specifications. Copies of the Contract Documents are on file in the office of the Deputy Administrator, Water Supply, Utilities Complex, 2nd Floor, 910 Dublin Road, Columbus, Ohio 43215, Phone (614-645-7100) and are available there. Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for: DIVISION OF WATER AUDIO TRAINING FACILITY VIDEO EQUIPMENT AND INSTALLATION, Contract No. 1034, Project No. 690290

CONTACT PERSON

The City of Columbus Contact Person for this project is Bill Mahaffey of the Division of Water's Technical Support Section (614) 645-7100

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of sixty (60) days after the bid opening, and/ or to advertise for new proposals, when it is in the best interests of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

PRE-BID CONFERENCE

A pre-bid conference for this project will be held on November 18, 2002 at 9:00 a.m., at the Utilities Complex Training section office, 910 Dublin Road, Columbus, Ohio.

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:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment up grading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provision of this Equal Opportunity Clause.

(2) The contractor will, in all solicitations of advertisements for employees placed by or on behalf of the contractor, state that the contractor is an equal-opportunity employer.

(3) It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.

(4) The contractor shall permit access to any relevant and pertinent reports and documents by the Administrator of the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Administrator by the contractor shall be considered confidential.

(5) The contractor will not obstruct or hinder the Administrator or his deputies and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.

(6) The contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.

(7) The contractor agrees to refrain from subcontracting any part of this contract or contract modification thereto to a contractor not holding a valid certification number as provided for in Article I, Title 39.

(8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this 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 contractors 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, 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 \$10,000.00, 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 \$10,000.00, 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 official documents filed with Secretary of State, State of Ohio, or Franklin County Recorders Office; or (b) holds 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

(11/9/02; 11/16/02)

BID OPENING DATE 12/4/02

**REFUGEE ROAD 16" WATER MAIN, DIVISION OF WATER,
CONTRACT NO. 941, CIP NO. 405**

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio, at the office of the Director of Public Utilities of the City of Columbus, Ohio, at his office located at 910 Dublin Road, 4th Floor, Columbus, Ohio, until 3:00 pm local time, on December 4, 2002, and publicly opened and read at the hour and place for Refugee Road 16" Water Main. The work for which proposals are invited consists of the installation of a water main and appurtenances and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents and the plans are on file in the office of the Distribution Design Engineer, Utilities Complex, 2nd Floor, 910 Dublin Road, Columbus, Ohio, 43215, and are available to prospective bidders through the office of EMH & T, Inc., 170 Mill Street,

Gahanna, Ohio 43230. The cost of each set of Contract Documents is \$50.00 (Fifty Dollars), for which said amount will be refunded for one (1) complete set returned in good and unmarked condition.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for: REFUGEE ROAD 16" WATER MAIN, DIVISION OF WATER, CONTRACT NO. 941, CIP NO. 405
PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid, including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio, Construction and Materials Specifications, latest edition, and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio, 43215, (614) 645-8290; at the offices of The Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio, 43219, (614) 645-3182; and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio, 43215, (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with the bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio, to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 60 days after the bid opening, and/or to advertise for new proposals, when it is in the best interests of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

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:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment upgrading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provision of this Equal Opportunity Clause.

(2) The contractor will, in all solicitations of advertisements for employees placed by or on behalf of the contractor, state that the contractor is an equal-opportunity employer.

(3) It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.

(4) The contractor shall permit access to any relevant and pertinent reports and documents by the Administrator for the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Administrator by the contractor shall be considered confidential.

(5) The contractor will not obstruct or hinder the Administrator or his deputies and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.

(6) The contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.

(7) The contractor agrees to refrain from subcontracting any part of this contract or contract modification thereto to a contractor not holding a valid certification number as provided for in Article I, Title 39.

(8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract or any other action prescribed in C.C. 3905.05.

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 contractors' 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, a statement of Delinquent Personal Property Tax. Such statement 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.

CONTACT PERSON:

Charles M. Turner, P.E., Division of Water, Engineer's Office, 910 Dublin Road, 2nd Floor, Columbus, Ohio, 43215, (614) 645-7677.

(11/16/02; 11/23/02)

BID OPENING DATE 12/4/02**BID FOR HVAC PREVENTATIVE MAINTENANCE FOR THE DIVISION OF COMMUNICATIONS**

Sealed bids will be received by the Department of Public Service, Division of Facilities Management of the City of Columbus, Ohio at their office, located at 90 West Broad Street, basement, Room B16, Columbus, Ohio 43215 until 3:00 p.m. local time, on Tuesday, December 17, 2002 and publicly opened and read at the hour and place for HVAC PREVENTATIVE MAINTENANCE FOR THE DIVISION OF COMMUNICATIONS.

A pre-bid meeting will be held Monday, November 25, 2002 at 10:00 a.m., at City Hall, 90 West Broad Street, Room B-09, Division of Facilities Management. The work for which bids are invited consist of preventative HVAC maintenance at all Division of Communications locations.

Copies of the Contract Documents are available in the office of Facilities Management, 90 West Broad Street, Basement Level, Room B16, Columbus, Ohio 43215 beginning Monday, November 18, 2002. The first set of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: HVAC PREVENTATIVE MAINTENANCE FOR THE DIVISION OF COMMUNICATIONS.

**FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.
PROPOSAL GUARANTY**

The bidder is required to submit a Proposal Guaranty, consisting either of a Proposal Bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

OSHA/EPA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this contract.

CONSTRUCTION AND MATERIALS SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Material Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specification are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, Room 301, Columbus, Ohio 43215, (614) 645-8290, at the office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219, (614) 645-3182, at the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises. Each bidder must identify any subcontractors who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost.*

This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Commission Office, 109 N. Front Street 4th Floor, Columbus, Ohio 43215, (614) 645-4764.

*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interest of the City. Also, the right is reserved by the Public Service Director to hold bids for a period of 180 days after the bid opening for evaluating both the proposals and the contractors. The award of the contract may be made at any time during that period.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under laws of any other state.

LINDA K. PAGE, DIRECTOR, PUBLIC SERVICE DEPARTMENT

JOHNNY B. SCALES, ADMINISTRATOR, DIVISION OF FACILITIES MANAGEMENT

(11/16/02; 11/23/02)

**PROFESSIONAL SERVICES
REQUEST FOR PROPOSAL (RFP)
REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ)**

**REQUEST FOR STATEMENTS OF QUALIFICATION (RFSQ)
AND REQUEST FOR PROPOSAL (RFP)
FOR
PROFESSIONAL SERVICES FOR RENOVATION OF FIRE STATION 18
FACILITIES MANAGEMENT DIVISION
DEPARTMENT OF PUBLIC SERVICE
CITY OF COLUMBUS**

Qualifications and proposals will be received by the Division of Facilities Management's Administrator, Room B16, 90 West Broad Street, Columbus, Ohio 43215, until Thursday, December 19, 2002 by 4:00 p.m., for professional design services as requested by the Division of Facilities Management.

The scope of the work shall be for complete design services, but not necessarily limited to: master plan and design of a new facility to accommodate the operational needs of the Division of Fire.

A pre-proposal meeting is scheduled for Monday, November 25, 2002 at 1:00 p.m. the Division of Facilities Management, City Hall, 90 West Broad Street, Room B-16, Columbus, Ohio.

Any interested firms may pick up the Request for Proposal beginning Monday, November 18 2002 in the Division of Facilities Management, Room B16, Columbus, Ohio 43215. Request for proposals will not be available after the pre-proposal meeting.

Criteria will be based on:

- 1) Location of Lead consultant and Sub-consultants.
- 2) Competence to perform, based on training, education, experience of personnel, ability to perform competently and expeditiously, workload, personnel and equipment.
- 3) Past performance.
- 4) Present workload with the Department of Public Service at time of submitting proposal.
- 5) Understanding of project.
- 6) Complete tasks defined.
- 7) Innovative approach of project.
- 8) Proposed schedule.
- 9) Cost containment.

All consultants will be subject to the provisions of the City of Columbus Contract Compliance Program regarding equal employment opportunity.

Copies of the qualification questionnaire proposals are available upon request beginning Monday, November 18, 2002 at the Division of Facilities Management, Room B16, 90 West Broad Street, Columbus, Ohio 43215. If you have any questions, please contact Janet Curatti at (614) 645-7170.

LINDA K. PAGE, DIRECTOR, DEPARTMENT OF PUBLIC SERVICE
JOHNNY B. SCALES, ADMINISTRATOR, FACILITIES MANAGEMENT
(11/16/02; 11/23/02)

PUBLIC NOTICES

**CITY BULLETIN NOTICE
MEETING SCHEDULE
CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2003 are scheduled as follows:

Monday, February 3, 2003
Monday, May 12, 2003
Monday, September 29, 2003

The location of these meetings will be City Hall, 90 West Broad Street, 2nd Floor, Mayor's Conference Room. 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) 645-8539.
(10/2002; 10/2003)

**NOTICE
2001-2002 MONTHLY MEETING SCHEDULE FOR THE VEHICLE FOR HIRE BOARD**

The Regular monthly meetings of the Columbus Vehicle for Hire Board will be scheduled for the last Thursday of every month at 10:00 a.m. The location of the meeting will be the License Section Conference Room at 240 Greenlawn Avenue, Columbus, Ohio 43223.

The Dates are as follows:

November 29, 2001
December 27, 2001
January 31, 2002
February 28, 2002
March 28, 2002
April 25, 2002
May 30, 2002
June 27, 2002
July 25, 2002
August 29, 2002
September 26, 2002
October 31, 2002
November 28, 2002
December 26, 2002

The VFHB will use reasonable efforts to hold its meetings in conformity with this schedule, but the VFHB reserves the right to change the date, time, or location of any meeting; or to hold additional meetings. To confirm meeting dates, please contact Lisa Davis, Recording Secretary, in the License Section Office at (614) 645-7471; or E-mail to lldavis@cmhmetro.net.
(11/01; 12/02)

**NOTICE
2001-2002 MONTHLY MEETING SCHEDULE FOR THE COLUMBUS CHARITABLE SOLICITATION BOARD**

The Regular monthly meetings of the Columbus Charitable Solicitations Board will be scheduled for the third Thursday of every month at 10:00 a.m., with the exception of February and March, which will be the second Thursday of the month at 10:00 a.m. The location of the meeting will be the License Section Conference Room at 240 Greenlawn Avenue, Columbus, Ohio 43223.

The Dates are as follows:

November 8, 2001 (Due to Holidays)
December 6, 2001 (Due to Holidays)
January 17, 2002
February 14, 2002
March 14, 2002
April 18, 2002
May 16, 2002
June 20, 2002
July 18, 2002
August – NO MEETING
September 19, 2002
October 17, 2002
November 7, 2002 (Due to Holidays)
December 5, 2002 (Due to Holidays)

The CSB will use reasonable efforts to hold its meetings in conformity with this schedule, but the CSB reserves the right to change the date, time, or location of any meeting; or to hold additional meetings. To confirm meeting dates, please contact Lisa Davis, Recording Secretary, in the License Section Office at (614) 645-7471

Applications can be obtained by mail: Charitable Solicitations Board; c/o License Section, 240 Greenlawn Avenue; Columbus, Ohio 43223; or phone (614) 645-7471; or E-mail to lldavis@cmhmetro.net.
(11/01; 12/02)

**OFFICIAL NOTICE
CIVIL SERVICE COMMISSION COMPETITIVE EXAMINATION ANNOUNCEMENTS
APPLY DAILY MONDAY THROUGH FRIDAY 8:00 A.M. TO 4:30 P.M.**

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is 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.** Interested applicants should regularly check this location for examination announcements. Also, please visit our website at www.csc.cmhmetro.net
(1/02; 12/02)

**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 exercised 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 the Recreation and Parks Operations Complex conference room 420 W. Whittier Street at 8:30 a.m. on the following dates (unless otherwise posted):

Wednesday, January 9, 2002
Wednesday, February 13, 2002
Wednesday, March 13, 2002
Wednesday, April 10, 2002
Wednesday, May 8, 2002
Wednesday, June 12, 2002
Wednesday, July 10, 2002
August Recess – No meeting
Wednesday, September 11, 2002
Wednesday, October 9, 2002
Wednesday, November 13, 2002
Wednesday, December 11, 2002

In the event no proper business exists the meeting may be cancelled without further notice. For further information you may contact the Recreation and Parks Department, 90 West Broad Street, Room 115, Columbus, Ohio 43215 (Telephone: [614] 645-3300).
Wayne A. Roberts, Director
(01/02; 12/02)

**NOTICE
MEETING SCHEDULE CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2002 are scheduled as follows:

Monday, February 4, 2002
Monday, May 13, 2002
Monday, September 30, 2002

The location of these meetings will be City Hall, 90 West Broad Street, 2nd Floor, Mayor's Conference Room. They will begin promptly at 10:00 a.m.

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 meeting date, time and location or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-8539.
(11/2001; 11/2002)

**PUBLIC HEARING
BY COLUMBUS CITY COUNCIL**

The following Rezoning/Variance Ordinances will be heard by City Council on **Monday, November 18, 2002** at approximately 6:30 p.m. in Council Chambers, Second Floor, City Hall, 90 West Broad Street, Columbus, Ohio 43215.

- 1656-02** To amend Ordinance #0884-02, passed June 17, 2002 (Z02-011), for property located at **5980**
Z02-011A **EAST MAIN STREET (43207)**, by repealing Section 3 and passing a revised Section 3, thereby permitting an increase of restaurant use from 2,405 square feet to 2,800 square feet in an 8,424 square foot commercial building, and to declare an emergency.
- 1452-02** To rezone **3242 HAYDEN ROAD (43235)**, being 1.71± acres located at the northeast corner of
Z02-040 Hayden Road and Riverside Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District.
(TABLED 10/21/02)
- 1453-02** To grant a Variance from the provisions of Section 3355.02, Permitted Uses in a CPD,
CV02-034 Commercial Planned Development District, of Columbus City Code for the property located at **3242 HAYDEN ROAD (43235)**, to permit wholesaling of products sold by a mulch business.
(TABLED 10/21/02)

(11/09/02; 11/16/02)

**AGENDA
COLUMBUS BUILDING COMMISSION
NOVEMBER 19, 2002
11:00 A.M.
757 CAROLYN AVENUE
HEARING ROOM - LOWER LEVEL**

1. APPROVAL OF OCTOBER 15, 2002 MEETING MINUTES
 2. CODE CHANGE RECOMMENDATION from Bd. of Review of Refrigeration Contractors and Bd. of Review of Warm Air Heating/Hydrionic Contractors.
 - Addition to Columbus Building Code Sections 4113 and 4114 concerning permitting and registration requirements, This request is to allow registered Refrigeration & HVAC contractors to replace/install outdoor safety disconnect box and/or wiring from disconnect box to air conditioning unit.
 3. ADJUDICATION ORDER; A/02002-053JFB
 - Applicant: Evanswood Ministorage Ltd, -James Denton
 - Property: 4725 Evanswood Drive - Bldg. D
 - Appeal: Extension of Permit #01110-00000-02851
 4. ITEMS FROM THE FLOOR (as approved by the Board)
 - A sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call 645-6079 or TDD 645-3293. Should you have any questions regarding this policy, please contact the City of Columbus, Human Resources Department, at 645-6373.
- (11/9/02; 11/16/02)**

**CITY TREASURER
CITY OF COLUMBUS, OHIO
APPLICATION FOR
DEPOSIT OF PUBLIC MONEY**

Notice is hereby given in accordance with Chapter 321 of the Columbus City Codes, 1959 to all banks, building and loan or savings association or companies situated in Franklin County, Ohio duly organized under the laws of the State of Ohio or of the United States, that application for deposit of public money for fiscal year 2003 will be accepted by the Columbus Depository Commission at the Office of the City Auditor, Secretary of said Commission until 2:00 p.m., December 10, 2002.

Said application shall determine the eligibility of the applicant to place active and inactive deposits of public money with the City Treasurer for the period beginning January 1, 2003 and ending December 31, 2003. Said Application shall be in such a form prescribed by the Commission and shall contain such information as the Commission shall require.

Applications may be obtained from the Office of: Thomas M. Isaacs, City Treasurer, 90 West Broad Street, Rm. 111, Columbus, Ohio 43215, 645-7728

All information and statements contained on said application shall be verified by affidavit.

Address envelope containing application to: Hugh J. Dorrian, Secretary, Columbus Depository Commission, City Hall, 90 West Broad Street, Columbus, Ohio 43215

By order of the Columbus Depository Commission.

Thomas M. Isaacs, Chairperson

Hugh J. Dorrian, Secretary

Joel Taylor, Member

(11/09; 11/16; 11/23; 11/30; 12/07)

**MEETING NOTICE
ITALIAN VILLAGE COMMISSION**

The regular meeting of the Italian Village Commission will be held on Tuesday, November 19, 2002, at 6:15 p.m. at 109 N. Front in the first floor Community Training Center. Copies of the agenda may be obtained by calling 645-7964. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-7964 or TDD 645-6407.

(11/9/02; 11/16/02)

**MEETING NOTICE
HISTORIC RESOURCES COMMISSION**

The regular meeting of the Historic Resources Commission will be held on Thursday, November 21, 2002, at 6:15 p.m. in the Community Training Center, 109 N. Front Street, ground floor. Copies of the agenda may be obtained by calling 645-7964. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Neighborhood Services Division is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-7964 or TDD 645-6407.

(11/9/02; 11/16/02)

**PUBLIC NOTICE
BOARD OF REVISION MEETING FOR
EASTMOOR II UNDERGROUND STREET LIGHTING
&
HILOCK LEWIS ROAD SEWER ASSESSMENT**

Please be advised that a Board of Revision have been appointed by Columbus City Council to hear objections to the Eastmoor II, Street

Lighting & Hillock Lewis Road Sewer Assessment.

The meeting will be held at City Hall 90 West Broad Street in The City Council Chambers, at 6:00 p.m. on November 21, 2002.
(11/9/02; 11/16/02)

**AGENDA
BOARD OF ZONING ADJUSTMENT
CITY OF COLUMBUS, OHIO
NOVEMBER 19, 2002**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, NOVEMBER 19, 2002 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 to "Sign" this meeting will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours prior to the scheduled meeting time. To schedule an interpreter, please contact the City of Columbus, Human Resources Department at 645-6373 or TDD 645-3293.

THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M.:

APPEAL:

1. 02312-00005
1101 NORTH 4TH STREET
Italian Village

To Appeal March 20, 2002 Determination of Chief Zoning Official, Beth Clark

Code Enforcement Officer: Beth Clark

Code Enforcement Officer Phone: 645-6096

Appellant: David M. Betz, AICP, 174 East 4th Avenue, Columbus, Ohio 43201

Owner: Scott G. & Carol J. Guiler, 355 Cherokee Drive, Canal Winchester, Ohio 43110

Attorney/Agent: Eric Rotondo, 1276 Neil Avenue, Columbus, Ohio 43201

PRELIMINARY MATTERS:

2. **ODS No.:** 01310-00046
Location: 456 SOUTH LANE STREET (43206), located on the north side of South Lane Street between 9th Street and Washington Avenue.
Area Comm./Civic: Council of Southside Organizations
Existing Zoning: R-2F, Residential District
Request: Variance(s) to Section(s):
 1. 3332.14, R-2F Area District requirements
To reduce the lot area from 6,000 square feet to 5,533 square feet.
 2. 3332.19, Fronting
To allow a dwelling to not front upon a public street.

Proposal: To construct a two-story, two-family dwelling.
Applicant(s): Todd H. Neuman, Esq. & Jeffrey M. Lewis, Esq.
One Columbus, 10 W. Broad St., Suite 2400
Columbus, OH 43215

Property Owner(s): Nathan R. Mellman
P.O. Box 06415
Columbus, OH 43206

Case Planner: Denise Powers, 645-1788
3. **ODS No.:** 01310-00061
Location: 588 SOUTH 22ND STREET (43205), located on the east side of South 22nd Street, 75± feet south of Mooberry Street.
Area Comm./Civic: Driving Park Area Commission
Existing Zoning: R-3, Residential District
Request: Variance(s) to Section(s):
 1. 3342.28, Minimum number of parking spaces required
To reduce the number of off-street parking spaces required from 2 to 0.

Proposal: To construct a two-story single-family dwelling.
Applicant(s): SE Columbus Homes LP, c/o Michael T. Shannon, Esq. & Laura MacGregor Comek, Esq.
Crabbe Brown & James, 500 S. Front St., 12th Fl.
Columbus, OH 43215

Property Owner(s): Applicant
Case Planner: Denise Powers, 645-1788

NEW CASES:

4. **ODS No.:** 02311-00006
Location: 6857 FLAGS CENTER DRIVE (43229), located at the southwest corner of Cleveland Ave. & Schrock Rd.
Area Comm./Civic: None
Existing Zoning: C-4, Commercial District
Request: Special Permit(s) to Section(s):
1. 3389.03, Field, park or arcade.
To establish an arcade as an ancillary use to a bar.
Proposal: To establish up to 10 coin-/token-activated devices and/or attractions as an ancillary use to a bar.
Applicant(s): Rebecca S. Shaeffer
346 Lakeside Drive
Westerville, Ohio 43081
Property Owner(s): Morrison Properties, LLC
4877 St. Andrews Circle
Westerville, Ohio 43082
Case Planner: Dave Reiss, 645-7973
5. **ODS No.:** 02310-00061
Location: 5055 HALL ROAD (43228), located on the south side of Hall Rd., at the terminus of Cherry Bud Dr.
Area Comm./Civic: Westland Area Commission
Existing Zoning: L-I, Limited Institutional District
Request: Variance(s) to Section(s):
1. 3342.24, Surface.
To permit an existing gravel driveway to remain in use.
Proposal: To permit the continued use of gravel for a driveway surface.
Applicant(s): Todd Ireland
700 Morrison Road
Gahanna, Ohio 43230
Property Owner(s): Columbus Southern Power Company
1 Riverside Plaza
Columbus, Ohio 43215-2373
Case Planner: David Reiss, 645-7973
6. **ODS No.:** 02310-00062
Location: 1288 HIGHLAND STREET (43201), located on the east side of Highland Street, 230± feet north of West 5th Avenue.
Area Comm./Civic: University Area Commission
Existing Zoning: R-4, Residential District
Request: Variance(s) to Section(s):
1. 3332.26, Minimum side yard permitted
To reduce the minimum side yard from 3 feet to 6 inches along the north side of a detached garage.
2. 3332.38, Private garage
To increase the height of a detached private garage from 15 feet to not more than 20 feet.
Proposal: To remove an existing frame one-story one-car garage and rebuild a larger two-car garage with loft storage space.
Applicant(s): Thomas A. & Gale McMahon
1288 Highland St.
Columbus, OH 43201
Property Owner(s): Applicants
Case Planner: Denise Powers, 645-1788
7. **ODS No.:** 02310-00065
Location: 33 HAMILTON PARK AVENUE (43203), located on the west side of Hamilton Park, 1/2 block north of E. Broad St.
Area Comm./Civic: Historic Resources Commission & Near East Area Commission
Existing Zoning: AR-O, Apartment Residential-Office District
Request: Variance(s) to Section(s):
1. 3342.28, Minimum number of parking spaces required.
To reduce the required number of parking spaces from 5 to 0.
Proposal: To convert an apartment building into offices.
Applicant(s): T/K Holdings Limited Partnership, c/o John Chester, Jr.
17 S. High Street, Suite 900
Columbus, Ohio 43215
Property Owner(s): Same as applicant.
Case Planner: Dave Reiss, 645-7973
8. **ODS No.:** 02310-00066
Location: 871 SOUTH HIGH STREET (43206), located on the west side of High St., 31.25 ft. north of Whittier St.
Area Comm./Civic: Brewery District Commission
Existing Zoning: C-4, Commercial District
Request: Variances(s) to Section(s):
1. 3342.28, Minimum number of parking spaces required.
To reduce the required number of parking spaces from 7 to 5.

2. 3342.06, Aisle.
To reduce the aisle width from 13 ft. to 12 ft. 3 in. and the length of parking spaces from 19 ft. to 17 ft. at a 45 degree angle.
- Proposal:** To convert a duplex into offices.
Applicant(s): J. Michael Asebrook, Stacy and Asebrook Ltd.
454 E. Main Street, Ste. 236
Columbus, Ohio 43215
- Property Owner(s):** Jim Deen
3400 N. High Street #120
Columbus, Ohio 43202
- Case Planner:** Dave Reiss, 645-7973
9. **ODS No.:** 02310-00067
Location: 1105 PENNSYLVANIA AVENUE (43201), located at the southwest corner of Pennsylvania & W. 3rd Aves.
Area Comm./Civic: Harrison West Society
Existing Zoning: C-4, Commercial District
Request: Variances(s) to Section(s):
1. 3342.28, Minimum number of parking spaces required.
To reduce the required number of parking spaces from 9 to 0.
- Proposal:** To convert a retail store into a coffee shop.
Applicant(s): Café Corner c/o Jackson B. Reynolds
37 W. Broad St., Suite 725
Columbus, Ohio 43215
- Property Owner(s):** Robert Blunk & Karen Spain
2380 Farleigh Road
Columbus, Ohio, 43221
- Case Planner:** Dave Reiss, 645-7973
10. **ODS No.:** 02310-00068
Location: 1274 SOUTH DUCREST DRIVE (43220), located at the northeast corner of South Ducrest Drive and Ducrest Court.
Area Comm./Civic: None
Existing Zoning: RR, Rural Residential District
Request: Variance(s) to Section(s):
1. 3332.21, Building lines
To reduce the platted building line from 30 feet to 21.7 feet along Ducrest Court for a gazebo.
2. 3332.30, Vision clearance
To obstruct the clear vision setback for an abutting driveway by a 6-foot tall wood privacy fence.
3. 3393.06, Location
To allow a swimming pool to be located between the street and the required building line.
- Proposal:** To allow an existing inground swimming pool, gazebo and 6-foot privacy fence that were constructed or installed without zoning clearance.
Applicant(s): David C. Martin c/o Donald T. Plank, Shuler, Plank & Brahm
145 E. Rich St.
Columbus, OH 43215
- Property Owner(s):** Applicant
Case Planner: Denise Powers, 645-1788
11. **ODS No.:** 02310-00069
Location: 901 EAST DUBLIN GRANVILLE ROAD (43229), located at the southwest corner of Northmeadows Blvd. & E. Dublin-Granville Rd.
Area Comm./Civic: Northland Community Council
Existing Zoning: C-4, Commercial District
Request: Variance(s) to Section(s):
1. 3342.28, Minimum number of parking spaces required.
To reduce the required number of parking spaces from 337 to 218 (119-spaces).
- Proposal:** To split a lot so as to provide sufficient space to re-develop an adjoining parcel into a gas station.
Applicant(s): BP North America Products, Inc. c/o Michael E. Hager
6500 Busch Boulevard, Suite 100
Columbus, Ohio 43229
- Property Owner(s):** North Meadows Associates c/o Park West
3231 Central Park West Drive, Suite 106
Toledo, Ohio 43617
- Case Planner:** Dave Reiss, 645-7973

THE FOLLOWING CASES WILL NOT BE HEARD BEFORE 7:00 P.M.:

12. **ODS No.:** 02310-00070
Location: 252 EAST BECK STREET (43206), located on the north side of East Beck Street, 100± feet west of South 6th Street.
Area Comm./Civic: German Village Commission
Existing Zoning: R-2F, Residential District
Request: Variance(s) to Section(s):
1. 3332.05, Area District lot width requirements

2. To reduce the width of a lot from 50 feet to 48 feet at the front lot line.
3332.21, Building lines
3. To reduce the building line from 10 feet to 4 feet along East Beck Street.
3332.26, Minimum side yard permitted
To reduce the minimum side yard from 5 feet to 1 foot along the west side of the proposed dwelling only for the location of air-conditioning units with a screening wall.
- Proposal:** To construct a single-family dwelling.
Applicant(s): William Hugus Architects
468 City Park Av.
Columbus, OH 43215
- Property Owner(s):** Brett D. & Andrea Cambern
184 E. Beck St.
Columbus, OH 43206
- Case Planner:** Denise Powers, 645-1788
13. **ODS No.:** 02310-00071A
Location: 887 MAYNARD AVENUE (LOT 491 AND PART OF LOT 492) (43211), located at the southeast corner of Maynard Avenue and Atwood Terrace.
Area Comm./Civic: South Linden Area Commission
Existing Zoning: R-3, Residential District
Request: Variance(s) to Section(s):
1. 3342.18, Parking setback line
To reduce the parking setback line from 25 feet to zero for one parking space in the front yard.
2. 3342.28, Minimum number of parking spaces required
To reduce the number of off-street parking spaces required from 2 to 1.
- Proposal:** To reconfigure four (4) originally platted lots to create three (3) new parcels and to separate three existing single-family homes.
Applicant(s): Max Jones III
7548 Slate Ridge
Reynoldsburg, OH 43068
- Property Owner(s):** Marc Plotnick
3035 Atoll Dr.
Lewis Center, OH 43035
- Case Planner:** Denise Powers, 645-1788
14. **ODS No.:** 02310-00071B
Location: 887 MAYNARD AVENUE (PARTS OF LOTS 492 AND 493, also known as 2008 ATWOOD TERRACE) (43211), located at the southeast corner of Maynard Avenue and Atwood Terrace.
Area Comm./Civic: South Linden Area Commission
Existing Zoning: R-3, Residential District
Request: Variance(s) to Section(s):
1. 3332.05, Area District lot width requirements
To reduce the width of a lot from 50 feet to 40 feet.
2. 3342.28, Minimum number of parking spaces required
To reduce the number of off-street parking spaces required from 2 to 0.
- Proposal:** To reconfigure four (4) originally platted lots to create three (3) new parcels and to separate three existing single-family homes.
Applicant(s): Max Jones III
7548 Slate Ridge
Reynoldsburg, OH 43068
- Property Owner(s):** Marc Plotnick
3035 Atoll Dr.
Lewis Center, OH 43035
- Case Planner:** Denise Powers, 645-1788
15. **ODS No.:** 02310-00071C
Location: 887 MAYNARD AVENUE (LOT 494 AND PART OF LOT 493, also known as 2004 ATWOOD TERRACE) (43211), located at the southeast corner of Maynard Avenue and Atwood Terrace.
Area Comm./Civic: South Linden Area Commission
Existing Zoning: R-3, Residential District
Request: Variance(s) to Section(s):
1. 3332.05, Area District lot width requirements
To reduce the width of a lot from 50 feet to 39.25 feet.
- Proposal:** To reconfigure four (4) originally platted lots to create three (3) new parcels and to separate three existing single-family homes.
Applicant(s): Max Jones III
7548 Slate Ridge
Reynoldsburg, OH 43068
- Property Owner(s):** Marc Plotnick
3035 Atoll Dr.
Lewis Center, OH 43035
- Case Planner:** Denise Powers, 645-1788

16. **ODS No.:** 02310-00072
Location: 1265 HILDRETH AVENUE (43203), located at the southwest corner of Hildreth and North Champion Avenues.
Area Comm./Civic: Near East Area Commission
Existing Zoning: R-3, Residential District
Request: Variance(s) to Section(s):
1. 3332.21, Building lines
To reduce the building line from 25 feet to zero along Hildreth Avenue.
2. 3342.15, Maneuvering
To allow maneuvering to occur in the area between the street right-of-way line and the parking setback line (25 feet) along Champion Avenue.
3. 3342.28, Minimum number of parking spaces required
To reduce the number of off-street parking spaces required from 54 to 10.
Proposal: To construct an addition to a church.
Applicant(s): Kathleen E. Dussault - Moody Nolan, Inc.
1776 E. Broad St.
Columbus, OH 43203
Property Owner(s): Church of God & Saints
1265 Hildreth Av.
Columbus, OH 43203
Case Planner: Denise Powers, 645-1788
17. **ODS No.:** 02310-00073
Location: 3409 KARL ROAD (43224), located at the northwest corner of Karl Road and Lenore Avenue
Area Comm./Civic: North Linden Area Commission
Existing Zoning: R-3, Residential District
Request: Variance(s) to Section(s):
1. 3332.27, Rear yard
To reduce the rear yard from 25% of the total lot area to 20%.
2. 3342.11, Landscaping
To allow the lot area between the right-of-way line and the parking setback line (25 feet) to be paved for other than a necessary driveway.
Proposal: To allow a concrete area that was installed without zoning clearance.
Applicant(s): Nghiem V. Tran
3409 Karl Rd.
Columbus, OH 43224
Property Owner(s): Applicant
Case Planner: Denise Powers, 645-1788
18. **ODS No.:** 02310-00074
Location: 3359 SYCAMORE KNOLL DRIVE (43219), located on the south side of Sycamore Knoll Drive, 500± feet east of Brookview Road.
Area Comm./Civic: Northeast Area Commission
Existing Zoning: R-1, Residential District
Request: Variance(s) to Section(s):
1. 3332.38, Private garage
To increase the lot area devoted to private garage from 720 square feet to 2,121 square feet.
Proposal: To construct a 28 ft. X 60 ft., 1,680 sq. ft. detached garage in addition to a 441 sq. ft. attached garage.
Applicant(s): Harold W. Rogers
3359 Sycamore Knoll Dr.
Columbus, OH 43219
Property Owner(s): Applicant
Case Planner: Denise Powers, 645-1788
19. **ODS No.:** 02310-00075
Location: 80 EAST TULANE ROAD (43202), located at the northeast corner of East Tulane Road and East Street.
Area Comm./Civic: Clintonville Area Commission
Existing Zoning: R-3, Residential District
Request: Variance(s) to Section(s):
1. 3332.21, Building lines
To reduce the building line from 25 feet to 3 feet along East Street.
2. 3332.30, Vision clearance
To reduce the clear vision setback from 12 feet to 3 feet for the abutting driveway to the north.
Proposal: To construct a 24 ft. X 20 ft., 480 sq. ft. two-car detached garage.
Applicant(s): Robert B. Thompson, Jr.
80 Tulane Rd.
Columbus, OH 43202
Property Owner(s): Applicant
Case Planner: Denise Powers, 645-1788
20. **ODS No.:** 02310-00076A
Location: 2462 FINDLEY AVENUE (43202), located at the northeast corner of Clinton Street and Findley Avenue.
Area Comm./Civic: University Area Commission

- Existing Zoning:** R-2F, Residential District
Request: Variance(s) to Section(s):
1. 3332.05, Area District lot width requirements
To reduce the width of a lot from 50 feet to 33.33 feet.
 2. 3332.14, R-2F Area District requirements
To reduce the lot area from 6,000 square feet to 2,586 square feet.
 3. 3332.21, Building lines
To reduce the building line from 10 feet to not less than 4 feet along Clinton Street.
 4. 3332.26, Minimum side yard permitted
To reduce the minimum side yard from 3 feet to 2 feet along the north side of the dwelling.
 5. 3342.28, Minimum number of parking spaces required
To reduce the number of off-street parking spaces required from 2 to 0.
 6. 3332.30, Vision clearance
To obstruct a portion of the clear vision triangle at an intersection by a corner of the dwelling.
- Proposal:** To legitimize currently nonconforming development standards for a single-family dwelling and to allow a future lot split to separate it from a building to the east, which is on the same parcel.
- Applicant(s):** Indra Sundaralingam c/o John P. Kennedy, Esq. & Laura MacGregor Comek, Esq., Crabbe, Brown & James, LLP
500 S. Front St. Suite 1200
Columbus, OH 43215
- Property Owner(s):** Mohan M. Sundaralingam c/o John P. Kennedy, Esq. & Laura MacGregor Comek, Esq., Crabbe, Brown & James, LLP
500 S. Front St. Suite 1200
Columbus, OH 43215
- Case Planner:** Denise Powers, 645-1788
21. **ODS No.:** 02310-00076B
Location: 126 CLINTON STREET (43202), located at the northeast corner of Clinton Street and Findley Avenue.
Area Comm./Civic: University Area Commission
Existing Zoning: R-2F, Residential District
Request: Variance(s) to Section(s):
1. 3372.522, Compatibility
To not have a pedestrian entrance and primary orientation toward Clinton Street.
 2. 3372.541, Landscaped area and treatment
To reduce the required landscaped area behind the most rear portion of the building from 10% of the lot area to not less than 4%.
 3. 3372.542, Maximum lot coverage
To increase the maximum lot coverage from 25% of the lot area to 48%.
 4. 3372.543, Building lines
To reduce the building line from 10 feet to zero along Clinton Street
 5. 3372.544, Maximum floor area
To increase the maximum total calculated floor area permitted from a 0.4 floor area ratio to 1.0.
 6. 3332.05, Area District lot width requirements
To reduce the width of a lot from 50 feet to 37.4 feet.
 7. 3332.14, R-2F Area District requirements
To reduce the lot area from 6,000 square feet to 1,247 square feet.
 8. 3332.26, Minimum side yard permitted
To reduce the minimum side yard from 3 feet to 0.4 feet.
 9. 3332.27, Rear yard
To reduce the rear yard from 25% of the total lot area to not less than 8%.
 10. 3342.28, Minimum number of parking spaces required
To reduce the number of off-street parking spaces required from 2 to 0.
- Proposal:** To renovate and change the use of a nonconforming commercial building to a single-family dwelling and to allow a future lot split to separate it from a single-family dwelling to the west, which is on the same parcel.
- Applicant(s):** Indra Sundaralingam c/o John P. Kennedy, Esq. & Laura MacGregor Comek, Esq., Crabbe, Brown & James, LLP
500 S. Front St. Suite 1200
Columbus, OH 43215
- Property Owner(s):** Mohan M. Sundaralingam c/o John P. Kennedy, Esq. & Laura MacGregor Comek, Esq., Crabbe, Brown & James, LLP
500 S. Front St. Suite 1200
Columbus, OH 43215
- Case Planner:** Denise Powers, 645-1788
22. **ODS No.:** 02310-00077
Location: 847 WILSON AVENUE (43206), located at the northwest corner of Wilson Avenue and Sycamore Street.
Area Comm./Civic: Council of Southside Organizations
Existing Zoning: R-4, Residential District
Request: Variance(s) to Section(s):
1. 3332.05, Area District lot width requirements
To reduce the width of a lot from 50 feet to 31.7 feet.
 2. 3332.15, R-4 Area District requirements
To reduce the lot area from 5,000 square feet to 2,605 square feet.
 3. 3332.21, Building lines

4. To reduce the building line from 10 feet to 4 feet along Sycamore Street.
3332.30, Vision clearance
To obstruct a portion of the clear vision triangle at an intersection by a corner of the proposed dwelling.
- Proposal:** To construct a single-family dwelling and two-car detached garage.
Applicant(s): Southside Homes Limited Partnership c/o Laurie Sutherland
562 E. Main St.
Columbus, OH 43215
- Property Owner(s):** Southside Homes Limited Partnership c/o Eric Ward, Agent
562 E. Main St.
Columbus, OH 43215
- Case Planner:** Denise Powers, 645-1788

THE FOLLOWING CASES WILL NOT BE HEARD BEFORE 8:00 P.M.:

23. **ODS No.:** 02310-00078
Location: 5677-5685 CHANTRY DRIVE (43232), located on the south side of Chantry Dr., approximately 2,000 ft. west of Brice Rd.
Area Comm./Civic: Southeast Community Coalition
Existing Zoning: M-2, Manufacturing District
Request: Variance(s) to Section(s):
- 3367.15, M-2 manufacturing district special provisions.
To permit a parking lot to be established in the required 50 ft. buffer area between the street right-of-way and the building setback line.
 - 3342.18, Parking setback line.
To reduce the required parking setback from 50 ft. to 25 ft.
- Proposal:** To establish a newspaper distribution terminal.
Applicant(s): Chantry Corporate Center, LLC, c/o Michael Braunstein, Esq.
454 E. Main Street
Columbus, OH 43215
- Property Owner(s):** Same As Applicant
Case Planner: Dave Reiss, 645-7973
24. **ODS No.:** 02310-00080
Location: 5979 EAST MAIN STREET (43213), located at the southwest corner of McNaughten Rd. & E. Main St.
Area Comm./Civic: None
Existing Zoning: C-4, Commercial District
Request: Variance(s) to Section(s):
- 3342.28, Minimum number of parking spaces required.
To reduce the required number of parking spaces from 43 to 0.
 - 3342.15, Maneuvering.
To provide maneuvering to the parking lot from an adjoining parcel.
 - 3342.18, Parking setback line.
To reduce the parking setback line for parking and maneuvering from 10 ft. to 0 ft. along McNaughten Rd. and Main St.
- Proposal:** To create a 900 sq. ft. patio to an existing restaurant and to rectify parking and maneuvering deficiencies from the time when the building was originally constructed.
Applicant(s): City Barbeque, c/o Chris Vallette of DSA Architects
1277 Worthington Woods Blvd.
Worthington, OH 43085
- Property Owner(s):** Davis Investment Co.
6241 Riverside Drive
Dublin, OH 43017
- Case Planner:** Dave Reiss, 645-7973
25. **ODS No.:** 02310-00082A
Location: 3523 RIVER AVON CIRCLE (LOT 1) (43221), located at the northwest corner of River Avon Circle and River Seine Street.
Area Comm./Civic: None
Existing Zoning: PUD-4, Planned Unit Development District
Request: Variance(s) to Section(s):
- 3311.10, Effect of registered Planned Unit Development District
To reduce the building setback line from 25 feet to 10 feet along River's Gate Way.
 - 3311.10, Effect of registered Planned Unit Development District
To increase the maximum permitted building setback line from 10 feet to not more than 32 feet and 19 feet at the east and west corners of the proposed house, respectively, along River Avon Circle; and to increase the maximum permitted building setback line from 10 feet to not more than 17 feet along River Seine Street.
- Proposal:** To construct a single-family dwelling.
Applicant(s): Romanelli & Hughes Building Co. c/o Donald T. Plank, Esq.
Shuler, Plank & Brahm, 145 E. Rich St.
Columbus, OH 43215
- Property Owner(s):** Rivers Gate Ltd. c/o Donald T. Plank, Esq.
Shuler, Plank & Brahm, 145 E. Rich St.

- Columbus, OH 43215
- Case Planner:** Denise Powers, 645-1788
- 26. ODS No.:** **02310-00082B**
Location: **3515 RIVER AVON CIRCLE (LOT 2) (43221)**, located on the north side of River Avon Circle, 55± feet west of River Seine Street.
Area Comm./Civic: None
Existing Zoning: PUD-4, Planned Unit Development District
Request: Variance(s) to Section(s):
 1. 3311.10, Effect of registered Planned Unit Development District
 To increase the maximum permitted building setback line from 10 feet to not more than 33 feet and 24 feet at the east and west corners of the proposed house, respectively, along River Avon Circle.
Proposal: To construct a single-family dwelling.
Applicant(s): Romanelli & Hughes Building Co. c/o Donald T. Plank, Esq.
 Shuler, Plank & Brahm, 145 E. Rich St.
 Columbus, OH 43215
Property Owner(s): Rivers Gate Ltd. c/o Donald T. Plank, Esq.
 Shuler, Plank & Brahm, 145 E. Rich St.
 Columbus, OH 43215
Case Planner: Denise Powers, 645-1788
- 27. ODS No.:** **02310-00082C**
Location: **3507 RIVER AVON CIRCLE (LOT 3) (43221)**, located on the north side of River Avon Circle, 100± feet west of River Seine Street.
Area Comm./Civic: None
Existing Zoning: PUD-4, Planned Unit Development District
Request: Variance(s) to Section(s):
 1. 3311.10, Effect of registered Planned Unit Development District
 To increase the maximum permitted building setback line from 10 feet to not more than 20 feet and 36 feet at the east and west corners of the proposed house, respectively, along River Avon Circle.
Proposal: To construct a single-family dwelling.
Applicant(s): Romanelli & Hughes Building Co. c/o Donald T. Plank, Esq.
 Shuler, Plank & Brahm, 145 E. Rich St.
 Columbus, OH 43215
Property Owner(s): Rivers Gate Ltd. c/o Donald T. Plank, Esq.
 Shuler, Plank & Brahm, 145 E. Rich St.
 Columbus, OH 43215
Case Planner: Denise Powers, 645-1788
- 28. ODS No.:** **02310-00083**
Location: **113 EAST MITHOFF STREET (43206)**, located at the southwest corner of East Mithoff and South 4th Streets.
Area Comm./Civic: Council of Southside Organizations and Merion Village Civic Association
Existing Zoning: R-4, Residential District
Request: Variance(s) to Section(s):
 1. 3332.05, Area District lot width requirements
 To reduce the width of a lot from 50 feet to 30.67 feet.
 2. 3332.15, R-4 Area District requirements
 To reduce the lot area from 6,000 square feet to 4,048 square feet.
 3. 3332.18, Basis of computing area
 To allow more than three times the width of the lot to be used for the purpose of calculating density.
 4. 3332.18, Basis of computing area
 To increase the lot area allowed to be covered by building from 50% to 50.49%.
 5. 3332.21, Building lines
 To reduce the building line from 10 feet to 7.5 feet along East Mithoff Street.
 6. 3332.25, Maximum side yards required
 To reduce the sum of the widths of each side yard from 20% of the width of the lot, or 6.134 feet to not less than 10%, or 3.29 feet.
 7. 3332.30, Vision clearance
 To allow a portion of the corner of the building to obstruct the clear vision triangle at the intersection.
 8. 3342.28, Minimum number of parking spaces required
 To reduce the number of off-street parking spaces required from 4 to 2.
Proposal: To renovate and change the use of a nonconforming one-story office building to a two-story two-family dwelling.
Applicant(s): D. D. Frye & Co.
 729 S. 3rd St.
 Columbus, OH 43206
Property Owner(s): Applicant
Case Planner: Denise Powers, 645-1788

HOLDOVER CASES:

- 29. ODS No.:** 02310-00017
Location: 6277 KARL ROAD (43229), located on the west side of Karl Road, 800± feet north of Alpine Drive.
Area Comm./Civic: Northland Community Council
Existing Zoning: SR, Suburban Residential District
Request: Variance(s) to Section(s):
1. 3332.28, Side or rear yard obstruction
To allow the area required in a side yard to be used for parking.
2. 3342.11, Landscaping
To allow a portion of the area between the right-of-way and the parking setback line to be paved, not landscaped.
3. 3342.15, Maneuvering
To allow maneuvering to occur in the area between the street right-of-way line and the parking setback line.
Proposal: To install a blacktop turnaround in the front yard and to expand the driveway.
Applicant(s): Baruch Puplampu
6277 Karl Rd.
Columbus, OH 43229-2128
Property Owner(s): Applicant
Case Planner: Denise Powers, 645-1788
- 30. ODS No.:** 02310-00051
Location: 2020 BRUCK STREET (43207), located at the terminus of Bruck St., from roughly the first alley east of Bucher St. to Parsons Ave.
Area Comm./Civic: Council of South Side Organizations
Existing Zoning: M, Manufacturing District
Request: Variance(s) to Section(s):
1. 3311.28, Requirements.
To permit the establishment and/or expansion of a more objectionable use within 600 feet of a residential zoning district.
2. 3363.27, Height and area regulations.
To reduce the minimum distance from a residential district for a more objectionable use listed in Code Section 3363.09 (Adhesives).
3. 3363.22, Front yards established.
To modify the provisions of 3363.23 to allow a reduction in the front yard requirement.
4. 3363.23, Building lines--Definitions.
To allow other than an unenclosed porch, balcony or steps to be constructed between a building line and street property line.
5. 3363.24, Building lines in an M-manufacturing district.
To reduce the required building setback from 25 ft. to 0 ft. on Tract 1 or Tract 3 along the south side of Hosack St., the east and west sides of Ninth St., the east side of Washington Ave., the west side of Eighth St. and the east side of Fourth St.
6. 3363.25, Building lines on corner lots; exceptions.
To modify provisions of 3363.25 to allow for a reduction in the required building setback for a building on a corner lot that are greater than what the code provisions allow.
7. 3363.19, Location requirements.
To permit the establishment of a more objectionable use within 600 ft. of a residential zoning district or use.
Proposal: To allow an adhesive manufacturing use to be established closer than 600 ft. to a residential zoning district.
Applicant(s): Franklin International, Inc. c/o Daniel Schoedinger
52 E. Gay St.
Columbus, Ohio 43215
Property Owner(s): Franklin International, Inc., 2020 Bruck Street, Columbus, OH 43207
H&M Investments, Inc., 1960 South Fourth Street
Columbus, Ohio 43207
Case Planner: Dave Reiss, 645-7973
- 31. ODS No.:** 02310-00052
Location: 1346 SOUTH HIGH STREET (43207), located at the southeast corner of Moler & High Sts.
Area Comm./Civic: Council of South Side Organizations
Existing Zoning: C-4. Commercial District
Request: Special Permit & Variance(s) to Section(s):
1. 3389.04, Crematory.
To establish a crematory in association with an existing funeral home.
2. 3342.28, Minimum number of parking spaces required.
To reduce the required number of parking spaces from 52 to 8 (44-spaces).
Proposal: To establish a crematorium and re-configured parking at an existing funeral home.
Applicant(s): Marcia Shanefelt, c/o Maverick Builders
1667 Gateway Circle
Grove City, Ohio 43123
Property Owner(s): O.R. Woodyard Co.
255 E. State Street
Columbus, Ohio 43215
Case Planner: Dave Reiss, 645-7973

RECONSIDERATION REQUEST:

- 32. ODS No.:** 02310-00033
Location: 4567 NORTH GATE (43054), located at the northwest corner of North Gate and Chiswick Court.
Area Comm./Civic: Northland Community Council
Existing Zoning: PUD-4, Planned Unit Development District
Request: Variance(s) to Section(s):
1. 3345.17, Private garages
To increase the height of a detached private garage from 15 feet to 37 feet.
 2. 3345.17, Private garages
To increase the lot area devoted to a private garage from 1,689 square feet to 1,966 square feet.
 3. 3345.17, Private garages
To increase the number of parking spaces provided in garages from 2 to 5.
 4. 3345.17, Private garages
To allow habitable space in a detached garage.
- Proposal:** To construct a 1,120 square foot combination detached two-car garage with a workshop and half-bath, in addition to an existing 846 square foot, three-car detached garage.
Applicant(s): Tuckerman Development
64 E. Broad St.
Columbus, OH 43215
Property Owner(s): Gerald A. & Judy A. Lacko
4567 North Gate
New Albany, OH 43054
Case Planner: Denise Powers, 645-1788

(11/09/02; 11/16/02)

RESULTS

The Development Commission of the City of Columbus held a public hearing on the following applications on THURSDAY, October 10, 2002, beginning at 6:00 P.M. at the CITY OF COLUMBUS, 1-71 NORTH COMPLEX 757 Carolyn Avenue, Columbus, OH 43224 in the lower level HEARING ROOM.

Further information may be obtained by calling the Building Services Section Zoning Information at 645-7314
 THE FOLLOWING CASES WILL BE HEARD ON THE 6:00 P.M. AGENDA:

1. APPLICATION: Z00-084
Location: 1500 NORTH CASSADY AVE. (43219), being 35.69± acres
TABLED
2. APPLICATION: Z02-059
Location: 3562 AGLER ROAD (43219), being 20.6± acres located on the north side of Agler Road, 600± feet west of Stelzer Road (Northeast Area Commission).
Existing Zoning: L-C-4, Limited Commercial District and PUD-8, Planned Unit Development District.
Request: PUD-8, Planned Unit Development District.
Proposed Use: Single-family residential development.
Applicant(s): M/I Schottenstein Homes Inc.; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street Columbus, Ohio 43215.
Property Owner(s): Synergy Capital Co. Ltd.; c/o the Applicant.
Case Planner: Dana Hiitt, AICP, 645-2395; dahitt@cmhmetro.net
Development Commission recommended Approval (5-0).
3. APPLICATION: Z02-058
Location: 1370 NORTH WILSON ROAD (43204), being 25.3± acres located on the east side of Wilson Road, 335± feet south of Newell Drive.
Existing Zoning: R, Rural District.
Request: PUD-6, Planned Unit Development District.
Proposed Use: Single-family residential development.
Applicant(s): M/I Schottenstein Homes Inc.; c/o Jackson B. Reynolds, Atty.; 37 West Broad Street, Columbus, Ohio 43215.
Property Owner(s): Dorothy J. Agee FKA Dorothy J. Hartley; c/o the Applicant.
Case Planner: Don Bier, 645-0712; drbier@cmhmetro.net
Development Commission recommended Approval (5-0).
4. APPLICATION: Z02-060
Location: 6625 EAST BROAD STREET (43004), being 8.59± acres located on the south side of East Broad Street at the terminus of Brice Road.
Existing Zoning: L-C-2, Limited Commercial and PUD-8, Planned Unit Development Districts.
Request: PUD-8, Planned Unit Development District.
Proposed Use: Multi-family residential development.
Applicant(s): Epcon Broadmere LLC; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street; Columbus, Ohio 43215.
Property Owner(s): The Applicant.
Case Planner: Don Bier, 645-0712; drbier@cmhmetro.net
Development Commission recommended Approval (4-1—0).
5. APPLICATION: Z02-061

Location: 2 GEORGESVILLE ROAD (43228), being 13.94± acres located at the southeast corner of Georgesville Road and West Broad Street (Greater Hilltop Area Commission).
 Existing Zoning: R, Rural District.
 Request: L-C-4, Limited Commercial District
 Proposed Use: Commercial retail development.
 Applicant(s): Location Finders International Inc.; c/o Jackson B. Reynolds, III, Atty.; 37 West Broad Street, Columbus, Ohio 43215.
 Property Owner(s): Delphi Automotive Systems LLC; c/o The Applicant.
 Case Planner: Dana Hitt, AICP, 645-2395; dahitt(S)cmhmetro.net
 Development Commission recommended Approval (5-0).

6. APPLICATION: Z02-063
 Location: 5572 ALKIRE ROAD (43204), being 1.75± acres located at the northwest corner of Alkire Road and Norton Road (Westland Area Commission).
 Existing Zoning: CPD, Commercial Planned Development District.
 Request: CPD, Commercial Planned Development District.
 Proposed Use: Convenience store with gasoline sales and car wash.
 Applicant(s): Imad and Nancy Abouchahine; c/o John P. Kennedy, Atty. and Michael T. Shannon, Atty.; 500 South Front Street Ste 1200, Columbus, Ohio 43215.
 Property Owner(s): Custom Built Homes Inc.; c/o the Applicant.
 Case Planner: Don Bier, 645-0712; drbier@cmhmetro.net
 Development Commission recommended Approval (5-0)

THE FOLLOWING CASES WILL BE HEARD ON THE 7:00 P.M. AGENDA:

7. APPLICATION: Z02-064
 Location: 2770 ALUM CREEK DRIVE (43207), being 40.14± acres located on the northeast corner of Alum Creek Drive and Watkins Road.
 Existing Zoning: RRR, Restricted Rural Residential District.
 Request: PUD-8, Planned Unit Development District.
 Proposed Use: Single-family and multi-family residential development.
 Applicant(s): Columbus/Franklin County Affordable Housing Trust Corporation; c/o John P. Kennedy, Atty. and Michael T. Shannon, Atty.; 500 South Front Street Ste 1200, Columbus, Ohio 43215.
 Property Owner(s): The Applicant.
 Case Planner: Don Bier, 645-0712; drbier@cmhmetro.net
 Development Commission recommended Approval (5-0).

8. APPLICATION: Z02-065
 Location: 739 OBETZ ROAD (43207), being 29.62± acres located on the south side of Obetz Road at the terminus of Swallowfield Street and extending south to Interstate 270.
 Existing Zoning: R, Rural District.
 Request: R-2, Residential District.
 Proposed Use: Single-family residential development.
 Applicant(s): Vision Development Inc.; c/o Jackson B. Reynolds, III, Atty.; 37 West Broad Street, Columbus, Ohio 43215.
 Property Owner(s): Hardline Investments, Ltd., Thomas & Barbra Wagner, Wayne Wagner; c/o The Applicant.
 Case Planner: Don Bier, 645-0712; drbier@cmhmetro.net
 Development Commission recommended Approval (5-0).

9. APPLICATION: Z02-066
 Location: 605 WAGGONER ROAD (43004), being 17.4± acres located on the west side of Waggoner Road at the terminus of Chapel Stone Road.
 Existing Zoning: L-AR-12, Limited Apartment Residential District.
 Request: L-AR-12, Limited Apartment Residential and R-2, Residential Districts.
 Proposed Use: Single-family and multi-family residential development.
 Applicant(s): Rockford Homes, Inc.; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street; Columbus, Ohio 43215.
 Property Owner(s): The Applicant.
 Case Planner: Dana Hitt, AICP, 645-2395; dahitt@cmhmetro.net
 Development Commission recommended Disapproval (2-3).

10. APPLICATION: Z02-062
 Location: 3553 REFUGEE ROAD (43232), being 1.87± acres located on the south side of Refugee Road, 1110± feet east of Weyburn Road.
 Existing Zoning: R, Rural District.
 Request: C-2, Commercial District.
 Proposed Use: Office development.
 Applicant(s): Suvit Saelim; c/o Thomas D. Shelby; 1592 Granville Street, Columbus, Ohio 43203.
 Property Owner(s): Suvit and Virginia Saelim; c/o The Applicant.
 Case Planner: Dana Hitt, AICP, 645-2395; dahitt@cmhmetro.net
 Development Commission recommended Approval (5-0).

11. APPLICATION: Z01-096
 Location: 669 SOUTH GALLOWAY ROAD (43119), being 58.6± acres
 TABLED

12. APPLICATION: Z02-057

Location: 5562 ROBERTS ROAD (43026), being 5.0± acres located at the northeast corner of Roberts Road and Rustling Oak Boulevard.
 Existing Zoning: AR-12, Apartment Residential District.
 Request: ARLD, Apartment Residential District.
 Proposed Use: Multi-family residential development.
 Applicant(s): Hickory Mill Apartments of Columbus, LTD.; c/o Thomas A. Clark; 6954 Americana Parkway; Reynoldsburg, Ohio 43068.
 Property Owner(s): The Applicant.
 Case Planner: Dana Hitt, AICP, 645-2395; dahitt@cmhmetro.net
 Development Commission recommended Approval (5-0).
 (11/16/02)

**AGENDA
 BOARD OF ZONING ADJUSTMENT
 CITY OF COLUMBUS, OHIO
 NOVEMBER 19, 2002**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, NOVEMBER 19, 2002 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 to "Sign" this meeting will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours prior to the scheduled meeting time. To schedule an interpreter, please contact the City of Columbus, Human Resources Department at 645-6373 or TDD 645-3293.

THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M.:

APPEAL:

1. 02312-00005
 1101 NORTH 4TH STREET
 Italian Village

To Appeal March 20, 2002 Determination of Chief Zoning Official, Beth Clark

City Staff: Beth Clark

City Staff Phone: 645-6096

Appellant: David M. Betz, AICP, 174 East 4th Avenue, Columbus, Ohio 43201

Owner: Scott G. & Carol J. Guiler, 355 Cherokee Drive, Canal Winchester, Ohio 43110

Attorney/Agent: Eric Rotondo, 1276 Neil Avenue, Columbus, Ohio 43201

PRELIMINARY MATTERS:

2. **ODS No.:** 01310-00046
Location: 456 SOUTH LANE STREET (43206), located on the north side of South Lane Street between 9th Street and Washington Avenue.
Area Comm./Civic: Council of Southside Organizations
Existing Zoning: R-2F, Residential District
Request: Variance(s) to Section(s):
 1. 3332.14, R-2F Area District requirements
 To reduce the lot area from 6,000 square feet to 5,533 square feet.
 2. 3332.19, Fronting
 To allow a dwelling to not front upon a public street.**Proposal:** To construct a two-story, two-family dwelling.
Applicant(s): Todd H. Neuman, Esq. & Jeffrey M. Lewis, Esq.
 One Columbus, 10 W. Broad St., Suite 2400
 Columbus, OH 43215
Property Owner(s): Nathan R. Mellman
 P.O. Box 06415
 Columbus, OH 43206
Case Planner: Denise Powers, 645-1788

3. **ODS No.:** 01310-00061
Location: 588 SOUTH 22ND STREET (43205), located on the east side of South 22nd Street, 75± feet south of Mooberry Street.
Area Comm./Civic: Driving Park Area Commission

Existing Zoning: R-3, Residential District
Request: Variance(s) to Section(s):
 1. 3342.28, Minimum number of parking spaces required
 To reduce the number of off-street parking spaces required from 2 to 0.
Proposal: To construct a two-story single-family dwelling.
Applicant(s): SE Columbus Homes LP, c/o Michael T. Shannon, Esq. & Laura MacGregor Comek, Esq.
 Crabbe Brown & James, 500 S. Front St., 12th Fl.
 Columbus, OH 43215
Property Owner(s): Applicant
Case Planner: Denise Powers, 645-1788

NEW CASES:

4. **ODS No.:** 02311-00006
Location: 6857 FLAGS CENTER DRIVE (43229), located at the southwest corner of Cleveland Ave. & Schrock Rd.
Area Comm./Civic: None
Existing Zoning: C-4, Commercial District
Request: Special Permit(s) to Section(s):
 1. 3389.03, Field, park or arcade.
 To establish an arcade as an ancillary use to a bar.
Proposal: To establish up to 10 coin-/token-activated devices and/or attractions as an ancillary use to a bar.
Applicant(s): Rebecca S. Shaeffer
 346 Lakeside Drive
 Westerville, Ohio 43081
Property Owner(s): Morrison Properties, LLC
 4877 St. Andrews Circle
 Westerville, Ohio 43082
Case Planner: Dave Reiss, 645-7973
5. **ODS No.:** 02310-00061
Location: 5055 HALL ROAD (43228), located on the south side of Hall Rd., at the terminus of Cherry Bud Dr.
Area Comm./Civic: Westland Area Commission
Existing Zoning: L-I, Limited Institutional District
Request: Variance(s) to Section(s):
 1. 3342.24, Surface.
 To permit an existing gravel driveway to remain in use.
Proposal: To permit the continued use of gravel for a driveway surface.
Applicant(s): Todd Ireland
 700 Morrison Road
 Gahanna, Ohio 43230
Property Owner(s): Columbus Southern Power Company
 1 Riverside Plaza
 Columbus, Ohio 43215-2373
Case Planner: David Reiss, 645-7973
6. **ODS No.:** 02310-00062
Location: 1288 HIGHLAND STREET (43201), located on the east side of Highland Street, 230± feet north of West 5th Avenue.
Area Comm./Civic: University Area Commission
Existing Zoning: R-4, Residential District
Request: Variance(s) to Section(s):
 1. 3332.26, Minimum side yard permitted
 To reduce the minimum side yard from 3 feet to 6 inches along the north side of a detached garage.
 2. 3332.38, Private garage
 To increase the height of a detached private garage from 15 feet to not more than 20 feet.
Proposal: To remove an existing frame one-story one-car garage and rebuild a larger two-car garage with loft storage space.
Applicant(s): Thomas A. & Gale McMahon
 1288 Highland St.
 Columbus, OH 43201
Property Owner(s): Applicants
Case Planner: Denise Powers, 645-1788
7. **ODS No.:** 02310-00065
Location: 33 HAMILTON PARK AVENUE (43203), located on the west side of Hamilton Park, 1/2 block north of E. Broad St.
Area Comm./Civic: Historic Resources Commission & Near East Area Commission
Existing Zoning: AR-O, Apartment Residential-Office District
Request: Variance(s) to Section(s):
 1. 3342.28, Minimum number of parking spaces required.
 To reduce the required number of parking spaces from 5 to 0.
Proposal: To convert an apartment building into offices.

- Applicant(s):** T/K Holdings Limited Partnership, c/o John Chester, Jr.
17 S. High Street, Suite 900
Columbus, Ohio 43215
- Property Owner(s):** Same as applicant.
- Case Planner:** Dave Reiss, 645-7973
8. **ODS No.:** 02310-00066
- Location:** 871 SOUTH HIGH STREET (43206), located on the west side of High St., 31.25 ft. north of Whittier St.
- Area Comm./Civic:** Brewery District Commission
- Existing Zoning:** C-4, Commercial District
- Request:** Variances(s) to Section(s):
1. 3342.28, Minimum number of parking spaces required.
To reduce the required number of parking spaces from 7 to 5.
 2. 3342.06, Aisle.
To reduce the aisle width from 13 ft. to 12 ft. 3 in. and the length of parking spaces from 19 ft. to 17 ft. at a 45 degree angle.
- Proposal:** To convert a duplex into offices.
- Applicant(s):** J. Michael Asebrook, Stacy and Asebrook Ltd.
454 E. Main Street, Ste. 236
Columbus, Ohio 43215
- Property Owner(s):** Jim Deen
3400 N. High Street #120
Columbus, Ohio 43202
- Case Planner:** Dave Reiss, 645-7973
9. **ODS No.:** 02310-00067
- Location:** 1105 PENNSYLVANIA AVENUE (43201), located at the southwest corner of Pennsylvania & W. 3rd Aves.
- Area Comm./Civic:** Harrison West Society
- Existing Zoning:** C-4, Commercial District
- Request:** Variances(s) to Section(s):
1. 3342.28, Minimum number of parking spaces required.
To reduce the required number of parking spaces from 9 to 0.
- Proposal:** To convert a retail store into a coffee shop.
- Applicant(s):** Café Corner c/o Jackson B. Reynolds
37 W. Broad St., Suite 725
Columbus, Ohio 43215
- Property Owner(s):** Robert Blunk & Karen Spain
2380 Farleigh Road
Columbus, Ohio, 43221
- Case Planner:** Dave Reiss, 645-7973
10. **ODS No.:** 02310-00068
- Location:** 1274 SOUTH DUCREST DRIVE (43220), located at the northeast corner of South Ducrest Drive and Ducrest Court.
- Area Comm./Civic:** None
- Existing Zoning:** RR, Rural Residential District
- Request:** Variance(s) to Section(s):
1. 3332.21, Building lines
To reduce the platted building line from 30 feet to 21.7 feet along Ducrest Court for a gazebo.
 2. 3332.30, Vision clearance
To obstruct the clear vision setback for an abutting driveway by a 6-foot tall wood privacy fence.
 3. 3393.06, Location
To allow a swimming pool to be located between the street and the required building line.
- Proposal:** To allow an existing inground swimming pool, gazebo and 6-foot privacy fence that were constructed or installed without zoning clearance.
- Applicant(s):** David C. Martin c/o Donald T. Plank, Shuler, Plank & Brahm
145 E. Rich St.
Columbus, OH 43215
- Property Owner(s):** Applicant
- Case Planner:** Denise Powers, 645-1788
11. **ODS No.:** 02310-00069
- Location:** 901 EAST DUBLIN GRANVILLE ROAD (43229), located at the southwest corner of Northmeadows Blvd. & E. Dublin-Granville Rd.
- Area Comm./Civic:** Northland Community Council
- Existing Zoning:** C-4, Commercial District
- Request:** Variance(s) to Section(s):
1. 3342.28, Minimum number of parking spaces required.
To reduce the required number of parking spaces from 337 to 218 (119-spaces).
- Proposal:** To split a lot so as to provide sufficient space to re-develop an adjoining parcel into a gas station.
- Applicant(s):** BP North America Products, Inc. c/o Michael E. Hager
6500 Busch Boulevard, Suite 100

Columbus, Ohio 43229
Property Owner(s): North Meadows Associates c/o Park West
 3231 Central Park West Drive, Suite 106
 Toledo, Ohio 43617
Case Planner: Dave Reiss, 645-7973

THE FOLLOWING CASES WILL NOT BE HEARD BEFORE 7:00 P.M.:

12. **ODS No.:** 02310-00070
Location: 252 EAST BECK STREET (43206), located on the north side of East Beck Street, 100± feet west of South 6th Street.
Area Comm./Civic: German Village Commission
Existing Zoning: R-2F, Residential District
Request: Variance(s) to Section(s):
 1. 3332.05, Area District lot width requirements
 To reduce the width of a lot from 50 feet to 48 feet at the front lot line.
 2. 3332.21, Building lines
 To reduce the building line from 10 feet to 4 feet along East Beck Street.
 3. 3332.26, Minimum side yard permitted
 To reduce the minimum side yard from 5 feet to 1 foot along the west side of the proposed dwelling only for the location of air-conditioning units with a screening wall.
Proposal: To construct a single-family dwelling.
Applicant(s): William Hugus Architects
 468 City Park Av.
 Columbus, OH 43215
Property Owner(s): Brett D. & Andrea Cambern
 184 E. Beck St.
 Columbus, OH 43206
Case Planner: Denise Powers, 645-1788
13. **ODS No.:** 02310-00071A
Location: 887 MAYNARD AVENUE (LOT 491 AND PART OF LOT 492) (43211), located at the southeast corner of Maynard Avenue and Atwood Terrace.
Area Comm./Civic: South Linden Area Commission
Existing Zoning: R-3, Residential District
Request: Variance(s) to Section(s):
 1. 3342.18, Parking setback line
 To reduce the parking setback line from 25 feet to zero for one parking space in the front yard.
 2. 3342.28, Minimum number of parking spaces required
 To reduce the number of off-street parking spaces required from 2 to 1.
Proposal: To reconfigure four (4) originally platted lots to create three (3) new parcels and to separate three existing single-family homes.
Applicant(s): Max Jones III
 7548 Slate Ridge
 Reynoldsburg, OH 43068
Property Owner(s): Marc Plotnick
 3035 Atoll Dr.
 Lewis Center, OH 43035
Case Planner: Denise Powers, 645-1788
14. **ODS No.:** 02310-00071B
Location: 887 MAYNARD AVENUE (PARTS OF LOTS 492 AND 493, also known as 2008 ATWOOD TERRACE) (43211), located at the southeast corner of Maynard Avenue and Atwood Terrace.
Area Comm./Civic: South Linden Area Commission
Existing Zoning: R-3, Residential District
Request: Variance(s) to Section(s):
 1. 3332.05, Area District lot width requirements
 To reduce the width of a lot from 50 feet to 40 feet.
 2. 3342.28, Minimum number of parking spaces required
 To reduce the number of off-street parking spaces required from 2 to 0.
Proposal: To reconfigure four (4) originally platted lots to create three (3) new parcels and to separate three existing single-family homes.
Applicant(s): Max Jones III
 7548 Slate Ridge
 Reynoldsburg, OH 43068
Property Owner(s): Marc Plotnick
 3035 Atoll Dr.
 Lewis Center, OH 43035
Case Planner: Denise Powers, 645-1788
15. **ODS No.:** 02310-00071C

- Location:** 887 MAYNARD AVENUE (LOT 494 AND PART OF LOT 493, also known as 2004 ATWOOD TERRACE) (43211), located at the southeast corner of Maynard Avenue and Atwood Terrace.
- Area Comm./Civic:** South Linden Area Commission
- Existing Zoning:** R-3, Residential District
- Request:** Variance(s) to Section(s):
- 3332.05, Area District lot width requirements
To reduce the width of a lot from 50 feet to 39.25 feet.
- Proposal:** To reconfigure four (4) originally platted lots to create three (3) new parcels and to separate three existing single-family homes.
- Applicant(s):** Max Jones III
7548 Slate Ridge
Reynoldsburg, OH 43068
- Property Owner(s):** Marc Plotnick
3035 Atoll Dr.
Lewis Center, OH 43035
- Case Planner:** Denise Powers, 645-1788
16. **ODS No.:** 02310-00072
- Location:** 1265 HILDRETH AVENUE (43203), located at the southwest corner of Hildreth and North Champion Avenues.
- Area Comm./Civic:** Near East Area Commission
- Existing Zoning:** R-3, Residential District
- Request:** Variance(s) to Section(s):
- 3332.21, Building lines
To reduce the building line from 25 feet to zero along Hildreth Avenue.
 - 3342.15, Maneuvering
To allow maneuvering to occur in the area between the street right-of-way line and the parking setback line (25 feet) along Champion Avenue.
 - 3342.28, Minimum number of parking spaces required
To reduce the number of off-street parking spaces required from 54 to 10.
- Proposal:** To construct an addition to a church.
- Applicant(s):** Kathleen E. Dussault - Moody Nolan, Inc.
1776 E. Broad St.
Columbus, OH 43203
- Property Owner(s):** Church of God & Saints
1265 Hildreth Av.
Columbus, OH 43203
- Case Planner:** Denise Powers, 645-1788
17. **ODS No.:** 02310-00073
- Location:** 3409 KARL ROAD (43224), located at the northwest corner of Karl Road and Lenore Avenue
- Area Comm./Civic:** North Linden Area Commission
- Existing Zoning:** R-3, Residential District
- Request:** Variance(s) to Section(s):
- 3332.27, Rear yard
To reduce the rear yard from 25% of the total lot area to 20%.
 - 3342.11, Landscaping
To allow the lot area between the right-of-way line and the parking setback line (25 feet) to be paved for other than a necessary driveway.
- Proposal:** To allow a concrete area that was installed without zoning clearance.
- Applicant(s):** Nghiem V. Tran
3409 Karl Rd.
Columbus, OH 43224
- Property Owner(s):** Applicant
- Case Planner:** Denise Powers, 645-1788
18. **ODS No.:** 02310-00074
- Location:** 3359 SYCAMORE KNOLL DRIVE (43219), located on the south side of Sycamore Knoll Drive, 500± feet east of Brookview Road.
- Area Comm./Civic:** Northeast Area Commission
- Existing Zoning:** R-1, Residential District
- Request:** Variance(s) to Section(s):
- 3332.38, Private garage
To increase the lot area devoted to private garage from 720 square feet to 2,121 square feet.
- Proposal:** To construct a 28 ft. X 60 ft., 1,680 sq. ft. detached garage in addition to a 441 sq. ft. attached garage.
- Applicant(s):** Harold W. Rogers
3359 Sycamore Knoll Dr.
Columbus, OH 43219
- Property Owner(s):** Applicant
- Case Planner:** Denise Powers, 645-1788
19. **ODS No.:** 02310-00075
- Location:** 80 EAST TULANE ROAD (43202), located at the northeast corner of East Tulane Road and East Street.
- Area Comm./Civic:** Clintonville Area Commission

- Existing Zoning:** R-3, Residential District
Request: Variance(s) to Section(s):
1. 3332.21, Building lines
To reduce the building line from 25 feet to 3 feet along East Street.
 2. 3332.30, Vision clearance
To reduce the clear vision setback from 12 feet to 3 feet for the abutting driveway to the north.
- Proposal:** To construct a 24 ft. X 20 ft., 480 sq. ft. two-car detached garage.
Applicant(s): Robert B. Thompson, Jr.
80 Tulane Rd.
Columbus, OH 43202
- Property Owner(s):** Applicant
Case Planner: Denise Powers, 645-1788
20. **ODS No.:** 02310-00076A
Location: 2462 FINDLEY AVENUE (43202), located at the northeast corner of Clinton Street and Findley Avenue.
Area Comm./Civic: University Area Commission
Existing Zoning: R-2F, Residential District
Request: Variance(s) to Section(s):
1. 3332.05, Area District lot width requirements
To reduce the width of a lot from 50 feet to 33.33 feet.
 2. 3332.14, R-2F Area District requirements
To reduce the lot area from 6,000 square feet to 2,586 square feet.
 3. 3332.21, Building lines
To reduce the building line from 10 feet to not less than 4 feet along Clinton Street.
 4. 3332.26, Minimum side yard permitted
To reduce the minimum side yard from 3 feet to 2 feet along the north side of the dwelling.
 5. 3342.28, Minimum number of parking spaces required
To reduce the number of off-street parking spaces required from 2 to 0.
 6. 3332.30, Vision clearance
To obstruct a portion of the clear vision triangle at an intersection by a corner of the dwelling.
- Proposal:** To legitimize currently nonconforming development standards for a single-family dwelling and to allow a future lot split to separate it from a building to the east, which is on the same parcel.
Applicant(s): Indra Sundaralingam c/o John P. Kennedy, Esq. & Laura MacGregor Comek, Esq., Crabbe, Brown & James, LLP
500 S. Front St. Suite 1200
Columbus, OH 43215
Property Owner(s): Mohan M. Sundaralingam c/o John P. Kennedy, Esq. & Laura MacGregor Comek, Esq., Crabbe, Brown & James, LLP
500 S. Front St. Suite 1200
Columbus, OH 43215
Case Planner: Denise Powers, 645-1788
21. **ODS No.:** 02310-00076B
Location: 126 CLINTON STREET (43202), located at the northeast corner of Clinton Street and Findley Avenue.
Area Comm./Civic: University Area Commission
Existing Zoning: R-2F, Residential District
Request: Variance(s) to Section(s):
1. 3372.522, Compatibility
To not have a pedestrian entrance and primary orientation toward Clinton Street.
 2. 3372.541, Landscaped area and treatment
To reduce the required landscaped area behind the most rear portion of the building from 10% of the lot area to not less than 4%.
 3. 3372.542, Maximum lot coverage
To increase the maximum lot coverage from 25% of the lot area to 48%.
 4. 3372.543, Building lines
To reduce the building line from 10 feet to zero along Clinton Street
 5. 3372.544, Maximum floor area
To increase the maximum total calculated floor area permitted from a 0.4 floor area ratio to 1.0.
 6. 3332.05, Area District lot width requirements
To reduce the width of a lot from 50 feet to 37.4 feet.
 7. 3332.14, R-2F Area District requirements
To reduce the lot area from 6,000 square feet to 1,247 square feet.
 8. 3332.26, Minimum side yard permitted
To reduce the minimum side yard from 3 feet to 0.4 feet.
 9. 3332.27, Rear yard
To reduce the rear yard from 25% of the total lot area to not less than 8%.
 10. 3342.28, Minimum number of parking spaces required
To reduce the number of off-street parking spaces required from 2 to 0.
- Proposal:** To renovate and change the use of a nonconforming commercial building to a single-family dwelling and to allow a future lot split to separate it from a single-family dwelling to the west, which is on the same parcel.
Applicant(s): Indra Sundaralingam c/o John P. Kennedy, Esq. & Laura MacGregor Comek, Esq., Crabbe, Brown & James, LLP
500 S. Front St. Suite 1200
Columbus, OH 43215

- Property Owner(s):** Mohan M. Sundaralingam c/o John P. Kennedy, Esq. & Laura MacGregor Comek, Esq., Crabbe, Brown & James, LLP
500 S. Front St. Suite 1200
Columbus, OH 43215
- Case Planner:** Denise Powers, 645-1788
22. **ODS No.:** 02310-00077
Location: 847 WILSON AVENUE (43206), located at the northwest corner of Wilson Avenue and Sycamore Street.
Area Comm./Civic: Council of Southside Organizations
Existing Zoning: R-4, Residential District
Request: Variance(s) to Section(s):
1. 3332.05, Area District lot width requirements
To reduce the width of a lot from 50 feet to 31.7 feet.
 2. 3332.15, R-4 Area District requirements
To reduce the lot area from 5,000 square feet to 2,605 square feet.
 3. 3332.21, Building lines
To reduce the building line from 10 feet to 4 feet along Sycamore Street.
 4. 3332.30, Vision clearance
To obstruct a portion of the clear vision triangle at an intersection by a corner of the proposed dwelling.
- Proposal:** To construct a single-family dwelling and two-car detached garage.
Applicant(s): Southside Homes Limited Partnership c/o Laurie Sutherland
562 E. Main St.
Columbus, OH 43215
- Property Owner(s):** Southside Homes Limited Partnership c/o Eric Ward, Agent
562 E. Main St.
Columbus, OH 43215
- Case Planner:** Denise Powers, 645-1788

THE FOLLOWING CASES WILL NOT BE HEARD BEFORE 8:00 P.M.:

23. **ODS No.:** 02310-00078
Location: 5677-5685 CHANTRY DRIVE (43232), located on the south side of Chantry Dr., approximately 2,000 ft. west of Brice Rd.
Area Comm./Civic: Southeast Community Coalition
Existing Zoning: M-2, Manufacturing District
Request: Variance(s) to Section(s):
1. 3367.15, M-2 manufacturing district special provisions.
To permit a parking lot to be established in the required 50 ft. buffer area between the street right-of-way and the building setback line.
 2. 3342.18, Parking setback line.
To reduce the required parking setback from 50 ft. to 25 ft.
- Proposal:** To establish a newspaper distribution terminal.
Applicant(s): Chantry Corporate Center, LLC, c/o Michael Braunstein, Esq.
454 E. Main Street
Columbus, OH 43215
- Property Owner(s):** Same As Applicant
Case Planner: Dave Reiss, 645-7973
24. **ODS No.:** 02310-00080
Location: 5979 EAST MAIN STREET (43213), located at the southwest corner of McNaughten Rd. & E. Main St.
Area Comm./Civic: None
Existing Zoning: C-4, Commercial District
Request: Variance(s) to Section(s):
1. 3342.28, Minimum number of parking spaces required.
To reduce the required number of parking spaces from 43 to 0.
 2. 3342.15, Maneuvering.
To provide maneuvering to the parking lot from an adjoining parcel.
 3. 3342.18, Parking setback line.
To reduce the parking setback line for parking and maneuvering from 10 ft. to 0 ft. along McNaughten Rd. and Main St.
- Proposal:** To create a 900 sq. ft. patio to an existing restaurant and to rectify parking and maneuvering deficiencies from the time when the building was originally constructed.
Applicant(s): City Barbeque, c/o Chris Vallette of DSA Architects
1277 Worthington Woods Blvd.
Worthington, OH 43085
- Property Owner(s):** Davis Investment Co.
6241 Riverside Drive
Dublin, OH 43017
- Case Planner:** Dave Reiss, 645-7973
25. **ODS No.:** 02310-00082A

- Location:** 3523 RIVER AVON CIRCLE (LOT 1) (43221), located at the northwest corner of River Avon Circle and River Seine Street.
- Area Comm./Civic:** None
- Existing Zoning:** PUD-4, Planned Unit Development District
- Request:** Variance(s) to Section(s):
1. 3311.10, Effect of registered Planned Unit Development District
To reduce the building setback line from 25 feet to 10 feet along River's Gate Way.
 2. 3311.10, Effect of registered Planned Unit Development District
To increase the maximum permitted building setback line from 10 feet to not more than 32 feet and 19 feet at the east and west corners of the proposed house, respectively, along River Avon Circle; and to increase the maximum permitted building setback line from 10 feet to not more than 17 feet along River Seine Street.
- Proposal:** To construct a single-family dwelling.
- Applicant(s):** Romanelli & Hughes Building Co. c/o Donald T. Plank, Esq.
Shuler, Plank & Brahm, 145 E. Rich St.
Columbus, OH 43215
- Property Owner(s):** Rivers Gate Ltd. c/o Donald T. Plank, Esq.
Shuler, Plank & Brahm, 145 E. Rich St.
Columbus, OH 43215
- Case Planner:** Denise Powers, 645-1788
26. **ODS No.:** 02310-00082B
- Location:** 3515 RIVER AVON CIRCLE (LOT 2) (43221), located on the north side of River Avon Circle, 55± feet west of River Seine Street.
- Area Comm./Civic:** None
- Existing Zoning:** PUD-4, Planned Unit Development District
- Request:** Variance(s) to Section(s):
1. 3311.10, Effect of registered Planned Unit Development District
To increase the maximum permitted building setback line from 10 feet to not more than 33 feet and 24 feet at the east and west corners of the proposed house, respectively, along River Avon Circle.
- Proposal:** To construct a single-family dwelling.
- Applicant(s):** Romanelli & Hughes Building Co. c/o Donald T. Plank, Esq.
Shuler, Plank & Brahm, 145 E. Rich St.
Columbus, OH 43215
- Property Owner(s):** Rivers Gate Ltd. c/o Donald T. Plank, Esq.
Shuler, Plank & Brahm, 145 E. Rich St.
Columbus, OH 43215
- Case Planner:** Denise Powers, 645-1788
27. **ODS No.:** 02310-00082C
- Location:** 3507 RIVER AVON CIRCLE (LOT 3) (43221), located on the north side of River Avon Circle, 100± feet west of River Seine Street.
- Area Comm./Civic:** None
- Existing Zoning:** PUD-4, Planned Unit Development District
- Request:** Variance(s) to Section(s):
1. 3311.10, Effect of registered Planned Unit Development District
To increase the maximum permitted building setback line from 10 feet to not more than 20 feet and 36 feet at the east and west corners of the proposed house, respectively, along River Avon Circle.
- Proposal:** To construct a single-family dwelling.
- Applicant(s):** Romanelli & Hughes Building Co. c/o Donald T. Plank, Esq.
Shuler, Plank & Brahm, 145 E. Rich St.
Columbus, OH 43215
- Property Owner(s):** Rivers Gate Ltd. c/o Donald T. Plank, Esq.
Shuler, Plank & Brahm, 145 E. Rich St.
Columbus, OH 43215
- Case Planner:** Denise Powers, 645-1788
28. **ODS No.:** 02310-00083
- Location:** 113 EAST MITHOFF STREET (43206), located at the southwest corner of East Mithoff and South 4th Streets.
- Area Comm./Civic:** Council of Southside Organizations and Merion Village Civic Association
- Existing Zoning:** R-4, Residential District
- Request:** Variance(s) to Section(s):
1. 3332.15, R-4 Area District requirements
To reduce the lot area from 6,000 square feet to 4,048 square feet.
 2. 3332.18, Basis of computing area
To increase the lot area allowed to be covered by building from 50% to 50.49%.
 3. 3332.21, Building lines
To reduce the building line from 10 feet to 7.5 feet along East Mithoff Street; and from 10 feet to zero along South 4th Street.
 4. 3332.27, Rear yard
To reduce the rear yard from 25% of the total lot area to 10%.

5. 3332.30, Vision clearance
To allow a portion of the corner of the building to obstruct the clear vision triangle at the intersection.
6. 3342.28, Minimum number of parking spaces required
To reduce the number of off-street parking spaces required from 4 to 2.
- Proposal:** To renovate and change the use of a nonconforming one-story office building to a two-story two-family dwelling.
Applicant(s): D. D. Frye & Co.
729 S. 3rd St.
Columbus, OH 43206
- Property Owner(s):** Applicant
Case Planner: Denise Powers, 645-1788

HOLDOVER CASES:

29. **ODS No.:** 02310-00017
Location: 6277 KARL ROAD (43229), located on the west side of Karl Road, 800± feet north of Alpine Drive.
Area Comm./Civic: Northland Community Council
Existing Zoning: SR, Suburban Residential District
Request: Variance(s) to Section(s):
1. 3332.28, Side or rear yard obstruction
To allow the area required in a side yard to be used for parking.
 2. 3342.11, Landscaping
To allow a portion of the area between the right-of-way and the parking setback line to be paved, not landscaped.
 3. 3342.15, Maneuvering
To allow maneuvering to occur in the area between the street right-of-way line and the parking setback line.
- Proposal:** To install a blacktop turnaround in the front yard and to expand the driveway.
Applicant(s): Baruch Puplampu
6277 Karl Rd.
Columbus, OH 43229-2128
- Property Owner(s):** Applicant
Case Planner: Denise Powers, 645-1788
30. **ODS No.:** 02310-00051
Location: 2020 BRUCK STREET (43207), located at the terminus of Bruck St., from roughly the first alley east of Bucher St. to Parsons Ave.
Area Comm./Civic: Council of South Side Organizations
Existing Zoning: M, Manufacturing District
Request: Variance(s) to Section(s):
1. 3311.28, Requirements.
To permit the establishment and/or expansion of a more objectionable use within 600 feet of a residential zoning district.
 2. 3363.27, Height and area regulations.
To reduce the minimum distance from a residential district for a more objectionable use listed in Code Section 3363.09 (Adhesives).
 3. 3363.22, Front yards established.
To modify the provisions of 3363.23 to allow a reduction in the front yard requirement.
 4. 3363.23, Building lines--Definitions.
To allow other than an unenclosed porch, balcony or steps to be constructed between a building line and street property line.
 5. 3363.24, Building lines in an M-manufacturing district.
To reduce the required building setback from 25 ft. to 0 ft. on Tract 1 or Tract 3 along the south side of Hosack St., the east and west sides of Ninth St., the east side of Washington Ave., the west side of Eighth St. and the east side of Fourth St.
 6. 3363.25, Building lines on corner lots; exceptions.
To modify provisions of 3363.25 to allow for a reduction in the required building setback for a building on a corner lot that are greater than what the code provisions allow.
 7. 3363.19, Location requirements.
To permit the establishment of a more objectionable use within 600 ft. of a residential zoning district or use.
- Proposal:** To allow an adhesive manufacturing use to be established closer than 600 ft. to a residential zoning district.
Applicant(s): Franklin International, Inc. c/o Daniel Schoedinger
52 E. Gay St.
Columbus, Ohio 43215
- Property Owner(s):** Franklin International, Inc., 2020 Bruck Street, Columbus, OH 43207
H&M Investments, Inc., 1960 South Fourth Street
Columbus, Ohio 43207
- Case Planner:** Dave Reiss, 645-7973
31. **ODS No.:** 02310-00052
Location: 1346 SOUTH HIGH STREET (43207), located at the southeast corner of Moler & High Sts.
Area Comm./Civic: Council of South Side Organizations
Existing Zoning: C-4. Commercial District

Request: Special Permit & Variance(s) to Section(s):
 1. 3389.04, Crematory.
 To establish a crematory in association with an existing funeral home.
 2. 3342.28, Minimum number of parking spaces required.
 To reduce the required number of parking spaces from 52 to 8 (44-spaces).

Proposal: To establish a crematorium and re-configured parking at an existing funeral home.

Applicant(s): Marcia Shanefelt, c/o Maverick Builders
 1667 Gateway Circle
 Grove City, Ohio 43123

Property Owner(s): O.R. Woodyard Co.
 255 E. State Street
 Columbus, Ohio 43215

Case Planner: Dave Reiss, 645-7973

RECONSIDERATION REQUEST:

32. **ODS No.:** 02310-00033
Location: 4567 NORTH GATE (43054), located at the northwest corner of North Gate and Chiswick Court.
Area Comm./Civic: Northland Community Council
Existing Zoning: PUD-4, Planned Unit Development District

Request: Variance(s) to Section(s):
 1. 3345.17, Private garages
 To increase the height of a detached private garage from 15 feet to 37 feet.
 2. 3345.17, Private garages
 To increase the lot area devoted to a private garage from 1,689 square feet to 1,966 square feet.
 3. 3345.17, Private garages
 To increase the number of parking spaces provided in garages from 2 to 5.
 4. 3345.17, Private garages
 To allow habitable space in a detached garage.

Proposal: To construct a 1,120 square foot combination detached two-car garage with a workshop and half-bath, in addition to an existing 846 square foot, three-car detached garage.

Applicant(s): Tuckerman Development
 64 E. Broad St.
 Columbus, OH 43215

Property Owner(s): Gerald A. & Judy A. Lacko
 4567 North Gate
 New Albany, OH 43054

Case Planner: Denise Powers, 645-1788

CHANGES IN YOUR 1959 COLUMBUS CITY CODE
ORD. NO. 1627-02

To supplement the Columbus City Codes, 1959, by amending C.C. 3320 to: make changes to the TND article; update terminology and make language and grammatical changes.

WHEREAS, the Traditional Neighborhood Development (TND) Article was adopted with the stipulation that staff would provide a report of its use and recommendations for modification on the first two anniversaries of its adoption; and

WHEREAS, a working group of stakeholders met numerous times to review the effectiveness of the TND article and make recommendations for change; and

WHEREAS, it was determined that further clarification of the Regulating Plan submission requirements was necessary; and

WHEREAS, additional thoroughfare types were needed to accommodate scenarios not foreseen at the time of developing the TND article; and

WHEREAS, permissible parking arrangements in the Neighborhood Center district needed to be more clearly defined; and

WHEREAS, lot dimensions and development standards required adjustment to accommodate two-sided apartment buildings; and

WHEREAS, errors in formatting, grammar, and language in Chapter 3320 exist, which necessitate corrections and changes; now therefore:

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

SECTION 1. That section 3320.03 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3320.03 DEFINITIONS

Administrative Review: the review of a Regulating Plan.

Alley: ~~a vehicular access way to the rear of more urban lots providing service areas parking access, and utility easements. Alleys, as they are used by trucks and must accommodate dumpsters (location and setback of which must be approved by Refuse Collection Division). See Thoroughfares section.~~

Ancillary Dwelling Unit ~~Apartment~~: a dwelling unit ~~an apartment~~ not greater than 800 ~~sq. ft.~~ square feet sharing a single set of utility connections with a principal building. It may or may not be a separate building. Either the principal building or the apartment shall be occupied by the owner. An ancillary dwelling unit ~~apartment~~ does not count toward density calculations.

Apartment: a dwelling unit sharing a building and a lot with other dwellings and/or uses.

Back of a Building: the side opposite the front of a building

Basis Points: total possible points not including bonus points.

Bicycle Network: an interconnected system of bicycle trails, ~~sidewalks~~, thoroughfares, and bicycle lanes within thoroughfares.

Bicycle Lane: a dedicated bicycle way generally created by striping from the edge of a thoroughfare

Bicycle Route: ~~an~~ a vehicular travel lane ~~lanes~~ within a thoroughfare ~~thoroughfares~~ having speed limit ~~limits~~ of 25 mph and below ~~under~~.

Bicycle Trail: an independent bicycle way generally running through the countryside or parallel with a parkway ~~parkways~~ or and highway ~~highways~~.

Big Box Retail: retail store with greater than 50,000 square feet ~~sq. ft.~~ of retail floor space on one floor.

Block: the length of street between two intersecting streets.

Boulevard: a wide access way, often lined with trees having a landscaped median in the center with its axis usually terminated. A boulevard may be conceived as an elongated square. See Thoroughfares section.

Building parcel: tract of land intended to be occupied by individually owned building(s).

Buildout: the portion of the building on the frontage line.

Civic Building: Civic Buildings may be used for neighborhood scale commercial uses, and not-for-profit organizations dedicated to [^]religion, recreation, arts and culture, education, government, social service, and transit. ~~and neighborhood scale commercial uses.~~

Civic Space: a tract of land, designated and used by the public for active and passive recreation.

Close : a thoroughfare enclosing a small green. ~~The width of the close may correspond to the standard turning radius requirements.~~

Collector Street: a local, slow-movement thoroughfare suitable for Neighborhood General, Neighborhood Center and Town Center districts. Streets provide frontage for high-density buildings such as office, shops, apartment buildings and rowhouses. A collector street is urban in character, with raised curbs, closed drainage, sidewalks, parallel parking,

and trees in individual planting areas. Character may vary somewhat, however, responding to the fronting commercial or residential uses. See Thoroughfares section.

Commercial Street: a local, slow-movement thoroughfare suitable for Neighborhood Center and Town Center districts, providing frontage for higher-density mixed-use buildings such as ~~as~~ shops and offices. It is urban in character with raised curbs, storm-drain inlets, and striped on-street parking. A single species of tree is planted in continuous alignment and confined by individual planters to create a sidewalk of maximum width, with areas accommodating street furniture. Clear trunks and high canopies are necessary to avoid shopfronts, signage, and awnings. See Thoroughfares section.

Commercial Use: the general term that includes office and retail uses. See Use Standards.

Common Lawn: a frontage type in which the facade is set back substantially from the frontage line. The front yard thus created should remain unfenced and be visually continuous with adjacent yards. The ideal is to simulate buildings sitting in a common rural landscape. A front porch is not warranted, as social interaction from the fronting thoroughfare is unlikely at such a distance. Common Lawns are suitable frontages for higher speed thoroughfares, as the large setback provides a buffer from the traffic

Conceptual Thoroughfare Plan: illustrates the general location of thoroughfare pattern, identifies public and publicly accessible thoroughfares, establishes the location of connections to adjacent properties and thoroughfares, and the types of thoroughfares utilized.

Curb Radius: the curved edge of a thoroughfare at an intersection.

Density: ~~the number of dwelling units per acre.~~

District: an area dedicated to a single zoning category.

Dooryard: a frontage type in which the facade is set back from the frontage line with an elevated garden or ~~terrace terrace~~, or a sunken light court. This type can effectively buffer residential quarters from the sidewalk, while removing the private yard from public encroachment. The terrace is suitable for restaurants and cafes as the eye of the sitter is level with that of the standing passerby. The light court can give light and access to a basement.

Driveway: a vehicular access way ~~within~~ into a lot from the frontage.

Elevation: the exterior walls of a building. See Facade.

Entrance Door: the principal entrance to a building, usually leading directly to a lobby, the main shopping floor or the living room.

Facade: the exterior walls of a building that are set along a frontage line. See Elevation.

Forecourt: a frontage type in which the facade is aligned close to the frontage line with a portion of it set back. The forecourt created is suitable for gardens, vehicular drop offs, and utility off loading. This type should be used sparingly and in conjunction with the two frontage types above, as a continuous excessive setback is boring and unsafe for pedestrians. Trees within the forecourts should be placed to have their canopies overhanging

Foundation planting: Planting along the exterior foundation of a building designed to soften and enhance the architecture and to accentuate certain architectural elements (i.e. entryways). The planting should be of correct size for the intended location and should be designed to present a continuous theme around the building using both evergreen and deciduous materials to provide year round appeal. Planting should be maintained to prevent an overcrowded or overgrown appearance.

Front: the provision of an element along a frontage line, as in "porches front the avenue".

Front of a building: the widest side of the building fronting on the widest thoroughfare except lane, alley or a passage, interconnected with other thoroughfares, which has no fewer entrance doors than any other side of the building.

Frontage: ~~that~~ the layer of a lot between the facade and the lot line that fronts a thoroughfare or a civic open space. ~~The or the~~ privately held layer between the facade of a building and the lot line.

Gallery & Arcade: a frontage type which is the facade of a building or an attached colonnade. The building overlaps the sidewalk above while the ground story remains set back at the lot line. This type is indicated for retail use, but only when the sidewalk is fully absorbed within the arcade so that a pedestrian cannot bypass it. An easement for private use of the right-of-way is usually required. To be useful, the arcade should be no less than 12 ft wide.

Green: a medium-sized civic open space available for unstructured recreation, its landscape ~~pre dominantly~~ predominantly consisting of grassy areas and trees, naturalistically disposed and requiring only limited maintenance.

Hedge: a continuous row of low shrubs with minimum height of 24" at installation, 3' on center maximum and reaching 36" in height and 85% opacity within three years,

Lane: a vehicular access way located to the rear of lots providing access to parking and outbuildings and utility easements designed for providing access to more than two residential properties. No overhead wires, no overhangs, and no parking are permitted in the right-of-way. (See Thoroughfares section.)

Live-work unit : a ~~flexible~~ commercial building type with one dwelling above a commercial shopfront. Common walls are permitted on the side lot lines.

Lodging: premises available for short-term residence, including daily and weekly letting. See Use Standards Table.

Lot Line: the boundary that legally and geometrically demarcates a lot. Lot lines appear graphically on the Regulating Plan as the baseline for measuring setbacks. See Frontage Line.

Lot Width: the dimension of a lot measured parallel to the frontage line at the building setback.

~~Manufacturing: See Use Standards Table.~~

Mid-block Parking Lot: parking lots situated between the side walls of buildings and not extending beyond the rear or front wall of the buildings, which are no wider than two parking lanes and the access drive.

Neighborhood Scale Commercial: single use retail tenants of 10,000 square feet or less.

~~Office: See Use Standards Table~~

Outbuilding: an ancillary building, usually located towards the rear of the lot, on the same lot as an existing or future principal building. See Principal Building.

Park: a large open area available for recreation, usually located at the Neighborhood Edge ~~and~~ fronted by buildings. Its landscape comprises paved paths and trails, some open lawn, trees, and open shelters, all naturalistically disposed and requiring limited maintenance.

Parking Layer: the depth of the lot within which open parking is permitted. The first ~~layer~~ ~~layer~~ is the area between the frontage line and the facade. The second ~~layer~~ ~~layer~~ is the area behind the facade to the rear lot line. The third ~~layer~~ ~~layer~~ is the area between ~~starting~~ 20 ft. behind the front facade to the rear lot line. (see Building Standards Table)

Parking Structure: a building containing two or more stories of parking.

Parking Way: a frontage type in which the facade is no more than 80 ft from the right-of-way. Parking is placed within the first layer. Private sidewalks are provided between the public sidewalk and the building entrances. The parking area and private sidewalk system are landscaped to provide shade and shelter and a streetwall buffer. Appropriate transit stops are provided along the frontages, directly linked to the private sidewalk system.

Passage: a pedestrian connector passing between buildings. Passages provide shortcuts through long blocks and connect rear parking areas with street frontages. Passages may be roofed over and lined by shopfronts. See Thoroughfares section.

Path: an independent pedestrian access way generally running through open space or parallel with highways.

Pedestrian Shed: the distance that may be traversed at an ~~any~~ easy pace in ~~by~~ a five-minute ~~five minute~~ walk from the Neighborhood Center or Town Center. generally ~~Generally~~ 1/3 of ~~one half to one quarter~~ of a mile radius.

Plaza: a public space at the intersection of important streets set aside for civic purposes and commercial activities, its landscape consisting of durable pavement and trees requiring little maintenance.

Porch and Fence: a frontage type in which the facade is set back from the frontage line with an encroaching porch appended. The porch should be within a conversational distance of the sidewalk, while a fence (optional) at the frontage line maintains the demarcation of the yard. A great variety of porches is possible, but to be useful, none should be less than 8 ft wide.

Principal Building: the main building on a lot, always oriented ~~located~~ towards the frontage. A principal building accommodates the functions described in the Use Standards Table.

~~Residential: See Use Standards Table~~

~~Retail: See Use Standards Table~~

Retail Frontage Line: those frontage lines designated on the Regulating Plan that are required to provide a shopfront, making the ground level available for retail or commercial use.

~~Road: See Thoroughfares section~~

Rowhouse: a single-family house placed on its own lot, sharing at least one sidewall with an adjacent rowhouse.

Setback: the area of a lot measured from a lot line that must be maintained clear of permanent structures. Galleries, fences, arcades, porches, stoops, balconies, bay windows, terraces, and decks (that align with the first floor level) may encroach into the frontage and the rear setback. Encroachments ~~Also, encroachments~~ permitted elsewhere in the zoning code ~~in the existing city code~~ such as eaves and eave, overhangs are also permitted. Air conditioning units are permitted in the side yard.

Shared Parking: ~~shared parking is~~ the condition wherein day/night and weekday/weekend schedules allow ~~the~~ parking spaces to be shared by users of more than one building or more than one use within the same building.

Shopfront: a frontage type in which the facade is aligned close to the frontage line with the entrance at sidewalk grade. This type is conventional for retail frontage. It is commonly equipped with a cantilevered shed roof or an awning. The absence of a raised ground story precludes residential use on the ground floor, although this use is appropriate above.

Square: a public space, seldom larger than a block, at the intersection of important streets, its streetscape consisting of paved walks, lawns, trees, and civic buildings all formally disposed, and requiring substantial maintenance.

Stoop: a frontage type in which the facade is aligned close to the frontage line with the ground story elevated from the sidewalk, securing privacy for the windows. This type is suitable for ground-floor residential uses at short setbacks with rowhouses and apartment buildings. An easement may be necessary to accommodate the encroaching stoop. This type may be interspersed with the shopfront.

Street: a local, slow-movement thoroughfare suitable for Neighborhood Edge, Neighborhood General, and Neighborhood Center. A street is urban in character, with raised curbs, closed drainage, sidewalks, parallel parking, and trees in continuous planting areas. Character may vary somewhat, however, responding to the fronting commercial or residential uses. See Thoroughfares section.

Streetwall: a continuous wall or fence with a minimum height of 36" and 90% opacity.

Terminated Vista: the visual composition at the axial termination of a thoroughfare. ~~As a rule the The~~ termination or deflection should occur within 600 ft. of any vantage point, ~~as architectural detail beyond that distance is usually ineffective.~~

Thoroughfare: the urban element that provides the major part of the public space as well as paved lanes for vehicles. A thoroughfare is endowed with two attributes: capacity and character. Capacity is the number of vehicles that can move safely through a segment of the thoroughfare within a given time period. It is physically manifested by the number of lanes and their width, by the centerline radius, and the superelevation of the pavement. Character is suitability of a thoroughfare as a setting for pedestrian activities and as a location for a variety of building types. Character is physically manifested by the thoroughfare's associated building and frontage types as determined by its location within each district.

TND: refers to Traditional Neighborhood Development, Article II of City of Columbus Zoning Codes codes.

SECTION 2. That section 3320.13 of the Columbus City Codes, 1959, is

hereby amended to read as follows:

3320.13 Administration

A. General Provisions.

1. A Traditional Neighborhood Development (TND) can include one or more of four zoning districts: Neighborhood Edge, Neighborhood General, Neighborhood Center and Town Center. The procedures in Chapters 3305 and 3307 of the Columbus City Code apply to a TND. Additional requirements are described herein.

2. The TND is not subject to limited overlay provisions of Columbus City Codes Chapter 3370.

3. Should conflicts exist with other provisions of the Zoning Code ~~zoning code~~, the more stringent provisions shall apply

4. Should conflicts exist, this article shall take precedence over section 3123.08 of Columbus City Codes.

5. Should conflicts exist, the Columbus Building Code shall take precedence over this article.

6. Applications shall comply with requirements of Chapters 3318 and 3125.

7. The definitions in this article apply only to the TND Article ~~four TND zoning districts~~. In the absence of a definition in this article, other definitions of the Zoning Code apply.

8. The minimum land area for rezoning to a TND district is two acres.

9. If the development contains private roads, ~~roads~~ each property owner must be notified of this fact by deed or covenant.

10. Diagrams included in this article serve only as illustrations and shall not be used as definitions or limitations ~~a definition or limitation~~.

11. Projects of 50 to 100 acres shall have no less than 10% of the project area contained in each of two TND districts

12. Projects over 100 acres shall have no less than 10% of the project area contained in each of three TND districts.

13. No more than 50% of any TND project area shall be allocated to Neighborhood Edge District.

14. Projects over 100 acres shall have no more than 50% of the project area allocated to Neighborhood Center District.

15. Perimeter lots in the Neighborhood General district that abut the Neighborhood Center district may be developed using Neighborhood Edge standards. No other use of Neighborhood Edge districts or standards may occur adjacent to Neighborhood Center or Town Center districts.

B. Rezoning Application Requirements

1. An application ~~Applications~~ for rezoning must include:

A. Development Plan including a site plan indicating the proposed district(s) (Neighborhood Edge, Neighborhood General, Neighborhood Center, or Town Center), conceptual bicycle plan, conceptual thoroughfare plan including thoroughfare types and connections to ~~Development Plan including a site plan indicating the proposed district(s) Neighborhood Edge Neighborhood General, Neighborhood Center, or Town Center conceptual bicycle plan; Conceptual thoroughfare plan including thoroughfare type & and connections to~~ adjacent thoroughfares and properties, designation of public thoroughfares known at the time of zoning, and the 1/3 mile pedestrian shed of commercial uses; civic spaces including the location of play equipment, and civic buildings existing adjacent thoroughfares; location and size of civic spaces and civic building sites; maximum number of residential units and maximum square footage feet of non-residential uses for each district.

B. Regional context diagram (drawing upon the existing land uses, ~~or~~ the proposed land use plan, and/or approved area plan) showing how the application fits into the surrounding land uses and is consistent with the purpose statement and intent of this article per chapter 3320.

C. Statement addressing the consistency of the application with each TND principle in section 3320.011.

D. An existing conditions plan, depicting the site at the time of zoning application, at least 1" = 200' min., showing location, north arrow, scale, property lines, dimensions and area, adjacent properties, existing thoroughfares, existing buildings, and natural and historic resources.

2. After approval of the application for rezoning by City Council the applicant must submit the Regulating Plan (Section 3320.135) and any additional documentation requested to support compliance with requirements of the rezoning ordinance.

C. Regulating Plan Administrative Review.

1. After approval of the rezoning application by City Council, the applicant must submit a Regulating Plan for administrative staff determination of compliance with the requirements of this article. To receive administrative approval the ~~The~~ Regulating Plan must be in compliance with the boundaries of the zoning districts, maximum number of residential units and maximum square ~~footage~~ feet of non-residential uses as approved by City Council and the requirements of this article ~~to receive staff approval~~. Substantial compliance must be achieved with respect to the conceptual thoroughfare plan, bikeway plan and the location and size of civic spaces and civic building sites approved by City Council. No zoning clearance shall be issued without such approval. Substantial compliance with regard to the conceptual Thoroughfare Plan will mean compliance with type of public and publicly accessible thoroughfares, unless changes are approved by Transportation Division, general location and type of access to adjacent thoroughfares and properties, the general internal circulation pattern, and the designation of public thoroughfares.

2. The purpose of the administrative review is to confirm that submitted documents conform to the requirements of this article. A checklist containing the mandatory and desired elements of sections 3320.15, 3320.17, 3320.19, and 3320.21 with a minimum score required, will be used to determine Regulating ~~plan~~ Plans compliance with the code.

3. A Regulating Plan may be submitted for all or a portion of territory zoned in one or more TND districts. If the Regulating Plan is intended to claim points for features or meet requirements such as parking through features, contained in the larger territory by the limits of the Regulating Plan itself, a Memorandum of Agreement (MOA) is required to be submitted at the time of Regulating Plan submittal. The MOA is an agreement among the owner(s) of the property that was the subject of the rezoning, the developer(s) of the Regulating Plan area, and the City of Columbus. The MOA must describe specifically the areas in which points will be claimed for features outside the Regulating Plan area and whether it is intended to claim points for such features on future Regulating Plans.

4. The owner(s) of property and the developer(s) of the Regulating Plan area must sign the MOA at the time of Regulating Plan submittal. Upon approval of the Regulating Plan, the Director of the Department of Development or his/her designee will sign the MOA and copies will be transmitted to the owner(s) and developer(s). A copy of the MOA will be placed in the rezoning file for use in the review of each Regulating Plan for territory contained in the TND district(s) covered by the rezoning.

5. The ~~Regulating Plan~~ regulating plan must contain all mandatory elements in each section (Thoroughfares, Natural and Historic Resources, Civic Spaces and Civic Buildings, Private Buildings) and obtain at least 50% of the possible points in the Desired Elements category of each section and 75% of the possible points of both categories (Mandatory and Desired Elements) for all sections added together. Within the Desired Elements categories, items not applicable to a particular application shall not count toward the basis points for calculating the percentages. Under no circumstances are bonus points to be considered toward the basis points.

6. Documents including, but not limited to, the following shall constitute the Regulating Plan.

- Form A: Regulating Plan Review Application ~~Application~~
- Form B: Project Statistics Table ~~Table~~
- ~~An Existing Conditions Plan at least 1" = 200' min., showing location plan, north arrow, scale, property lines, dimensions and adjacent properties, existing thoroughfares, existing buildings, and natural and historic resources.~~
- A Site Plan at least 1"=200' min., with corresponding statistics, showing natural and historic resources, zoning districts, proposed thoroughfares and thoroughfare types, proposed civic spaces, and adjacent properties, thoroughfares, buildings, and natural and historic resources. All thoroughfare types, parking regulations, zoning districts and boundaries, frontage types, building parcels and/or lots must be labeled on the site plan.
- List of street tree species for the approval of the City Forester.
- Civic Space Detail Plans at 1" = 50' min., showing landscaping and location of benches and play equipment, catalog cuts of site furniture, details and specifications of pads for site furniture, layout drawings of playground equipment and manufacturer specifications, and details and play equipment. Catalog cuts of site furniture, details and specifications of pads for site furniture. Layout drawings of playground equipment and manufacturer specifications. Details and specifications of playground surfacing materials.
- An Illustrative Site Plan at 1"= 200'/min. (optional)

- Proposed Final home owners association documents.
- Any additional materials, as required, to document compliance with the code.

SECTION 5. That section 3320.15 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3320.15 THOROUGHFARES

Permitted Thoroughfare Types By District

	Neighborhood Edge (NE)	Neighborhood General (NG)	Neighborhood Center (NC)	Town Center (TC)
Maximum Block Length	1000 ft max	900 ft. max.	700 ft. max.	600 ft. max.
Thoroughfare Types				
PS-0-8			*	*
PT-0-8	*	*	*	
LA-16-12 Ω	*	*	*	
AL-22-22			*	*
AL-86-60			*	*
CL-42-22	*	*	*	*
ST-52-26	*	*	*	
ST-48-22	*	*	*	
CO-54-26		*	*	*
CO-60-32		*	*	*
BV-76-40	*	*	*	*
BV-120-60			*	*
BV-90-60			*	*
CS-62-36			*	*
CS-112-88			*	*
CS-88-64			*	*
CS-73-49				*
CS-75-51			*	*

Ω A modified version of LA-16-12 with 20' of pavement, 20' ROW, and 10' rear setback for outbuildings may be used in the Neighborhood Edge and Neighborhood General districts in the back of single family dwelling units that front civic spaces.

THOROUGHFARE TYPES

AL: Alley
 BV: Boulevard
 CL: Close
 CO: Collector
 CS: Commercial Street
 LA: Lane
 PT: Path
 PS: Passage
 ST: Street

Thoroughfare Standards

AL-86-60
 Alley: This type of alley is limited to the Neighborhood Center and Town Center districts and will serve as circulation/access to parking and not as a conveyance of network traffic.

CL-42-22
 Close (or service street): A thoroughfare enclosing a small green. The width of the close may correspond to the standard turning radius requirements.

<u>Type</u>	<u>Alley</u>	Close (or Service Street)
<u>Movement</u>	<u>Slow Movement</u>	Yield Movement
R.O.W Width	.86	42ft
<u>Pavement Width</u>	<u>.60ft.</u>	22ft.
<u>Traffic Flow</u>	<u>Two Ways</u>	Two Ways
<u>Number of</u>	<u>Two - head-in</u>	One side
<u>Parking Lanes</u>		
<u>Curb Type</u>	raised	Raised
<u>Planter Width</u>	<u>7ft.</u>	7ft.
<u>Planter Type</u>	<u>individual</u>	Continuous 1
<u>Planting</u>	<u>Allee, 30ft. O.C.-</u>	Allee 30 ft. O.C.
<u>Pattern</u>		
<u>Tree Type</u>	<u>see landscape standards</u>	See Landscape Standards
<u>Sidewalks</u>	<u>Both sides</u>	One Side (house side)
<u>Sidewalk Width</u>	<u>5 ft.</u>	5ft.
<u>Sidewalk Edge to</u>	<u>1ft.</u>	1ft.
R.O.W.		

A. General.

1. Thoroughfare types permitted by ~~within~~ this article are described in detail in the Permitted Thoroughfare Types by District ~~Table. Table and The~~ The Thoroughfare Standards Table lists the requirements for each thoroughfare type. Thoroughfare types shall be designated on the Regulating Plan as specified herein.
2. The location of street trees may be altered to reflect specific site and building placement.
3. ~~Any plantings~~ Plantings in the right-of-way are subject to City Forester review and approval.
4. In the case of private thoroughfares, right-of-way provisions are intended as dimensional requirements to accommodate sidewalk, planter and other thoroughfare elements.
5. In the Neighborhood Center and Town Center districts the design of Street, Collector, Commercial Street, and Close thoroughfare types may be modified such that the sidewalk is adjacent to the pavement and the planter located between the sidewalk and right-of-way edge. Sidewalk width must be increased to 6' and the Public Service Department must approve the overall design.
6. All thoroughfares, public or private, must include provisions for appropriate signage such as no-parking signs in conformance with the uniform signage manual or other means approved by Public Safety Director and Public Service Director.
7. Refuse Collection Division must approve the layout of public or private thoroughfares intended for the use by Refuse Collection vehicles. Multifamily developments, condominium and homeowner association documents must include a provision that thoroughfares, refuse collection service methods, and other needed infrastructure will be upgraded, as needed, in the event that city refuse collection service is requested.
8. Multi-use paths, bikeways and bike paths must be publicly dedicated or be placed within a public easement.

B. Mandatory Elements:

1. Thoroughfare lighting fixtures on public and private thoroughfares are of traditional design and conform with the standards for Street Lights #1,2,3,4, and 5 contained in Columbus Street Lighting Master Plan, Project 2020 Lighting Columbus. (3 pts.)
2. Lanes are provided for all lots less than 50' in width. (3 pts.)
3. Commercial lots in Neighborhood Center and Town Center districts have rear parking areas accessed by an alley, except the Parking Way frontage type may be used for commercial uses. No parking is permitted in the alley or lane right of way except for A1-86-60. Alleys or lanes are provided for all parcels/lots in the Town Center and Neighborhood General districts and parking is accessed from the alley or lane with no parking in the alley or lane (3 pts.)
4. Alleys and lanes are interconnected. (3 pts.)
5. All parking in a Neighborhood Center district is on-street, in parking lots, in parking structures/garages, or in a combination of the three. All parking lots are located mid-block or behind the buildings and accessed from an alley connected to other thoroughfares, except for the parking way frontage type may be used for commercial uses. Where a parcel contains one (1) principal building with no more than eight (8) dwelling units, the rear parking lot may be accessed through a driveway to the fronting thoroughfare. (No more than sixteen (16) dwelling units may be accessed by any one driveway No more than half the units located on any given thoroughfare can be accessed by a driveway. (3 pts.)

5. ~~All parking in Neighborhood Center is on street or is located in mid block parking lots or in parking lots located behind the buildings accessed from an alley connected to other alleys. (3 pts.)~~
6. Vistas of 600 feet or longer are not terminated by parking lots. (3 pts.)
7. The thoroughfare network and thoroughfare types conform with the Permitted Thoroughfare Types by District Table and the Thoroughfare Standards Table. (3 pts.)
8. The thoroughfare street layout connects to all adjacent public stub streets and includes public stub streets to facilitate connections to adjacent future development sites. Substantial internal connections shall also exist within the site. The thoroughfare street layout contains no cul-de-sacs ~~cul-de-sacs~~, or other unconnected thoroughfare streets, unless a determination is made by the Director of the Department of ~~Trade and~~ Development or his/her designee that the provision of connected streets is infeasible or inappropriate. (3 pts.)
9. Regulating Plan shall include a bicycle network of trails, lanes, thoroughfares, ~~sidewalks~~, and/or routes and connections to adjacent properties. (3 pts.)
10. The front of a building faces a civic space ~~Principal buildings front or a public or private vehicular thoroughfare, except a lane, alley, or passage, thoroughfares, except lanes alleys, or passages interconnected to other thoroughfares.~~ (3 pts.)
11. Buildings do not back onto public or private vehicular thoroughfares, except limited access highways, lanes, alleys, or passages. (3 pts.)
12. All of the lots in Neighborhood General are accessed from lanes. (3 pts.)

C. Desired Elements:

1. Neighborhood Edge Thoroughfares intersect in unconventional geometries. (0-2 pts.)
2. Landscaped medians are constructed in Neighborhood Center or Neighborhood General districts. (0-3pts.)
3. Landscaped medians are constructed in Town Center districts. (0-3 pts.)
4. Medians are built up to the right-of-way of intersecting streets, rather than being set back for dedicated left turn lanes. (1 pts.)
5. Utilities other than sewer and water facilities are located at the rear of properties. (0-2 pts.)
6. ~~In Town Center and Neighborhood Center districts, provisions are made for bicycle parking (0-2 pts)~~
6. In conjunction with on-street parking, parking is provided in the rear of commercial lots in Neighborhood Center and Town Center districts. This item is not applicable where on-street parking is prohibited. (0-2 pts.)
6. ~~Alleys serving parking areas are provided in conjunction with on street parking for commercial lots in Neighborhood Center and Town Center Districts. (0-2pts.)~~
7. Bicycle parking is provided either in ~~in either~~ the streetscape or the adjacent front/side yard near commercial or civic spaces. (2 pts)

SECTION 8. That section 3320.17 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3320.17 Civic Spaces and Civic Buildings

A. General.

1. Civic space types are designated on the Regulating Plan and conform with the Permitted Civic Space Types by Districts Table and the Civic Space Landscape Standards.
2. Civic building sites are designated on the Regulating Plan and are not required to be located ~~placed~~ on a civic space.
3. Frontage type requirements do not apply to civic buildings, except for retail uses.
4. Parking location for civic buildings is designated on the Regulating Plan and approved in consideration of impact on surrounding uses.
5. Thoroughfares adjacent to civic spaces or civic buildings conform to the standards of the underlying districts. Thoroughfares within a civic space are designed integrally with the civic space.
6. Civic spaces that preserve significant natural features are allowed in all districts without limitation.
7. For purposes of meeting allocation requirements, at least 50% of any district is other than civic space.
8. Civic spaces of one acre or greater will be dedicated to public use, ~~and~~ accepted by the City of Columbus, and ~~will be~~ maintained by the Recreation and Parks Department to a standard similar to other civic spaces maintained by them. Civic spaces approved at the time of rezoning count toward the requirements of Columbus City Codes Chapter ~~chapter~~ 3318.
9. Civic spaces to be owned and maintained by the City of Columbus or otherwise dedicated for public use are accessed by a public thoroughfare.

B. Mandatory Elements:

- 1) The development contains civic spaces within the required distance of each housing unit. (3 pts)
- 2) Civic space types are designated on the Regulating Plan and conform with the standards specified in the Civic Space Types by Districts Table and the Civic Space Landscape Standards. (3 pts)
- 3) A majority of civic spaces and civic building space have a minimum of 50% of their perimeter along a thoroughfare excluding alleys, lanes and paths. All civic spaces must have frontage. (3 pts)
- 4) ~~Civic spaces of three acres or more are located in the Neighborhood Edge district only. (3 pts)~~

- 5) ~~Civic spaces in the Neighborhood General district are not larger than three acres in size except for elementary and middle schools sites (3 pts)~~
- 4) Side and rear setbacks are no smaller than those required for private buildings on adjacent lots. (3 pts)
- 5) On-site parking does not exceed the number of spaces required by this article minus the number of parking spaces that can reasonably be accommodated on-street adjacent to the civic building. (3 pts)
- 6) Each Neighborhood Center and Town Center District contains at least one civic space designed and improved as a plaza, square or green of no less than one half acre and no greater than three acres. (3 pts.)
- 7) Land designated for neighborhood commercial uses, such as a live-work space, daycare center, and convenience store, in Neighborhood Center districts of more than 5 acres is integrated into the Regulating Plan. (3 pts.)
- 8) At least one civic space in each Neighborhood General and Neighborhood Edge, and Neighborhood Center district containing one family dwellings is furnished with play equipment for children according to Civic Space Improvement and Landscape Standards. One civic space in each district is landscaped and furnished with benches, the remainder are landscaped. (3 pts.)*
- 9) All parking lots along frontages are masked by a streetwall ~~streetwall~~, and/or hedges. (3 pts)
- 10) Parking lots are planted with indigenous shade trees at a minimum ratio of 1 tree per 10 parking spaces. (3 pts)
- 11) Trash compacters and dumpsters are not located in or adjacent to civic spaces unless they are associated with a civic building and so designated on the Regulating Plan.

C. Desired Elements:

1. Civic building site(s) are designated on the Regulating Plan. (2 pts.)*
2. A commitment exists to build minor civic structures such as a picnic shelter, park facilities, gazebo, or centralized mail facility. (2 pts.)*
3. A commitment exists to build non-retail commercial uses. (2 bonus pts.)
4. A civic building site intended for use as a childcare center is reserved in each Neighborhood Center or Neighborhood General district. (2 pts)
5. A commitment exists to build a daycare center or pre-school. (2 bonus pts)
6. A commitment exists to build significant civic buildings such as a school, religious building, meeting hall, library, indoor recreation facility, or ~~and~~ public swimming pool. (6 bonus pts.)
7. A commitment exists to build a corner store or other neighborhood retail. (6 bonus pts.)*
8. A school site acceptable to public or private school officials has been dedicated (if applicable). (3 pts.)*
9. A school site will be deeded to a public or private school. (2 bonus pts)
10. Civic buildings, civic spaces, natural features and/or structures terminate major vistas associated with CO, BV, and CS thoroughfare types ~~or structures terminate vistas~~. (2 pts.)*
11. Civic space within each Neighborhood Center district is within 500 feet of the geographic center of the pedestrian shed. (1 pts.)*
12. A corner store or cafe acceptable to Cota as a transit stop is contained within each Neighborhood Center or Town Center district ~~that is acceptable to COTA as a transit stop~~ (if applicable). (1 pts.)*
13. A commitment exists to build a transit stop acceptable to COTA (if applicable). (2 pts.)*

* Multiple points possible.

SECTION 11. That section 3320.19 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3320.19

This chapter shall contain Sections 3320.191 through 3320.195 and Building Standards table, Use Standards Table, and Frontage Types chart. In the case of condominium developments, lot size requirements are to be considered dimensional requirements.

3320.19 Private Building

A. General.

1. Standards for the following uses are specified in the Use Standards Table: Residential, Lodging, Office, Retail, Manufacturing, and Civic.
2. The configuration and disposition of lots and buildings is ~~are~~ specified in the Building Standards Table and the Frontage Types illustrations.
3. The required number of off-street parking spaces are specified in the Use Standards Table. The parking requirement may be reduced by implementing a shared parking policy based on "Shared Parking" © 1983 by ~~The ULI~~ (The Urban Land Institute) or successor documents.
4. On-street ~~On-street~~ parking within the frontage of the building is counted toward on-site parking requirements of apartment building and rowhouse building types but not residences above commercial uses. The required parking may be provided on private lots within the pedestrian shed (1/3 of a mile) ~~(1500 feet)~~ of the lot it serves and on thoroughfares within the pedestrian shed if such parking is neither adjacent to another existing or proposed use nor counted toward another use.

5. At the discretion of the applicant, on-street parking may not be counted toward the maximum parking requirements of retail uses ~~if desired by the applicant~~.

6. If a commercial parking structure exists or is planned within the pedestrian shed, the required parking may be purchased, depending on availability.

7. As much as 40% of the Neighborhood Edge land area may be developed with Neighborhood General standards for single unit dwellings, provided these standards are not used for any portion of Neighborhood Edge located immediately along the exterior perimeter of the overall development site.

8. The following uses are prohibited in all TND zones: drive-through commercial uses except service stations, book and video drops and banks; vending machines, except within buildings; detached signs and billboards; "big-box" and single use tenants of 10,000 square feet or more; exterior commercial kennels and animal husbandry; prisons; depots for the distribution or storage of goods; scrap yards except recycling collection centers; automotive sales, except service and repair not exceeding four garage bays; mineral extraction; landfills and dumps; electric substation; newspaper printing; ~~off-premises off premise~~ graphics, except for ~~off-premises off premise~~ graphics which are approved as part of a graphics plan or Special Permit by the Graphics Commission; adult bookstore, adult motion picture theater, adults only entertainment facility, production of adult materials or adult entertainment, sale of adult videos or other sexually oriented businesses; armory; pool room; poultry killing (killing or dressing for sale at retail on the premises); stable; tinsmith; ice house; ~~there shall be no~~ outside storage of wrecked or non-operative motor vehicles associated with any garage repair shop or motor vehicle repair/maintenance use.

9. A maximum of 20% of the units in Neighborhood General may be built as two-unit ~~two-unit~~ dwellings, unless a higher level is indicated and approved in the Development Plan.

10. A maximum of 10% of the units in Neighborhood General may be four-unit dwellings and must be depicted on the regulating plan.

B. Mandatory Elements

1. The developer will not permit the placement of single-family houses substantially similar in design next to or directly across the street from each other. (3 pts.)
2. The Regulating Plan complies with the requirements of the Use Standards Table in each district. (3 pts.)
3. The configuration and disposition of lots and buildings complies with the Building Standards Table and the Frontage Types Illustration. (3 pts.)
4. The facade is parallel to straight frontage lines and parallel to the chord of curved or broken frontage lines. (3 pts.)
5. Building facades along the frontage line meet the frontage requirements of the Building Standards Table. (3 pts.)
6. Principal building(s) have a front door opening directly to a frontage line on a principal thoroughfare. (3 pts.)
7. Trash containers are stored at the side or rear outside the public-right-of-way. (3 pts.)
8. Garage door opening(s) facing a frontage do not exceed 40% of the width of the house facade (including the garage). (3 pts.)
9. Storefronts have no more than one integral sign and one blade sign for each retail establishment on each facade. (3 pts.)
10. The blade sign of a storefront is located either just above or Just below the integral sign, is no larger than five square feet per side and does not project more than three feet in any direction. (3 pts.)
11. Where different zones abut along a side or rear property fine, the larger of the required side and rear setbacks apply along the shared property line. (3 pts.)
12. Frontage types are designated on the Regulating Plan in compliance ~~in compliance~~ with the Frontage Types Illustrations. (3 pts.)
13. Private sidewalks are provided between the public sidewalk and building entrances and between connecting parking areas and the public sidewalk. (3 pts.)
14. All parking lots along frontages are masked by a streetwall, and/or a hedge. (3 pts.)
15. Parking lots are planted with indigenous shade trees at a minimum ratio of 1 tree per 10 parking spaces. (3 pts.)
16. The integral sign of a storefront is located on a frieze, fascia or awning located directly above the storefront. Signage is broken at intervals of no greater than 20 feet.-(3 pts.)
17. The shopfront type is used along retail frontages. (3 pts.)
18. Residential buildings in Neighborhood Center district ~~with one to eight dwelling units on the ground floor~~ have at least one entrance door facing the thoroughfare for every two ground floor units facing the thoroughfare street. (3 pts.)
19. In the Neighborhood Edge district double width driveways are permitted on lots of 55' width or greater with the garage set back 2' from the front facade of the main building. (3 pts.)

- 20. In the Neighborhood Edge District single width driveways are permitted on lots of 50' width or greater with the garage setback 20' from the front facade of the main building. (3 pts.)
- ~~21. Projects of 50 to 100 acres have no less than 10% of the project area contained in each of two TND districts. (3 pts)~~
- ~~22. Projects of over 100 acres have no less than 10% of the project area contained in each of two TND districts. (3 pts)~~
- ~~23. No more than 50% of any project area is allocated to Neighborhood Edge District (3 pts)~~
- ~~24. Projects of over 100 acres have no less than 50% of the project area allocated to Neighborhood Center Districts. (3 pts)~~
- 21. Vistas of 600' or longer are terminated by buildings or civic spaces. (3 pts.)
- 22. No more than 50% of the units in a building may face an AL-86-60. (3 pts.)

C. Desired Elements

- 1. The first floor of frontages of parking structures is dedicated to commercial use, excluding parking, and upper stories at frontages are articulated to disguise the appearance of the garage. (3 pts.)
- 2. Parking structures are masked by a building from the thoroughfares. (3 pts.)
- 3. Parking structures do not lead directly to the buildings they serve and provide a pedestrian access route along a frontage line to the main building entrance. (1 pts.)
- 4. Buildings are placed on axis to terminate vistas. (~~3~~1 pts.)
- 5. Garages facing a frontage use single car garage door openings. (0-3 pts.)
- 6. The integral sign of a storefront is no more than 24 inches in height, and externally lit. (2 pts.)
- 7. Utility meters, air-handling equipment and the like; are set back at least ten feet from the front facade of the buildings. (2 pts.)
- 8. The parking and private sidewalk systems in the Town Center district are landscaped. (1 pts.)
- 9. Front or side porches of 50 square feet or more are provided on one-and two-family buildings. (0-3 pts.)
- 10. Foundation planting is provided along all multifamily building frontages. Planting shall be of sufficient quantity and spacing to provide complete coverage of the entire length of the building (excluding doorways). (2 pts.)

3320.19

		BUILDING STANDARDS TABLE DISTRICTS		
	Neighborhood Edge (NE)	Neighborhood General (NG)	Neighborhood Center (NC)	Town Center (TC)
LOT SIZE Width Φ Depth Ψ	50 ft. min. 100 ft. min.	36 ft. to 72 ft. 100 ft. min.	12 ft. to 170 ft. 80 70 ft. min.	No limit 80 ft. min. <u>No limit</u>
FRONTAGE TYPE (See "Frontage Types Illustrations")	Common Lawn Porch & Fence	Porch & Fence Dooryard Common Lawn Stoop	Dooryard Forecourt Stoop Shopfront & Awning Gallery & Arcade Porch & Fence Parking Way #	Stoop Shopfront & Awning Gallery & Arcade Parking Way #
FRONTAGE Build-out Setback*	30 % min. 25 ft. min	40 % min. 12 ft. to 18 ft established for each block	50 % min. 6 3 ft. to 12 ft. established for each block	80% min. 6 ft. max.
SIDE SETBACK Principal Building Ω Each side Outbuilding Attached Garage	5 ft min. 5 ft min.	Min. 8 ft total Min. 3 ft 0 min. *** 0 min. ***	0 min. ***	0 min. ***
REAR SETBACK Principal Building Outbuilding Corner Lots	24 ft. min. 6 ft. min.	24 ft. min. 6 ft. min. 6 ft. max.	6 0 min. 6 ft. <u>Max. min.</u> 6 ft. max.	0 min. 0 min. 6 ft. max.

Attached Garages		6 ft. min.	6 ft. min.	0 min.
BUILDING HEIGHT	35 ft. max.	35 ft. max.	45 ft. max.	60 ft. max.
PARKING Location π	1 st & 2 nd layers in driveway, 3 rd layer	1 st & 2 nd layers in driveway, 3 rd layer	2 nd & 3 rd layers masked	2 nd & 3 rd layers masked
**Lots	Prohibited	Prohibited	Permitted	Permitted
Structures	Prohibited	Prohibited	Permitted	Permitted

* Stoops or porches can encroach eight feet into the set back in the Neighborhood Edge and Neighborhood General districts.

** Temporary model home parking lots permitted.

***Zero side setback requires a three feet maintenance easement.

permitted only within the frontage of retail uses.

Note: Construction with a zero set back may subject the applicant to additional requirements and standards such as City of Columbus Building Codes and foundation encroachment into the Right-Of-Way.

Ψ In Neighborhood Edge and Neighborhood General districts minimum lot depth may be reduced to a minimum of 70' if at the same time the width is increased from the stated minimum by a ratio of 3 to 1 (for every 3' reduction in depth the width is increased by 1').

ΦMinimum lot width in Neighborhood General district may be reduced to 25' provided that the lot is to be used for a two-family dwelling and adjoins another 25' minimum lot accommodating the remainder of the two-family dwelling.

Ω Minimum side setback for two to four family dwellings at the common wall side shall be 0.

π In neighborhood Center and Town Center districts 1st layer parking is permitted utilizing the parking way frontage type under circumstances indicated in the article.

3320.19

		USE STANDARDS TABLE DISTRICTS		
	Neighborhood Edge (NE)	Neighborhood General (NG)	Neighborhood Center (NC)	Town Center (TC)
RESIDENTIAL Principal building No. dwellings on the ground floor No. parking spaces Building types Garage No. dwellings No. parking spaces Building types	1 2 House	1-2 dwelling house. Sideyard house, <u>two-family dwelling, rowhouse</u>	1-8 X 2/dwelling house, sideyard house, rowhouse, apartment building live-work <u>two-family dwelling</u>	No limit 2/dwelling, or 1/bedroom apartment bldg. rowhouse live-work 0
LODGING No. bedrooms No. parking spaces Food Service Building types			As limited by parking 1/leasable bedroom Anytime Boarding House B& B	As limited by parking 1/leasable bedroom Anytime Boarding House B& B
OFFICE Space available No. parking spaces Building types	As permitted in Section 3332.37 Home occupation	As permitted in Section 3332.37 Home occupation	As limited by parking 1/250 sq ft corporate office medical office bank	As limited by parking 1/250 sq ft corporate office medical office bank
RETAIL Space available No. parking spaces		1 st floor corner lot	As limited by parking 1/300 sq ft max	As limited by parking 1/300 sq ft max

Building types		1/300 sq ft max corner store café, child care	child care corner store café shopfront	shopfront store convenience retail child care
MANUFACTURING Space available No. parking spaces Building types Use limitations			1 st floor outbuilding & walled rear yard home workshop artist studio woodcraft furniture refinishing bicycle repair pottery making	Principal building & Walled rear yard warehouse

*Not required if access is from alley or lane.

X In the Neighborhood Center district there shall be no more than eight (8) dwelling units on the ground floor facing or fronting each thoroughfare.

Section 12. 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.

Passed November 11, 2002, Matthew D. Habash, President of Council / Approved November 14, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**TABLE OF CHANGES IN YOUR 1959
COLUMBUS CITY CODE**

Code	Ordinance	2002	Page	Subject
To amend Section 3101.01	2279-01	29	1497	To amend Section 3101.01 of the Columbus City Codes, 1959, to change the composition of the Development Commission by eliminating the Public Service Director as the seventh member; to allow the Mayor to appoint, with the approval of City Council, all qualified regular and alternate members of the Commission without regard to occupation or employer; and to declare an emergency.
To amend the Columbus City Codes	1145-02	29	1498	To amend the Columbus City Codes, 1959, by increasing the penalty for speeding in a school zone from a minor misdemeanor to a 4th degree misdemeanor, with a mandatory court appearance and a maximum fine \$250; and to make the Code consistent with the Ohio Revised Code; and to declare an emergency.
To supplement the Columbus City Codes	1143-02	30	1561	To supplement the Columbus City Codes, 1959, by amending C.C. 3303, 3351, 3353, and 3355 to: standardize the definition of dwelling unit among three different codes; augment the definition of hotel and motel; clarify where dwelling units may be constructed in commercial districts; update terminology and make language and grammatical changes.
To supplement and amend various sections of the Columbus Building Code	1144-02	30	1569	To supplement and amend various sections of the Columbus Building Code, Title 41, in order to allow for the registration of all general contractors responsible for all work on multi-family, commercial, industrial and institutional structures as governed by the Ohio Basic Building Code (OBC) as well as all new one, two, and three family dwellings for a flat fee as already prescribed in the Building Services Fee Schedule.
To establish new chapter 1934 of the Columbus City Codes	1183-02	30	1584	To establish new chapter 1934 of the Columbus City Codes, 1959, thereby establishing the authority to assess and collect an emergency medical services reimbursement fee.
To repeal ordinance 1128-02	1335-02	31	1686	To repeal ordinance 1128-02 in order to correct a numbering conflict in Chapter 3372 and to supplement the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3372, Planning Overlay, in order to create the "High Street: North of Morse Road Planning Overlay" for that portion of the High Street corridor from Morse Road-Rathbone Avenue to the city of Worthington corporate line; and to declare an emergency.
To enact new Chapter 373	0754-02	31	1689	To enact new Chapter 373 of the Columbus City Codes, 1959, to provide for an excise tax upon the short-term rental of passenger vehicles and to provide for administration and collection of the tax by the City Auditor.
To repeal existing Chapters 3101 and 3103	1368-02	38	1768	To repeal existing Chapters 3101 and 3103 of the Columbus City Code, 1959, and to reorganize existing code language and create new Chapters 3101, 3103, and 3105 in Title 31, "Planning and Platting," to better organize and update the enabling sections of the Planning and Platting Code to be similar to other development related titles and construction, thereby paralleling the Zoning and Building Codes.
To supplement and amend various sections	1415-02	39	1801	To supplement and amend various sections in Title 13, "Refuse Collection Code", in order to allow for the streamlining of code enforcement through the centralization of enforcement staff in the Department of Development while still allowing for the regulation of refuse collection by the Department of Public Service.
To amend Chapter 1105	1447-02	39	1807	To amend Chapter 1105 of the Columbus City Codes, 1959, to modify the current method of assessing front footage fees for tapping into City of Columbus water lines.
To amend Chapters 1105 and 1147	1448-02	39	1808	To amend Chapters 1105 and 1147 of the Columbus City Codes, 1959 to eliminate unnecessary language regarding the grace period and penalty assessment dates of water and sewer bills.
To correct an inadvertent omission in Chapter 3372	1463-02	40	1844	To correct an inadvertent omission in Chapter 3372 (Urban Commercial Overlay) of the Columbus City Codes through a minor amendment to Section 3372.611 (Design Standards).
To amend the Columbus City Codes	1534-02	44	2017	To amend the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3380, Standards For Areas of Special Graphics Control, in order to create the "Morse Road Special Graphics Control Area" for that portion of the Morse Road corridor from Interstate 71 to the centerline of Sunbury Road (map attached), and to repeal existing Sections 3380.101 and 3380.103.
To supplement the Columbus City Codes	1535-02	44	2019	To supplement the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3372, Planning Overlay, in order to create the "Morse Road Planning Overlay" for that portion of the Morse Road corridor from Interstate 71 to the centerline of Sunbury Road (map attached).
To supplement the Columbus City Codes	1627-02	46	2172	To supplement the Columbus City Codes, 1959, by amending C.C. 3320 to: make changes to the TND article; update terminology and make language and grammatical changes.